

In reply please quote PRA/69/2026  
Enquiries 03 8470 8888

14 July 2026

Dear Sir/Madam,

## CLAUSE 52.20 COUNCIL CONSULTATION ADVICE

We have undertaken a preliminary assessment of the plans and documents submitted as part of your pre-consultation meeting held on 18 June 2026 and the formal period of community consultation which commenced 26 June 2026.

|                              |                                                                                              |
|------------------------------|----------------------------------------------------------------------------------------------|
| <b>Property Address:</b>     | 61 Johnson Street RESERVOIR VIC 3073                                                         |
| <b>Meeting Date:</b>         | 18 June 2026                                                                                 |
| <b>Consultation Dates:</b>   | 26 June 2026 – 17 July 2026                                                                  |
| <b>Pre-App Number:</b>       | PRA/69/2026                                                                                  |
| <b>Proposal Description:</b> | Homes Victoria is preparing to develop the site with around 80 social housing dwellings      |
| <b>Zoning</b>                | Mixed Use Zone (MUZ)                                                                         |
| <b>Overlays</b>              | Design and Development Overlay Schedule 12 (DDO12)<br>Development Contributions Plan Overlay |
| <b>Particular Provisions</b> | Clause 52.20 – Government funded housing development                                         |

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## Proposal / Background:

It is understood that the proposal relates to the construction of a six-storey building which is to comprise eighty (80) community housing dwellings and one (1) shop / retail space. The site is surplus rail land currently owned by the Secretary to the Department of Transport.

In preparing this review, Council officers have assumed that the proposal will

qualify for the application pathway offered by Clause 52.20 for the development of land funded wholly or partly by the State or Federal Government and which is carried out by or on behalf of the CEO, Homes Victoria.

## Feedback:

### General

- Statutory Planning Officers are generally supportive of the proposal, including the overall height of the development and the inclusion of a small retail space in the proposed ground floor level.
- Please be advised that a public open space contribution under Clause 53.01 would not be required unless the land is subdivided. Council would instead seek a financial contribution to the Open Space Reserve which can be allocated to increasing the quality and capacity of nearby open spaces.

### Clause 52.20

- Clause 52.20-5 requires a report that addresses how the proposal responds to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development. DDO12 would apply to the development and would require all buildings and works to be *sited and designed to incorporate appropriate noise attenuation measures to minimise railway noise levels within the development to the satisfaction of the responsible authority*.

Accordingly, the development should be designed / constructed in accordance with the recommendations detailed within Section 6 of the submitted Acoustic Assessment report. Doing so would also address the requirement of Clause 52.20-7.7 (Noise impacts).

- The submitted 'Development Program' does not satisfy the requirement of Clause 52.20-5 to provide *a schedule of works and development including staging and the expected commencement and completion times*, in Council's view.
- The referral comments of the Head, Transport for Victoria are required for the proposal, per Clause 52.20-5 and Clause 66.02-11 Land use and transport integration.
- The proposal does not comply with Clause 52.20-7.3 (Solar access to communal open space) given that the terrace is sandwiched between the two tower forms, one of which is directly to the north.
  - Relocating communal open space from the podium to the rooftop would improve solar access and mitigate potential overshadowing from the current layout's northern tower and noise impacts from the elevated rail. A modest increase in height is acceptable where it accommodates communal facilities rather than residential floor area and is designed to minimise visual impacts.
- Clause 52.20-7.4 (Landscaping) - 308sqm of tree canopy cover is required (consisting of 2 x Type B and 1 x Type C trees):
  - The area of shade provided by the harbour at Level 2 cannot be included in the total, and therefore the tree canopy cover requirement is not met.
  - Deep soil dimensions for the proposed canopy trees are also non-

compliant – a minimum of 4.5m is required for a Type B tree, and 2.5m for a Type A tree.

