

NOTICE OF AN APPLICATION FOR A PLANNING PERMIT

The land affected by the application is located at:	120 Liebig St WARRNAMBOOL VIC 3280
The application is for a permit to:	Change of use (accommodation) & Buildings and works to construct an extension to the existing building.
A permit is required under the following clauses of the planning scheme:	Clause 34.01-1- Use for accommodation (Commercial 1 Zone) Clause 34.01-4 – Building and works (Commercial 1 Zone)
The applicant for the permit is:	Designing Spaces Pty Ltd
The application reference number is:	PP2024-0230
You may look at the application and any documents that support the application at the office of the responsible authority:	Warrnambool Civic Centre 25 Liebig Street WARRNAMBOOL 3280 Or online at: https://www.warrnambool.vic.gov.au/advertised-planning-applications
For further reference please contact:	Planning Support Telephone: 03 5559 4800 Email: planning@warrnambool.vic.gov.au

This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the Responsible Authority (Warrnambool City Council).

An objection must * **be made to the Responsible Authority in writing**
 * **include the reasons for the objection, and**
 * **state how the objector would be affected.**

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

If you object, the Responsible Authority will tell you its decision.

Objections/Submissions are accepted by:

- post to Town Planning Office, Warrnambool City Council, PO Box 198 Warrnambool 3280
- in person at the Warrnambool Civic Centre, 25 Liebig Street, Warrnambool
- submitting an 'Objection to grant a Planning Permit' form available from www.warrnambool.vic.gov.au Click on *Property – Planning Permits - Objection to grant a Planning Permit form*
- email to planning@warrnambool.vic.gov.au

The Responsible Authority will not decide on the application before:	23 January 2025
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ADVERTISED

The Warrnambool City Council is committed to protecting personal information in accordance with the principles of the Victorian privacy laws. The information provided will be used for the following purposes:

- correspond about the permit application
- if necessary, notify affected parties who may wish to inspect your application so that they can respond
- if necessary, forward your application to a referral authority who must also keep a register available for inspection by any person

The information you provide will be made available to:

- any person who may wish to inspect the application until the application process is concluded, including any review in VCAT
- relevant officers at Council, anyone a party to the application process and other Government agencies or Ministers directly involved in the planning process
- persons accessing information in accordance with the Public Records Act 1973 or the Freedom of Information Act 1982
- Other external parties if required by law

This information is being collected in accordance with the Planning and Environment Act 1987. If all requested information is not received, Council may not be able to process your application or objection.

Do you agree? ☒ Yes ☐ No

The Land

1. Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address

Unit No.: _____ St. No.: 120 Street name Liebig Street
Suburb/locality Warrnambool postcode 3280

Formal Land Description

Complete either A or B.

A Lot No.: 1 ☐ Lodged Plan ☒ Title Plan ☐ Plan of Subdivision No.: 833693F

or

B Crown Allotment No.: _____ Section No.: _____
Parish/Township Name: _____

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

2. For what use, development or other matter do you require a permit?

Change of use of part of existing building to residential, buildings and works to construct an extension, and reduction of c requirement.

Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

3. Estimated cost of development for which the permit is required

Cost: \$ 450,000 You may be required to verify this estimate.

Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

Existing Conditions

4. Describe how the land is used and developed now

eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Mixed commercial/residential building.

Title Information

5. Encumbrances on title

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- ☐ Yes ☐ Provide a copy
☒ No
☐ Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive

Applicant and Owner Details

6. Provide details of the applicant and the owner of the land.

Applicant (The person who wants the permit.)

Title: Mr First Name: Nathan Surname Divall

Organisation (if applicable): Designing Spaces

Unit No.: _____ St. No.: 115 Street name Fairy Street

Suburb/locality Warrnambool State Vic postcode 3280

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

☒ Same as applicant (If so, go to 'contact information')

Title: _____ First Name: _____ Surname _____

Organisation (if applicable) _____

Unit No.: _____ St. No.: _____ Street name _____

Suburb/locality _____ State _____ postcode _____

Contact information Please provide at least one contact phone number

Business Phone 5562 5229 Email nathan@designingspaces.net.au

Mobile Phone _____ Fax _____

Owner (The person or organisation who owns the land)

☐

Owners signature (Optional)

Date _____

Declaration

7. This form must be signed by the applicant

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

ADVERTISED

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature

Date 01.11.24

Need help with the Application?

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

8. Has there been a pre-application meeting with a Council planning officer?

☐ yes

☒ no

If yes, with whom?: _____ Date: _____

Application Type

Is this a VicSmart application?* ☒ Yes ☐ No

If yes, please specify which VicSmart class or classes.

59.04 59.10

*Classes of VicSmart application are listed in Zones, overlays, particular provisions and the schedule to Clause 59.15

Checklist

9. Have you

- ☒ Filled in the form completely?
- ☒ Provided all necessary supporting information and documents?
 - ☒ A current copy of title (no more than 3 months old) including a copy of any encumbrances affecting the land.
 - ☒ Plans showing the layout and details of the proposal
 - ☒ A plan of existing conditions
 - ☒ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
If required, a description of the likely effect of the proposal (eg traffic, noise, environmental impacts).
 - ☒ Signed the declaration (section 7)?

Lodgement and Payment

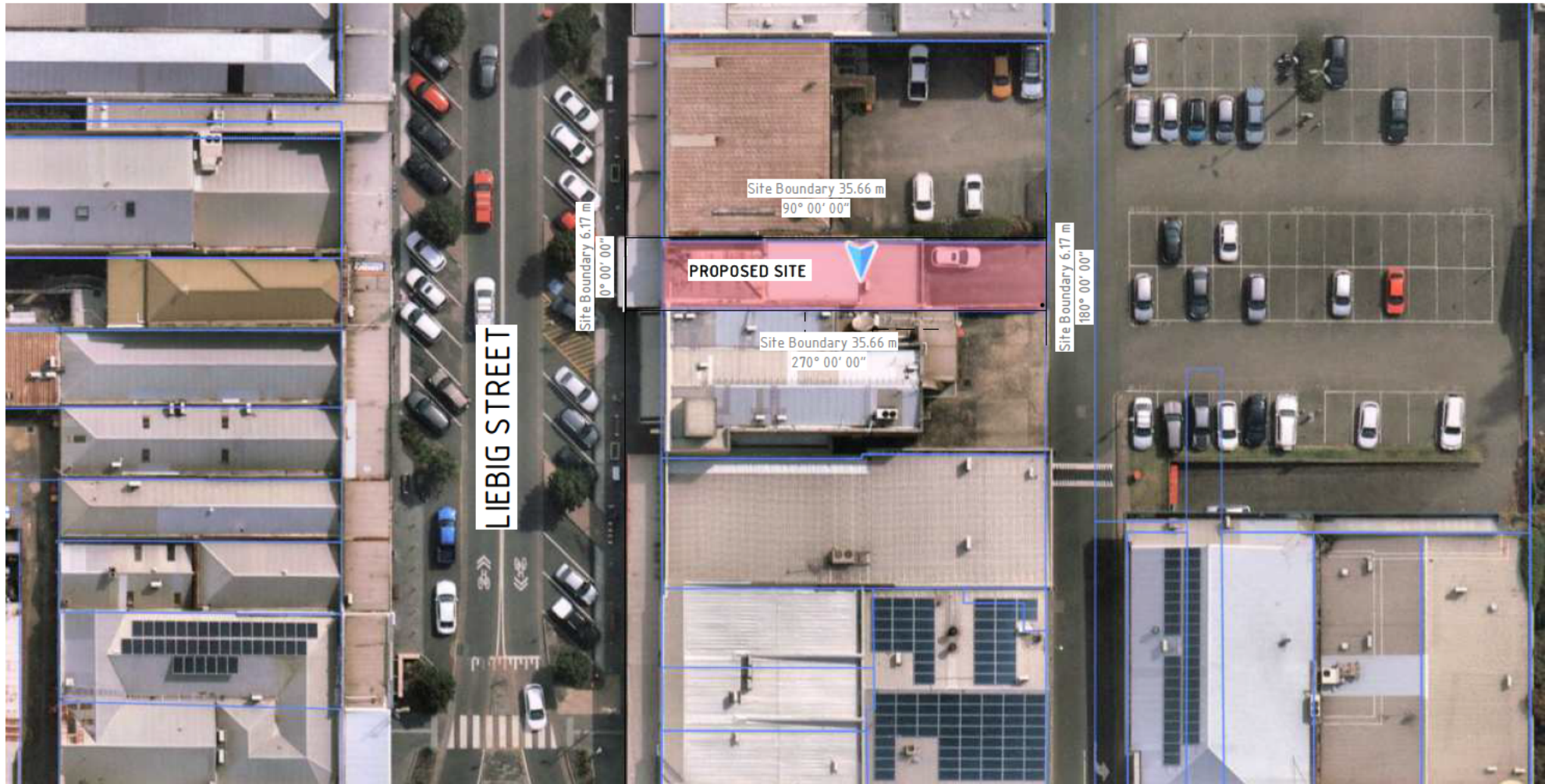
Lodge the completed and signed form and all documents with:

In Person: Warrnambool City Council Civic Centre, 25 Liebig Street, Warrnambool 8.30am to 5.00pm

Mail: PO Box 198, WARRNAMBOOL Victoria 3280

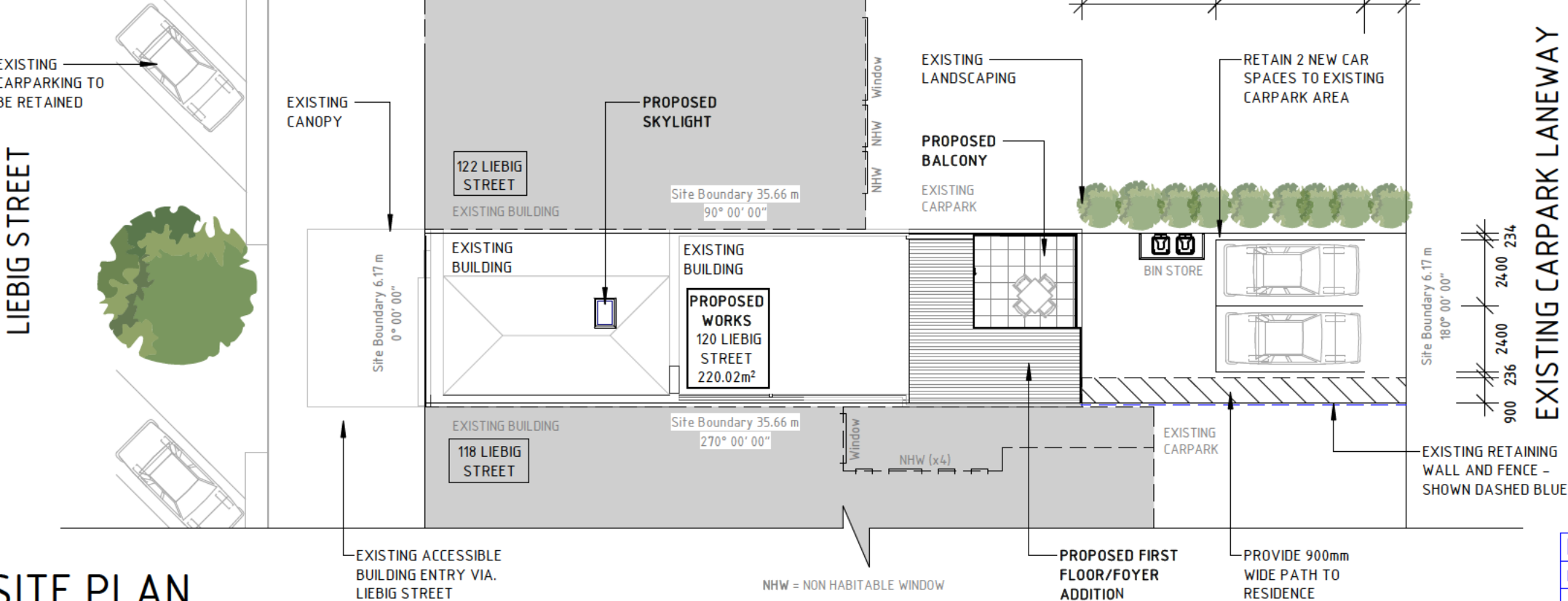
E-mail planning@warrnambool.vic.gov.au

Please note once your application is received, an invoice will be forwarded to you via email.



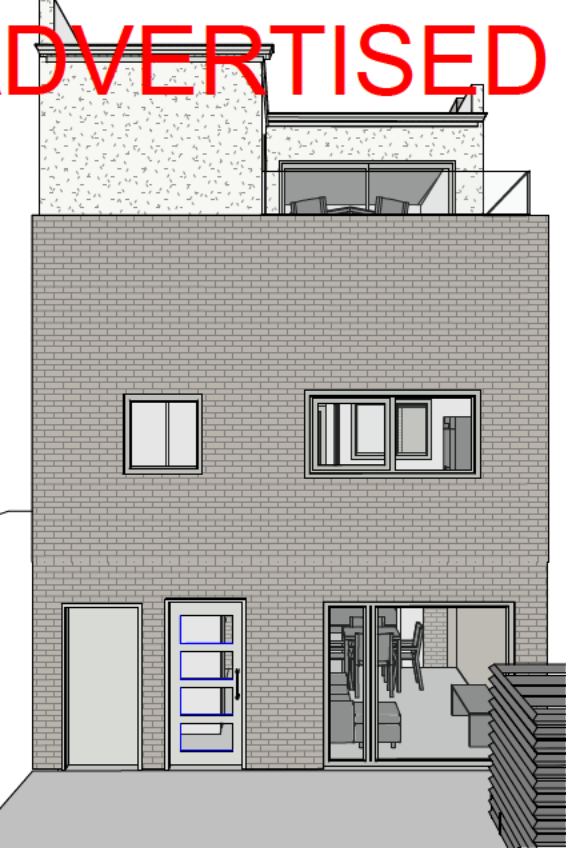
LOCALITY PLAN

1: 500



SITE PLAN

1: 200



SOUTHEAST ELEVATION

120 LIEBIG STREET WARRNAMBOOL	
HEIGHTS (MAX)	- 10.79 m
BUILDING MASS	- BUILDING COVERAGE AREA
	- EXISTING = 113.58m ²
	- PROPOSED = 39.62m ²
	- TOTAL: 153.20m ²
SETBACKS	- NORTHWEST (STREETFRONT) = 0m
	- NORTHEAST = 0m
	- SOUTHEAST = 11.34m
	- SOUTHWEST = 3.0m
SITE COVERAGE	- TOTAL SITE AREA = 220.02m ²
	- BUILDING FOOTPRINT = 153.20m ²
	= 69.63% SITE COVERAGE
FRONTAGE	- REFER TO EXISTING ELEVATION

AREA ANALYSIS		
Name	Area	SQ'S
Prop. Foyer Area	12.74 m ²	1.37
Prop. Balcony	14.99 m ²	1.61
Prop. First Floor	25.89 m ²	2.79
Ext. Basement	59.99 m ²	6.45
Ext. First Floor	97.68 m ²	10.51
Ext. Retail Area	130.63 m ²	14.06

PROJECT REVISIONS		
REVISION	PHASE	DATE
A	PLANNING -ADJACENT WINDOWS ADDED TO SITE PLAN	DEC. 2024

SITE PHOTO- EXISTING CONDITIONS - DATED MAY 2024



SITE PHOTO- EXISTING CONDITIONS - DATED MAY 2024



PROPOSED WORKS - SOUTHEAST ELEVATION



PROPOSED WORKS - EAST PERSPECTIVE



JOB No:
24-060
2.
A3 SHEET

NATHAN DIVALL
AUGUST 2024
REVISION: (SEPT. 2024)

120 LIEBIG STREET WARRNAMBOOL

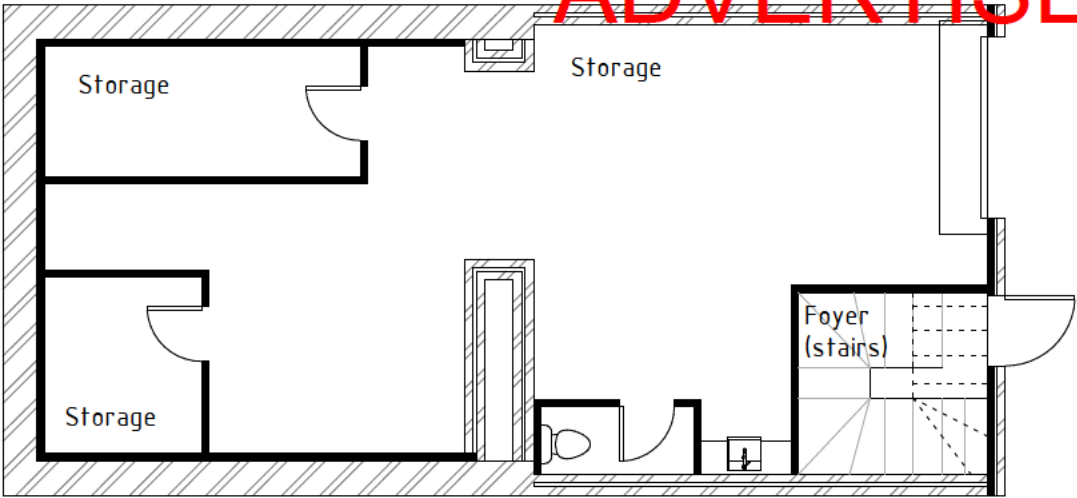
115 FAIRY STREET, WARRNAMBOOL - T:0355625229 - E:nathan@designingspaces.net.au - REGISTRATION No. DP-AD32963

