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AGENDA

Planning Committee Meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 11 September 2017
at 6.00 pm.

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Agenda

1. MEMBERSHIP

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco (Deputy Mayor)

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

Cr. Tim Laurence is on an approved leave of absence.

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Recommendation

That the Minutes of the Planning Committee Meeting held on 14 August 2017 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

**5.1 APPLICATION TO AMEND A PLANNING PERMIT
D/1019/2012/B
49 Johnson Street, Reservoir**

Author: Principal Planner

Reviewed By: Director City Futures and Assets

Applicant	Owner	Consultant
Johnson View Development Pty Ltd	Cornetta Partners Architects	Glossop Town Planning

SUMMARY

- It is proposed to amend the permit to increase the development from four (4) storeys to six (6) storeys in height, including an increase in the number of dwellings from 51 to 68.
- The changes include a significant increase in the proportion of three (3) bedroom dwellings.
- The site is zoned Mixed Use Zone.
- There is no restrictive covenant on the title for the subject land.
- One (1) objection was received against this application.
- The proposal is generally consistent with the relevant policies of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Council’s Transport Management and Planning Unit.
- This application was referred externally to VicRoads and Public Transport Victoria. VicTracks are not a Referral Authority, however they were notified of the application.

Recommendation

That Notice of Decision to Amend Planning Permit D/1019/2012 be issued pursuant to section 75 of the *Planning and Environment Act 1987*.

Amendments proposed to the Permit/Endorsed plans:

- Increase the development from four to six storeys in height and alter the proposal summarised as follows:

Number	Existing	Proposed
Dwellings	51	68
One bedroom	7	12
Two bedroom	44	40
Three bedroom	–	16
Car parking	51	87
Shops	5	5
Shop floor area	415m ²	527m ²
Convenience Restaurant	35 seat	35 seat
Storage	51	68
Bike space	29	40

- Amend condition 1 from:

The plans to be endorsed and which will then form part of the permit are the plans submitted with the application (identified as TPA03 to TPA13 and TPA North and East Elevations, South and West Elevations Revision D, dated 13 August 2013, Job No 12–06 and prepared by Cornetta Partners Architects and Drawing L01 Dated June 2013 prepared by Justin Goon Landscape Architect).

To:

Before the development and use starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as identified as TPA03 to TPA12 dated 7/10/16, Job No 15–47 and prepared by Cornetta Partners Architects) but modified to show:

- a) Landscaping generally in accordance with Drawing L01 Dated June 2013 prepared by Justin Goon Landscape Architect.
- b) Balcony and roof areas above bedroom 1 windows of Dwellings 3, 5, 6, 7, 8 13, 15, 16, and 19 deleted.
- c) Balconies to measure a minimum 8 square metres and a minimum 1.6m width (no reduction in wall setbacks) and accessed off main living rooms.
- d) South facing second and third floor habitable room windows sill heights dimensioned at a minimum 1.7 metres above finished floor level (Dwellings 21, 22, 39 and 40).

- e) South facing fourth floor balconies with obscure glazing to 1.7 metres above finished floor level (Dwellings 57 and 58).
- f) South facing fifth floor windows (Dwellings 57 and 58) provided with either:
 - A sill with a minimum height of 1.7 metres above finished floor level;
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level; or
 - Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.

Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.

- Amend Condition 19 from:

Parking allocation is to be as follows:

- One (1) car space per two (2) bedroom dwelling.
- 18 car spaces allocated to the one (1) bedroom dwelling held in common property with a maximum one (1) car space allocated to any dwelling.
- One (1) car space per shop premises.
- Two (2) car spaces for the convenience restaurant.

To:

Parking allocation is to be as follows:

- One car space per each one bedroom and two bedroom dwelling.
- 19 car spaces allocated to the three bedroom dwellings with a maximum two car spaces per three bedroom dwelling.
- One (1) car space per shop premises and the convenience restaurant.

- Include the following conditions:

29. Each dwelling must be allocated a minimum of one storage space.
30. During construction the permit holder must, at all times, ensure that the common boundary with railway land is fenced at the permit holder's expense to prohibit unauthorised access to the rail corridor.
31. The permit holder must not enter any railway land without the written consent of the Rail Operator. If the permit holder has obtained the Rail Operator's written consent to enter the railway land, the permit holder must comply with the Rail Operator's Site Access Procedures and Conditions when accessing the railway land.
32. Before the commencement of the development, including demolition or bulk excavation, the permit holder must contact the Rail Operator through the email address metrositeaccess@metrotrains.com.au to obtain the Rail Operator's conditions and safety requirements for works on, over or adjacent to the railway land. The permit holder must comply with the Rail Operator's reasonable requirements for works on, over or adjacent to the railway land.
33. Before the commencement of the development, including demolition or bulk excavation, the permit holder must contact the VicTrack through the email address external.plant@victrack.com.au to obtain any conditions and safety requirements for works on, over or adjacent to underground fibre optic cabling.

34. Before the commencement of the development, including demolition and bulk excavation, detailed construction/ engineering plans and computations for any construction or works likely to have an impact on railway operations, railway infrastructure assets or railway land are to be submitted to, and approved by, VicTrack and the Rail Operator. The plans must detail all excavation of the site adjacent to the railway corridor having any impact on the railway land. The construction or works must be carried out in accordance with the plans approved by VicTrack and the Rail Operator.
 35. The permit holder must not, at any time, interfere with or damage any railway infrastructure (including without limitation overhead power and supporting infrastructure for trains and trams, and underground telecommunication cables). The permit holder must, at its own cost, rectify any damage to railway infrastructure. or disruption to the rail operations, arising out of or in connection with the development to the satisfaction of VicTrack and the Rail Operator within fourteen (14) days of such damage or disruption occurring or such other time agreed by VicTrack and the Rail Operator.
 36. All works, including hoardings, must be undertaken within the subject land and must not encroach onto the railway land.
 37. The permit holder must not, at any time:
 - a) Allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or
 - b) Store or deposit any waste, soil or other materials on the railway land.
 38. The permit holder must not plant any plants or tree species that are likely to cause any future overhang onto the railway land or disturbance to the railway operations.
 39. The permit holder must not at any time erect lighting (permanent or temporary) that spills light onto the railway tracks or which interferes with the visibility of signals and rail lines by train drivers.
 40. The permit holder must not install, or cause to be installed, any permanent or temporary ground anchors within the railway land.
 41. The approved development, including temporary structures, must maintain all the clearances required from all railway infrastructure (including without limitation 22kV AC lines and overhead wiring structures) under the *Electrical Safety Act 2009* (Vic) and the *Electrical Safety Regulations (including the Energy Safety (Installation) Regulations 2009* page 75 Table 313 Rows C and D). If the relocation of railway infrastructure (including without limitation 22kV AC lines and overhead wiring structures) is necessitated by the construction of the development, any works to relocate such infrastructure will be at the cost of the permit holder.
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INTRODUCTION AND BACKGROUND

- Council issued Planning Permit D/1019/2012 on 2 May 2013 for the construction of a four (4) storey mixed use development comprising fifty-one (51) dwellings, five (5) shops, a convenience restaurant and fifty-one (51) car parking spaces, relocation of easement, waiver of loading requirement and reduction of the standard car parking requirement in accordance with the endorsed plans.

- Extension of Time EOT/34/2016 was approved on 11 April 2016 and required the development to commence by 2 May 2017 and be completed by 2 May 2019.
- Extension of Time EOT/105/2017 was approved on 1 August 2017 and requires the development to commence by 2 May 2018 and be completed by 2 May 2020.

ISSUES AND DISCUSSION

Subject site

- The site is located on the south west corner of Johnson Street and Keon Parade.
- The lot has frontage of 91.44m to Johnson Street and a total of 26.2m, with an overall area of approximately 2319.1m².
- The land is located within a Mixed Use Zone.
- The land is occupied by a double storey brick building used as a gym, with associated car parking to the north.
- The land has a fall of approximately 420mm from the north–west corner to the south east. The title contains a 5m wide access easement (in favour of the Public Transport Corporation) through the northern section of the title.

Surrounding area

- To the north on the opposite side of Keon Parade, is the Keon Park railway station and associated car parking area. To its east is an industrial land use activity.
- To the south of the site is a vacant grassed area of land. This land currently has a planning permit application for a six (6) storey building.
- To the east side of Johnson Street is an activity centre comprised of single and double storey attached shopfront buildings.
- To the west is the Epping railway line.
- Public Transport is available in the area in the form of:
 - Keon Station approximately 50 metres to the north of the site.
 - A bus stop on Johnson Street approximately 50 metres to the south.
 - Keon Parade/Mahoney’s Road is Smart bus route.
- Car parking is restricted on the east side of Johnson Street for either:
 - 1hr between 8:30am–6:30pm, Monday–Friday and 8am–12:30pm, Saturday; or
 - 1hr between 8am–8pm, Monday–Friday.
- Car parking is restricted on the west side of Johnson Street for 1hr between 8:30am–6:30pm, Monday–Friday and 8am–12:30pm, Saturday.

Proposal

It is proposed to amend the permit to increase the development from four (4) storeys to six (6) storeys in height. The changes are summarised as follows:

	Approved	Proposed
Dwellings	51	68
One bedroom	7	12
Two bedroom	44	40

	Approved	Proposed
Three bedroom	–	16
Car parking	51	87
No Shops (excl CR)	5	5
Shop floor area	415m ²	527
Convenience Rest	35 seat	35 seat
Storage	51	68
Bike space	29	40

Objections

- One (1) objection has been received.

Objection/s summarised

- Loss of parking / insufficient car parking.
- Increased traffic / less safety, especially during morning peak.
- Loss of gym contrary to health and wellbeing objectives of council.

Officer comment on summarised objections

- Loss of parking / insufficient car parking.
- See assessment below.
- Increased traffic / less safety, especially during morning peak.
- The proposal is not anticipated to unreasonably increase traffic to the site or the surrounding area. The land is within an activity centre and has convenient access to public transport, which is likely to reduce vehicle trips generated by the proposed development.
- Loss of gym contrary to health and wellbeing objectives of council.
- Council is not able to refuse the application on the basis that the gym will be lost as this is a product of owner / tenant relationships which are beyond the scope of the *Planning and Environment Act* and Darebin Planning Scheme.

It is noted that VicTrack withdrew its objection to the application and suggested the following conditions or notes to any amended permit:

- *During construction the permit holder must, at all times, ensure that the common boundary with railway land is fenced at the permit holder's expense to prohibit unauthorised access to the rail corridor.*
- *The permit holder must not enter any railway land without the written consent of the Rail Operator. If the permit holder has obtained the Rail Operator's written consent to enter the railway land, the permit holder must comply with the Rail Operator's Site Access Procedures and Conditions when accessing the railway land.*
- *Before the commencement of the development, including demolition or bulk excavation, the permit holder must contact the Rail Operator through the email address metrositeaccess@metrotrains.com.au to obtain the Rail Operator's conditions and safety requirements for works on, over or adjacent to the railway land. The permit holder must comply with the Rail Operator's reasonable requirements for works on, over or adjacent to the railway land.*

- *Before the commencement of the development, including demolition or bulk excavation, the permit holder must contact the VicTrack through the email address external.plant@victrack.com.au to obtain any conditions and safety requirements for works on, over or adjacent to underground fibre optic cabling.*
- *Before the commencement of the development, including demolition and bulk excavation, detailed construction/ engineering plans and computations for any construction or works likely to have an impact on railway operations, railway infrastructure assets or railway land are to be submitted to, and approved by, VicTrack and the Rail Operator. The plans must detail all excavation of the site adjacent to the railway corridor having any impact on the railway land. The construction or works must be carried out in accordance with the plans approved by VicTrack and the Rail Operator.*
- *The permit holder must not, at any time, interfere with or damage any railway infrastructure (including without limitation overhead power and supporting infrastructure for trains and trams, and underground telecommunication cables). The permit holder must, at its own cost, rectify any damage to railway infrastructure. or disruption to the rail operations, arising out of or in connection with the development to the satisfaction of VicTrack and the Rail Operator within fourteen (14) days of such damage or disruption occurring or such other time agreed by VicTrack and the Rail Operator.7. All works, including hoardings, must be undertaken within the subject land and must not encroach onto the railway land.*
- *The permit holder must not, at any time:*
 - *Allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or*
 - *Store or deposit any waste, soil or other materials on the railway land.*
- *The permit holder must not plant any plants or tree species that are likely to cause any future overhang onto the railway land or disturbance to the railway operations.*
- *The permit holder must not at any time erect lighting (permanent or temporary) that spills light onto the railway tracks or which interferes with the visibility of signals and rail lines by train drivers.*
- *The permit holder must not install, or cause to be installed, any permanent or temporary ground anchors within the railway land.*
- *The approved development, including temporary structures, must maintain all the clearances required from all railway infrastructure (including without limitation 22kV AC lines and overhead wiring structures) under the Electrical Safety Act 2009 (Vic) and the Electrical Safety Regulations (including the Energy Safety (Installation) Regulations 2009 page 75 Table 313 Rows C and D). If the relocation of railway infrastructure (including without limitation 22kV AC lines and overhead wiring structures) is necessitated by the construction of the development, any works to relocate such infrastructure will be at the cost of the permit holder.*

It is considered suitable to include the suggested requirements as conditions of the amended permit.

PLANNING ASSESSMENT

Internal Amenity

The proposed amendments include internal alterations to the layouts of the dwelling, deletion of the internal light wells and splitting the building into two (2) elements from the first floor upwards. The alterations are an improvement on the approved dwellings in the following ways:

- Numerous bedrooms are now provided with windows that allow an outlook beyond the site boundaries, instead of into a light well. This improves the internal amenity for the occupants of the dwellings and improves access to daylight to these bedrooms, which will minimise reliance on artificial lighting.
- The widths of living areas to the majority of the dwellings have been increased which improves their functionality.

It is noted the alterations do not reduce the internal amenity or access to daylight for any of the already approved dwellings.

Building Height

This matter is a relevant consideration under:

- Clause 21.05.
- Clause 22.06 – Multi-residential and Mixed Use Development.

Clause 21.05 identifies the intersection of Mahoneys Road and High Street as a key gateway to the municipality. Whilst no clear strategic direction is given for gateways under the MSS, it is common planning practice to provide more intensive developments with greater height gateways and landmark sites. Whilst the site fronts Johnson Street it provides the most appropriate location to demarcate the gateway.

The site sits to the east of the railway line adjacent to an activity centre and the height will not be detrimental to the character of the area.

It is noted that high quality materials have been provided in order to ensure a high quality architectural response for this gateway. Without such materials the development outcome will not be consistent with the strategic intent of the area.

Building Setbacks

This matter is a relevant consideration under:

- Clause 22.06 – Multi-residential and Mixed Use Development.

The site has no sensitive interfaces except to the south which is occupied by a four (4) storey development. The original design and the proposal interface similarly at lower levels and the upper levels are appropriately set back from the south boundary to provide a transition in scale and ensure appropriate amenity outcomes to the south.

Site coverage, permeability and walls on boundaries requirements

This matter is a relevant consideration under:

- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Having regard to the proposed DDO16 which allow 100% site coverage and 100% of walls on side boundaries, the proposal sits comfortably within these controls.

Building Design

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Having regard to the above the building has been assessed against the relevant building design requirements as follows:

- The proposed materials palette is not exemplary but is high quality comprising:
 - Alucabond or James Hardie matrix.
 - Aluminium wood grain.
 - Perforate3d steel sheet.
 - Acrylic render (limited application).
 - Colourbond sheet steel.
- The design has been broken from a continuous four storey mass with a break at first floor level providing two discrete built forms. This is an improvement to the design presenting more visual interest and diversity to the façade.
- The changes are at upper levels and the building continues to adequately address Johnson Street and Keon Parade with commercial premises and dwellings orientated to the north and east.
- The proposal provides natural light and ventilation to habitable rooms either via the street/ rear setbacks (living areas) or supplementary mid-block breaks (to bedrooms only). Whilst there are habitable room windows facing the south boundary the solar access to these windows is sufficient given the land to the south is developed and adequate shared setbacks have been provided. Further the amendments represent a significant improvement over the internal amenity of the existing approval.

With the intended intensification of the corridor and potential future development of the adjoining sites, the dimensions of the saddle backs and indented windows are adequate for light and ventilation to bedrooms.

- The amendment improves on the existing design, better reflecting the prevailing grain size and streetscape rhythm.
- The side elevations have appropriate articulation.
- Minimal landscaping elements are proposed. Given the commercial context and the strategic intent of this site this is appropriate.
- All site services have been located internal to the building and are not visible to the public realm.
- The building will provide an appropriate commercial form and setbacks to St Georges Road.
- Weather protection is provided however this is acceptable.
- The ground floor commercial premises provide an appropriate activation of the public realm.

- The residential entry constitutes a minor element of the ground floor frontage which is consistent with the commercial intent of the area.

Context

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 21.03 – Housing.
- Clause 22.02 – Neighbourhood Character Precinct D2.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55.

Under Clause 21.03 the site is in a Substantial Housing Change Area. It is policy that Substantial Housing Change areas have the capacity to accommodate more intense residential development over time, that Substantial Change Areas will support increased residential densities and increased housing diversity and that it is expected that the character of these areas will change substantially in the future. The proposal is consistent with this policy intent.

It is also policy in Substantial Housing Change Areas to encourage a variety of housing typologies at increased densities and mixed use developments along St Georges Road and to discourage underdevelopment, with the scale of development appropriate to precinct characteristics and context as identified by a structure plan.

Clause 21.03 seeks to ensure that the design of development at interfaces between Substantial Change and Incremental Change Areas provides a sensitive transition, with particular consideration given to:

- Design and layout which avoids unreasonable amenity impacts on adjoining sensitive residential interfaces due to overshadowing, loss of privacy and unreasonable visual intrusion.
- Site orientation, layout and topography in determining the appropriate built form envelope and in assessing the impact of proposed development on adjoining amenity.

Clause 21.03 seeks to require a high standard of design (including architectural quality and environmentally sustainable design) be achieved in residential and mixed use developments through the use of design and development overlays, urban design frameworks, development plans and local policies as appropriate.

The proposal provides an appropriate design and a mix of uses on the site, furthering urban consolidation objectives. The proposal has had sufficient regard to the context of the location, in that it takes into account the strategic direction for the land and area.

The applicant has undertaken a site analysis as part of the design process, which has informed the height, scale and massing of the development. The development provides an appropriate transition to the south and is consistent with the strategic intent of the area.

The public realm

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

The public realm will not be significantly affected by the amendments with more active frontages provided at ground floor to Johnson Street. The design continues to provide an appropriate entry and passive surveillance from the commercial premises and the upper floor balconies.

Safety

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

The pedestrian entries are visible and provide an appropriate sense of address, which is secure, with passive surveillance.

Overlooking, Landmarks, Views and Vistas

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Views are not protected under local policy. The proposal provides appropriate articulation to the facades through materials, design and varied setbacks. It is considered to provide a suitable outlook to surrounding properties, consistent with the strategic intent of the area.

South facing second and third floor habitable room windows have raised sill heights and these should be dimensioned as 1.7 metres above finished floor level.

Fourth floor south facing balconies have obscure glazing and this should be dimensioned to 1.7 metres above finished floor level.

Fifth floor south facing windows should be screened.

Details of roof top plant are required to be provided as a condition of approval.

Pedestrian Spaces / Access

This matter is a relevant consideration under:

- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Pedestrian access to the site is via the street frontage. The development provides an acceptable entry area and appropriate access to the site.

The design is considered appropriate, with passive interaction and surveillance and an appropriate scale.

Overshadowing / Light and Shade

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.

- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Having regard to the site context and the orientation of the land, there is no unreasonable loss of sunlight/daylight to the public realm. Any shadow cast on the south adjoining property is considered acceptable due to the existing approved building envelope and the setbacks of the upper two floors from the south boundary.

Sustainability

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

The proposal provides a mixed use development in an appropriate area to take advantage of existing services. A new Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority.

Balcony and roof areas above bedroom 1 windows of Dwellings 3, 5, 6, 7, 8 13, 15, 16, and 19 should be deleted. This may affect balcony areas and these should be a minimum 8m² and 1.6 m in dimension.