- Clause 52.20-7.5 (Integrated water and stormwater management) – please refer below to the comments of Council's ESD officer.
- Clause 52.20-7.6 (Building setback) - generally acceptable, however the 'light courts' on the northern elevation which require bedroom windows facing one another to be screened is a poor outcome. Consider how these windows can be offset to avoid screening.
- Clause 52.20-7.8 (Accessibility) - minor revisions required for full compliance:
  - All Design Option A adaptable bathrooms need to be shown with a toilet positioned in a corner of the bathroom, and showers are to be noted as 'hobless'.
  - Apartment type '2B-02' (claimed as compliant) does not show the width of the entry door and a 1.2m clear path to entry is not provided.
  - Apartment type '2B-05' (claimed as compliant) does not show a full 1.2m clear path connecting to the main bedroom.
  - Apartment type '2B-07' (claimed as compliant) has its 1.2m clear path interrupted by a storage cupboard adjacent to the entry and by a study nook opposite the adaptable bathroom.
- Clause 52.20-7.14 (Room depth) - Single aspect combined habitable room depths not properly shown on BADS plans. Must be taken from rear kitchen wall to external surface of window. Many appear to exceed 9m.

#### General notes for the plans

- Please show details of all external shading devices (these are shown on the elevations and renders but with no details).
- Show adjoining building details (setbacks, location of and setbacks to habitable room windows / balconies from the site) on the site context plans.
- Show minimum dimensions on all BADs plans (balconies, bedrooms, wardrobes, breeze paths, single aspect room depths etc).
- Show location of cooling/heating units, noting that if placed on balconies, larger areas are required.

#### Urban Design feedback

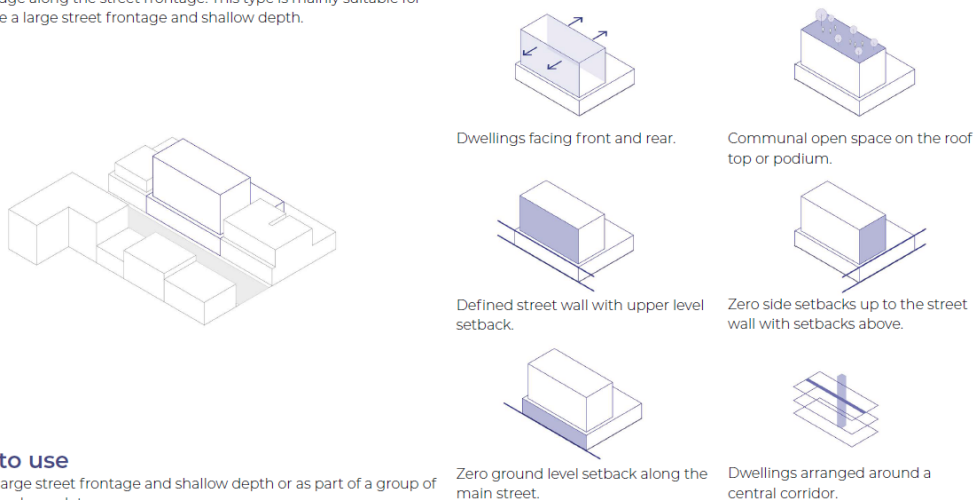
##### *Site & Building Layout*

- Proposed twin tower arrangement results in an inefficient building layout, including an inactive western interface to rail corridor, complex internal layouts and a reliance on narrow light courts. Given the site's generous street frontage and relatively shallow depth, a slab building typology is considered a more appropriate built form outcome in this context.

### 3. Slab Building

Slab Building type is a building which, unlike the Block Building type has the longer edge along the street frontage. This type is mainly suitable for lots that have a large street frontage and shallow depth.

#### Key Characteristics



#### Where to use

- Lots with large street frontage and shallow depth or as part of a group of buildings on larger lots.
- A strong street wall is desired.
- Ground floor retail/commercial use is desired with zero front setback.
- Larger lots along main retail streets.