designing
spaces
NATHAN DIVALL

EXISTING CONDITIONS PLANS

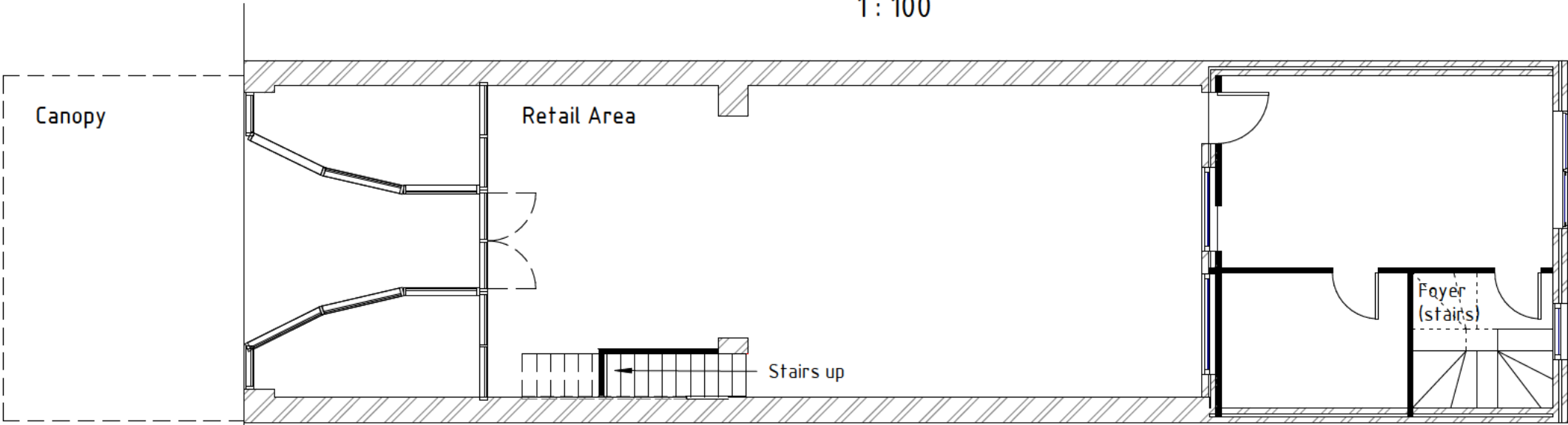


ADVERTISED



BASEMENT FLOOR PLAN

1 : 100

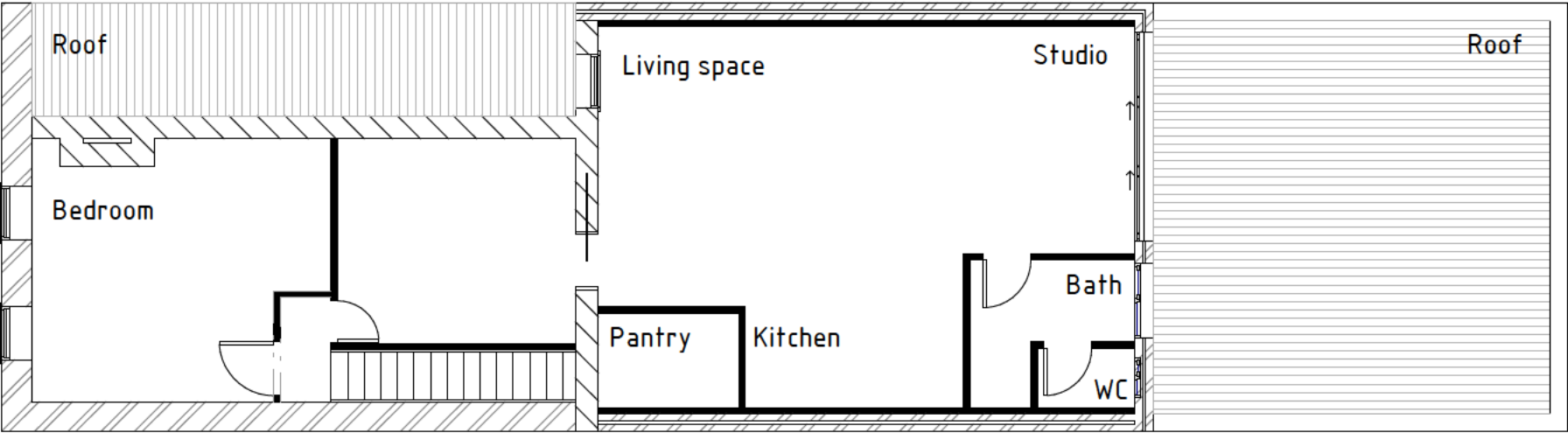


GROUND FLOOR PLAN

1 : 100

FIRST FLOOR PLAN

1 : 100

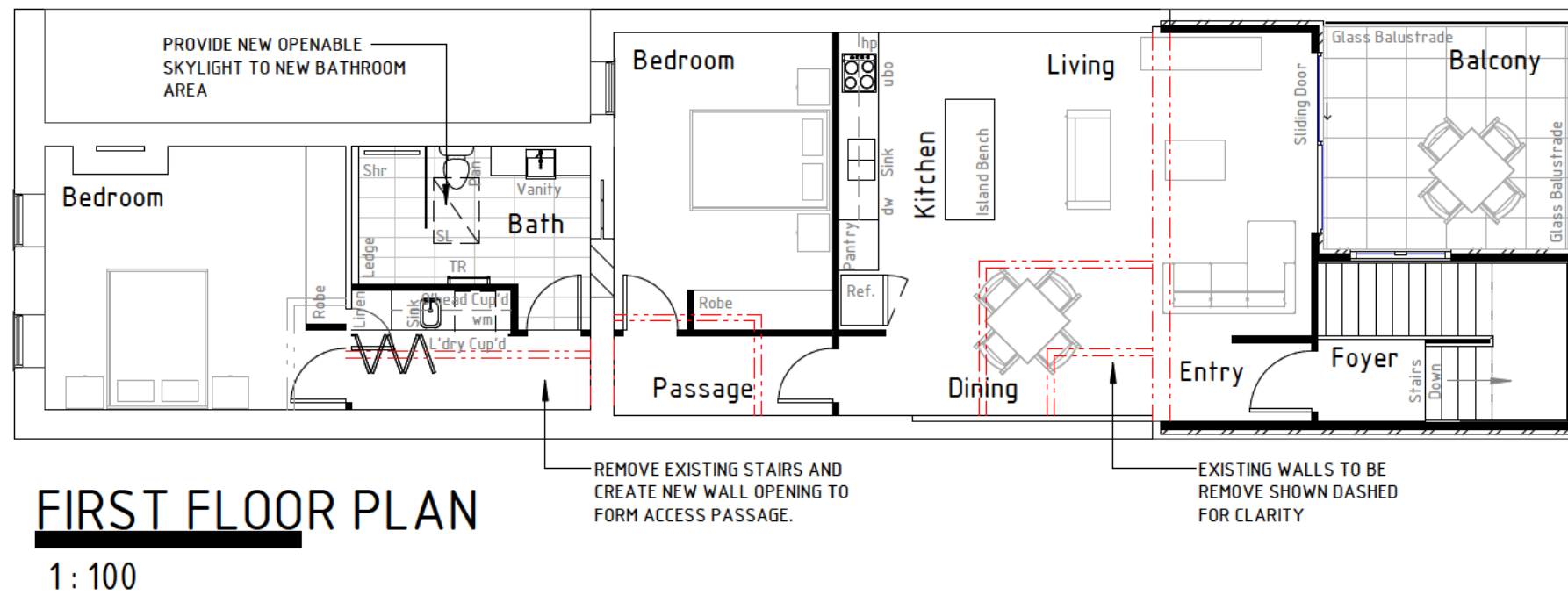
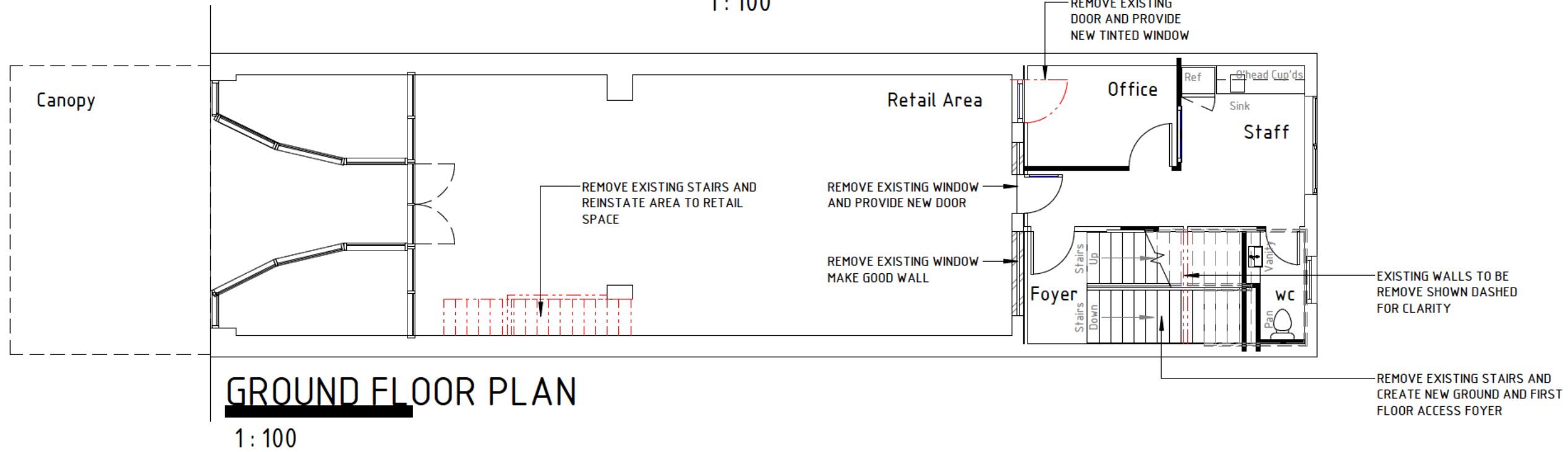
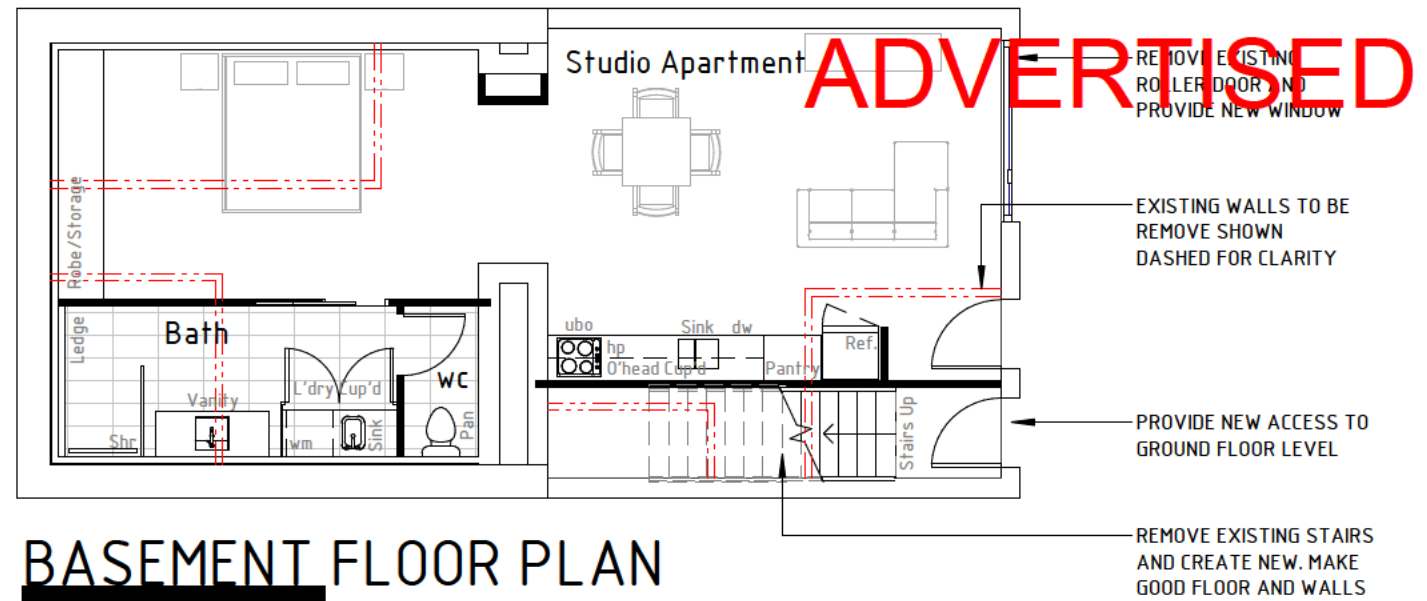