Overall the solar access of living areas and bedrooms has been generally improved from that of the existing approval with the deletion of internal light courts and much improved solar access.

Landscaping

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

The existing approval and the proposal have 100% site coverage and no landscaping, which is considered acceptable in the context of the commercial/retail uses and development in the area.

Building Entries

This matter is a relevant consideration under:

- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

The entrances to the building are clearly identifiable from the façade.

The entrances to the car parking areas are to west from the side street and do not detract from the façade.

The proposal meets the policy guidelines in respect to street address in that the commercial premises provide an active street frontage. The entrance provides good pedestrian access directly from street frontages.

The ground floor of the development is accessible to persons of limited mobility. Appropriate disabled access must be provided to the medical centre.

Access to all upper levels of the building is available via stairs and lift.

Site Services

This matter is a relevant consideration under:

- Clause 22.06 – Multi–residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Space for the storage of garbage is provided at the rear. A waste management plan has been submitted with the application with requires private pick up. The Waste Management Plan is to be secured via condition of any approval.

Mailboxes for the dwellings are sited adjacent to the apartment foyer area.

The compliance of the development with relevant firefighting requirements, including water supply and access, is assessed at the Building Approval stage.

Dwelling Diversity

This matter is a relevant consideration under:

- Clause 22.06 – Multi–residential and Mixed Use Development.

There will be 12 one (1) bedroom dwellings, 40 two (2) bedroom dwelling and 16 three (3) bedroom dwellings which will improve the dwelling diversity provided within the development and the surrounding area.

Private Open Space

This matter is a relevant consideration under:

- Clause 22.06 – Multi–residential and Mixed Use Development.

All dwellings are provided with private open space in the form of balconies, appropriately located adjacent to living areas and with adequate dimensions and access to sunlight. Open spaces areas are acceptable. Private open space is not accessible to the general public.

Vehicle Access and Car Parking

This matter is a relevant consideration under:

- Clause 22.06 – Multi–residential and Mixed Use Development.
- Clause 52.06 – Car Parking.
- Clause 52.29 – Land Adjacent to a Road Zone Category 1.

Parking provision for the existing development is as follows:

Use	No./area	Parking Rate	Parking requirement	Parking Provision
Dwellings	51 dwellings	1 space to each one or two bedroom dwelling 1 visitor space per 5 dwellings	51 spaces	44 spaces
			10 spaces	0 spaces
Shop	415 square metre	4 spaces to each 100 square metres leasable floor area	16 spaces	5 spaces
Convenience restaurant	35 seats	0.3 spaces to each patron	11 spaces	2 spaces
Total			88 spaces	51 spaces

The existing planning permit has approved a reduction of 37 car spaces.

Under Clause 52.06 the statutory parking requirement for the proposed development and the parking provision is as follows:

Use	No./area	Parking Rate	Parking requirement	Parking Provision
Dwellings	52 dwellings (1 / 2 bed) 16 dwellings (3 bed) 68 Dwellings	1 space to each one or two bedroom dwelling 2 car spaces to each three bedroom dwelling 1 visitor space per 5 dwellings	52 spaces	52 spaces
			32 spaces	29 spaces
			13 spaces	0 spaces
Shop	527 square metre	4 spaces to each 100 square metres leasable floor area	21 spaces	5 spaces
Convenience restaurant	35 seats	0.3 spaces to each patron	11 spaces	1 space
Total			129 spaces	87 spaces

It is submitted that the reduction of the standard car parking requirement is justified for the following reasons:

- There is no parking precinct plan for the area.
- The site is proximate to an existing train station.
- The site has good access to shops and services, encouraging multi-purpose trips, as well as being readily accessible by public transport.
- Council’s Transport Management and Planning Unit have not objected to the reduction in parking generated by the proposal (subject to conditions).
- There is off street parking available in the area.
- The parking reduction relating to the commercial premises is considered acceptable as this would only be short-term demand for customers. Having regard to the additional car space provided for dwellings it is recommended that staff have access to one on site car parking space.

The provision of 29 car spaces for the 16 three bedroom dwellings is considered appropriate in this location having regard to the excellent access to public transport and that it comprises only a small fraction of the dwellings proposed. The empirical demand for car parking is lower than the parking provision.

It is therefore considered that the proposal is generally acceptable and the reduction of parking is appropriate.

Condition 19 should be amended to reflect the proposed car parking layout.

Bicycle Parking

This matter is a relevant consideration under:

- Clause 52.34 – Bicycle Parking.

As part of the development the application of the provisions of Clause 52.34 to the proposal requires the following bicycle requirements:

- One (1) visitor bike space for the takeaway food premise.

The proposal provides no spaces. Given the inability to provide facilities on site for the takeaway food premises a condition requiring the contribution to on street bike facilities is recommended. Further resident bike facilities should be provided.

REFERRAL SUMMARY

Department/Authority	Response
Transport Management and Planning	No objection, traffic assessment and parking provision reviewed and accepted 29/3/17.
Public Transport Victoria	No objection, subject to condition included in recommendation / No objection / Objection based on <i>[insert reason for objection here]</i> see body of report for details
VicRoads	No objection.

PLANNING AND ENVIRONMENT ACT

Under section 72 of the Act, a person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit. A reference to a permit includes any plans, drawings or other documents approved under a permit.

Subject to this section, sections 47 to 62 apply to an application to the responsible authority to amend a permit as if —

- (a) The application were an application for a permit; and
- (b) Any reference to a permit were a reference to the amendment to the permit.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02–1, 15.01–1, 15.02, 16.01, 17.01, 19.03–1
LPPF	21.03, 21.05, 22.06
Zone	32.04
Overlay	43.02. 45.03. 45.06
Particular provisions	52.02, 52.06, 52.07, 52.34, 52.35, 55
General provisions	65.01

POLICY IMPLICATIONS**Environmental Sustainability**

All new dwellings are required to achieve a minimum six (6) star energy rating under the relevant building controls.

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications as a result of the determination of this application.

FUTURE ACTIONS

Nil.

DISCLOSURE OF INTERESTS

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

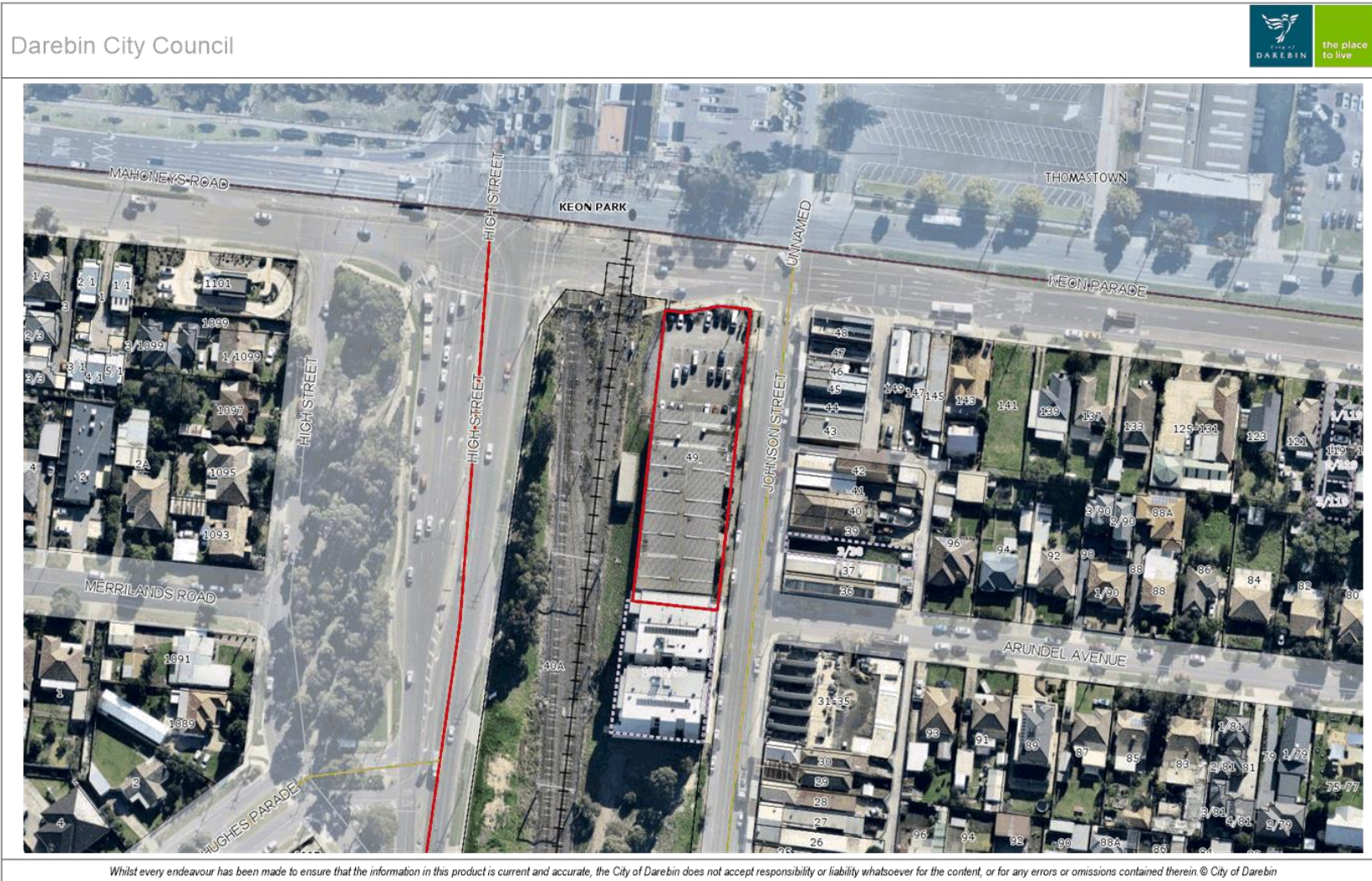
The Manager authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

RELATED DOCUMENTS

Darebin Planning Scheme and the *Planning and Environment Act (1987)* as amended.

Attachments

- Application to Amend a Planning Permit D/1019/2012/B at 49 Johnson Street Reservoir VIC 3073 - Aerial Map (**Appendix A**)
- Application to Amend a Planning Permit D/1019/2012/B at 49 Johnson Street Reservoir VIC 3073 - Advertised Plans (**Appendix B**)



TOWN PLANNING APPLICATION

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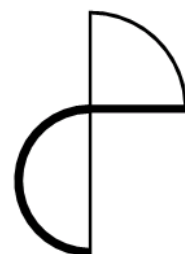
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 TPA03 BASEMENT FLOOR PLAN
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**CORNETTA
 PARTNERS
 ARCHITECTS**

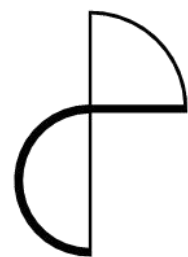
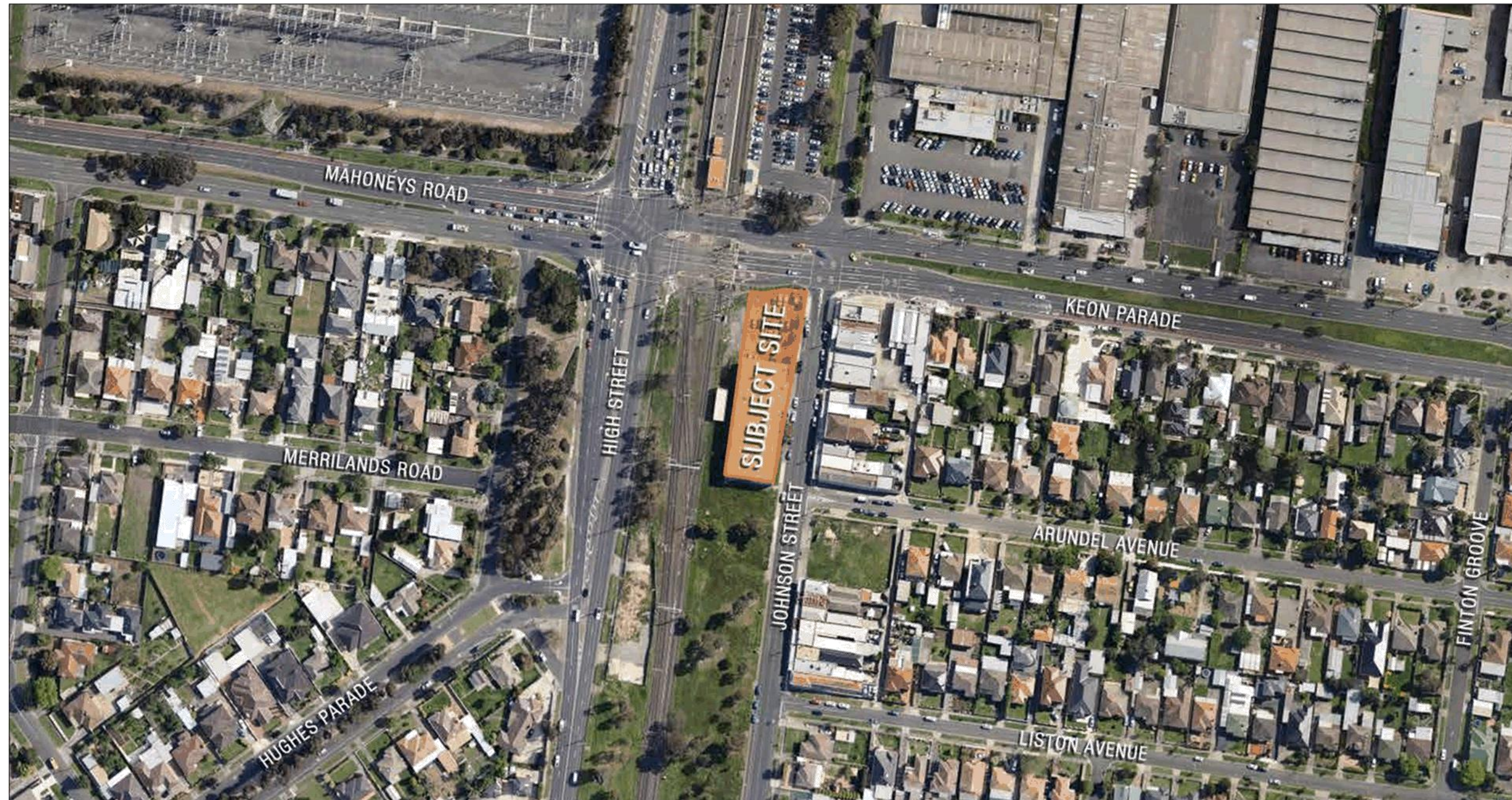
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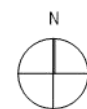
PROPOSED RESIDENTIAL DEVELOPMENT AT
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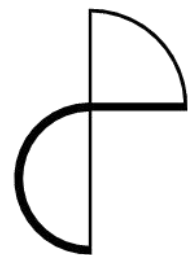
PROPOSED RESIDENTIAL DEVELOPMENT AT
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STREETScape JOHNSON STREET - FACING SUBJECT SITE



STREETScape JOHNSON STREET - OPPOSITE SUBJECT SITE



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EXISTING STREETScape PHOTOGRAPHS - JOHNSON STREET

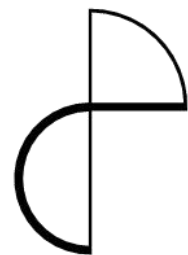
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PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR



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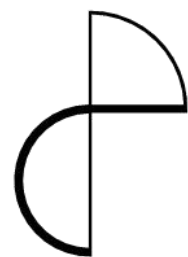


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1. SUBJECT SITE: 49 JOHNSON STREET, RESERVOIR - VIEW FROM CNR. KEON PARADE AND JOHNSON STREET
2. SUBJECT SITE: 49 JOHNSON STREET, RESERVOIR - VIEW FROM KEON PARADE RAILWAY INTERSECTION
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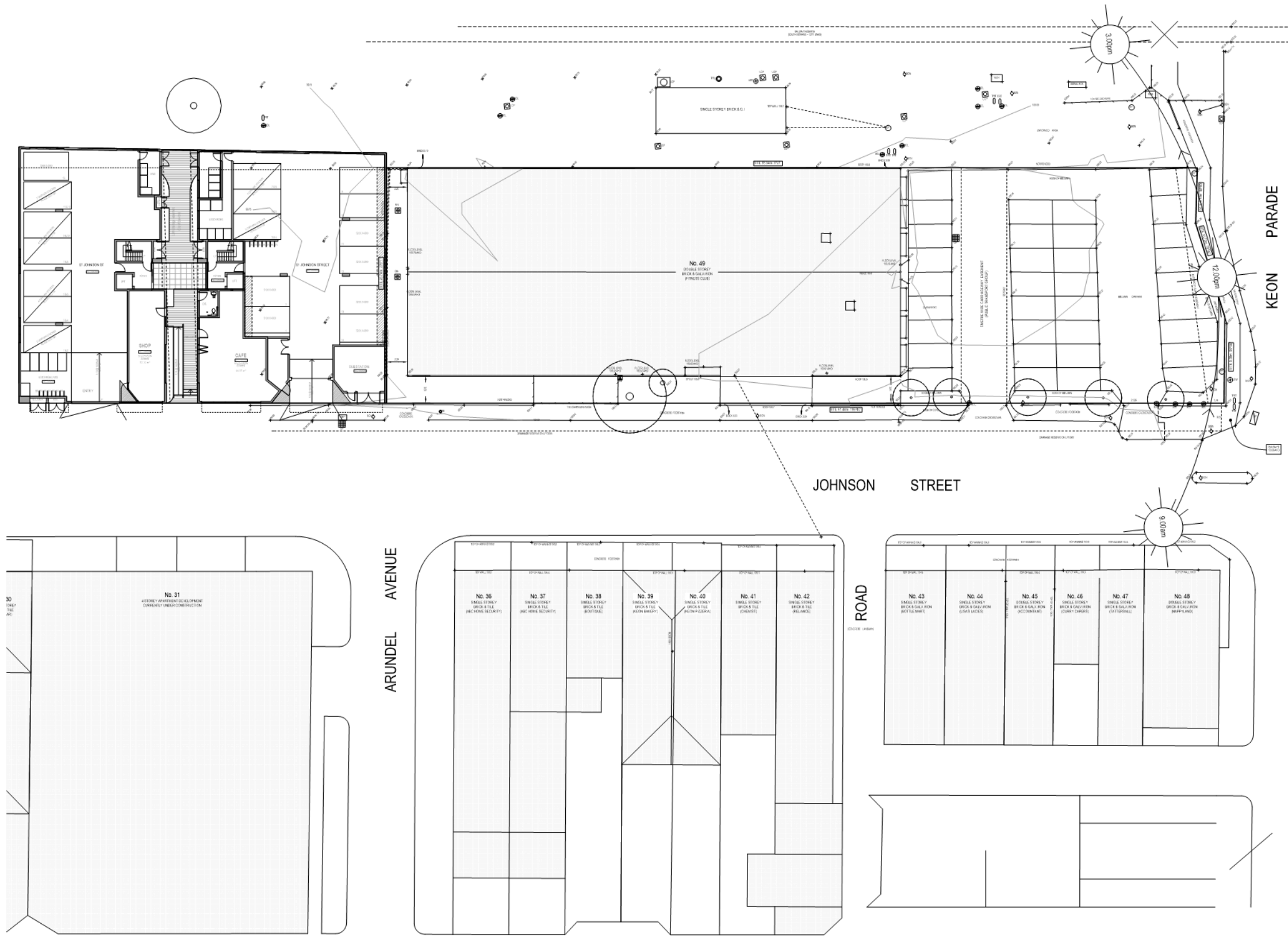
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PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR



THE SUBJECT SITE AND CONTEXT

THE SUBJECT SITE

THE SUBJECT SITE IS LOCATED AT 49 JOHNSON STREET, RESERVOIR. MORE PARTICULARLY, THE SITE IS LOCATED ON THE SOUTH WEST CORNER OF JOHNSON STREET AND KEON PARADE. THE SITE IS FORMALLY KNOWN AS LOT 148 ON TITLE PLAN 7458N. TWO EASEMENTS EXIST ON THE LAND. EASEMENT #1 RELATES TO ELECTRICITY SUPPLY PURPOSES FOR THE CITY OF PRESTON AND EASEMENT #2 RELATES TO CARRIAGEWAY PURPOSES FOR THE PUBLIC TRANSPORT CORPORATION.