- Revise the upper-level layout to orientate apartments towards both primary street and railway corridor in accordance with slab typology. This will create a more active edge to the railway corridor improving passive surveillance / amenity to shared path and the building's overall interface with the public realm.
- Orientating apartments towards the railway corridor would also improve apartment amenity by allowing for better daylight access, privacy and outlook by reducing reliance on narrow, deep light courts. In current layout several bedrooms rely on these light courts for daylight, requiring opaque glazing and high sill windows to mitigate overlooking, resulting in poor outlook and reduced amenity.
- A slab typology would also enable a more efficient internal layout through a single centrally located double-loaded corridor, with opportunities for daylight and ventilation at each end. This would assist in improving the amenity and environment quality of internal circulation spaces.
- Relocating communal open space from the podium to the rooftop would improve solar access, and while mitigating potential overshadowing from current layouts northern tower and noise impacts from elevated rail. A modest increase in height is acceptable where it accommodates communal facilities rather than residential floor area and is designed to minimise visual impacts.
- The use of a 2-storey street wall and podium is supported, as it is consistent with surrounding commercial development along Johnson St.
- A stronger delineation between podium and tower is required by providing a minimum 3m upper-level setback inclusive of balconies, to the primary street frontage and the northern and southern sides of the site. While an upper-level setback has been proposed to the primary street frontage, the projecting balconies erode the visual separation between podium and tower, increasing the perceived bulk of the building.
- Additional upper-level setback will be required on the western elevation adjacent the railway corridor to ensure balconies and windows are not located

on boundary, and these setbacks should be maximised improve the amenity of the building.

#### *Public Realm Interface*

- A larger and more consistent awning treatment should be provided along the entire Johnson St frontage to improve both pedestrian and public realm amenity while also ensuring a more consistent outcome with prevailing character of the street.
- Ground floor apartments should be replaced with commercial tenancies. A zero front setback is unlikely to provide an acceptable level of residential amenity, as privacy would rely on screening measures such as closed blinds, while private open space would have limited privacy and daylight due to its direct interface with the street and overhanging balconies above. Given the site's constraints and limited opportunity to increase front setback commercial uses are considered a more appropriate outcome, better reflecting the mixed-use zoning and the established commercial character of the street.
- Employ higher quality architectural treatments such as textured concrete patterning treatments to area of blank side boundary wall on the southern side of the podium adjacent the cycle connection to create visual interest.

#### *Landscaping*

- Detailed landscape plans are required to clearly identify all proposed landscape treatments. These plans should demonstrate how proposed landscaping integrates with the building and surrounding public realm, including existing landscaping within the adjoining railway reserve and northern pedestrian link. Plans should also clarify how landscape treatments will influence the interface between the ground floor retail tenancy, potential outdoor dining areas and pedestrian connections to adjoining public spaces.

#### *Building Appearance*

- Simplify the number of materials employed on the façade to no more than 2 to 3 to create greater façade cohesion.
- Materials must all be high-quality and robust. The use of painted or rendered finishes such as PF01 or REN01 are not supported as these finishes tend not to age well and require constant maintenance. Instead employ materials with pigmented finishes to ensure longevity and reduce maintenance.
- Solar gain on revised west facing apartments could be addressed by incorporating adjustable external shading treatments such as operable screens, or external roller blinds help control heat gain and improve thermal comfort for residents. Additional treatments such as double glazing should be employed to both address thermal comfort and to mitigate noise from adjoining elevated rail.
- Corner apartments should ensure balconies address and provide outlook to both primary and secondary interfaces.

#### Transport engineering feedback (requirements/requests in red)

##### *Car parking*

- The provision of 63 car spaces satisfies the requirement (48 car spaces

required for dwellings). Car parking to the shop/retail will be to Minister's satisfaction.