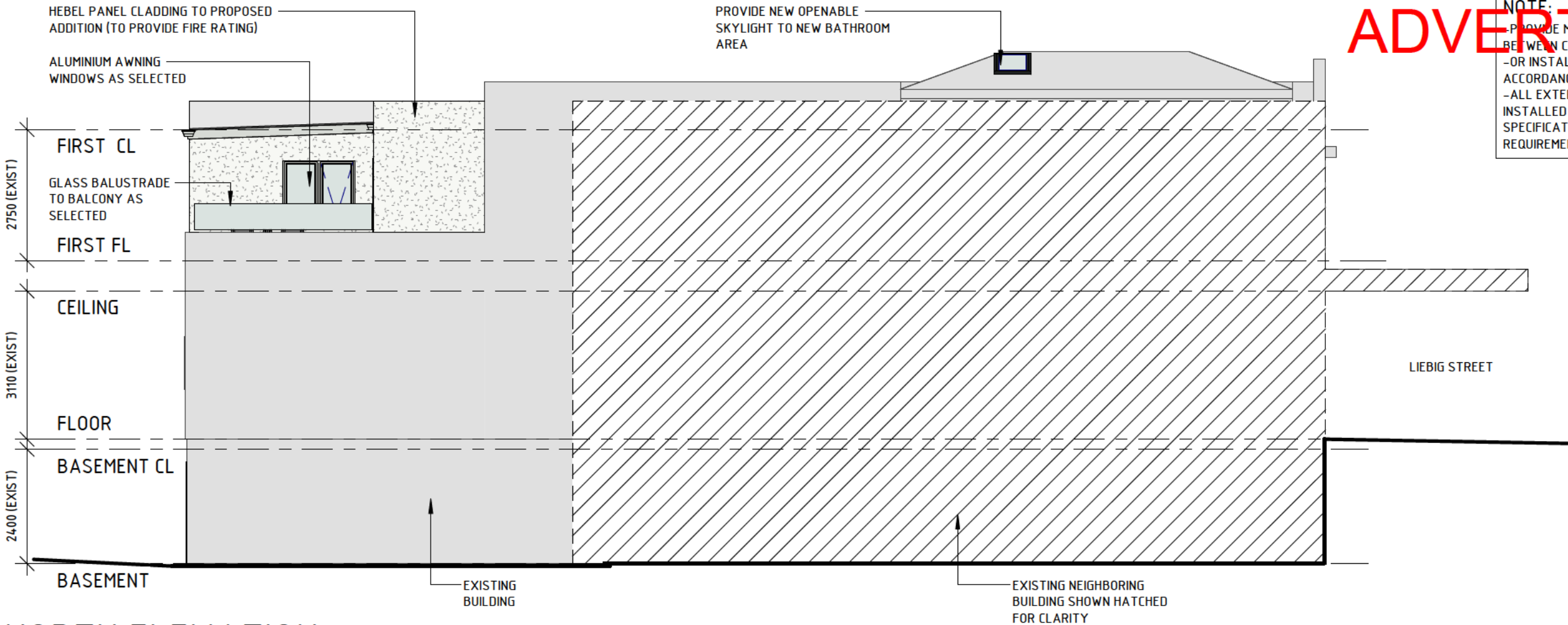


LEGEND

- 190MM HEBEL PANEL WALL SYSTEM (FIRE RATED)
- 90MM STUD WALLS
- EXISTING WALLS TO BE RETAINED
- EXISTING WALLS TO BE REMOVED

AREA ANALYSIS		
Name	Area	SQ'S
Prop. Foyer Area	12.74 m ²	1.37
Prop. Balcony	14.99 m ²	1.61
Prop. First Floor	25.89 m ²	2.79
Ext. Basement	85.92 m ²	9.25
Ext. First Floor	97.68 m ²	10.51
Ext. Retail Area	130.63 m ²	14.06