KEY FEATURES OF THE SITE INCLUDE:

- THE SITE IS IRREGULAR IN SHAPE.
- IT HAS A FRONTAGE TO JOHNSON STREET OF APPROXIMATELY 21.44 METRES AND A SLIGHTLY CURVED SIDE ABUTMENT TO KEON PARADE OF APPROXIMATELY 28.2 METRES AND A TOTAL AREA OF APPROXIMATELY 3,319 SQUARE METRES.
- THE LAND IS RELATIVELY FLAT WITH A SLOPE OF APPROXIMATELY 0.5 PERCENT FROM THE SOUTH WEST CORNER TO THE NORTH WEST CORNER.
- THE SITE CONTAINS A DOUBLE STOREY BRICK BUILDING THAT IS USED AS A QUIZ AND ASSOCIATED CAR PARKING.
- A 1.74 - 3.16 METRE WIDE ELECTRICITY SUPPLY EASEMENT IS LOCATED ALONG THE NORTHERN BOUNDARY. A 5 METRE WIDE ACCESS EASEMENT IS FAVOUR OF THE PUBLIC TRANSPORT CORPORATION IS LOCATED THROUGH THE MIDDLE PORTION OF THE SITE (23 TO METRES FROM THE NORTHERN BOUNDARY).

ADJOINING LAND

THE SUBJECT SITE HAS THE FOLLOWING IMMEDIATE INTERFACES:

- NORTH**
 - KEON PARK TRAIN STATION AND ASSOCIATED CAR PARK IS LOCATED ON THE OPPOSITE SIDE OF KEON PARADE. ACCESS TO THE CAR PARKING AREA IS VIA JOHNSON STREET.
- SOUTH**
 - ST JOHNSON STREET ABUTS THE SUBJECT SITE TO THE SOUTH. THIS SITE CONTAINS A FOUR STOREY MULTI-DWELLING DEVELOPMENT CURRENTLY UNDER CONSTRUCTION.
 - ST JOHNSON STREET IS LOCATED FURTHER TO THE SOUTH AND IS CURRENTLY VACANT. THIS SITE IS SUBJECT TO A CURRENT PLANNING APPLICATION FOR A MIXED USE DEVELOPMENT CURRENTLY BEING ASSESSED BY COUNCIL.

- EAST**
 - COMMERCIAL PROPERTIES AT 39-48 JOHNSON STREET ARE LOCATED ON THE OPPOSITE SIDE OF JOHNSON STREET BETWEEN KEON PARADE AND ARUNDEL AVENUE. THESE SITES CONTAIN SINGLE AND DOUBLE STOREY BUILT FORMS AND PROVIDE A RANGE OF RETAIL AND OFFICE USES, INCLUDING A NEWSAGENT, BAKERY, PIZZA AND PASTA TAKE AWAY FOOD PREPARER, LOUJOR SHOP, CHEMIST AND ACCOUNTANT'S OFFICE.

- WEST**
 - A RAILWAY RESERVE AND ASSOCIATED INFRASTRUCTURE IS LOCATED TO THE WEST OF THE SUBJECT SITE.

SUBJECT SITE

SURROUNDING LAND

THE SUBJECT SITE IS LOCATED ON THE BORDER OF THE MUNICIPALITY, WITH THE CITY OF PRESTON TO THE NORTH AND THE CITY OF MELBOURNE TO THE SOUTH. THE SUBJECT SITE IS STRATEGICALLY IDENTIFIED AS AN AREA OF URBAN INTENSIFICATION. THE SURROUNDING LAND PREDOMINANTLY CONSISTS OF RESIDENTIAL USES WITH COMMERCIAL USES LOCATED ALONG JOHNSON STREET.

- THE SITE IS LOCATED WITHIN CLOSE PROXIMITY OF A RANGE OF EXISTING TRANSPORT NETWORKS, COMMUNITY FACILITIES, SERVICES, OPEN SPACE AREAS, INCLUDING DISTANCES ARE CALCULATED USING WALKING DISTANCE:
 - KEON PARK TRAIN STATION, APPROXIMATELY 250 METRES TO THE NORTH WEST;
 - KEON PARK KINDERGARTEN, APPROXIMATELY 260 METRES TO THE EAST;
 - RESERVOIR VIEWS PRIMARY SCHOOL, APPROXIMATELY 1.8 KILOMETRES TO THE SOUTH EAST;
 - WILLIAM RUTHERFORD SECONDARY COLLEGE, APPROXIMATELY 1 KILOMETRE TO THE WEST;
 - JO DONATH RESERVE, APPROXIMATELY 600 METRES TO THE SOUTH EAST;
 - BEAL ON JOHNSON STREET, IMMEDIATELY EAST OF THE SITE;
 - THE RESERVOIR ACTIVITY CENTRE, APPROXIMATELY 2.2 KILOMETRES TO THE SOUTH AND;
 - SUMNERHILL SHOPPING CENTRE, APPROXIMATELY 3.1 KILOMETRES TO THE SOUTH.

NSDP NEIGHBOURHOOD & SITE DESCRIPTION PLAN SCALE 1:200

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Revision	Client
	#Client Full Name

Project	Drawing Title	Town Planning Application
APARTMENT DEVELOPMENT	NEIGHBOURHOOD SITE & DISCRIPTION PLAN	Town Planning Application
49 JOHNSON STREET RESERVOIR	Scale: 1:200 @ A1	Drawn: E.P./J.M. 15-47
	Date: 07-10-2016	Drawing No: TPA01



E EAST ELEVATION STREETScape SCALE @ 1:100

LANDSCAPE LEGEND

- EXISTING TREES
- EXISTING TREES TO BE REMOVED
- PROPOSED TREES
- PROPOSED SHRUBS & PLANTING

NOTE: PROPOSED LANDSCAPE INDICATIVE ONLY. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND SPECIES.

THE PROPOSAL

THE PROPOSAL SEEKS TO AMEND PLANNING PERMIT D10192012. THE AMENDED PROPOSAL SEEKS TO AMEND PLANNING PERMIT FOR THE DEVELOPMENT OF A FOUR STOREY BUILDING COMPRISING 80 DWELLINGS, 2 RETAIL PREMISES (INCLUDING A CONVENIENCE RESTAURANT) AND 87 CAR PARKING SPACES.

PLANNING HISTORY
PLANNING PERMIT D10192012 WAS ISSUED ON 2 MAY 2013 AND ALLOWS FOR THE CONSTRUCTION OF A FOUR (4) STOREY MIXED USE DEVELOPMENT COMPRISING FIFTY ONE (51) DWELLINGS, FIVE (5) OFFICE, A CONVENIENCE RESTAURANT AND FIFTY ONE (51) CAR PARKING SPACES. RELOCATION OF EXISTING WAREHOUSE OF LOADING REQUIREMENT AND REDUCTION OF THE STANDARD CAR PARKING REQUIREMENT IN ACCORDANCE WITH THE ENDORSED PLANS.

PLANS PREPARED BY CORNETTA PARTNERS ARCHITECTS (REVISION 02), DATED JANUARY 2015, ARE ENDORSED UNDER THIS PERMIT.

REVISED DEVELOPMENT FEATURES
THE EXISTING BUILDING WILL BE DEMOLISHED TO FACILITATE THE DEVELOPMENT AND WILL HAVE THE FOLLOWING REVISED DEVELOPMENT FEATURES:

- THE BUILT FORM HAS BEEN SEPARATED AT THE UPPER LEVELS TO FORM TWO SMALLER BUILT FORMS. THE SETBACKS AT THE UPPER LEVELS HAVE ALSO BEEN INCREASED TO FORM A MORE STAGGERED PROFILE TO BALANCE THESE CHANGES AN ADDITIONAL TWO STOREYS WILL BE INCLUDED.
- A BASEMENT LEVEL WILL BE INCLUDED.
- THE CAR PARKING ALLOCATION HAS BEEN INCREASED TO 87 SPACES WITHIN THE BASEMENT AND GROUND FLOOR LEVELS.
- THE DWELLING COMPOSITION WILL CONSIST OF 15 X 1 BEDROOM, 40 X 2 BEDROOM AND 18 X 3 BEDROOM DWELLINGS.
- THE TOTAL RETAIL FLOOR SPACE AVAILABLE WILL INCREASE FROM 362.36 SQUARE METRES TO 87.84 SQUARE METRES, AND
- THE RELOCATION OF BASEMENT 2 OF TP 748881 WILL BE MOVED FURTHER SOUTH TO ALIGN WITH THE SOUTHERN BOUNDARY AND WILL BE 5.1 METRES IN WIDTH.

CHANGES TO EXISTING PERMIT
THE APPLICATION SEEKS TO AMEND THE PREVIOUS PLANNING PERMIT D10192012 TO:

CONSTRUCTION OF A FOUR (4) STOREY MIXED USE DEVELOPMENT COMPRISING FIFTY ONE (51) DWELLINGS, FIVE (5) OFFICE, A CONVENIENCE RESTAURANT AND FIFTY ONE (51) CAR PARKING SPACES. RELOCATION OF EXISTING WAREHOUSE OF LOADING REQUIREMENT AND REDUCTION OF THE STANDARD CAR PARKING REQUIREMENT IN ACCORDANCE WITH THE ENDORSED PLANS. CONDITIONS OF PLANNING PERMIT D10192012 WILL BE AMENDED AS FOLLOWS:

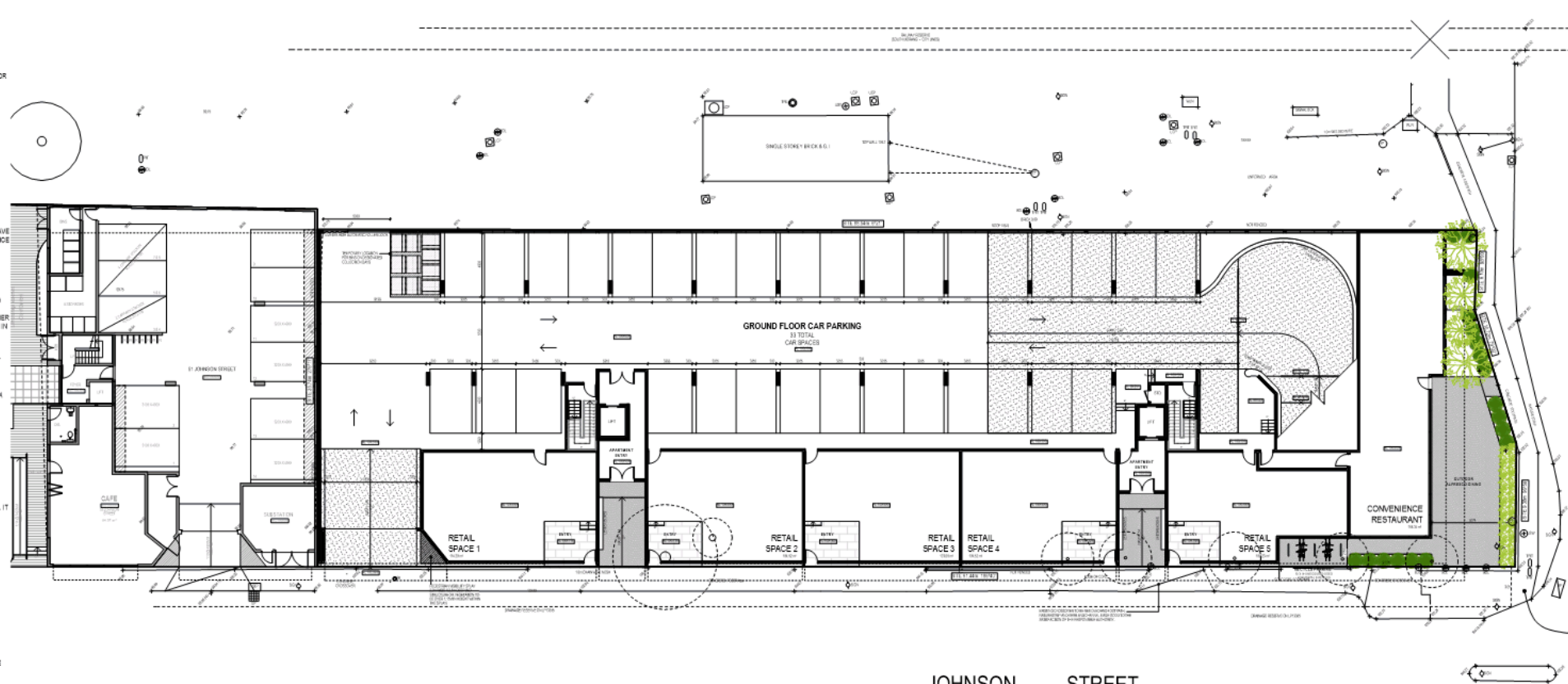
- CONDITION 1:**
- THIS CONDITION IS TO BE DELETED AS A NEW DEVELOPMENT HAS BEEN PROPOSED.
- CONDITION 19:**
- THIS CONDITION WILL BE UPDATED TO REFLECT THE REVISED PROPOSAL. IT SHOULD READ AS FOLLOWS:
- PARKING ALLOCATION IS TO BE AS FOLLOWS:**
- ONE (1) CAR SPACE TO EACH ONE (1) AND TWO (2) BEDROOM DWELLING;
 - TWO (2) CAR SPACES TO EACH THREE (3) BEDROOM DWELLING;
 - NO VISITOR CAR PARKING SPACES ARE REQUIRED;
 - FIVE (5) CAR SPACES TO EACH RETAIL TENANCY; AND
 - ONE (1) CAR SPACE TO THE CONVENIENCE RESTAURANT.
- CONDITION 28:**
- THIS CONDITION IS TO BE DELETED AS A WASTE MANAGEMENT PLAN HAS BEEN PROVIDED.
- ALL OTHER CONDITIONS ARE TO BE UNCHANGED.

DESIGN RESPONSE

BROADLY, THE AMENDED PROPOSAL PRESENTS A MORE SITE RESPONSIVE DESIGN THAT CONTINUES TO MEET THE STRATEGIC DIRECTIONS OF THE STATE AND LOCAL PLANNING POLICY.

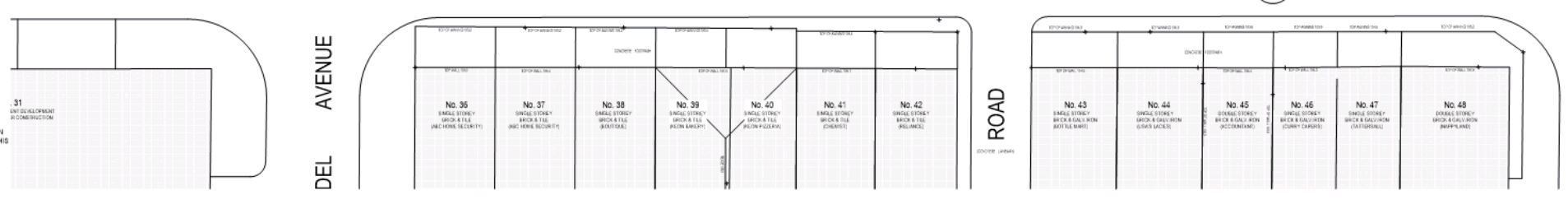
BUILDING HEIGHT
THE AMENDED PROPOSAL INCLUDES THE ADDITION OF TWO UPPER LEVELS. THIS ADDITION TO THE BUILDING HEIGHT IS SUPPORTED BY THE STRATEGIC DIRECTIONS OF THE STATE AND ITS PHYSICAL CONTEXT. MORE SPECIFICALLY:
- THE SITE IS LOCATED WITHIN A SUBSTANTIAL HOUSING CHANGE AREA AND HOUSING DEVELOPMENTS AT HIGHER DENSITIES IS APPROPRIATE.
- THE SITE IS LOCATED AT A GATEWAY TO THE MANGROVE.
- THE SITE IS ADJACENT TO THE THOMASTOWN INDUSTRIAL AREA WHICH PROMOTES URBAN RENAISSANCE AND INCREASED DENSITIES.
- THE SITE IS AN ISLAND SITE WITH NO DIRECT INTERFERENCES. THE SITE'S LOCATIONAL ATTRIBUTES CREATES AN IDEAL OPPORTUNITY FOR MORE INTENSIVE DEVELOPMENT TO OCCUR, AND
- THE SCALE AND HEIGHT OF THE BUILDING IS CONSISTENT WITH THE EMERGING BUILDING FORM OF THE AREA. A FOUR STOREY DEVELOPMENT SUITS THE SUBJECT SITE TO THE SOUTH AND ANOTHER FOUR STOREY DEVELOPMENT IS CURRENTLY UNDER CONSTRUCTION ON THE OPPOSITE SIDE OF JOHNSON STREET TO THE SOUTH-EAST.

BUILT FORM
THE ADDITION OF TWO UPPER LEVELS HAS BEEN BALANCED WITH SIGNIFICANT IMPROVEMENTS TO THE BUILT FORM. THE BUILDING HAS BEEN SEPARATED INTO TWO FORMS BETWEEN THE FIRST AND SIXTH FLOORS. THIS IS AN APPROPRIATE RESPONSE FOR THE FOLLOWING REASONS:
- THE BUILDING SEPARATION CREATES A BREAK IN THE EAST AND WEST FACADES THAT IS DICTATED BY THE ELEVATION OF THE SITE. THIS ALSO ALLOWS THE BUILDING TO BETTER REFLECT THE FINER GRAIN OF THE SURROUNDING PATTERN OF THE SURROUNDING LOTS OF LAND.



JOHNSON STREET

KEON PARADE



DRP DESIGN RESPONSE PLAN SCALE @ 1:200

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Revision	Client	Project	Drawing Title	TOWN PLANNING APPLICATION
	#Client Full Name	APARTMENT DEVELOPMENT	DESIGN RESPONSE PLAN	Job No. E.P./J.M. 15-47
		49 JOHNSON STREET RESERVOIR	Scale: 1:200 @ A1	Drawing No. TPA02
			Date: 07-10-2016	

INDIVIDUALLY TWO SMALLER BUILT FORMS REDUCE THE BULK OF THE BUILDING AND THE STAGGERED SETBACKS CREATE A SOFTER BUILDING EDGE. THE STAGGERING OF THE SOUTHERN FACADE CREATES AN APPROPRIATE TRANSITION TO THE ADJACENT DEVELOPMENT.
- THE CHANGE IN BUILT FORM CREATES A MORE VISUALLY INTERESTING AND ARTICULATED BUILDING. THE CONTEMPORARY DESIGN IS CONSISTENT WITH THE APPROVED DEVELOPMENT OF 31-35 JOHNSON STREET, AND WILL INTEGRATE SUCCESSFULLY WITH ITS COMMERCIAL CONTEXT, AND
- THE ADDITION OF THE BASEMENT LEVEL ELIMINATES CAR PARKING ON THE FIRST FLOOR AND ALLOWS ALL CAR PARKING AREAS TO BE WIDEN FROM THE JOHNSON STREET STREETSCAPE WITH ACCESS TO REMAIN CONFINED TO ONE ENTRY POINT AT THE SOUTHERN END OF THE BUILDING.

AMENITY
THE PROPOSED CHANGES IN BUILT FORM WILL NOT HAVE ANY ADVERSE AMENITY IMPACTS ON THE SURROUNDING AREA. THE SUBJECT HAS ONLY ONE SENSITIVE INTERFERENCE (TO THE SOUTH). THE TOP TWO LEVELS HAVE BEEN SUFFICIENTLY SETBACK TO UNBLOCK AN ADDITIONAL SHADOWS DUE TO THE PROPOSED AMENDMENT. ALL OPPORTUNITIES FOR OVERLOOKING TO THE SOUTH WILL BE PRESERVED THROUGH APPROPRIATE SCREENING.

THE CURRENTLY APPROVED DEVELOPMENT INCLUDED DWELLING LAYOUTS WHERE ONE OF THE BEDROOMS ONLY SOURCE OF DAYLIGHT IS FROM A SMALL LIGHTWELL. THE REVISED DESIGN WILL SIGNIFICANTLY IMPROVE THE INTERNAL AMENITY BY ENSURING ALL HABITABLE ROOMS WILL HAVE DIRECT ACCESS TO NATURAL DAYLIGHT.

