

18TH MAY 2026

MS. SALLY BEERS
PRINCIPAL STATUTORY PLANNER
CITY OF GREATER GEELONG
WADAWURRUNG COUNTRY
PO BOX 104
GEELONG VIC 3220 AUSTRALIA

**RE: SECTION 72 AMENDMENT APPLICATION
PLANNING PERMIT PP-305-2023/A
9 BROWN STREET PORTARLINGTON**

Dear Sally,

Further to the Request for Further Information dated 31st March 2026, please see attached Architectural Drawings (Revision E: 18.05.2026), amended SMP and WMP. Documents have been amended as follows:

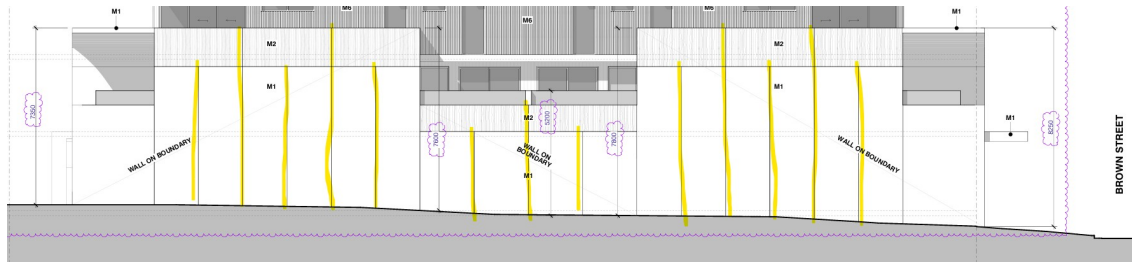
FURHTER INFORMATION REQUIRED:

1. Permit Application fee has been paid.
2. Waste Bin Storage. As advised via email, council was not referring to the latest waste management plan. It was agreed that the architectural drawings accurately reflect the waste management plan. Latest waste management plan provided to avoid further confusion.
3. Shadow Diagrams for June 21 at 11:00am, 12:00pm and 1pm have been provided to demonstrate compliance with standard D8 of Clause 58 of the Greater Geelong Planning Scheme. Refer new drawing TPA13 SHADOW DIAGRAMS - COMMUNAL OPEN. At least 50% of the communal open space receives sunlight for 2 (between 11:00am-1:00pm) hrs at June 21– complies.
4. A table showing Internal storage areas for each apartment was provided on TPA03 DEVELOPMENT SUMMARY & AREA ANALYSIS. However, we have added drawings which present these tables and show how the areas were calculated for each apartment. Refer to TPA14 INTERNAL STORAGE – LEVEL 1 and TPA15 INTERNAL STORAGE – LEVEL 2.
5. Natural ventilation max. and min. breeze paths are shown on the floor plans. Refer also legend on floor plan. The SMP report by Frater consulting also outlines breeze paths for each apartment.

MERIT ISSUES:

1. This issue was raised during the VCAT compulsory conference. We believe council imposed Condition 1b in response to Revision B (RFI response drawings). We addressed this concern in Revision C (15.03.2024 - MODIFIED FOR CIRCULATION PRIOR TO VCAT HEARING by reducing the scale of the wall, varying the heights of the wall and nominating two different materials with a difference in texture and colour - Material M1 and M2. During the VCAT Hearing, we prepared a modified elevation drawing showing additional vertical grooves to the northern boundary wall. This was presented and generally accepted as achieving the desired outcome.

Vertical grooves added highlighted yellow prepared for VCAT Hearing on Tuesday, May 7, 2024:



2. Please find attached the amended SMP report dated 15-04-2026. The report has been updated to meet the climate-zone heating and cooling load requirements for a 6.5-star development - to achieve compliance with the 19 MJ/m² requirement. The wording of the report and the BESS assessment has been updated accordingly.

3. An updated Acoustic Report has been prepared. See attached.

4. Drawings have been updated to show and note sealing of the northern section of Fenwick St between the kerb outstand at Brown St and the western edge of the vehicle crossing outside of the school for the purpose of creating and line marking parallel parking spaces, and proving a sealed surface between the trafficable carriageway and the vehicle crossing. A 'Loading Zone' has been created in the easternmost parallel space so that delivery vehicles and the private waste collection truck have its use. A note has been included stating that the developer shall meet all costs associated with these works. A note has been included to qualify that on-street car spaces and loading shown are indicative only, subject to council requirements.