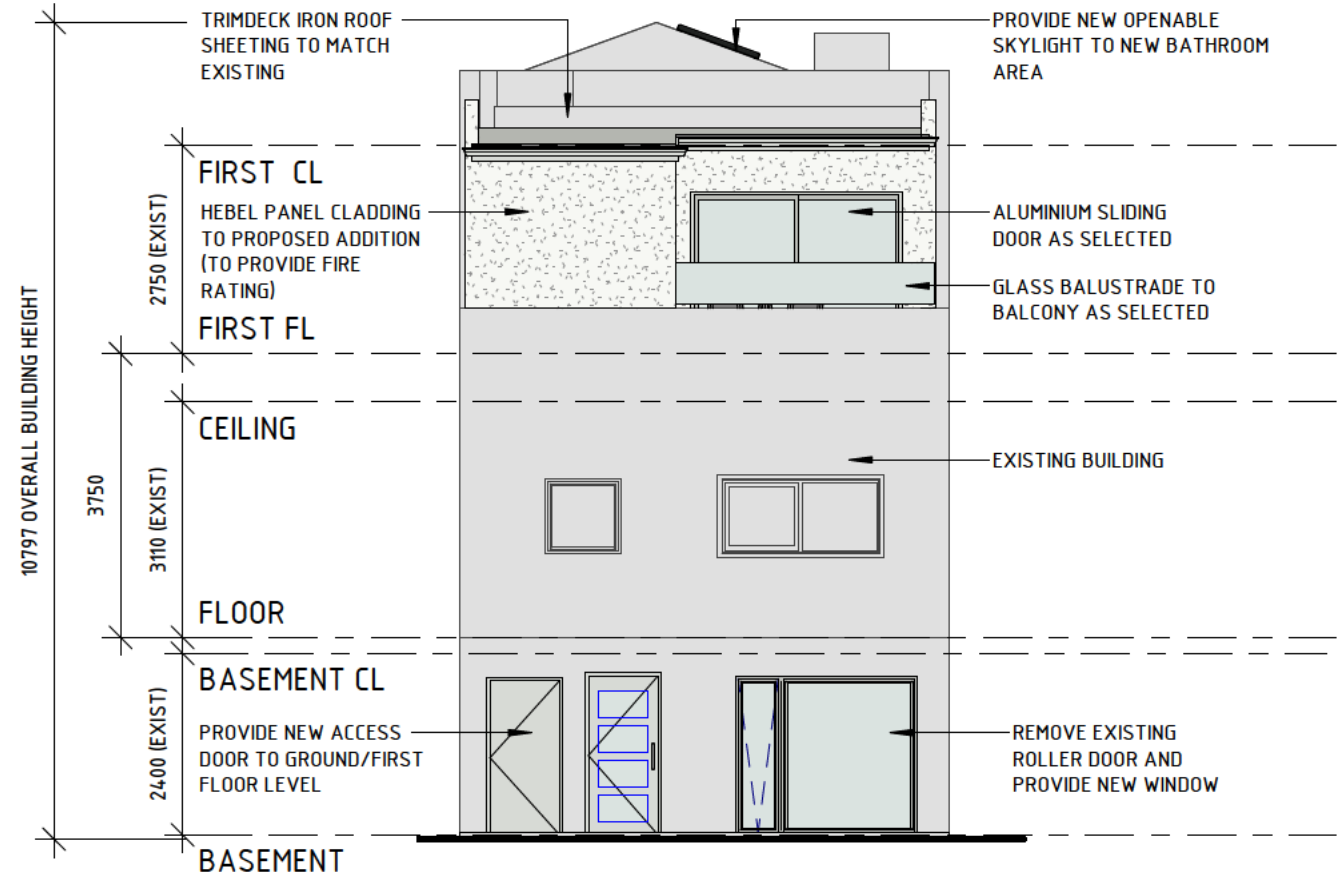


NORTH ELEVATION

1:100

MATERIAL SCHEDULE		
SWATCH	DESCRIPTION	
	MATERIAL	HEBEL 'POWERPANEL' OR SIMILAR
	APPLICATION	EXTERIOR WALLS
	COLOUR/ FINISH	DOVER WHITE
	MANUFACTURER	HEBEL
	MATERIAL	GLASS BALUSTRADE
	APPLICATION	BARRIER
	COLOUR/ FINISH	FRAMELESS
	MANUFACTURER	TBC
	MATERIAL	ALUMINIUM
	APPLICATION	WINDOW FRAME, EXTERIOR CLADDING
	COLOUR/ FINISH	SHALE GREY
	OTHER	LRV/SOV
	MATERIAL	NATURAL TIMBER
	APPLICATION	SOLIDCORE DOOR

NOTE: COLOURS SHOWN ARE BASED ON RGB REFERENCE (WHERE APPLICABLE), HOWEVER ARE SHOWN AS INDICATIVE COLOUR PALLETS DUE TO VARYING LIGHT CONDITIONS AND LIMITATIONS OF THE PRINTING PROCESS THAT MAY AFFECT COLOUR TONES. REFER TO MANUFACTURERS SPECIFICATIONS/ SAMPLES FOR EXACT COLOUR MATCH. SPECIFIC MANUFACTURER SELECTED TO BE CONFIRMED BY CLIENT AND BUILDER AS PER THE CONTRACT



EAST ELEVATION

1:100

ADVERTISED

NOTE:
- PROVIDE MINIMUM 12MM DRAINED CAVITY BETWEEN CLADDING & EXTERNAL FRAME
- OR INSTALL PLIABLE BUILDING MEMBRANE IN ACCORDANCE WITH NCC 10.8.2
- ALL EXTERIOR WALL CLADDINGS TO BE INSTALLED TO MANUFACTURERS SPECIFICATIONS AND IN ACCORDANCE WITH NCC REQUIREMENTS AND AUSTRALIAN STANDARDS

JOB No: 24-060
5. A3 SHEET

NATHAN DIVALL
AUGUST 2024
REVISION: (SEPT. 2024)

120 LIEBIG STREET WARRNAMBOOL
115 FAIRY STREET, WARRNAMBOOL - T:0355625229 - E:nathan@designingspaces.net.au - REGISTRATION No. DP-AD32963

designing spaces
NATHAN DIVALL

15/12/2024

Planning Department
Attn Srimali Mellawa
Warrnambool City Council
25 Liebig Street
Warrnambool VIC 3280

Dear Srimali,

Response to further information request – Planning Permit Application Number: PP2024-0230 Change of use of part of existing building to residential, buildings and works to construct an extension, and reduction of car parking requirement. 120 Liebig St WARRNAMBOOL VIC 3280

I write in response to the further RFI email 6th December 2024 which requested the following, with responses provided below.

- 1. The application fee as per the Invoice Number: 202410426 and issue on 21 November 2024, must be paid and provide a copy of the receipt of the payment.*

Response

The permit fee has now been paid.

- 2. Provide a relevant Clause 55 (in particular 55.07) assessment demonstrating on how the proposed development meets the objectives and standards appropriately or/and if any variations are proposed.*

Response

Please refer to the following assessment as requested. This assessment applies to the basement apartment only as the internal works associated with the first floor accommodation do not require a permit and the first floor residential existed before the Clause 55.07 provisions came into effect.

55.07 APARTMENT DEVELOPMENTS

Energy efficiency objectives

To achieve and protect energy efficient dwellings and buildings.

*To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.*

Standard B35

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

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

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *The size, orientation and layout of the site.*

- *The existing amount of solar access to abutting properties.*
- *The availability of solar access to north-facing windows on the site.*
- *The annual cooling load for each dwelling.*
- *The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.*
- *Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.*
- *The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.*

ASSESSMENT

Complies

A large new window is being inserted on the south-eastern wall of the building in place of the existing roller shutter door together with a replacement door with glass panels for borrowed light. There is no additional overshadowing as the existing building size is not increased.



55.07-2

Communal open space objective

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, functional, and is easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard B36

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings and existing small second dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The availability of and access to public open space.

ASSESSMENT

Complies

The proposal consists of a single apartment with considerable public open space available within close proximity.

55.07-3

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.*

ASSESSMENT

Complies/NA

As above.

55.07-4

Landscaping objective

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard B38

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table B5. Existing trees can be used to meet the canopy cover requirements of Table B5.
- Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table B6. Where deep soil cannot be provided trees should be provided in planters specified in Table B6.
 - Consistent with the canopy diameter and height at maturity specified in Table B7.
 - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.
-

Table B5 Canopy cover and deep soil requirements		
Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 – 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table B6 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table B7 Tree types

Tree types	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character, landscaping or environmental policy, objective, strategy or statement set out in this planning scheme.
- The design response.
- The health of any trees to be removed.
- The suitability of the proposed location, deep soil area and planter soil volume for canopy trees.
- The suitability of the proposed landscaping in communal outdoor open space.
- The type and quantity of canopy cover, including any alternatives to trees.
- The soil type and drainage patterns of the site.
- The ongoing management of landscaping, including any irrigation systems.

ASSESSMENT

Complies/NA

There are no trees on site. It is not considered necessary given the scale of the proposal and the existing conditions that landscaping is required.

55.07-5

Integrated water and stormwater management objectives

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

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

The stormwater management system should be:

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

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *Any relevant water and stormwater management objective, policy or statement set out in this scheme.*
- *The design response.*
- *Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.*
- *Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.*
- *The capacity of the drainage network to accommodate additional stormwater.*
- *Whether the stormwater treatment areas can be effectively maintained.*
- *Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.*

ASSESSMENT

Complies

There will be no additional stormwater created.

55.07-6

Access objective

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure that vehicle crossovers are designed and located to minimise visual impact.

Standard B40

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Development must provide access for service, emergency and delivery vehicles.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.*
- The impact on the street.*
- The impact on the safety of pedestrians or cyclists.*
- The reduction of on-street car parking spaces.*
- The effect on any significant vegetation on the site and road reserve.*

ASSESSMENT

Complies

There are no new crossovers required or proposed.

55.07-7

Noise impacts objective

To contain noise sources in developments that may affect existing dwellings

To protect residents from external and internal noise sources.

Standard B41

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

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

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

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

Buildings within a noise influence area specified in Table B8 should be designed and constructed to achieve the following noise levels:

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

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

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

Table B8 Noise influence area	
Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

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

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling or small second dwelling and the site context.

ASSESSMENT

Complies/N/A

The proposal is a conversion of part of an existing building which is not anticipated to significantly impact on noise levels over and above existing of a CBD location.