OTHER INTERNAL AMENITY IMPROVEMENTS INCLUDE:

- BETTER CROSS VENTILATION OF THE COMMON AREAS BY EFFECTIVELY MAINTAINING THE LENGTH OF THE DRIVEWAY;
- MAXIMIZE NORTHERLY ASPECT THROUGH THE CREATION OF TWO LOW 'TOWER';
- IMPROVE ACCESS TO DWELLINGS BY GENERALLY LOCATING THE LIFT CORE WITHIN BOTH 'TOWERS';
- INCREASE CONVENIENTLY ACCESSIBLE WASTE DISPOSABLE BY PROVIDING TWO WASTE STORAGE AREAS WITHIN THE BASEMENT; AND
- PROVIDE A THREE BEDROOM HOUSING PRODUCT TO MEET THE HOUSING DEMANDS OF A YOUNG DEMOGRAPHIC.

TRAFFIC AND CAR PARKING AND BICYCLE FACILITIES
THE PROPOSED DEVELOPMENT SEEKS A TOTAL PARKING REDUCTION OF 41 CAR PARKING SPACES, WHICH IS ONLY FOUR MORE THAN WHAT IS CURRENTLY APPROVED FOR THE SITE. THE PROVISION OF BICYCLE PARKING SPACES EXCEEDS THE STATUTORY REQUIREMENTS. A DETAILED TRAFFIC ENGINEERING ASSESSMENT HAS BEEN PREPARED BY TRAFFIX GROUP FOR THE PROPOSED DEVELOPMENT.

ENVIRONMENTAL SUSTAINABLE DESIGN ASSESSMENT
AN ENVIRONMENTAL SUSTAINABLE DESIGN ASSESSMENT HAS BEEN COMPLETED AND SUBMITTED WITH THIS APPLICATION, AS ADVISED BY COUNCIL.

WASTE STORAGE
A WASTE MANAGEMENT PLAN HAS BEEN COMPLETED AND SUBMITTED WITH THIS APPLICATION.

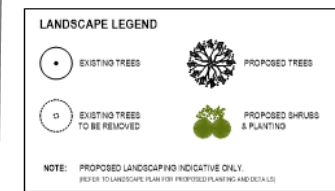
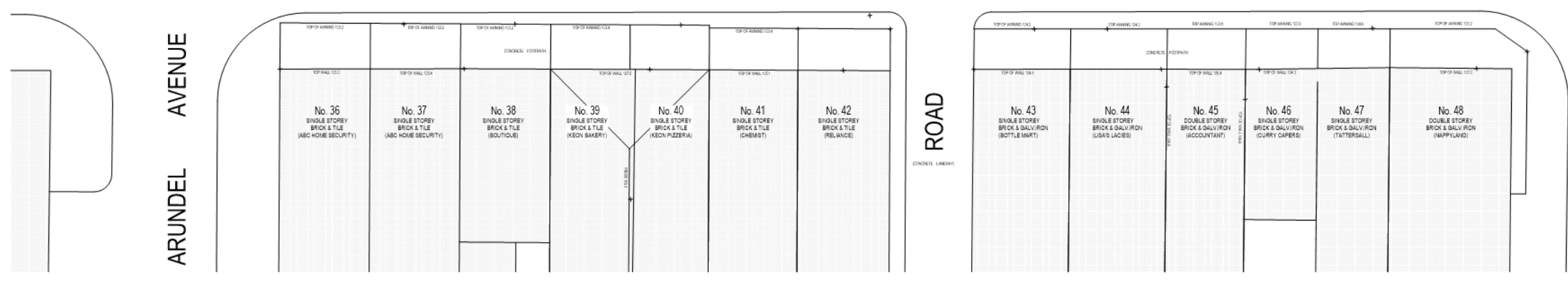
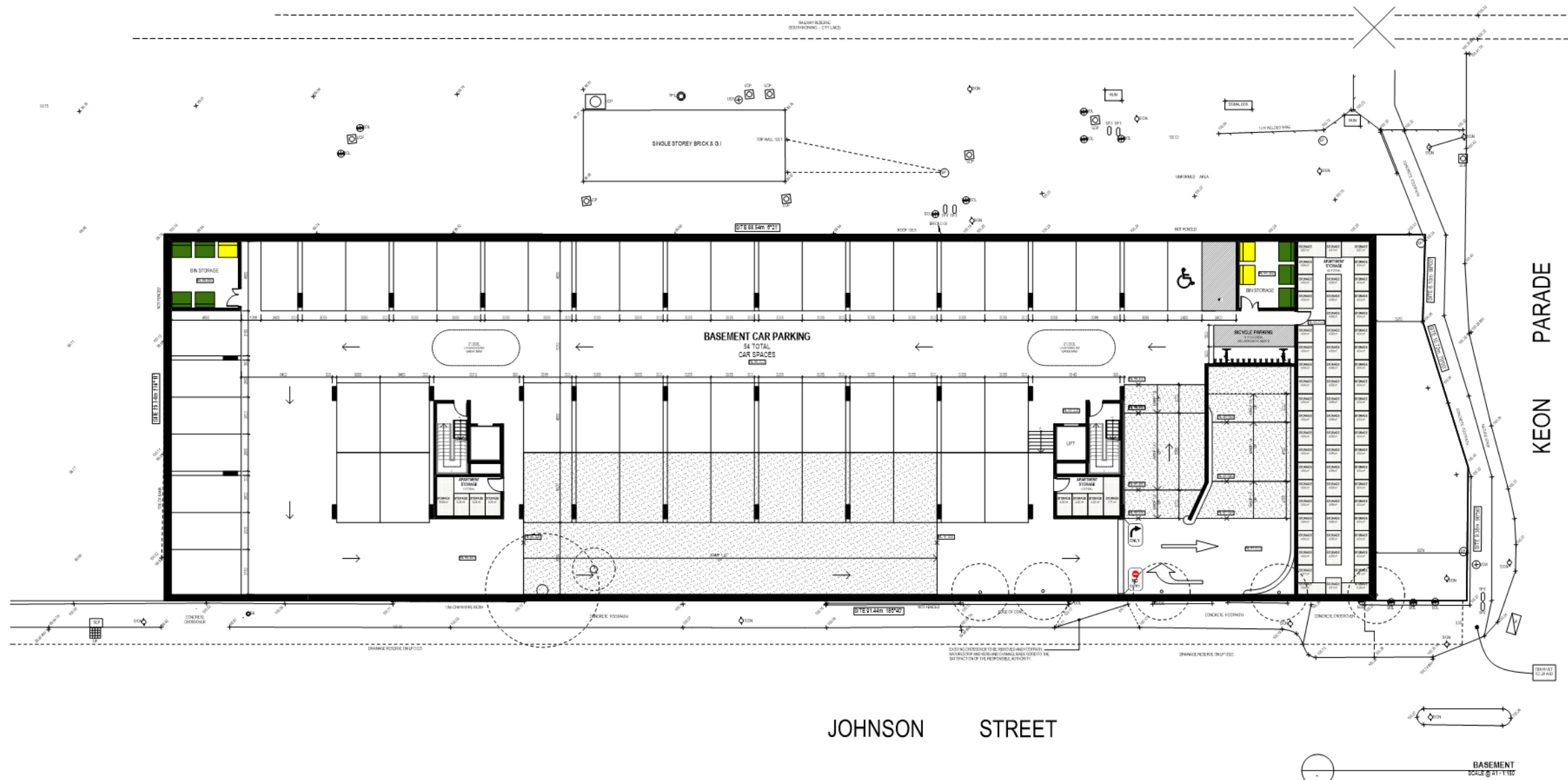
A DEVELOPMENT MANAGER WILL BE RESPONSIBLE FOR THE MANAGEMENT OF THE WASTE DISPOSAL. SYSTEMS & PRIVATE WASTE CONTRACTOR WILL SUPPLY THE BINS AND WILL BE RESPONSIBLE FOR BIN COLLECTION ONCE A WEEK FOR GENERAL WASTE AND ONCE A WEEK FOR RECYCLABLES. BINS WILL BE TAKEN OUT TO THE NATURE STRIP ON JOHNSON STREET VIA A BIN TUG AND COLLECTED BY A TRUCK THAT WILL PARK ON THE CURB TO ACCOMMODATE THE ALLOCATED PARKING BAYS ON JOHNSON STREET WILL BE RESTRICTED TO ALLOW FOR COLLECTION AT ALL REQUIRED TIMES.

BIN STORAGE
BIN STORAGE INCLUDING RECYCLABLES WILL BE LOCATED AT BOTH THE SOUTHERN AND NORTHERN ENDS OF THE BASEMENT. WASTE FROM THE CONVENIENCE RESTAURANT WILL BE STORED AT THE NORTHERN BIN STORE, WHICH WILL BE DIRECTLY ACCESSIBLE VIA A LIFT.

CONCLUSION

THE PROPOSAL TO AMEND PLANNING PERMIT D10192012 PRESENTS A MORE SITE RESPONSIVE DESIGN THAT CONTINUES TO MEET THE STRATEGIC DIRECTIONS OF THE AREA, MORE SPECIFICALLY:

- THE AMENDED PROPOSAL IS ENTIRELY CONSISTENT WITH THE STATE AND LOCAL POLICY FRAMEWORK AND THE HIGHER DENSITY RESIDENTIAL DEVELOPMENT OUTLINES;
- THE INCREASED BUILDING HEIGHT IS APPROPRIATE WITHIN THE STRATEGIC CONTEXT OF THE SITE THAT HAS BEEN IDENTIFIED AS AN AREA FOR SUBSTANTIAL HOUSING CHANGE AND AS A GATEWAY TO THE MANGROVE;
- THE CHANGE IN THE SCALE AND HEIGHT OF THE BUILDING IS CONSISTENT WITH THE AREA'S EMERGING BUILDING FORM;
- THE SEPARATION OF THE BUILDING AT THE UPPER LEVELS REDUCES VISUAL BULK, BETTER REFLECTS THE BUILDING PATTERNS OF THE SURROUNDING AREA AND CREATES A MORE VISUALLY INTERESTING DESIGN;
- THE CREATION OF TWO BUILT FORMS RESULTS IN MORE EXTERNAL WALLS AT THE UPPER LEVELS WHICH WILL IMPROVE THE INTERNAL AMENITY FOR FUTURE RESIDENTS; AND
- THE RECONFIGURATION OF THE CAR PARKING LAYOUT RESULTS IN A BETTER AESTHETIC TO THE JOHNSON STREET STREETSCAPE.



<p>CORNETTA PARTNERS ARCHITECTS</p> <p>448 HEIDELBERG ROAD PAERLFIELD VIC 3078 P: (03) 9438 1388 F: (03) 9438 7630 E: info@cornetta.com.au W: www.cornetta.com.au</p>	<p>Revision</p> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>							<p>Client</p> <p>#Client Full Name</p> <table border="1"> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> </table>				<p>Project</p> <p>APARTMENT DEVELOPMENT</p> <p>49 JOHNSON STREET RESERVOIR</p>	<p>Drawing Title</p> <p>BASEMENT FLOOR PLAN</p> <p>Scale</p> <p>1:150 @ A1</p> <p>Date</p> <p>07-10-2016</p>	<p>TOWN PLANNING APPLICATION</p> <p>Drawn</p> <p>E.P./J.M.</p> <p>Drawing No.</p> <p>TPA03</p> <p>Job No.</p> <p>15-47</p> <p>Revision</p>	

AREA ANALYSIS

SITE AREA	2319.10 m ²
SITE COVERAGE	92.60% 2142.40 m ²
TOTAL NO. OF APARTMENTS PROPOSED	68
TOTAL NO. OF RETAIL SPACES PROPOSED	5
TOTAL NO. OF CAR SPACES PROPOSED	33
TOTAL NO. 1 BEDROOM APARTMENTS	13
TOTAL NO. 2 BEDROOM APARTMENTS	40
TOTAL NO. 3 BEDROOM APARTMENTS	15

TWELLING No.

CONVENIENCE	158.36 m ²
RETAIL SPACE 1	114.30 m ²
RETAIL SPACE 2	104.32 m ²
RETAIL SPACE 3	103.88 m ²
RETAIL SPACE 4	104.84 m ²
RETAIL SPACE 5	100.23 m ²
APT 1	83.23 m ² BALCONY 18.89 m ²
APT 2	85.19 m ² BALCONY 21.28 m ²
APT 3	79.88 m ² BALCONY 18.12 m ²
APT 4	79.88 m ² BALCONY 18.99 m ²
APT 5	81.25 m ² BALCONY 17.29 m ²
APT 6	82.42 m ² BALCONY 18.30 m ²
APT 7	87.23 m ² BALCONY 18.18 m ²
APT 8	87.08 m ² BALCONY 17.12 m ²
APT 9	83.01 m ² BALCONY 21.23 m ²
APT 10	82.38 m ² BALCONY 20.54 m ²
APT 11	82.01 m ² BALCONY 21.23 m ²
APT 12	82.03 m ² BALCONY 20.54 m ²
APT 13	87.23 m ² BALCONY 18.18 m ²
APT 14	87.08 m ² BALCONY 17.12 m ²
APT 15	81.25 m ² BALCONY 17.29 m ²
APT 16	82.42 m ² BALCONY 18.30 m ²
APT 17	85.99 m ² BALCONY 9.90 m ²
APT 18	85.99 m ² BALCONY 9.90 m ²
APT 19	77.12 m ² BALCONY 20.90 m ²
APT 20	79.08 m ² BALCONY 20.65 m ²
APT 21	78.78 m ² BALCONY 12.93 m ²
APT 22	85.16 m ² BALCONY 12.93 m ²
APT 23	78.23 m ² BALCONY 9.90 m ²
APT 24	112.05 m ² BALCONY 17.73 m ²
APT 25	78.23 m ² BALCONY 9.90 m ²
APT 26	82.87 m ² BALCONY 9.90 m ²
APT 27	85.90 m ² BALCONY 2.03 m ²
APT 28	82.86 m ² BALCONY 9.90 m ²
APT 29	82.86 m ² BALCONY 9.90 m ²
APT 30	82.86 m ² BALCONY 9.90 m ²
APT 31	82.86 m ² BALCONY 9.90 m ²
APT 32	82.86 m ² BALCONY 9.90 m ²
APT 33	82.86 m ² BALCONY 9.90 m ²
APT 34	82.86 m ² BALCONY 9.90 m ²
APT 35	82.86 m ² BALCONY 9.90 m ²
APT 36	82.86 m ² BALCONY 9.90 m ²
APT 37	82.86 m ² BALCONY 9.90 m ²
APT 38	82.86 m ² BALCONY 9.90 m ²
APT 39	82.86 m ² BALCONY 9.90 m ²
APT 40	82.86 m ² BALCONY 9.90 m ²
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APT 43	82.86 m ² BALCONY 9.90 m ²
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APT 66	82.86 m ² BALCONY 9.90 m ²
APT 67	82.86 m ² BALCONY 9.90 m ²
APT 68	82.86 m ² BALCONY 9.90 m ²
APT 59 MEZZANINE	42.86 m ²
APT 60 MEZZANINE	42.86 m ²
APT 61 MEZZANINE	42.86 m ²
APT 62 MEZZANINE	42.86 m ²
APT 63 MEZZANINE	42.86 m ²
APT 64 MEZZANINE	42.86 m ²
APT 65 MEZZANINE	42.86 m ²
APT 66 MEZZANINE	42.86 m ²
APT 67 MEZZANINE	42.86 m ²
APT 68 MEZZANINE	42.86 m ²

KEON PARADE

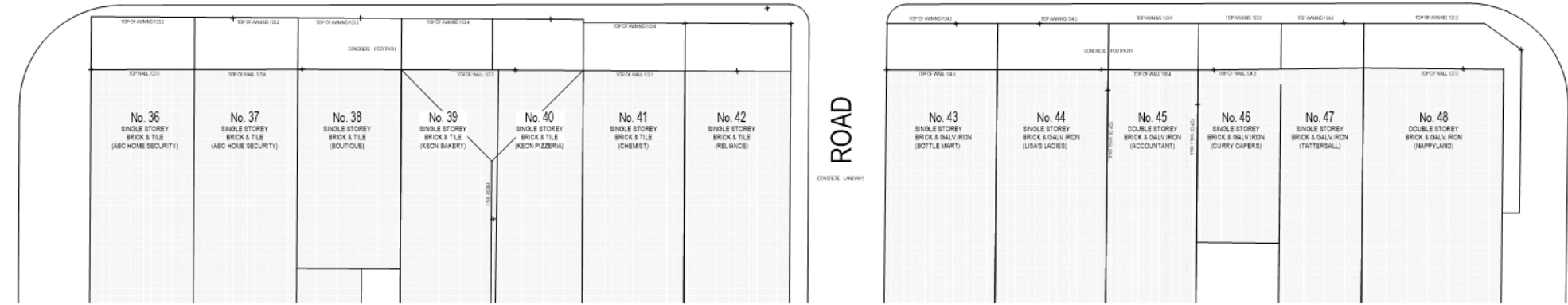
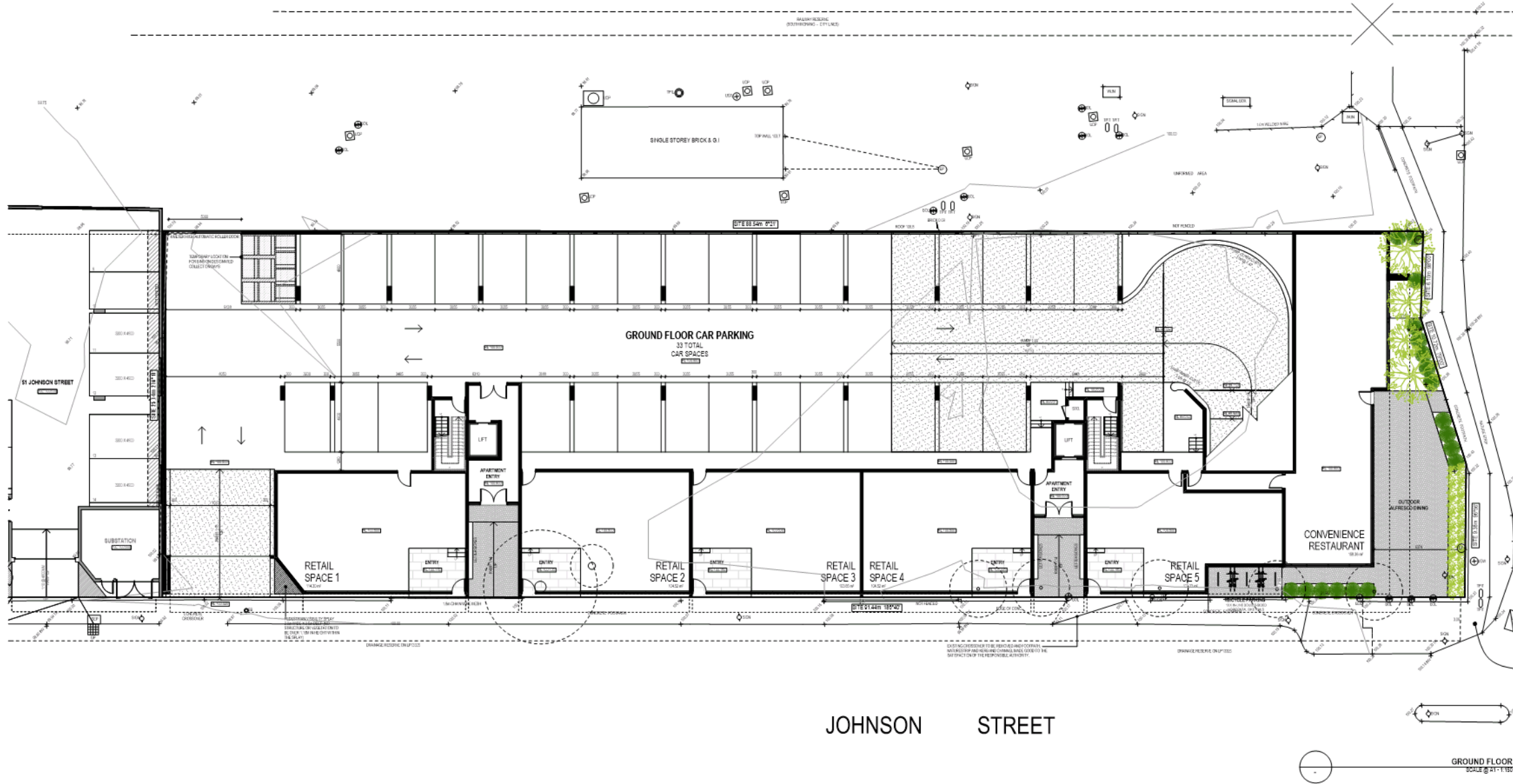
JOHNSON STREET

GROUND FLOOR SCALE @ 1:100

LANDSCAPE LEGEND

- EXISTING TREES
- EXISTING TREES TO BE REMOVED
- PROPOSED TREES
- PROPOSED SHRUBS & PLANTING

NOTE: PROPOSED LANDSCAPING INDICATIVE ONLY. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND DETAILS.