5. See response to item 4 above.

6. Please note, the permit on the subject site predates the permit on the adjacent land. Further, these matters were considered at VCAT, and we note that permit conditions 1(k) and 1(n) relating to privacy have been appropriately implemented. The southern interface of 5-7 Brown Street has also been screened (both windows and balconies) to prevent overlooking. We trust that we have satisfied this requirement and in conjunction with the screening measure implemented at 5-7 Brown Street, can confirm that there will be no overlooking issues.

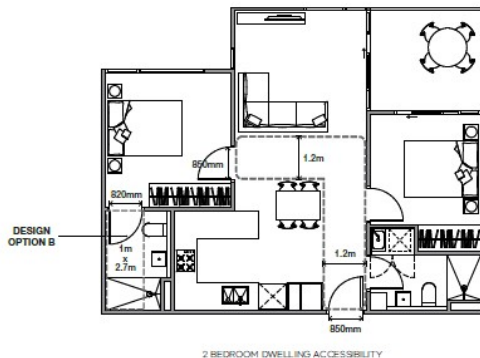
Our setbacks compliment the approved development at 5-7 Brown Street in the following ways:

- Walls on boundary at Ground Floor to match adjacent walls on boundary.
- Walls on boundary at Level 1 with the exception of a 3.0m deep light court located centrally, approximately aligning with the adjoining 3.0m deep light court.
- A setback of 3.0m at level 2 to match the adjoining setback of 3.0m at level 2.

7. An obscure glass screen (max. 25% transparency) to a min. height of 1700mm above finished balcony level has been introduced to ensure no internal overlooking.

8. (a) The accessible bathroom for A1.03 and A1.04 has been adjusted so the toilet is closest to the door opening.

(b) 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 is what is required when a main bathroom is designated as accessible, however we have opted to design the ensuite in the main bedroom as accessible. The 1.2 metre circulation path can't extend into room, otherwise it wouldn't be a continuous path, it would be encroached by the bedroom door and associated wall. The 1.2m circulation path only needs to get to the main bedroom door which has an accessible bathroom / ensuite. There are similar examples of this scenario in BADS. See diagram below.



Whilst the example utilises an Option B bathroom design, there is nothing stating that Option B bathrooms need to be used in this context. The example in BADS clearly shows areas that would be well below 1.2m wide (approx. only 600 wide) within the bedroom on the path to the accessible ensuite. In good faith, we have demonstrated that a 900mm path from the main bedroom door to adaptable ensuite can be achieved. This aligns with the requirement to have a clear path with a minimum width of 900mm from the bathroom door opening to the 1200 x 1200 circulation area within a bathroom in Design Option A bathrooms.

9. The initial application (Revision A and B) had a light court providing natural light to some bedrooms and common corridors. In order to address other concerns raised, this was deleted in the redesign for VCAT (Revision C). The issue of natural light to common corridors was not raised during the proceedings, nor permit conditions. A permit was granted on this basis. We seek a variation to Clause 58 accordingly.

10. The door to retail toilets has been relocated from the main common corridor to a smaller, more private corridor providing access to Retail 1. The door to Retail 2 has also been relocated to this smaller, more private corridor so it will now provide access the Retail 1, Retail 2 and retail toilets. We trust that this provides for the safe and efficient movement of residents and distinguishes the public and private areas as recommended under standard 19 and 22.

11. We confirm that the maximum distance from the rear corner of the kitchen to the furthest edge of the window is only marginally non-compliant at 9.15m, with a non-compliant area of approximately 0.15m². Notably, in the scheme considered by VCAT, Apartments **104 and 105** were approved with room depths **exceeding 9m**.

In addition, Appendix E of the BESS Assessment & Daylight Input within the Sustainability Management Plan confirms that:

- The BESS daylight built-in calculator has been used to assess residential daylight performance.
- Overall IEQ outcomes meet best practice, including daylight access; and
- All bedrooms and living rooms comply with BESS Deemed-to-Satisfy daylight criteria, including:
 - 2.7m ceiling heights
 - Room depths generally less than 8m (south-facing bedrooms < 5m)
 - Minimum 60% VLT glazing to habitable rooms
 - External windows to all bedrooms
 - Building separation consistent with BESS guidance

12. External materials and finishes altered as recommended in the Urban Design Comments. Refer elevations and external materials and finishes schedule.

We trust that the information submitted satisfies the requirements of the RFI. However, should the information be deemed unsatisfactory, we formally request an Extension of Time.

Kind Regards,