55.07-8

Accessibility objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B42

At least 50 per cent of dwellings should have:

- *A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.*
- *A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.*
- *A main bedroom with access to an adaptable bathroom.*
- *At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B9.*
-

Table B9 Bathroom design		
	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> • A slide door, or • A door that opens outwards, or • A door that opens inwards and has readily removable hinges.

<i>Circulation area</i>	<p><i>A clear circulation area that is:</i></p> <ul style="list-style-type: none"> <i>A minimum area of 1.2 metres by 1.2 metres.</i> <i>Located in front of the shower and the toilet.</i> <i>Clear of the toilet, basin and the door swing.</i> <p><i>The circulation area for the toilet and shower can overlap.</i></p>	<p><i>A clear circulation area that is:</i></p> <ul style="list-style-type: none"> <i>A minimum width of 1 metre.</i> <i>The full length of the bathroom and a minimum length of 2.7 metres.</i> <i>Clear of the toilet and basin.</i> <p><i>The circulation area can include a shower area.</i></p>
<i>Path to circulation area</i>	<i>A clear path with a minimum width of 900mm from the door opening to the circulation area.</i>	<i>Not applicable.</i>
<i>Shower</i>	<i>A hobless (step-free) shower.</i>	<i>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</i>
<i>Toilet</i>	<i>A toilet located in the corner of the room.</i>	<i>A toilet located closest to the door opening and clear of the circulation area.</i>

ASSESSMENT

55.07-9

Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B43

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.*
- A balcony with at least the area and dimensions specified in Table B10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table B10 should be increased by at least 1.5 square metres.*
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.*
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.*

<i>Table B10 Balcony size Orientation of dwelling</i>	<i>Dwelling type</i>	<i>Minimum area</i>	<i>Minimum dimension</i>
<i>North (between north 20 degrees west to north 30 degrees east)</i>	<i>All</i>	<i>8 square metres</i>	<i>1.7 metres</i>
<i>South (between south 30 degrees west to south 20 degrees east)</i>	<i>All</i>	<i>8 square metres</i>	<i>1.2 metres</i>
<i>Any other orientation</i>	<i>Studio or 1 bedroom dwelling</i>	<i>8 square metres</i>	<i>1.8 metres</i>
	<i>2 bedroom dwelling</i>	<i>8 square metres</i>	<i>2 metres</i>
	<i>3 or more bedroom dwelling</i>	<i>12 square metres</i>	<i>2.4 metres</i>

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

ASSESSMENT

Variation requested

It is impractical to provide private open space under the circumstances and given the proximity of the apartment to a considerable amount of public open space in the CBD, it is considered reasonable to request a variation to the standard. The objective is therefore considered met.

55.07-10

Storage objective

To provide adequate storage facilities for each dwelling.

Standard B44

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B11.

<i>Table B11 Storage</i>		
<i>Dwelling type</i>	<i>Total minimum storage volume</i>	<i>Minimum storage volume within the dwelling</i>
<i>Studio</i>	<i>8 cubic metres</i>	<i>5 cubic metres</i>
<i>1 bedroom dwelling</i>	<i>10 cubic metres</i>	<i>6 cubic metres</i>
<i>2 bedroom dwelling</i>	<i>14 cubic metres</i>	<i>9 cubic metres</i>
<i>3 or more bedroom dwelling</i>	<i>18 cubic metres</i>	<i>12 cubic metres</i>

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.*
- The useability, functionality and location of storage facilities provided for the dwelling.*

ASSESSMENT

Complies

The basement studio apartment is comparatively spacious for its kind with a floor area of 85 sqm with internal storage in cupboards of at least 8 sqm.

55.07-11

Waste and recycling objectives

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard B45

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:*
 - Adequate in size, durable, waterproof and blend in with the development.*
 - Adequately ventilated.*
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.*

- *Adequate facilities for bin washing. These areas should be adequately ventilated.*
- *Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.*
- *Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.*
- *Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.*
- *Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.*

Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- *Be designed to meet the better practice design options specified in Waste Management and Recycling in Multi-unit Developments (Sustainability Victoria, 2019).*
- *Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.*

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *Any relevant waste and recycling objective, policy or statement set out in this scheme.*

ASSESSMENT

Complies

Existing waste collection arrangements are not altered. An additional bin enclosure has been provided as shown on the plans.

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

Bedrooms should:

- | Bedroom type | Minimum width | Minimum depth |
|--------------------|---------------|---------------|
| Main bedroom | 3 metres | 3.4 metres |
| All other bedrooms | 3 metres | 3 metres |

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

**Building Design and
Decorating Solutions**

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *The useability, functionality and amenity of habitable rooms.*

ASSESSMENT

Complies

The bedroom area has dimensions of xxxxx which meets the minimum size requirements for a studio apartment.

55.07-13

Room depth objective

To allow adequate daylight into single aspect habitable rooms.

Standard B47

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

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

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

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.*
- *The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.*
- *Any overhang above habitable room windows that limits daylight access.*

ASSESSMENT

Complies

The basement apartment dimensions are 12.5m x 5.3m (minimum 4.6m) overall internal floor area 59.95 sqm with a ceiling height 2.4m.

55.07-14

Windows objective

To allow adequate daylight into new habitable room windows.

Standard B48

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- *A minimum width of 1.2 metres.*
- *A maximum depth of 1.5 times the width, measured from the external surface of the window.*

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.*
- *The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.*

ASSESSMENT

Complies

The window provided has dimensions of 2.1m x 2.4m. The window is openable for natural ventilation.

55.07-15

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard B49

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

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

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

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *The size, orientation, slope and wind exposure of the site.*
- *The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.*
- *Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.*

ASSESSMENT

Complies

The window provided can be opened for ventilation.

55.07-16

Building entry and circulation objectives

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B50

Entries to dwellings and buildings should:

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

The layout and design of buildings should:

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

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *The design response.*
- *The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.*

Complies

The basement apartment has door access and an active frontage to the street with a window for natural light and ventilation.

55.07-17

Integration with the street objective

*To integrate the layout of development with the street.
To support development that activates street frontages.*

Standard B51

*Development should be oriented to front existing and proposed streets.
Along street frontages, development should:*

- *Incorporate pedestrian entries, windows, balconies or other active spaces.*
- *Limit blank walls.*
- *Limit high front fencing, unless consistent with the existing urban context.*
- *Provide low and visually permeable front fences, where proposed.*
- *Conceal car parking and internal waste collection areas from the street.*

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *Any relevant urban design objective, policy or statement set out in this scheme.*
- *The design response.*

ASSESSMENT

Complies

The design response uses the existing rear access of the building facing the street.

55.07-18

Site services objective

To ensure that site services are accessible and can be easily installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard B52

*Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.
Meters and utility services should be designed as an integrated component of the building or landscape.*

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

ASSESSMENT

Complies

Site services are as existing which will be modified to provide individual metering. A new mailbox/letter slot will be provided for the basement apartment.

55.07-19

External walls and materials objective

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

Standard B53

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- *Any relevant building design and urban design objective, policy or statement set out in this scheme.*
- *The urban context report.*
- *The design response.*

ASSESSMENT

Complies

Exterior surfaces are unchanged.

3. *Show the existing habitable windows on the adjoining properties if any located within 3m of the subject site. Provide information on the method of collection/disposal of waste for the development.*

Response

The site plan has been updated to provide this information.

Summary

As a general observation, the Clause 55.07 provisions are intended to apply to more metropolitan apartment development on a much larger scale than the proposed single basement apartment. Having said that, they do technically apply and it has been a worthwhile exercise to assess this proposal against them to ensure that a substandard level of accommodation is not proposed, which is clearly not the case in this instance as the assessment confirms. In this case only 1 variation is requested which under the circumstances is considered a reasonable outcome when the overall benefits of the proposal are taken into consideration. I hope that you agree.

Please contact me on 03 5562 5229 or via nathan@designingspaces.net.au if you have further questions on the above or the application in general.

Yours faithfully,

Nathan Divall Managing Director
Designing Spaces.

19/11/2024

Planning Department
Warrnambool City Council
25 Liebig Street
Warrnambool VIC 3280

Dear Planning Team,

Please find attached a planning permit application for 120 Liebig Street, Warrnambool, Victoria. 3280 Australia.

Attached are the following documents:

- Planning Permit Application Form
- Copy of Title
- Planning Assessment
- Plans and Elevations

Please contact me on 03 5562 5229 or via nathan@designingspaces.net.au if you have any questions on the above application.

Yours faithfully,

Nathan Divall Managing Director

Designing Spaces

ADVERTISED

designing spaces

Planning report

Lot 1 TP833693F – 120 Liebig Street, Warrnambool, Victoria. 3280
Australia

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ACKNOWLEDGEMENTS

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DOCUMENT CONTROL

This document has been prepared to aid the submission of a planning permit application for 120 Liebig Street, Warrnambool, Victoria. 3280

Revision 1

PROPOSAL

The essence of the proposal is to improve and expand the residential component of a mixed commercial/residential property by converting a basement storage area into a studio apartment, making alterations to the interior and the rear section of the exterior of the building.