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Revision	Client
	#Client Full Name

Project: APARTMENT DEVELOPMENT

49 JOHNSON STREET RESERVOIR

Drawing Title: GROUND FLOOR PLAN

Scale: 1:150, 1:1 @ A1

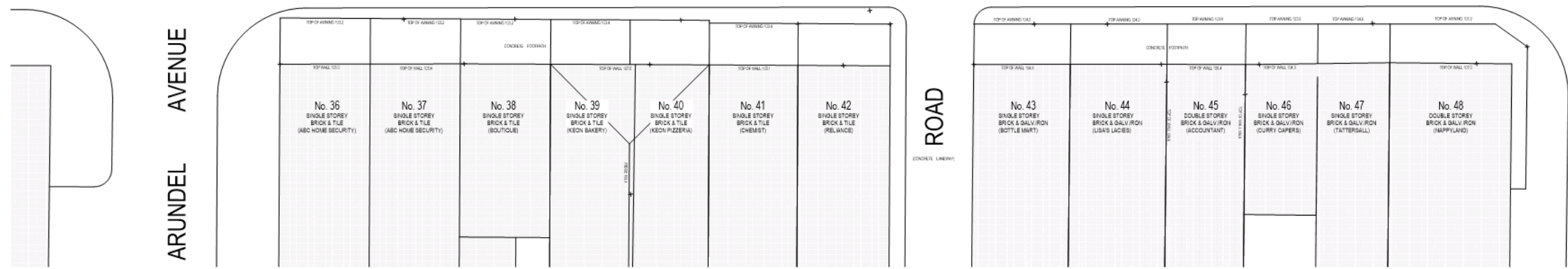
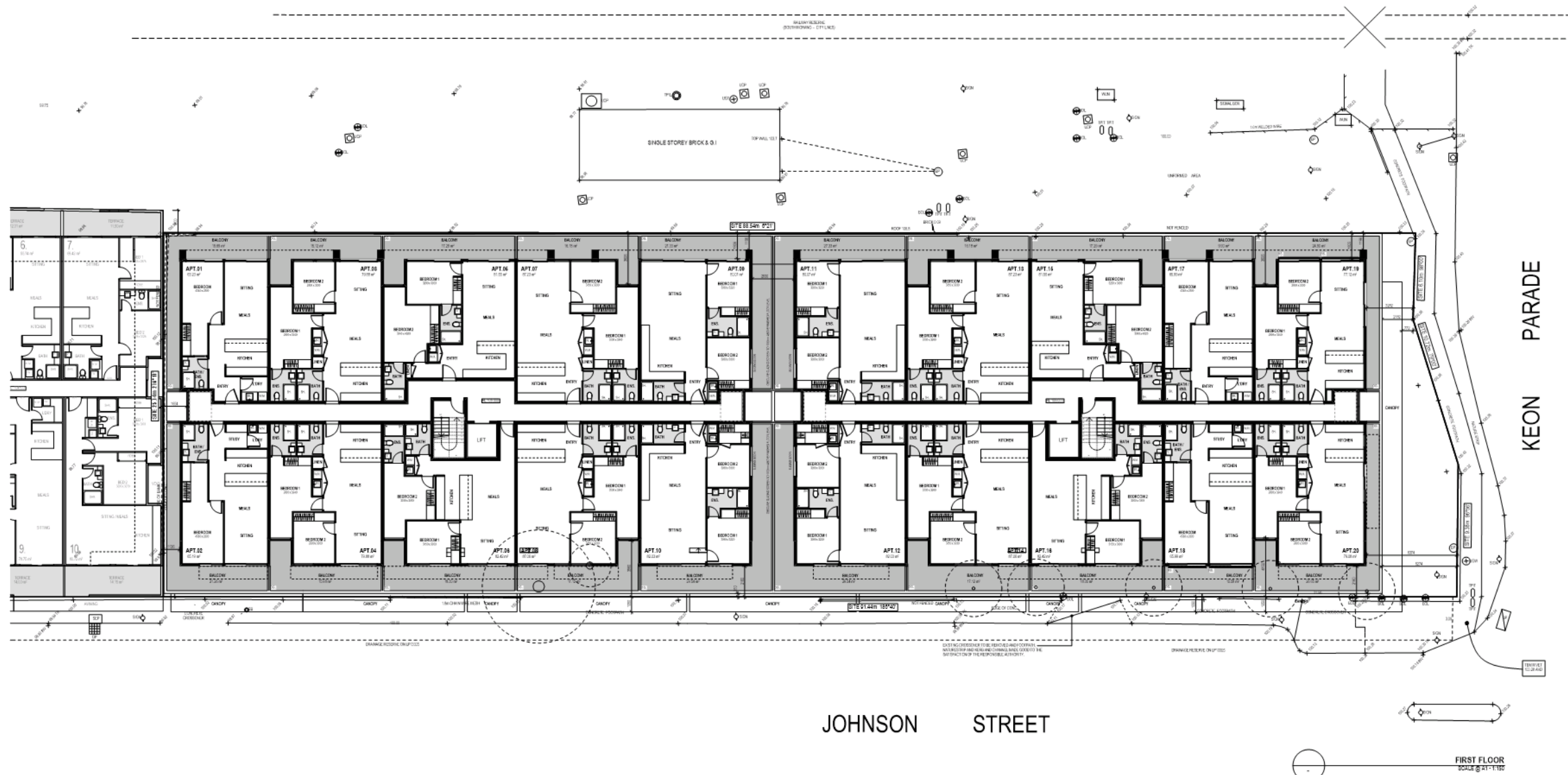
Date: 07-10-2016

TOWN PLANNING APPLICATION

Job No: 15-47

Drawing No: TPA04





LEGEND

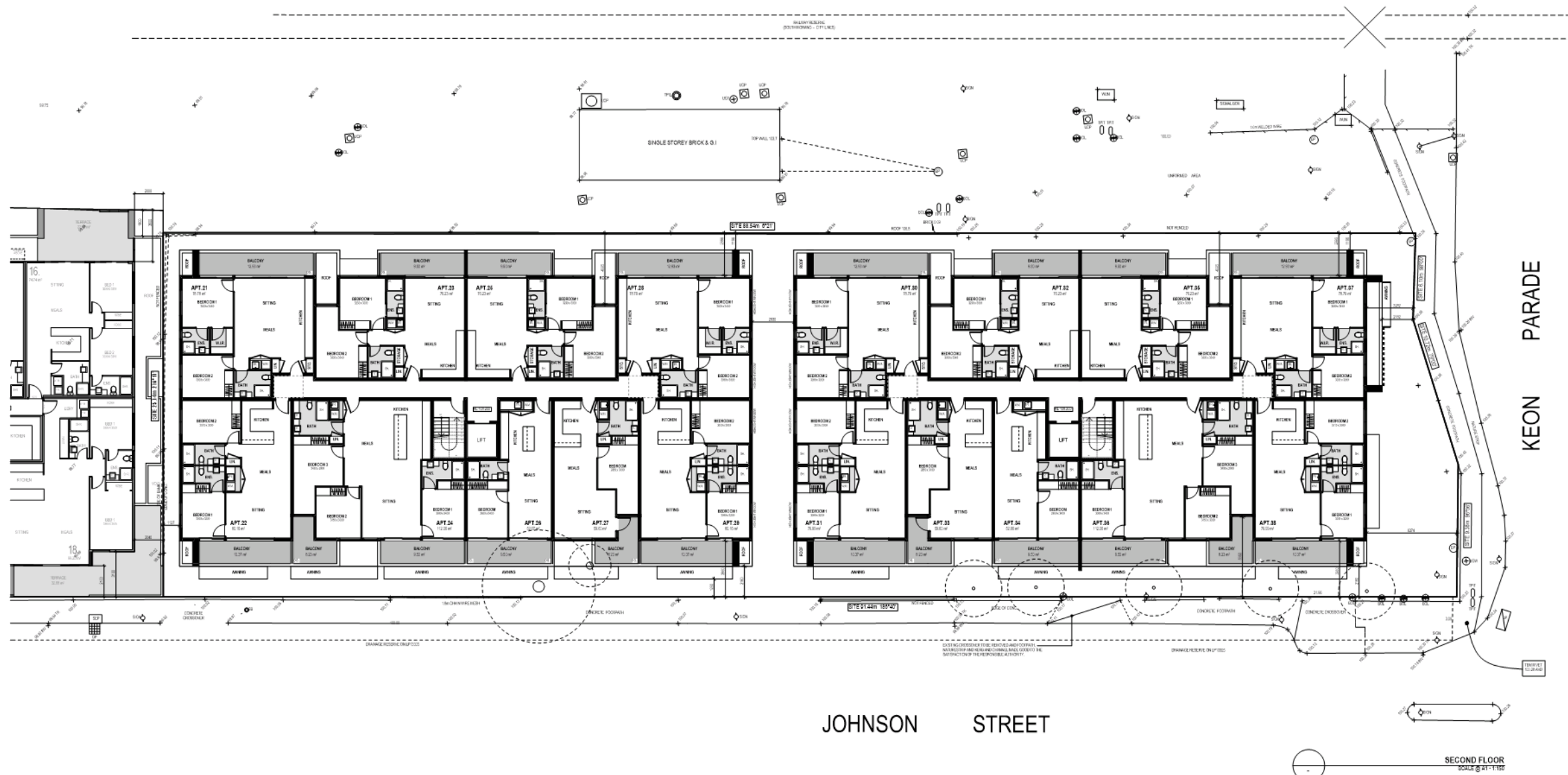
- 3. DEVOTES OBSCURE GLASS SCREEN TO 1.7M ABOVE FINISHED FLOOR LEVEL, TO ENSURE NO OVERLOOKING.
- RS. EXTERNAL RETRACTABLE SCREEN.

LANDSCAPE LEGEND

- EXISTING TREES
- EXISTING TREES TO BE REMOVED
- PROPOSED TREES
- PROPOSED SHRUBS & PLANTING

NOTE: PROPOSED LANDSCAPING INDICATIVE ONLY. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND DETAILS.

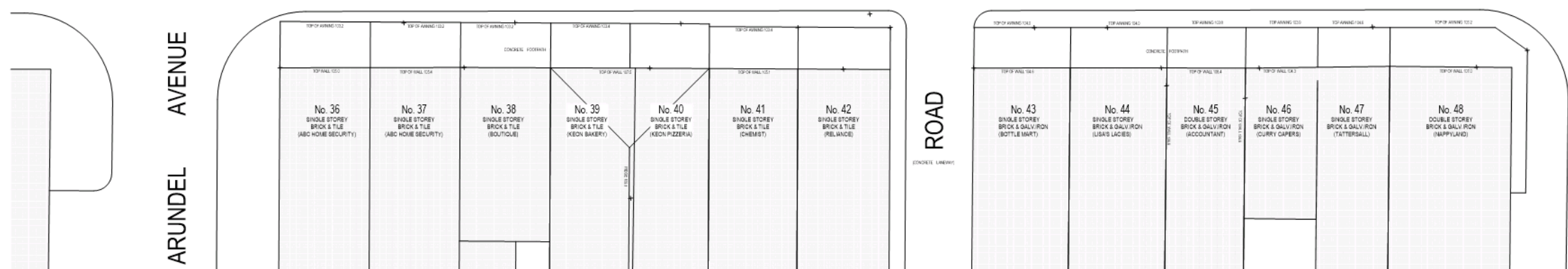
<p>CORNETTA PARTNERS ARCHITECTS</p> <p>448 HEIDENBERG ROAD PAINFIELD VIC 3078 P: (03) 9438 1088 F: (03) 9438 7630 E: info@cornetta.com.au W: www.cornetta.com.au</p>	<p>Revision</p> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>											<p>Client</p> <p>#Client Full Name</p>	<p>Project</p> <p>APARTMENT DEVELOPMENT</p> <p>49 JOHNSON STREET RESERVOIR</p>	<p>Drawing Title</p> <p>FIRST FLOOR PLAN</p> <p>Scale</p> <p>1:150 @ A1</p> <p>Date</p> <p>07-10-2016</p>	<p>TOWN PLANNING APPLICATION</p> <p>Drawn</p> <p>E.P./J.M.</p> <p>Drawing No.</p> <p>TPA05</p> <p>Job No.</p> <p>15-47</p> <p>Revision</p>



JOHNSON STREET

KEON PARADE

SECOND FLOOR
SCALE @ 1:150



LEGEND

- OS DENOTES OBSCURE GLASS SCREEN TO 1.7M ABOVE FINISHED FLOOR LEVEL, TO ENSURE NO OVERLOOKING.
- RS EXTERNAL RETRACTABLE SCREEN.

LANDSCAPE LEGEND

- EXISTING TREES
- EXISTING TREES TO BE REMOVED
- PROPOSED TREES
- PROPOSED SHRUBS & PLANTING

NOTE: PROPOSED LANDSCAPE INDICATIVE ONLY. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND DETAILS.

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Revision	Client
	#Client Full Name

Project: APARTMENT DEVELOPMENT

Client: 49 JOHNSON STREET RESERVOIR

Drawing Title: SECOND FLOOR PLAN

Scale: 1:150 @ A1

Date: 07-10-2016

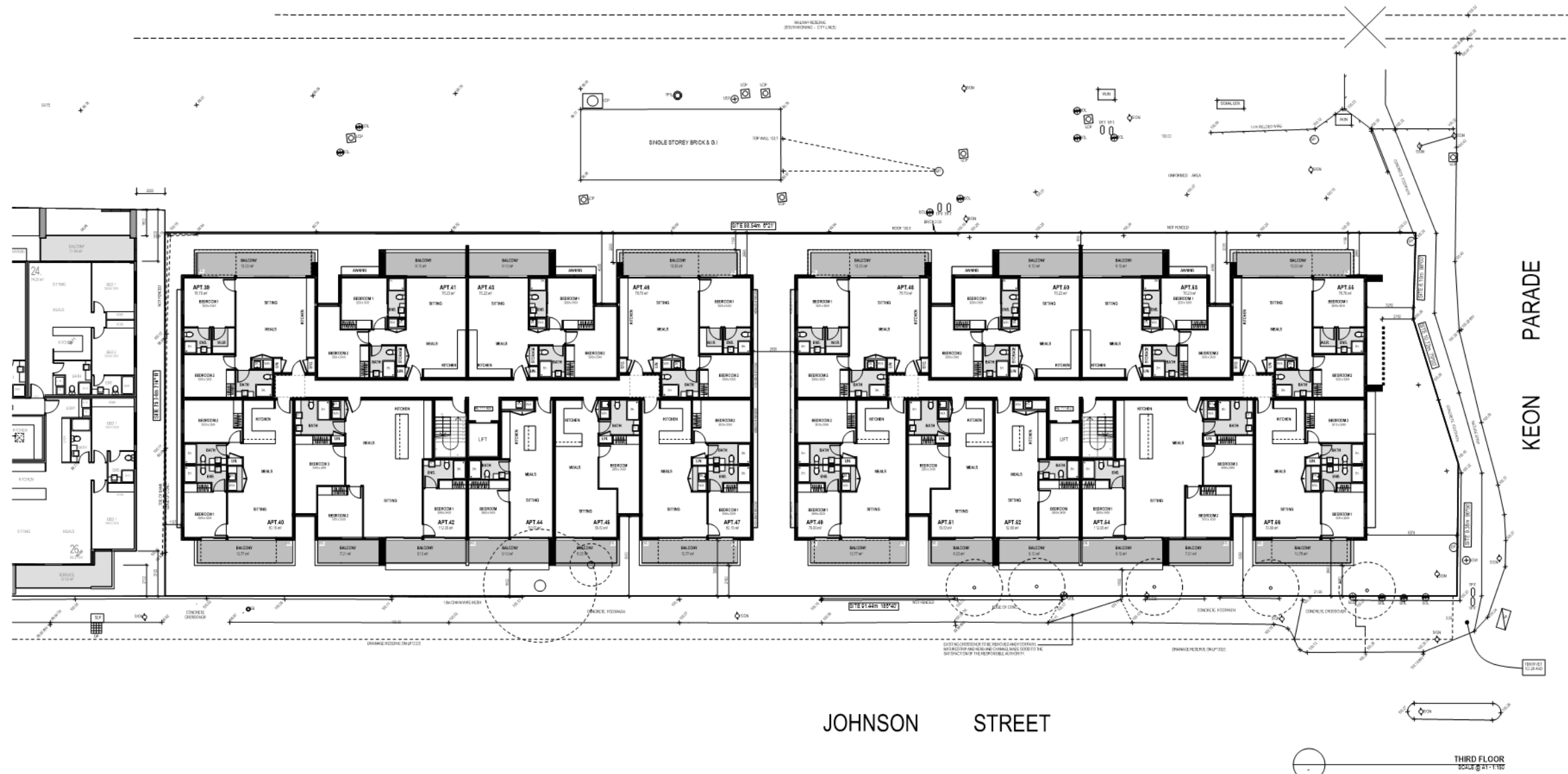
TOWN PLANNING APPLICATION

Drawn: E.P./J.M.

Job No: 15-47

Drawing No: TPA06

Revision:



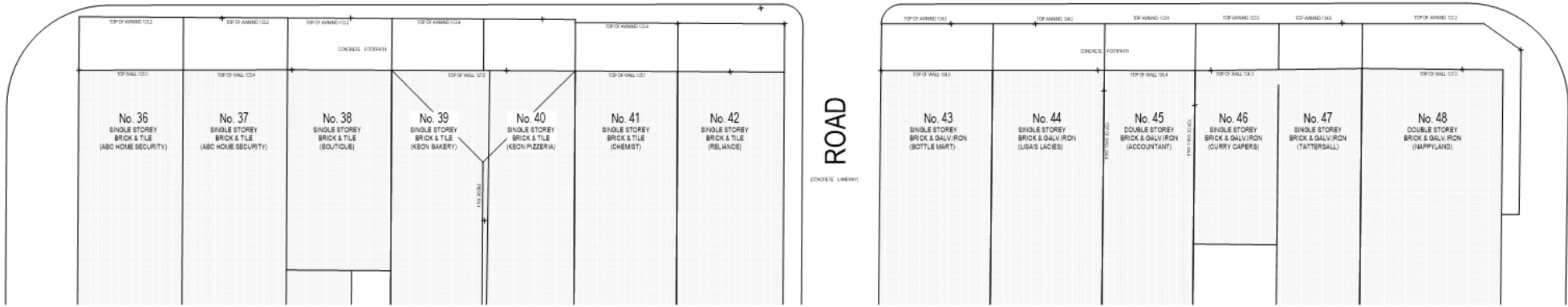
JOHNSON STREET

KEON PARADE

ARUNDEL AVENUE

ROAD

THIRD FLOOR
SCALE @ 1:150



LEGEND

- OS DENOTES OBSCURE GLASS SCREEN TO 1.7M ABOVE FINISHED FLOOR LEVEL, TO ENSURE NO OVERLOOKING.
- RS EXTERNAL RETRACTABLE SCREEN.

LANDSCAPE LEGEND

- EXISTING TREES
- PROPOSED TREES
- EXISTING TREES TO BE REMOVED
- PROPOSED SHRUBS & PLANTING

NOTE: PROPOSED LANDSCAPE INDICATIVE ONLY. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND DETAILS.