#### *Accessway design*

- A pedestrian sight triangle must be provided on the exit side of the accessway leading to Johnson Street.
- Ramp width constraints mean that only one vehicle can use the 20-metre ramp section at a time, creating the potential for opposing movements between inbound and outbound vehicles accessing the first-floor car park.
- Given the low frequency of opposing movements and the short travel time, the probability of two vehicles meeting on the ramp is very low.
- In the rare event that two vehicles meet within the car park, vehicles are able to pass each other safely either at the passing area near the site entrance or within the first-floor car park, ensuring that any interaction can be negotiated without operational issues.
- Convex mirrors are recommended to be installed at appropriate locations along the first-floor ramp to provide drivers with advance visibility of oncoming vehicles and allow them to negotiate the single-width ramp safely.
- The installation of convex mirrors can be secured via a planning permit condition.
- Subject to the installation of the recommended convex mirrors, the operation of the single-width ramp is considered appropriate from a traffic engineering perspective, with a very low likelihood of conflict and adequate opportunities for vehicles to safely pass or wait as required.

#### *Car parking spaces*

- Blind aisle extensions for spaces adjacent to walls are shown as 0.3 m, which is below the required 1 m minimum under AS/NZS 2890.1:2004
- Based on the Colliers tracking, access to parking spaces 26 and 27 currently requires vehicles to encroach into the columns along the northern wall and into the accessible space and shared area, indicating a design constraint.
- It is recommended that:
  - The columns be relocated outside the blind aisle and car park extension.
  - The accessible space and shared area be delineated to 4.9 m in length, with 0.5 m of hatching extending into the blind aisle to encourage vehicles to park further forward.
- With these modifications, the B85 vehicle can access the critical spaces with no more than one corrective manoeuvre during entry or exit, and all vehicles can enter and exit the site in a forward direction.

*Bicycle parking – whilst this is not an element of Clause 52.20, Council considers it to be of significance to the proposal and site.*

- The development proposes 28 bicycle parking spaces, which meets the statutory requirements of Clause 52.34.
- The *Off-street Bicycle and Motorcycle Parking Review (March 2016)* prepared by Phillip Boyle & Associates for the City of Melbourne found that the current planning scheme rates are inadequate, recommending higher

bicycle and motorcycle parking provision and improved regulation of space quality and end-of-trip facilities. This highlights that the statutory rates represent a minimum benchmark only.

- Furthermore, the statutory bicycle rate is based on lower-density development assumptions and may not support broader policy objectives relating to modal shift and reduced car dependency. Insufficient bicycle parking can undermine access to sustainable transport options.
- Given the site's proximity to cycle connections and public transport, the availability of multiple non-car travel choices, and the fact that a significant number of apartments will be car free, it is considered appropriate that each apartment be provided with one dedicated bicycle parking space to support sustainable travel behaviour.

#### *Bicycle Parking Design*

- The bicycle parking layout is appropriate, providing:
  - 500 mm spacing between racks
  - 1,200 mm length for vertically mounted bicycles
- A minimum 1,500 mm aisle width
- These dimensions comply with Clause 52.34 of the Planning Scheme.
- It is recommended that 50% of all bicycle spaces be provided as horizontal, ground-level spaces to accommodate:
  - Cyclists who are unable to lift their bicycles
  - Users with non-standard bicycles (e-bikes, cargo bikes, child carriers, etc.)

#### *Green Travel Plan*

- Refer attached.

#### ESD feedback

##### *Energy: Residential NatHERS*

- The proposal includes a commitment to achieve 7.7-star average NatHERS; this is good and supported in line with Darebin best practice expectations which is to exceed NCC by 10%.
- Update the BESS report Energy Profile and SMP to show actual heating and cooling loads obtained from the sample apartments and that the overall commitment is 7.7 Star average consistent with the preliminary NatHERS provided.

##### *Energy: Non-res thermal performance*

- Provide a NCC façade calculator to demonstrate compliance with minimum standards. Darebin's best practices standard is to provide double glazing in air conditioned non-residential spaces independent of meeting minimum NCC. Include double-glazing in the preliminary façade calculator.