The internal alterations include removing internal walls and converting the existing basement storage area to a studio apartment, removing internal walls and staircase on the ground floor and removing internal walls in the first floor apartment to create a more open living space.

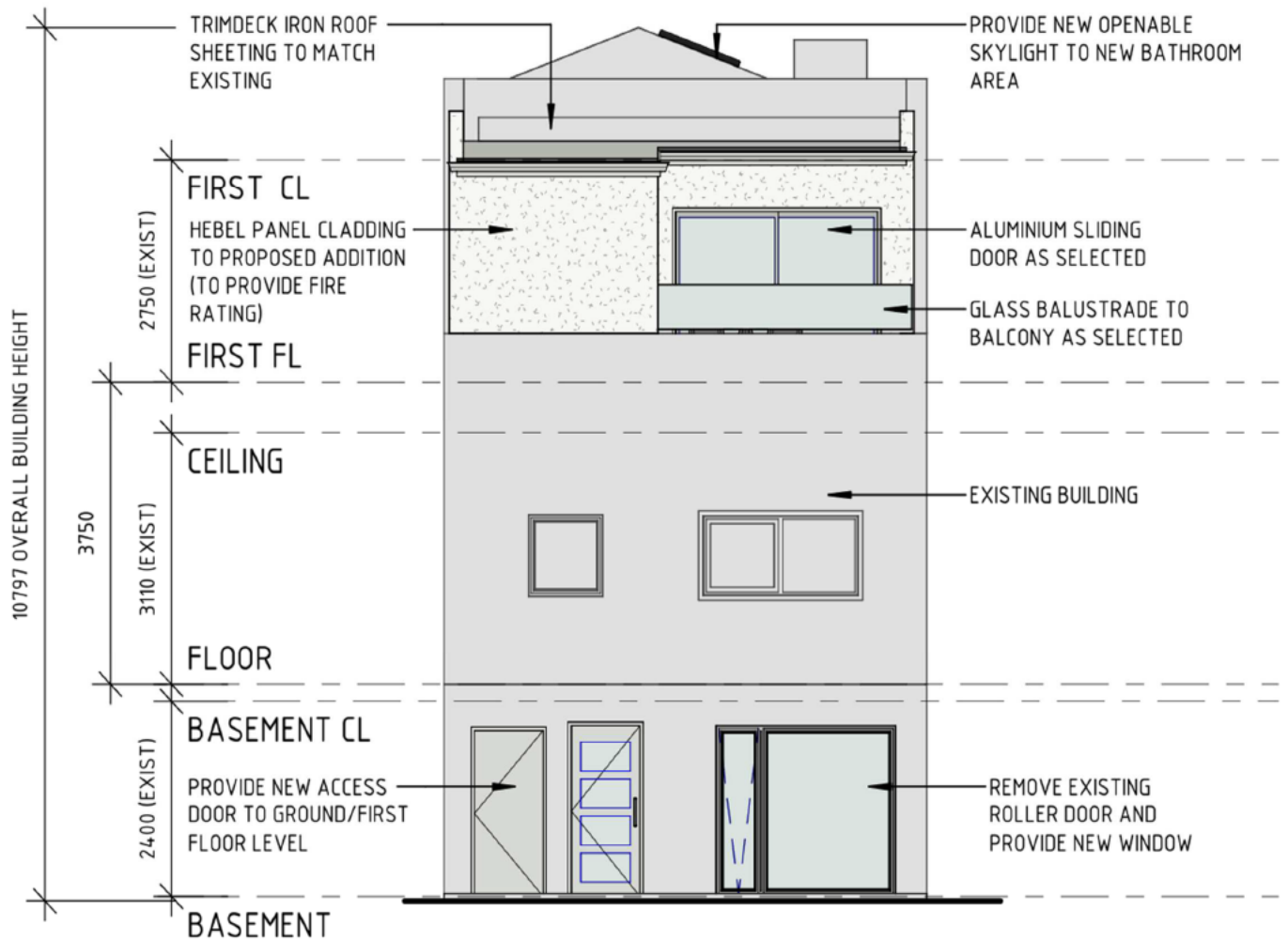
The only changes to the external appearance of the building are at the back (east elevation) as shown overleaf, by replacing the ground floor roller shutter door with a new window, creating a new separate access door at ground level, inserting a new aluminium sliding door at first floor level and partly enclosing the first floor roof garden with panelling and partial roof covering and glass balustrade.

A new openable skylight window will be added to improve light and ventilation to the first floor bathroom.

A new footpath will also be added to improve and define the pedestrian rear access, together with a bin enclosure for bins and waste collection. The first floor extension will increase the floor area from 133.58 sqm to 153.20sqm an increase of 39.62 sqm.

There are no changes to setbacks, car parking, overall building height of 10.79m is unchanged as are building setbacks.

A minor car parking reduction of 1 car space is requested for the basement apartment aspect.



EAST ELEVATION

1:100

PROPOSED WORKS - EAST PERSPECTIVE



SITE PHOTO- EXISTING CONDITIONS - DATED MAY 2024



PROPOSED WORKS – SOUTHEAST ELEVATION

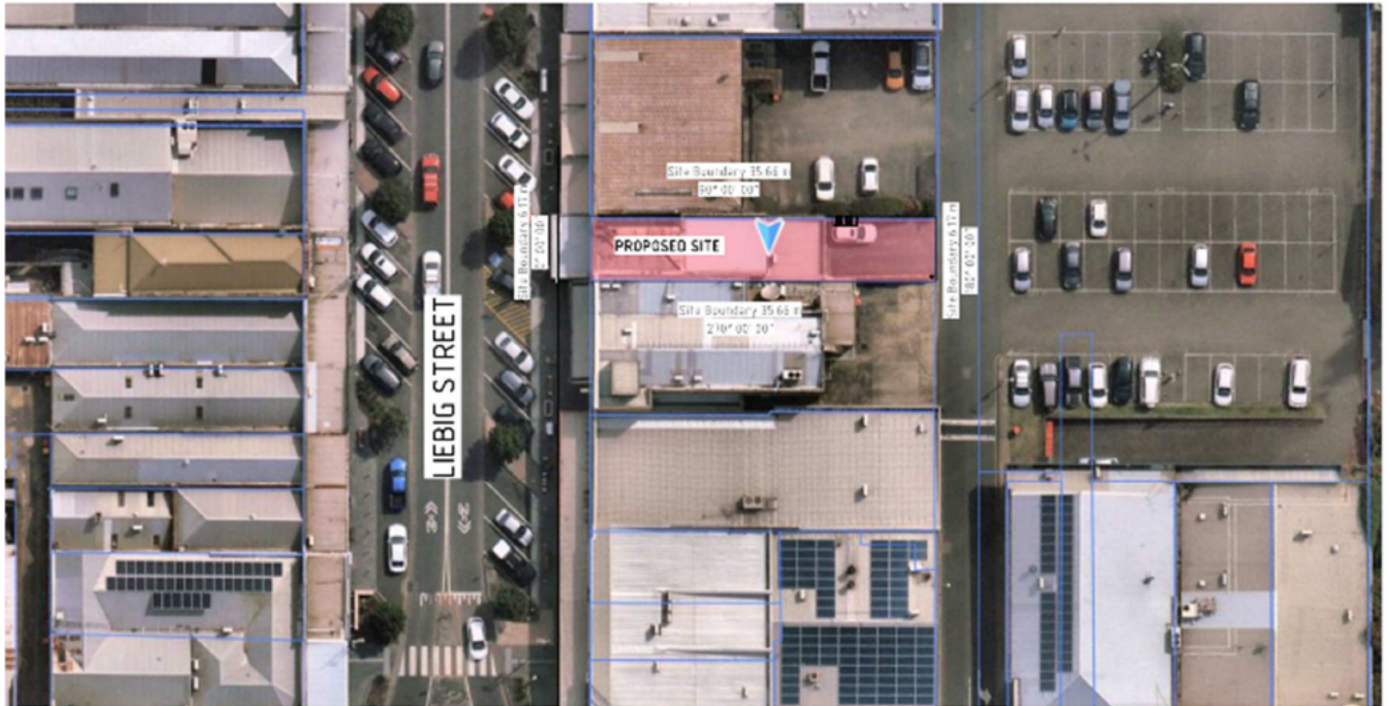


SITE PHOTO- EXISTING CONDITIONS – DATED MAY 2024



SITE ANALYSIS

The site area extends to 220.02 square metres containing the existing building occupied by Phinc clothing. The building is on 3 levels including a self-contained basement store room, ground floor retail area accessed from Liebig Street with a rear section containing staff room and office accessed from the rear, and a separate first floor 2 bedroom apartment also accessed from the rear car park. There is off street car parking at the rear accessed from Parkers public car park. There is an easement E1 party wall shown on title which is unaffected by the proposal.



Liebig Street frontage – Subject building is the Phinc clothing building

PLANNING CONTROLS

Zone

The site is located in the Commercial 1 Zone (C1Z).



Overlays

None

Other

The site is within an area designated of Aboriginal Cultural sensitivity.