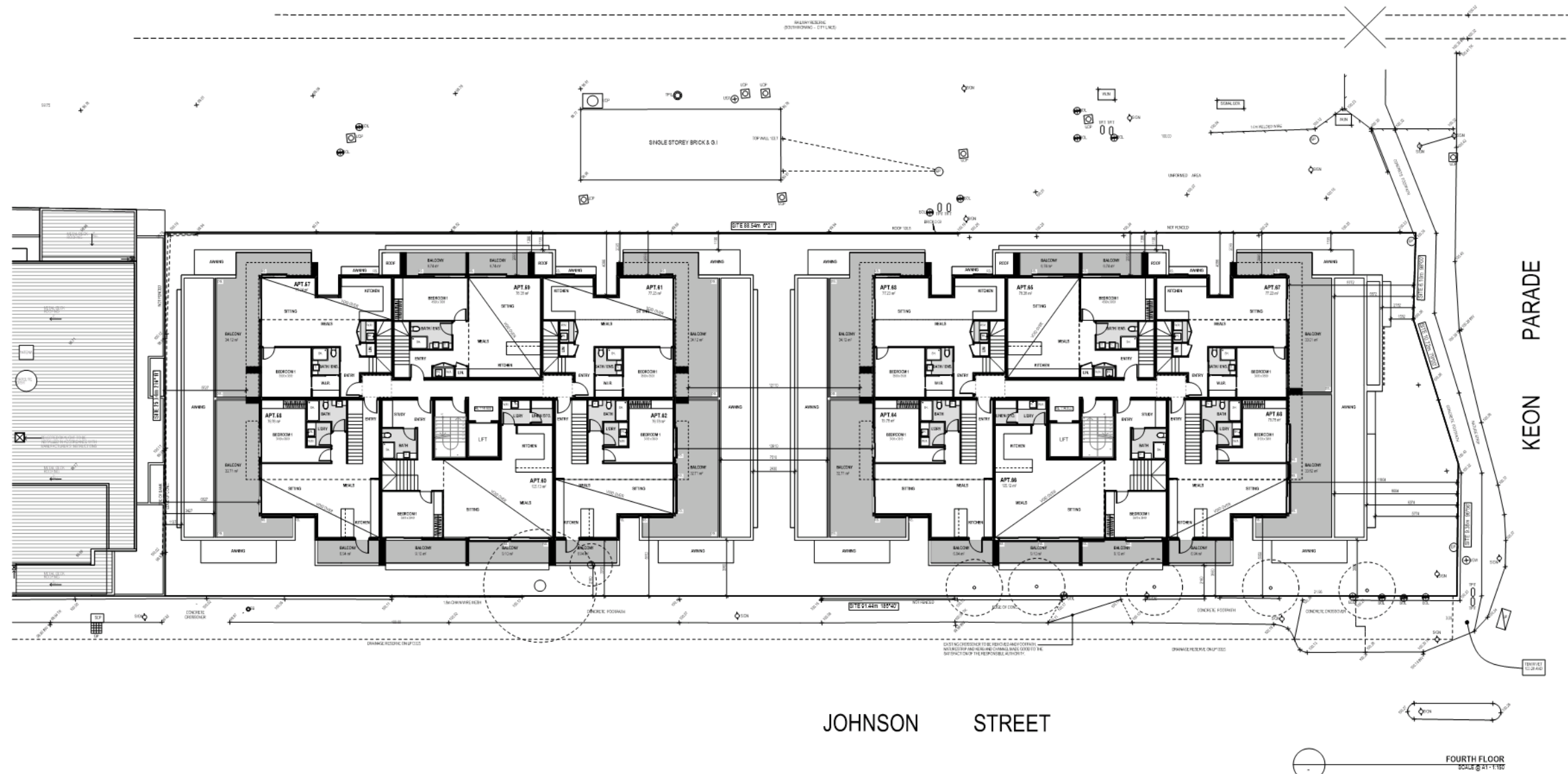
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Revision	Client
	#Client Full Name

Project: APARTMENT DEVELOPMENT
 49 JOHNSON STREET RESERVOIR
 Drawing Title: THIRD FLOOR PLAN
 Scale: 1:150 @ A1
 Date: 07-10-2016

TOWN PLANNING APPLICATION
 Drawn: E.P./J.M.
 Checked: 15-47
 Drawing No: TPA07
 Revision:

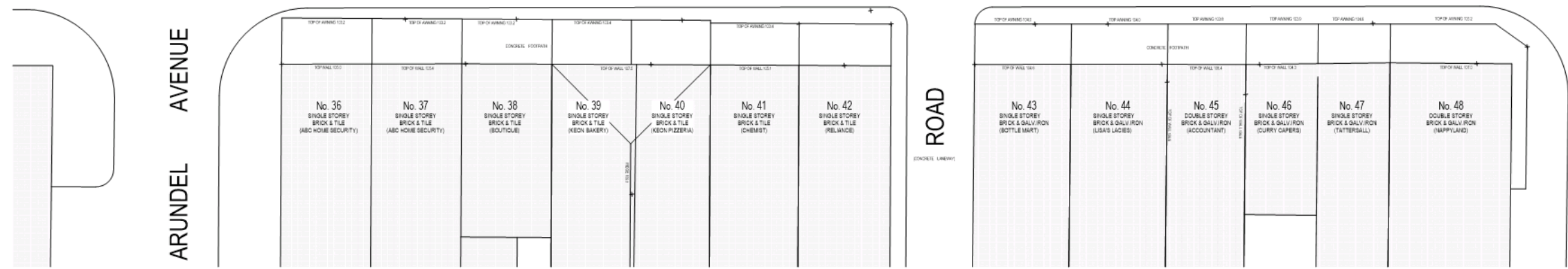




JOHNSON STREET

KEON PARADE

FOURTH FLOOR
SCALE @ 1:150



ARUNDEL AVENUE

ROAD

LEGEND

OS DENOTES OBSCURE GLASS SCREEN TO 1.7M ABOVE FINISHED FLOOR LEVEL, TO ENSURE NO OVERLOOKING.

RS EXTERNAL RETRACTABLE SCREEN.

LANDSCAPE LEGEND

● EXISTING TREES ● PROPOSED TREES

○ EXISTING TREES TO BE REMOVED ● PROPOSED SHRUBS & PLANTING

NOTE: PROPOSED LANDSCAPE INDICATIVE ONLY. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND DETAILS.



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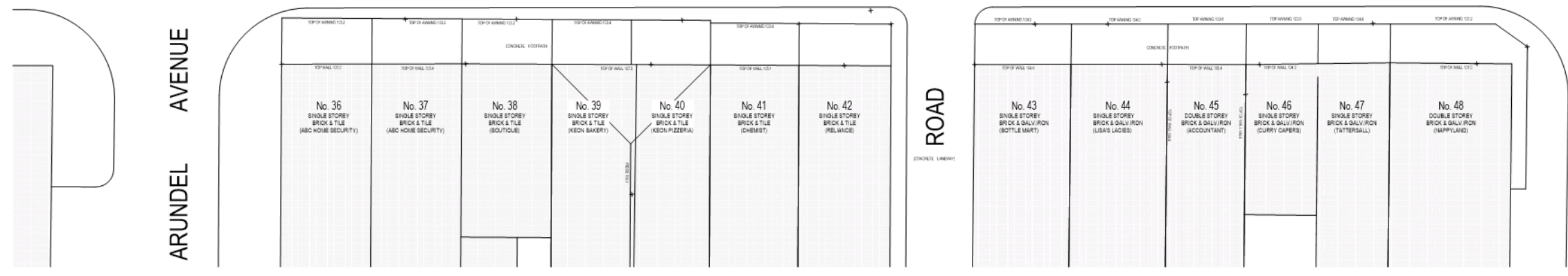
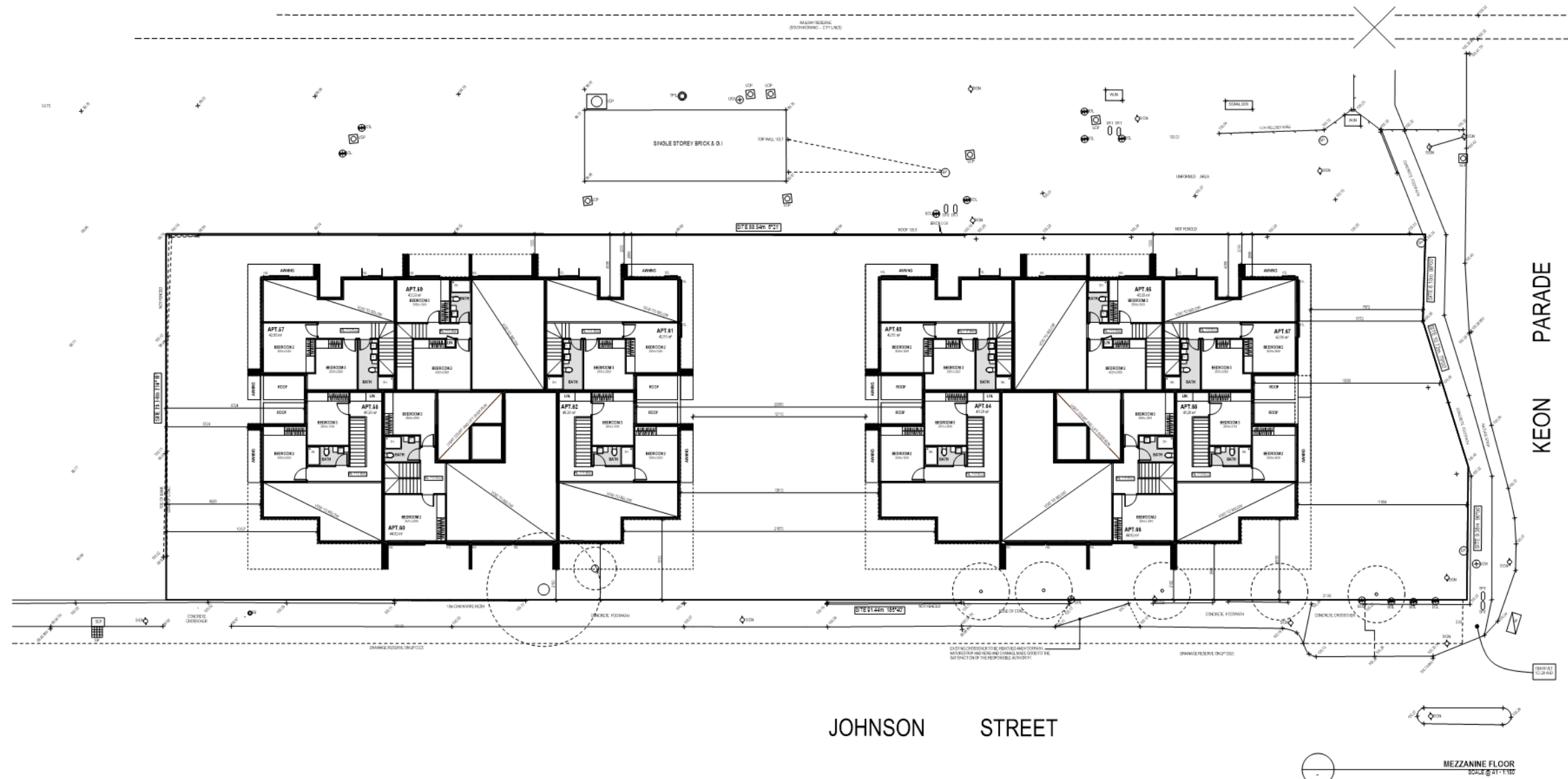
Revision	Client
	#Client Full Name

Project: APARTMENT DEVELOPMENT
49 JOHNSON STREET RESERVOIR

Drawing Title: FOURTH FLOOR PLAN
Scale: 1:150 @ A1
Date: 07-10-2016

TOWN PLANNING APPLICATION
Drawn: E.P./J.M.
Job No: 15-47
Check: TPA08





LEGEND

- OS DENOTES OBSCURE GLASS SCREEN TO 1.7M ABOVE FINISHED FLOOR LEVEL, TO ENSURE NO OVERLOOKING.
- RS EXTERNAL RETRACTABLE SCREEN.

LANDSCAPE LEGEND

- EXISTING TREES
- PROPOSED TREES
- EXISTING TREES TO BE REMOVED
- PROPOSED SHRUBS & PLANTING

NOTE: PROPOSED LANDSCAPING INDICATIVE ONLY. REFER TO LANDSCAPE PLAN FOR PROPOSED PLANTING AND DETAILS.

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Revision

Client
 #Client Full Name

Project
 APARTMENT DEVELOPMENT
 49 JOHNSON STREET RESERVOIR

Drawing Title
 MEZZANINE FLOOR

Scale
 1:150 @ A1

Date
 07-10-2016

TOWN PLANNING APPLICATION

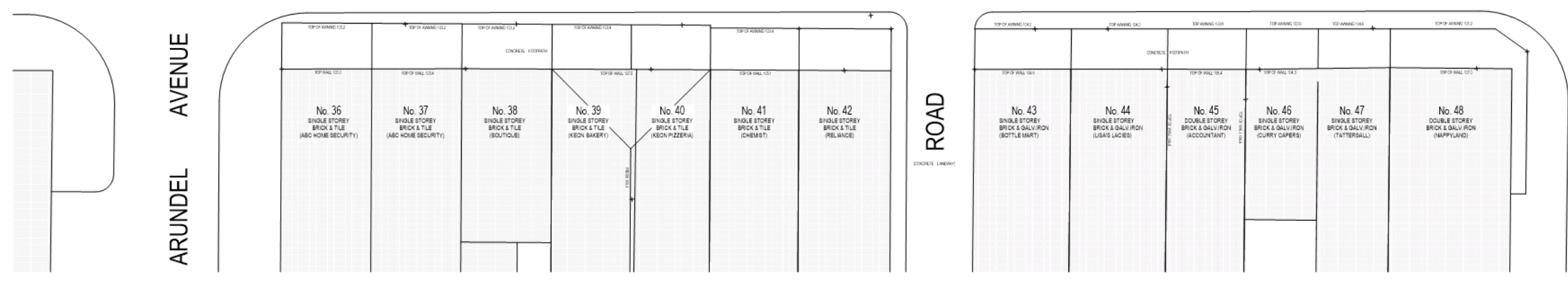
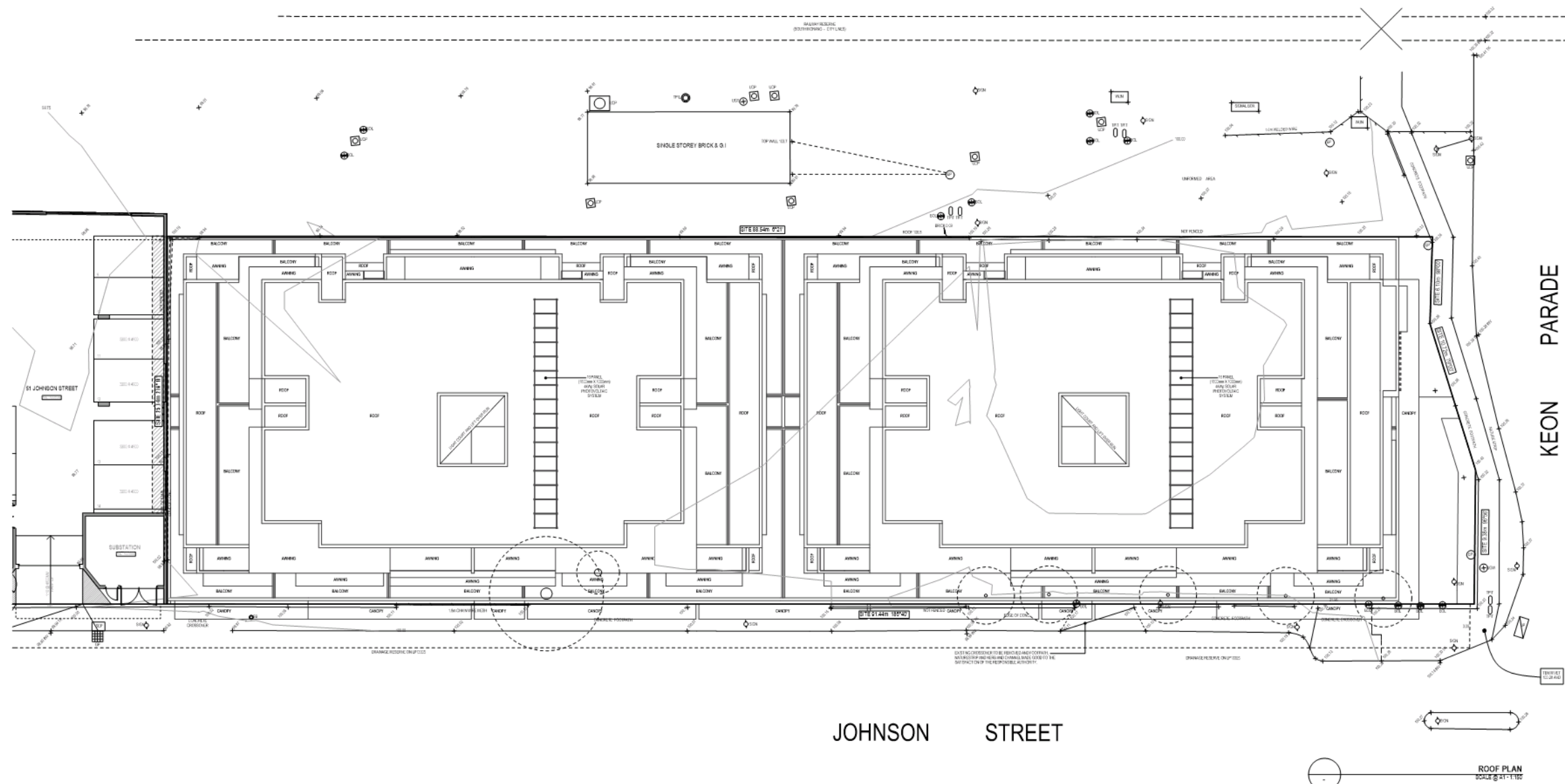
Drawn
 E.P./J.M.