##### *IEQ: Residential Daylight*

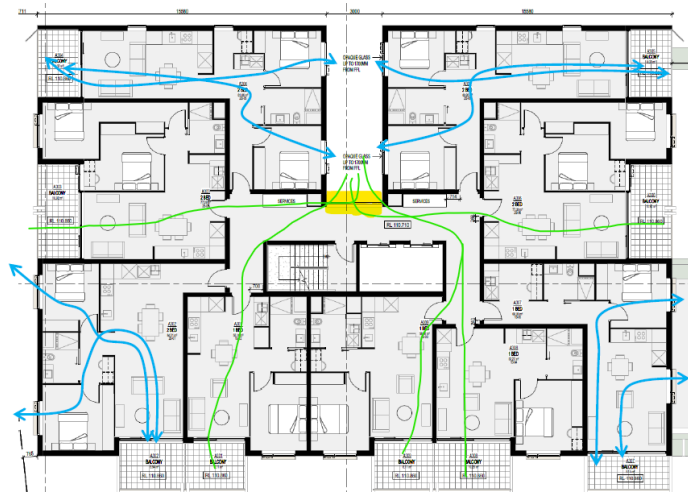
- The following floor plate designs are of concern due to the deep, narrow, single aspect living areas with a balcony overhang. While the development is meeting BESS compliance for daylight demonstrated by way of the BESS

built-in tool, these types of living spaces are difficult to account for daylight quality. It is recommended to reconsider the design to improve daylight outcomes.



#### IEQ: Residential natural cross ventilation

- The SMP shows and that only 34% of apartments are naturally ventilated. This is not supported. Design changes should be undertaken to improve natural ventilation throughout the building.
- A suggested approach to improving natural ventilation is to provide the corridor with an operable window and all apartments fitted with security doors so that residents can ventilate through their front door while maintaining security. See below a snip with yellow highlight where window operability could be located and green line markings of ventilation opportunities as a result of the change.



Cross ventilation breeze paths at Level 3 (typical for Levels 2, 3, 4, and 5)

#### *Stormwater: Rainwater tank size*

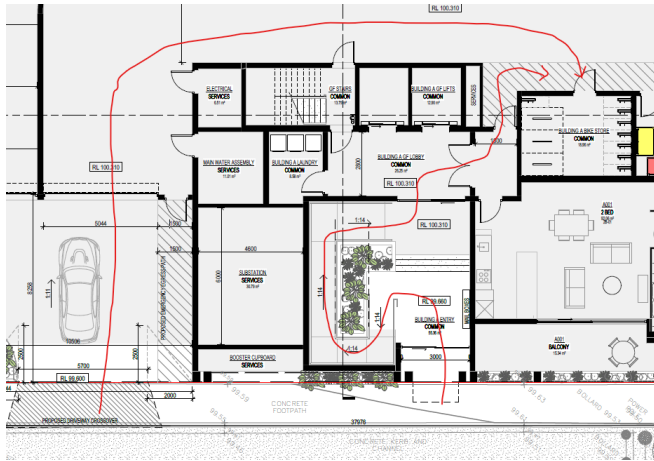
- The proposed 10kL rainwater harvesting tanks are too small for a site of this scale. Further, the proposed connection only to irrigation is unacceptable as this is a seasonal demand that results in the wet season water not being reused.
- The minimum expectation is that rainwater tanks will be connect to all toilets within the building for toilet flushing. Additional connections may include washing machines, bin wash areas and irrigation.
- Increase the size of the rainwater tanks and connect to toilets, provide supply and demand calculations to justify selected tanks size.

#### *Stormwater: Proprietary stormwater product is not supported*

- The proposal includes an ATLA filter to meet pollutant reduction targets set out by Clause 53.18. Darebin does not support proprietary stormwater products to address the standards of Clause 53.18.
- Provide a WSUD response that maximise rainwater capture and reuse from the roof area. For trafficable areas, podium and ground floor areas prioritise permeability, raingardens, passive tree pits and other WSUD features that contribute to a stormwater management, as well as greening, cooling, resilience, habitat etc.