Permit Requirements

A permit is required for use of land under the C1Z for a dwelling (accommodation) under **Clause 34.01-1** as the frontage exceeds 2m.

A permit is required for buildings and works under the C1Z at **Clause 34.01-4**.

A permit is required to vary car parking spaces at **Clause 52.06-3** as the gross floor area of the building is slightly increased by the first floor works.

The proposed works are exempt from the need to prepare a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2018 as the site is significantly disturbed and works are confined to the existing building and the previously disturbed area of the car park.

RESTRICTIONS ON TITLE

None

PLANNING ASSESSMENT

Clause 34.01

COMMERCIAL 1 ZONE

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Clause 34.01-2

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- *Transport of materials, goods or commodities to or from the land.*
- *Appearance of any building works or materials.*
- *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

ASSESSMENT

The essence of the proposal is to improve the residential component of a mixed commercial/residential property within the Warrnambool CBD.

The use of land does not greatly differ from the existing mixed commercial/residential building. There is a slight intensification of use by converting underutilised space into a more valuable and useful residential purpose.

The appearance of the building is largely unaltered nor is there anticipated to be an increase in amenity impacts such as noise, vibration, smell, fumes etc due to the CBD location and the site adjacent to a public car park.

Clause 34.01-8 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The interface with adjoining zones, especially the relationship with residential areas.*

Use

- *The effect that existing uses may have on the proposed use.*
- *The drainage of the land.*
- *The availability of and connection to services.*
- *The effect of traffic to be generated on roads.*
- *The interim use of those parts of the land not required for the proposed use.*

Building and works

- *The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.*
- *The provision of car parking.*
- *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting 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 storage of rubbish and materials for recycling.*
- *Defining the responsibility for the maintenance of buildings, landscaping and paved areas.*
- *Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The availability of and connection to services.*
- *The design of buildings to provide for solar access.*
- *The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.*
- *For an apartment development, the objectives, standards and decision guidelines of Clause 58.*

ASSESSMENT

The proposal only slightly alters the external appearance of the building at that is at the rear and only to a small extent.

Waste removal and pedestrian access to the building are improved by the proposal with the inclusion of a new defined pedestrian pathway and bin storage enclosure area. The space available for waste collection is unchanged.

There are no anticipated adverse amenity impacts as the improved balcony space overlooks Parkers public car park and the overall height of the building Off street car parking/ rear access is not reduced with 2 car spaces provided. It would be possible to accommodate more than 2 cars by parking one behind the other. Deliveries to the retail shop are via the Liebig Street frontage. A car parking waiver has been sought for 1 car space which is considered acceptable in this location with the extent of publicly available car parking adjoining and the walkability of the location and access to public transport immediately available. Refer to Car parking assessment below.

52.06 CAR PARKING Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.06-10 Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.

- *The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.*
- *The workability and allocation of spaces of any mechanical parking arrangement.*
- *The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.*
- *The type and size of vehicle likely to use the parking area.*
- *Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.*
- *The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.*
- *Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).*
- *The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.*
- *Any other matter specified in a schedule to the Parking Overlay.*

ASSESSMENT

A minor car parking reduction of 1 car space is requested as the first floor gross floor area is slightly increased.

The reduction in car parking is considered negligible as the CBD location affords excellent access by foot or bicycle etc to all facilities within the primary activity centre of Warrnambool the CBD. There is ample secure parking for a scooter, e-Bike or pushbike within the building.

Additionally, the site abuts a public car park which is never at capacity according to Council's parking strategy.

The site is somewhat limited in its capacity to provide additional off street car parking as it is less than 300 sqm as recognised in the decision guidelines.

The benefits of providing additional hosing in the CBD are considered to outweigh the car parking waiver as discussed in greater detail below in the strategic alignment section.

STRATEGIC ALIGNMENT

Clause 02.03-5

Built environment and heritage

Sustainable development

A compact urban environment that encourages increased public transport patronage as well as walking and cycling has substantial benefits in reducing reliance on motor vehicles with a consequent reduction in greenhouse gas emissions.

A socially and economically sustainable Warrnambool will generally include a mix of shops and services, community facilities, employment choices, housing choices, a network of open spaces, and public transport options.

Council's strategic directions for sustainable development are:

- *Creating a sustainable City that allows people to walk or cycle to access their everyday needs and contributes to social interaction, community building and wellbeing.*

ASSESSMENT

The "shop top" nature of the proposal is well supported by the MPS and wider planning principles in Victoria to improve passive surveillance in towns and cities by people living in town and city centres. This also has an environmental sustainability benefit with the subject site within easy walking distance to the amenities and public transport in the CBD reducing car dependency and associated car parking.

Clause 02.03-6

Housing

Housing diversity

There is also capacity for more intensive forms of residential development within proximity to open space, activity centres and along public transport routes.

More diversity in dwelling sizes is needed.

Council's strategic directions for housing diversity are:

- *Providing infill opportunities to accommodate residential development.*
- *Ensuring future populations have access to a diverse range of housing options including increasing the supply of housing for smaller households.*

ASSESSMENT

Compact residential development and dwelling diversity such as the accommodation proposed are supported by the above Clause of the MPS.

Housing affordability

The affordability of housing has significant impacts on the liveability and economic prosperity of the community.

A lack of affordable housing is a barrier to attracting key workers and tertiary students to the City. It also has detrimental impacts on sole parents, single people, young people, older people (65+ years) and children of sole parents.

Council's strategic directions for housing affordability are:

- *Facilitating smaller lot sizes and housing for the ageing and student populations close to community services.*
- *Providing social housing in future growth area planning.*

ASSESSMENT

The proposed housing is an ideal candidate for rental accommodation and affordable housing both of which are in short supply in Warrnambool.

Clause 16.01-1L

Housing supply

Strategies

Support increased residential densities in growth areas and established urban areas within proximity to existing or planned transport corridors, activity centres and open space.

Support the redevelopment of former industrial sites within established residential areas.

Support residential infill development within established urban areas that complements the area's neighbourhood character.

ASSESSMENT

The proposal is supported by the above Clause.

65.01

APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.

- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

ASSESSMENT

The proposal is consistent with the purpose of the zone and does not disrupt the orderly planning of the area. There are no environmental impacts or disruption to the amenity or car parking provision in the area.

SUMMARY

Overall, the proposal is considered worthy of Councils support for its efficient use of land and infrastructure and the associated benefits of providing additional compact residential accommodation in the Warrnambool CBD. A minor car parking waiver is requested but this is considered appropriate when compared to the net community benefit of additional residential floor space being created in the CBD and the proximity to the public car park.

The proposal is consistent with the PPF, LPPF and the requirements of Clause 65, and has been assessed against the relevant VicSmart provisions and found to be compliant.

It is requested that a planning permit be supported for the development in its current form and that a permit is granted by the responsible authority.

ADVERTISED

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 10773 FOLIO 141

Security no : 124114587622Q
Produced 01/05/2024 10:56 AM

LAND DESCRIPTION

Lot 1 on Title Plan 833693F.
Created by Application No. 088014S 05/12/2003

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

[REDACTED]

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AU834413C 22/09/2021
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP833693F FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 120 LIEBIG STREET WARRNAMBOOL VIC 3280

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Effective from 22/09/2021

DOCUMENT END

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EDITION 1		TITLE PLAN <div style="color: red; font-size: 2em; font-weight: bold; transform: rotate(-5deg); position: absolute; top: 50%; left: 50%;">ADVERTISED</div>			TP833693F		
LOCATION OF LAND PARISH : WANGOOM TOWNSHIP: WARRNAMBOOL CROWN ALLOTMENT : 13 (PT) & 14 (PT) SECTION 19 CROWN PORTION LTO BASE RECORD: D.C.M.B. LAST PLAN REFERENCE: TITLE REFERENCE DEPTH LIMITATION : NIL					NOTATIONS: WARNING AS TO DIMENSIONS: ANY DIMENSION AND CONNECTING DISTANCE SHOWN IS BASED ON THE DESCRIPTION OF THE LAND AS CONTAINED IN THE GENERAL LAW TITLE AND IS NOT BASED ON SURVEY INFORMATION WHICH HAS BEEN INVESTIGATED BY THE REGISTRAR OF TITLES.		
EASEMENT INFORMATION					THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES. CHECKED BY DATE 15 DEC 2003 ASSISTANT REGISTRAR OF TITLES		
E - Encumbering Easement R - Encumbering Easement (ROAD) A - Appurtenant Easement							
Easement Reference	Purpose/Authority	Width	Origin	Land Benefited/In Favour Of			
E-1	PARTY WALL	SEE DIAG	Y956P (Book 466 No.58)	Y956P			
A-1	PARTY WALL	0.23	Y956P (Book 466 No.58)	LOT 1 HEREIN			
A-2	CARRIAGEWAY	4.57	Y956P (Book 466 No.58)	LOT 1 HEREIN			
LENGTHS ARE IN METRES		NOT TO SCALE		SHEET SIZE A3		DEALING No: AP88014S	
				DEALING CODE 14		Sheet 1 of 1 sheets	