Job No.
 15-47

Drawing No.
 TPA09

Revision

North Arrow



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- EXTERNAL MATERIALS & FINISHES**
- F1 ALUCOBOND CLADDING - 325 - "BLACK"
OR
JAMES HARDIE MATRIX CLADDING - DULUX COLOUR SPECIFIER - P02 CO - "RAL"
 - F2 ALUCOBOND CLADDING - 101 - "WHITE 10"
OR
JAMES HARDIE MATRIX CLADDING - DULUX COLOUR SPECIFIER - P01 H0 - "IVID WHITE"
 - F3 KNOT WOOD - ALUMINIUM CLADDING - WOODGRAN APPEARANCE - "LIGHT OAK"
 - F4 PERFORATED SHEET STEEL - DULUX POWDER COATINGS - SATIN FINISH "MONUMENT"
 - F5 OBSCURE GLAZING
 - F6 SMOOTH TEXTURED ACRYLIC RENDER - DULUX COLOUR SPECIFIER - P01 H0 - "IVID WHITE"
 - F7 COLOREXO SHEET STEEL "MTEHAVEN"
 - F8 WINDOW FRAMES - DULUX POWDER COATINGS - SATIN "BLACK"

- LEGEND**
- OS DENOTES OBSCURE GLASS SCREEN TO 1.7M ABOVE FINISHED FLOOR LEVEL, TO ENSURE NO OVERLOOKING.
 - RS EXTERNAL RETRACTABLE SCREEN

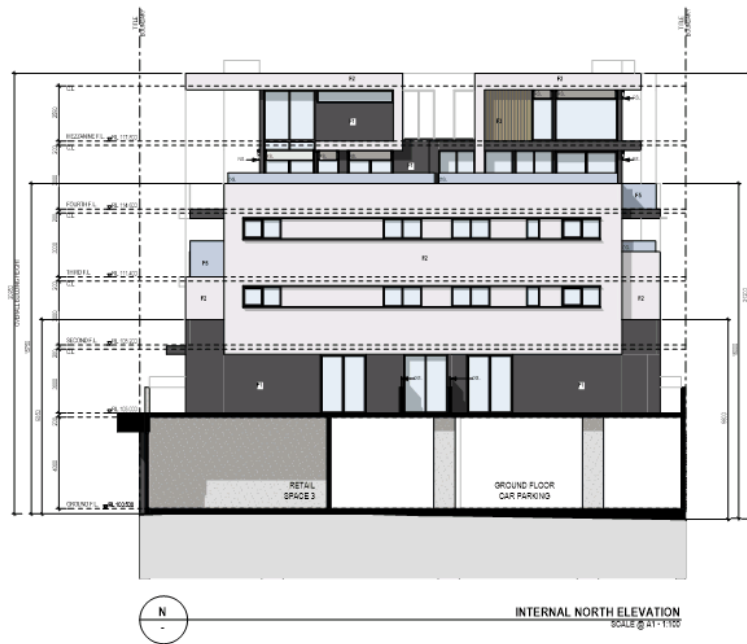
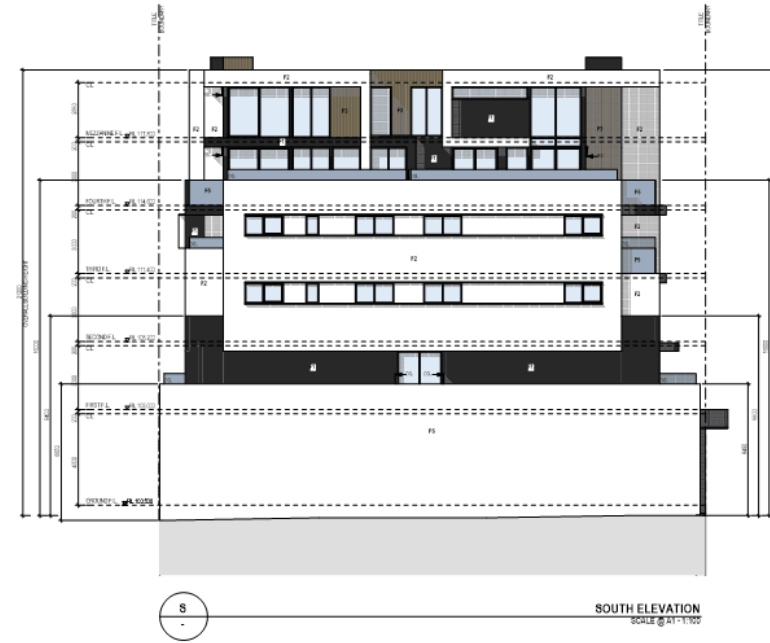


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Revision	Client	#Client Full Name

Project: APARTMENT DEVELOPMENT
 Drawing Title: ELEVATIONS
 Date: 1:150 @ A1
 Date: 07-10-2016
 Project: 49 JOHNSON STREET RESERVOIR

TOWN PLANNING APPLICATION
 Drawn: E.P./J.M.
 Job No: 15-47
 Drawing No: TPA11
 Revision:



EXTERNAL MATERIALS & FINISHES

- F1 ALUCOBOND CLADDING - S25 - 'BLACK'
OR
JAMES HARDIE MATRIX CLADDING - DULUX COLOUR SPECIFIER - P02 CO - 'RAL'
- F2 ALUCOBOND CLADDING - 101 - 'WHITE 16'
OR
JAMES HARDIE MATRIX CLADDING - DULUX COLOUR SPECIFIER - P11 H5 - 'IVIG WHITE'
- F3 KNOT WOOD - ALUMINIUM CLADDING - WOODGRAN APPEARANCE - 'LIGHT OAK'
- F4 PERFORATED SHEET STEEL - DULUX POWDER COATINGS - SATIN FINISH 'MONUMENT'
- F5 OBSCURE GLAZING
- F6 SMOOTH TEXTURED ACRYLIC RENDER - DULUX COLOUR SPECIFIER - P11 H5 - 'IVIG WHITE'
- F7 COLORBOND SHEET STEEL 'WHITEHAVEN'
- F8 WINDOW FRAMES - DULUX POWDER COATINGS - SATIN 'BLACK'

LEGEND

- OS DENOTES OBSCURE GLASS SCREEN TO 1.7M ABOVE FINISHED FLOOR LEVEL, TO ENSURE NO OVERLOOKING.
- RS EXTERNAL RETRACTABLE SCREEN

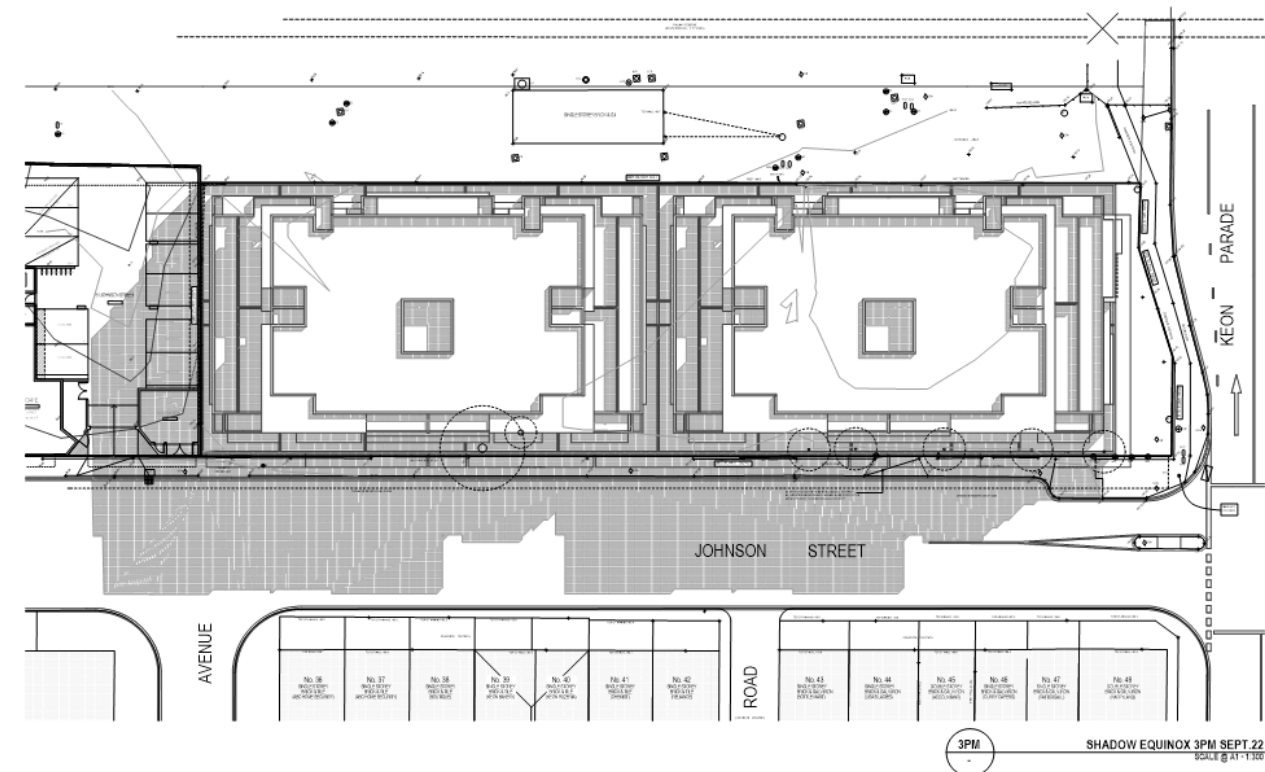
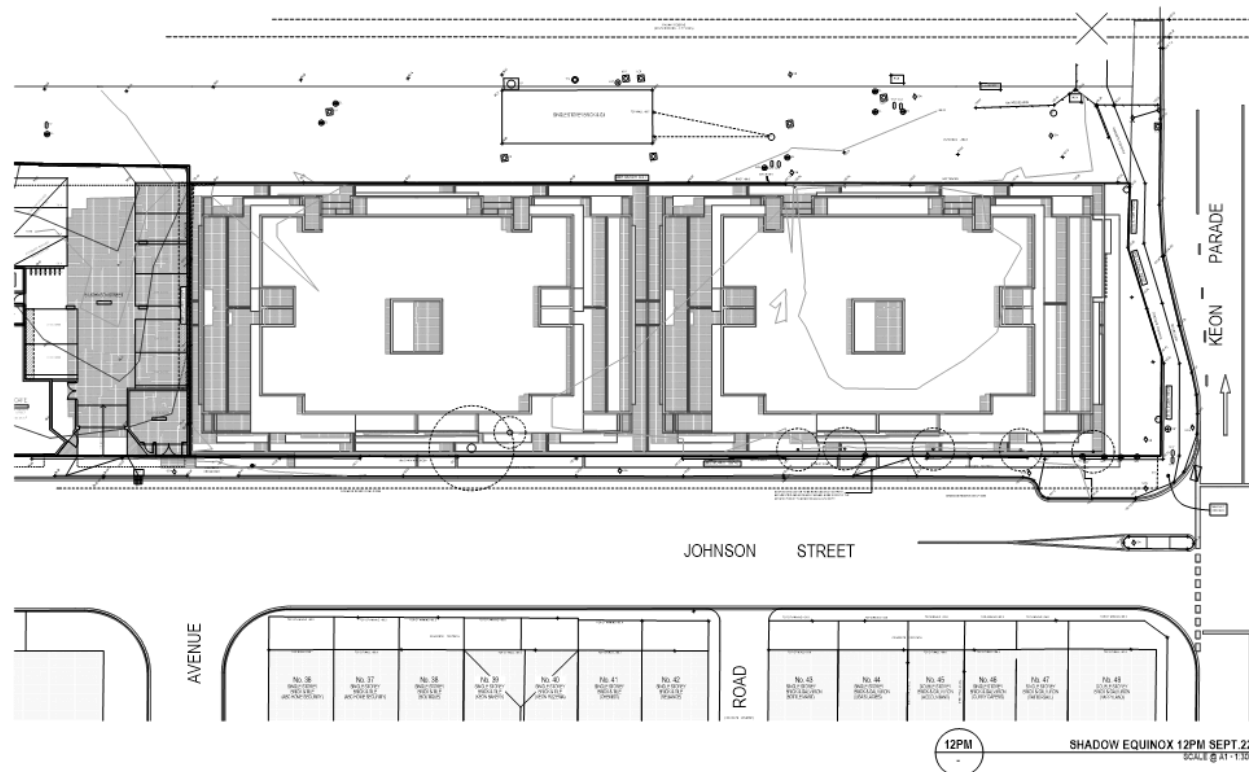
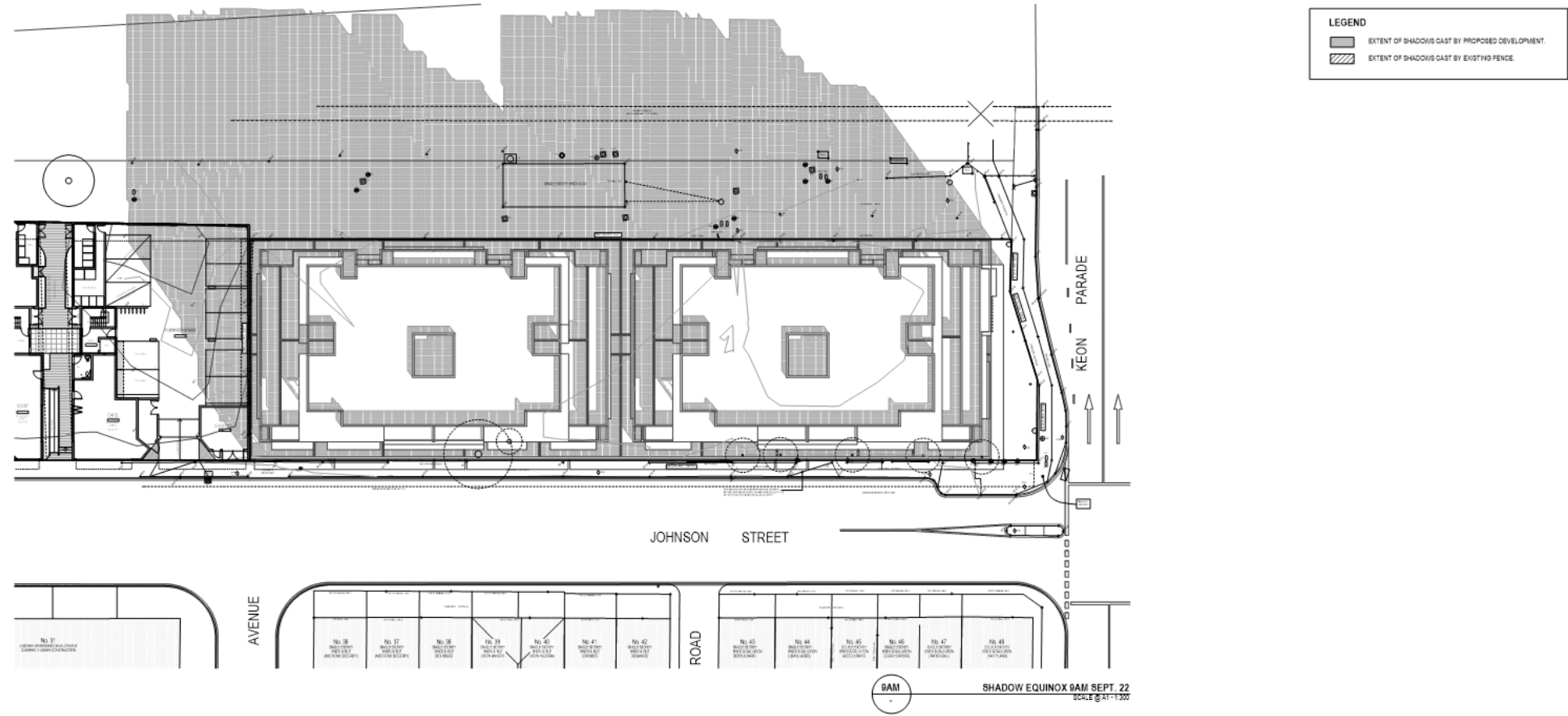


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Revision	Client
	#Client Full Name

Project: APARTMENT DEVELOPMENT
 Drawing Title: ELEVATIONS
 Date: 1:150 @ A1
 Date: 07-10-2016
 Project: 49 JOHNSON STREET RESERVOIR

TOWN PLANNING APPLICATION
 Drawn: E.P./J.M.
 Job No: 15-47
 Drawing No: TPA12
 Revision:



CORNETTA PARTNERS ARCHITECTS
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Revision	Client
	#Client Full Name

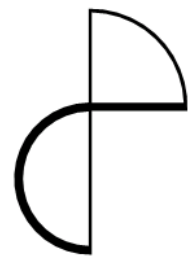
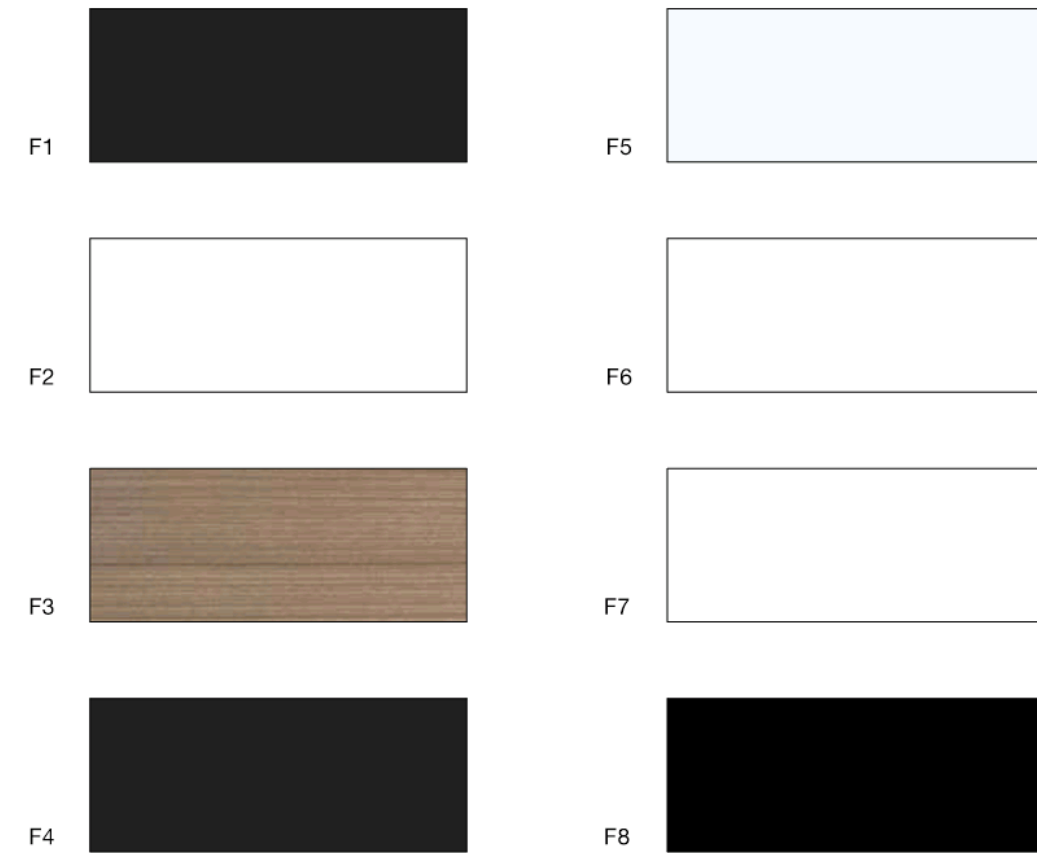
Project: APARTMENT DEVELOPMENT
 49 JOHNSON STREET RESERVOIR
 Drawing Title: SHADOW DIAGRAMS
 Scale: 1:300 @ A1
 Date: 07-10-2016

TOWN PLANNING APPLICATION
 Drawn: E.P./J.M.
 Job No: 15-47
 Drawing No: TPA13
 Revision:



- F1 ALUCOBOND CLADDING - 326 - "BLACK"
OR
JAMES HARDIE MATRIX CLADDING - DULUX COLOUR SPECIFIER - PG2.C9 - "MALI"
- F2 ALUCOBOND CLADDING - 101 - "WHITE 16"
OR
JAMES HARDIE MATRIX CLADDING - DULUX COLOUR SPECIFIER - PW1.H9 - "VIVID WHITE".
- F3 KNOT WOOD - ALUMINIUM CLADDING - WOODGRAIN APPEARANCE - "LIGHT OAK"
- F4 PERFORATED SHEET STEEL - DULUX POWDER COATINGS - SATIN FINISH "MONUMENT"
- F5 OBSCURE GLAZING
- F6 SMOOTH TEXTURED ACRYLIC RENDER - DULUX COLOUR SPECIFIER - PW1.H9 - "VIVID WHITE".
- F7 COLORBOND SHEEL STEEL - "WHITEHAVEN"
- F8 WINDOW FRAMES - DULUX POWDER COATINGS - SATIN "BLACK"

NOTE: PLEASE REFER TO ELEVATIONS FOR LOCATION OF MATERIALS



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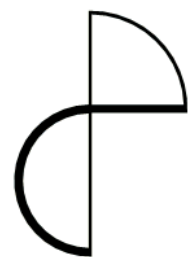


DATE:
07-10-2016

JOB No.
15-47

EXTERNAL MATERIALS & FINISHES SCHEDULE

PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR



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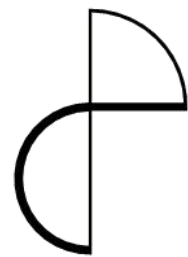
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PERSPECTIVE IMAGE 1

PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR



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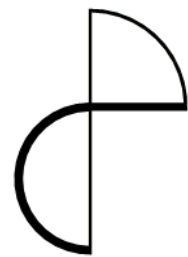
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PERSPECTIVE IMAGE 2

PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR



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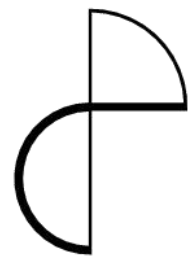
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07-10-2016

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PERSPECTIVE IMAGE 3

PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR



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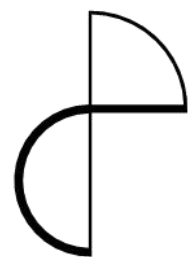
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DATE:
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PERSPECTIVE IMAGE 4

PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR



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JOB No.
15-47

PERSPECTIVE IMAGE 5

PROPOSED RESIDENTIAL DEVELOPMENT AT
49 JOHNSON STREET RESERVOIR

**5.2 APPLICATION FOR PLANNING PERMIT D/907/2016
6 Thackeray Road, Reservoir**

Author: Principal Planner

Reviewed By: Director City Futures and Assets

Applicant	Owner	Consultant
The Town Hall Consulting Group	Liana Kestelmen Property Group Pty Ltd	The Silver Arc Pty Ltd

SUMMARY

- It is proposed to construct three (3) double storey dwellings, each containing three (3) bedrooms and two (2) car parking spaces accessible via the rear right-of-way. The dwellings have a maximum overall height of 7.49 metres.
- The site is located in the General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay.
- The Certificate of Title does not indicate that there is a restrictive covenant which applies to the land.
- Seven (7) objections were received against the application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme (the Scheme).
- It is recommended that the application be supported and a Notice of Decision to Grant a Planning Permit be issued.