#### *Transport: Bike access to encourage active transport*

- The proposed cyclist access to the bicycle parking is complex and potentially dangerous. Wherever possible minimise doors and ensure doors that are present are automatic so that a dismounted cyclist that is pushing a bike through the pedestrian way can easily move through the spaces. Avoid having the only access shared with cars as this is dangerous.
- Red line below shows current cyclist access.



*Waste: construction waste management*

- The SMP claims that construction and demolition waste cannot be recycled because existing site is vacant. While this is true for demolition waste, there is plenty of opportunity for construction waste to be recycled.
- Do not scope out the waste credit in BESS, instead commit to 80% of construction waste being recycled.

*Urban ecology: Provide tap and floor waste to each balcony.*

- Annotate tap and floor waste to each balcony to allow residents to grow plants and vegetables.

*Innovation: Do not claim credit for inspecting insulation or bike repair*

- The items included within the Innovation category of the BESS report are all considered positive aspects of the development, they do not however meet the intention of the BESS Innovation credits. In determining whether an ESD initiative is considered innovative, one criterion would be to determine whether the design feature or technology is new or not commonly applied in Victoria.
- Do not claim innovation credits for having an insulation inspection or bike repair station.

## Landscape unit feedback

- 'General Maintenance Notes' refers to 'irrigation notes' but these have not been provided. These should be provided, particularly given a large amount of the proposed vegetation is proposed in planter boxes which is susceptible to drying out.
- Planter boxes are very shallow, offering less than ideal planting conditions and susceptible to drying out.
- Need to see tree and shrub in ground detail.
- Need to see proposed permeable paving detail.
- Deep soil requirements: 10% of 2,290sqm = 229sqm. Deep soil provided 282sqm, therefore deep soil requirement met, however minimum dimensions not (see next dot point).
- *Eucalyptus sideroxylon* 'Rosea' is shown to reach 6-8m in width in the plant

schedule (and is known to get wider).

- The tree symbol on the plan measures 8m (therefore a Type B tree).
- These trees are planted too close (2m) to the building line. More space should be provided to ensure no damage to foundations and to allow the trees to reach their full potential.
- Given this tree is shown as a Type B tree (for canopy purposes), a minimum deep soil dimension of 4.5m is to be provided. The plan currently shows 3m between property boundary and building line.
- Deep soil to the west of the development also appears to be under the required minimum 2.5 dimension for Type A trees.
- Plant schedules to include plant quantities.
- Shrub and tree diversity in ground floor plan is lacking. Would like to see increased diversity to provide greater visual interest and limit the chance of mass failure.
- The communal open space will be in deep shade for a large part of the year, making it unpleasant to use. Located to the north and/or on the rooftop would provide greater amenity for the residents.
- Landscape plan should show neighbouring trees (particularly in the walkway to the north) to better understand their relationship to the proposed trees. Also along Johnson Street.
- There is an opportunity to build upon the existing understorey planting along the walkway (Johnson St - station) into the landscaping area within the development boundary to provide a cohesive landscape response.

#### Development engineering feedback

- Standard requirements apply:
  - *The stormwater from the property to be connected to the existing underground drain or pit in Johnson Street to Council requirements with the discharge from the whole site being limited via on site detention system to Council requirements. (Discharge via gravity only. No pump systems permitted).*
  - *Accurate depth and offset of the drain must be confirmed on site prior to the submission. The OSD is to limit the rate of stormwater discharge from the property based on  $C_w=0.4$ ,  $T_c=10\text{mins}$ ,  $T_{so}=5\text{ min}$ , ARI 1in5. An ARI of 1in10 shall be used for storage and the greater of post development  $C_w$  or  $C_w=0.80$ .*
  - *Computations & retention and design plans are required to be submitted to this office for compliance with legal point of discharge via online portal only (not email)*

#### Flood engineering feedback

- Proposed floor levels are acceptable (AHD max flood level to the site is 100.01m).

If you have any questions about this advice, please don't hesitate to contact me for assistance.