CONSULTATION:

- Notice of the application was given by posting a sign on the land and mailing of notices to affected properties.
- A consultative meeting has not been held for the application.
- The application has been referred internally to Council’s Capital Works Unit, Strategic Asset Management Unit and Transport Management & Planning Unit. This application was not required to be referred to external authorities.

Recommendation

That Planning Permit Application D/907/2016 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as) but modified to show:

- (a) The height of fences on the eastern and western boundaries (except within 7.4 metres of the southern boundary of the land) to be a minimum height of 1.8 metres as measured above natural ground level.

Where necessary, the fence height may be increased by raising the height of the fence or by the provision of free-standing, self-supporting trellis adjacent the fence to the required height. If utilised, such trellis must be a maximum of 25% open and be fixed, permanent, durable and coloured or painted to blend with the development.

- (b) The Dwelling 1 ground floor living/dining area set back 3.61 metres from the west property boundary. The portion of the first floor located above the Dwelling 1 living/dining area must be set back at least 3.61 metres from the west property boundary. This must be achieved without reducing any boundary setbacks.
- (c) The private open space areas of all Dwellings 2 and 3 dimensioned so as to illustrate a total area of 40 square metres with one part of the private open space to consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres. This is to be achieved without reducing any boundary setbacks.
- (d) External operable sun shading devices (excluding roller shutters) to all east and west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness.
- (e) Each dwelling provided with a minimum 6.0 cubic metres of externally accessible storage.
- (f) The south facing windows of Dwelling 1 to have a horizontal emphasis consistent with the south facing windows of the dwellings located on the surrounding properties, as shown on the streetscape elevations (identified as: Dwg No. TP23, Streetscape Elevations, dated 09.05.2017 and prepared by The Silver Arc).
- (g) The provision of fixed external screens, to a height of 1.7 metres above finished floor level, to the following windows:
- i. Dwelling 1 – Bed 1 – East Facing;
 - ii. Dwelling 1 – Bed 2 – East Facing;
 - iii. Dwelling 2 – Bed 1 – East Facing;
 - iv. Dwelling 2 – Bed 2 – East Facing;
 - v. Dwelling 3 – Bed 1 – East Facing; and
 - vi. Dwelling 3 – Bed 2 – East Facing.

A section diagram must be provided to demonstrate how the screens minimise overlooking of adjoining properties.

- (h) The front fence to extend the entire width of the site. A pedestrian gate or opening of between 1.0-1.5 metres may be provided at the location of the pedestrian paths.
- (i) The pedestrian paths from Thackeray Road to be fully constructed (not intermittent pavers) with a width of 1.0 metres.
- (j) A landscape plan in accordance with Condition No. 4 of this Permit.
- (k) A notation indicating the extent of the construction of the rear right of way (refer to Condition No. 5 of this Permit).

When approved, the plans will be endorsed and form part of this Permit.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. This Permit will expire if either:
 - The development does not start within three (3) years from the date of this Permit; or
 - The development is not completed within five (5) years of the date of this Permit.

As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
4. Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
 - (a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
 - (b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - (c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
 - (d) A minimum of six (6) small to medium canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
 - (e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.

- (f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided
 - (g) Hard paved surfaces at all entry points to dwellings.
 - (h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - (i) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - (j) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - (k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - (l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
5. Prior to the occupation of the development:
- (a) Plans detailing the construction and surfacing including drainage of the right of way abutting the northern boundary of the property, commencing from western end of the property and continuing east to Mendip Road, must be submitted to and approved by Council.
 - (b) The right of way abutting the northern boundary of the property, commencing from the western end of the property and continuing east to Mendip Road must be constructed and surfaced in accordance with the approved plans.
- All works must be to the satisfaction of the responsible authority.
6. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
7. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
8. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
9. All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.

10. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.
11. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
12. The land must be drained to the satisfaction of the Responsible Authority.
13. With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
14. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
15. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
16. Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) Constructed;
 - (b) Properly formed to such levels that they can be used in accordance with the plans;
 - (c) Surfaced with an all-weather sealcoat; and
 - (d) Drainedto the satisfaction of the Responsible Authority.
Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
17. Before the development is occupied all redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

NOTATIONS

(These notes are provided for information only and do not constitute part of this permit or conditions of this permit)

- N1 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- N3 The amendments specified in Condition 1 of this Permit and any additional modifications which are "necessary or consequential" are those that will be assessed by Council when plans are lodged to satisfy that condition. Any "necessary or consequential" amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.

If any other modifications are proposed, application must also be made for their approval under the relevant sections of the *Planning and Environment Act 1987*.

They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.

- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
-

INTRODUCTION AND BACKGROUND

Council issued Planning Permit D/550/2018 on 9 March 2010 for a medium density housing development comprising the construction of three (3) double storey dwellings in accordance with the endorsed plans. The development has not commenced.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The site is located on the north side of Thackeray Street, approximately 21 metres from its intersection with Mendip Road, Reservoir.
- The site is rectangular in shape with a frontage of 15.24m and depth of 45.72m resulting in a total site area of approximately 679m².
- The site is occupied by a detached, single storey stone and weatherboard dwelling. There is a shed located along the western boundary, a cabin to the rear and a carport, garage and bungalow located along the eastern boundary. The carport and garage are accessed via an existing sealed crossover & driveway from Thackeray Road.
- There is a right of way (ROW) and sewer easement at the rear of the site.
- The site descends towards the rear by approximately 1m in a northerly direction.
- The site and immediate locality contains residential dwellings constructed during the post war period. Single storey built form is the predominant streetscape feature along Evans Crescent, coupled with consistent subdivision pattern, lot sizes, front setbacks and separation distances between buildings.
- To the east of the site is a single storey brick dwelling with a 1.5m high paling front fence. There is a carport along the eastern boundary and a large area of private open space to the rear. The dwelling is set back approximately 1.8m from the common boundary and contains two west facing habitable room windows.
- To the west of the site is a single storey brick dwelling with a 0.8m high masonry front fence. There is a carport, garage and bungalow along the eastern boundary and a large area of private open space to the rear.
- To the south of the subject site, across Thackeray Road, are single storey brick dwellings with tiled roofs.
- There are no on-street parking restrictions proximate to the site.

Proposal

- Three (3) double storey dwellings.

- Height: 7.49 metres.
- Vehicular access is via the rear right-of-way.
- Six (6) car parking spaces are provided on-site within three (3) garages.
- Seven (7) objections were received against this application.
- The secluded private open spaces of the dwellings are located at ground level, abutting the west property boundary.

Objections

- Seven (7) objections were received against the application.

Objections summarised

- Use of the right-of-way for vehicular access
- Over development
- Overshadowing
- Loss of enjoyment of open environment
- Loss of trees and garden
- Insufficient landscaping opportunities
- Overlooking
- Increase in traffic
- Neighbourhood character
- The rear dwelling should be single storey
- Visual building bulk
- Proposal does not include details for the safe and legal removal of hazardous material
- Insufficient car parking
- Waste collection due to car parking on the street
- Quality of the Town Planning Report

Officer comment on summarised objectionsUse of the right-of-way for vehicular access.

- The use of the right of way is encouraged by the neighbourhood character study and Clause 55 as it reduces the number of vehicular crossovers, removes driveways from the front setback, increases front garden area and increases on-street car parking.
- The use of the right of way does not pose as a significant safety issue beyond normal pedestrian and vehicle interactions with traditional vehicular crossovers from individual properties.
- A condition of approval will require the construction of the right of way to Council's satisfaction and specifications.

Over development

The consideration of a medium density development is based on its compliance with a set of criteria outlined in the Darebin Planning Scheme and not based on a subjective concern of 'over development'. In fact, the Victorian State Government has a clear policy on urban consolidation which is heavily dependent on medium density housing development.

Overshadowing

The extent of overshadowing by the proposal on the surrounding private open spaces is considered reasonable. This is considered in more detail in the assessment section of this report with particular focus on Clause 55 of the Scheme.

Loss of enjoyment of open environment

The proposal is considered to be sited, set back from boundaries and designed to minimise amenity impacts and ensure the impact on the surrounding private open spaces is not unreasonable.

Loss of trees and garden/Insufficient landscaping opportunities

A planning permit is not required to remove vegetation from the site. The proposal includes sufficient opportunities for landscaping, including canopy trees, to maintain and strengthen the garden character of the area. This is considered in more detail in the assessment section of this report with particular focus on the Darebin Neighbourhood Character Precinct Guidelines.

Overlooking

Conditions of approval will require screening to minimise overlooking from the upper floor windows. This is considered in more detail in the assessment section of this report with particular focus on Clause 55 of the Scheme.

Increase in traffic

The proposal is unlikely to generate significant additional traffic in the area. The existing road infrastructure is sufficient to accommodate the additional vehicles.

Neighbourhood character

The proposal respects the neighbourhood character of the area, subject to conditions. This is considered in more detail in the assessment section of this report with particular focus on the Darebin Neighbourhood Character Precinct Guidelines.

The rear dwelling should be single storey / Visual building bulk

The planning scheme does not include any policy that requires dwellings at the rear to be single storey; rather an assessment of amenity impacts arising from upper levels is undertaken. The proposed upper floors are suitably set back and articulated from the boundaries to minimise amenity impacts arising from visual bulk. This is assessed in more detail below.

Proposal does not include details for the safe and legal removal of hazardous material

The relevant policies of the Scheme do not include requirements associated with construction waste removal and therefore this information is not required to conduct an assessment of the application.

Insufficient car parking

Car parking has been provided in accordance with the requirements of the Scheme. This is assessed in more detail below.

Waste collection due to car parking on the street

The street frontage is considered to have sufficient width to accommodate three (3) waste and three (3) recycling bins. It is noted the removal of the existing crossover will provide additional nature strip that the bins can be located on.

Quality of the Town Planning Report

The planning report submitted with the application is considered sufficient to enable an assessment of the application.

PLANNING ASSESSMENT**Neighbourhood Character Precinct Guideline Assessment - Precinct E7**Existing Buildings

The proposal does not include the retention of the existing dwelling which is considered reasonable as a planning permit is not required for the demolition of the dwelling and the dwelling does not significantly contribute to the character of the area.

CompliesVegetation

- The proposal includes sufficient landscaping opportunities within the front and side setbacks to maintain and strengthen the landscape character of the area.
- A condition of approval will require the submission of landscape plan, including the provision of a minimum six (6) small-medium sized canopy trees.

Complies subject to conditionSiting

- The proposal includes sufficient opportunities within the front setback for a front garden.
- Generous space is available within the side setbacks to provide for landscaping, including canopy trees.
- The dwellings are suitably set back from the side boundaries to respect and maintain the side boundary setback pattern and rhythm of spacing.
- Vehicular access is via the rear right-of-way to garages that are located behind Dwelling 1, therefore there is no loss of front garden space and the car parking structures are not visible.

Complies

Height and building form / Frontage Width

- The upper level of Dwelling 1 is sufficiently set back and articulated from the ground floor street façade to respect the predominantly single storey nature of the area.
- The development includes low pitches roofs which respond to the roof forms in the area.
- The development includes one (1) dwelling which fronts the street, thereby maintaining the dwelling frontage width of the street.

CompliesMaterials and design detail

The proposal includes a mixture of external materials, including facebrick, timber cladding and render finish which is suitable in the area and will provide a visually interesting façade when viewed from the street.

CompliesFront boundary treatment

The proposal includes a 1.2 metre high front fence, set back slightly from the front boundary which allows views of the front garden area and of Dwelling 1. It is noted a portion of the front boundary does not include a fence. A condition of approval will require this portion to be fenced, with the exception of a 1 metre to 1.5 metre gap to allow for pedestrian access.

Complies subject to conditions**Clause 55 Assessment**

The following sections provide discussion on fundamental areas of Clause 55 including variations of standards and matters informing conditions of the recommendation above.

Clause 55.03-5 B10 Energy Efficiency

The proposal is considered to be generally energy efficient due to the following:

- Attached construction.
- Cross ventilation is available in the design.
- The development does not unreasonably affect the solar access and energy efficiency of neighbouring dwellings.
- Open space and living areas with access to north light.
- Space for outdoor clothes drying facilities.

A condition of any approval will require operable sun shading devices to east and west facing habitable room windows and glazed doors.

Complies subject to conditionClause 55.03-8 B13 Landscaping

- The surrounding landscape character is generally semi mature and informal with large open spaces and spacious setbacks.

- The open spaces and setbacks are generally large enough to provide sufficient landscaping.
- A detailed landscape plan will be required as a condition of any approval, including the provision of a minimum six (6) small-medium sized canopy trees.

Complies subject to condition

Clause 55.03-9 B14 Access

- Vehicle access to and from the site via the rear right-of-way is safe, manageable and convenient, subject to condition requiring it to be constructed to Council’s satisfaction.
- The proposal does not include any vehicular crossovers from Thackeray Road which results in additional on-street car parking being available due to the removal of the existing crossover.
- Adequate turning areas are provided to allow vehicles to enter and exit the site in a forward direction.

Complies subject to condition

- Clause 55.03-10 B15 Parking Location.
- Parking facilities will be proximate to the dwellings they serve.
- The proposed garages are an adequately secure form of parking.
- The access is observable.
- The ground floor east-facing habitable room windows of Dwelling 2 and 3 are not set back from the accessway in accordance with the standard, however as the affected rooms are studies, and thereby not considered as sensitive as living areas or bedrooms, the 1.4 metre high sills are considered to be acceptable.

Complies with objective

Clause 55.04-1 B17 Side and Rear Setbacks

Ground floor

Boundary	Wall height	Required Setback	Proposed setback
Eastern	3.53 metres	1.0 metre	4.08 metres
Western	3.85 metres	1.075 metres	2.3 metres

First Floor

Boundary	Wall height	Required Setback	Proposed setback
Northern	5.805 metres	1.66 metres	1.43 metres
Eastern	5.77 metres	1.651 metres	4.72 metres
Western	6.02 metres	1.726 metres	2.69 metres

The first floors are suitably located, set back and articulated to minimise amenity impacts arising from visual bulk. Whilst the first floor of Dwelling 3 is not set back from the north boundary in accordance with the Standard, the 1.43 metre set back is considered suitable due to the 3.0 metre wide laneway which separates the site from the northern dwelling, therefore amenity impacts are sufficiently minimised.

Complies with the objective

Clause 55.04-2 B18 Walls on Boundaries

The standard requires that a wall be of a length of no more than 10 metres plus 25% of the remaining length of the boundary of an adjoining lot, and a height not exceeding an average of 3.2 metres.

Boundary and length	Maximum length allowable	Proposed length
Northern: 15.24 metres	11.31 metres	6.5 metres

The average wall heights of 3.2 metres comply with the standard.

The maximum wall height of 3.845 metres exceeds the maximum allowed by the standard however it is considered suitable as it only relates to the parapets of the garage and the wall abuts a right-of-way, therefore amenity impact is sufficiently minimised.

Complies with objective

Clause 55.04-5 B21 Overshadowing

- Overshadowing of adjoining open space meets the standard and objective.
- Overshadowing of neighbouring properties to the east and west by the proposed dwellings is minimal, with at least 40 square metres of neighbouring dwellings' secluded private open space with a minimum dimension of 3.0 metres, or 75% (whichever is the lesser) receiving a minimum of five (5) hours sunlight between 9am and 3pm on 22 September.

Complies

Clause 55.04-6 B22 Overlooking

- The ground floors of the proposed dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary. A condition of approval will require the provision of a 1.8 metre high fence along the east and west boundaries to minimise overlooking at the ground level.
- The first floor west facing windows are all associated with non-habitable rooms and therefore do not require screening. It is noted however the hallways windows are screened.
- The first floor north windows of Bed 3 of each dwelling are screened to a height of 1.7 metres above the finished floor level.
- The following first floor windows will require the provision of external screens to minimise overlooking:
 - Dwelling 1 – Bed 1 – East Facing
 - Dwelling 1 – Bed 2 – East Facing
 - Dwelling 2 – Bed 1 – East Facing
 - Dwelling 2 – Bed 2 – East Facing
 - Dwelling 3 – Bed 1 – East Facing
 - Dwelling 3 – Bed 2 – East Facing

Complies subject to condition

Clause 55.05-4 B28 Private Open Space

	Total POS	Secluded POS	Minimum dimension of secluded POS
Dwelling 1	117 square metres	24.64 square metres	3.54 metres
Dwelling 2	39.78 square metres	23.86 square metres	3.54 metres
Dwelling 3	39.79 square metres	23.86 square metres	3.54 metres

All secluded private open space areas have direct access to a living room.

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see Neighbourhood Character Precinct Guideline Assessment.	N	N
55.02-2	B2	Residential policy		
		The proposal <i>complies</i> with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		N/A as development contains less than 10 dwellings.	N/A	N/A
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development.	Y	Y
55.02-5	B5	Integration with the street		
		Dwelling 1 appropriately integrates with the Street.	Y	Y
55.03-1	B6	Street setback		
		The required setback is 7.43 metres, the dwellings are set back 7.43 metres from the street frontage.	Y	Y
55.03-2	B7	Building height		
		7.49 metres.	Y	Y
55.03-3	B8	Site coverage		
		40.08%.	Y	Y
55.03-4	B9	Permeability		
		33.77%.	Y	Y
55.03-5	B10	Energy efficiency		
		Please see assessment in body of this report. A condition of approval will require sun shading devices to the east and west.	Y	Y
55.03-6	B11	Open space		
		N/A as the site does not abut public open space.	Y	Y

Clause	Std		Compliance	
55.03-7	B12	Safety		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
55.03-8	B13	Landscaping		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
55.03-9	B14	Access		
		Please see assessment in the body of this report.	Y	Y
55.03-10	B15	Parking location		
		Please see assessment in the body of this report.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Please see assessment in the body of this report.	Y	Y
55.04-2	B18	Walls on boundaries		
		Please see assessment in the body of this report.	Y	Y
55.04-3	B19	Daylight to existing windows		
		Sufficient setbacks exist to allow adequate daylight.	Y	Y
55.04-4	B20	North-facing windows		
		There are no north facing windows within 3.0 metres of the common boundary with the subject site.	Y	Y
55.04-5	B21	Overshadowing open space		
		Please see assessment in the body of this report.	Y	Y
55.04-6	B22	Overlooking		
		Please see assessment in the body of this report.	Y	Y
55.04-7	B23	Internal views		
		There are no internal views.	Y	Y
55.04-8	B24	Noise impacts		
		Noise impacts are consistent with those in a residential zone.	Y	Y
		Mechanical plant are suitably located to minimise amenity impacts arising from noise.		
55.05-1	B25	Accessibility		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
		A condition of approval will require the pedestrian path from Thackeray Road to be fully constructed.		
55.05-2	B26	Dwelling entry		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	Y	Y

Clause	Std		Compliance	
55.05-3	B27	Daylight to new windows		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
55.05-4	B28	Private open space		
		Please see assessment in the body of this report.	Y	Y
55.05-5	B29	Solar access to open space		
		Sufficient depth is provided for adequate solar access.	Y	Y
55.05-6	B30	Storage		
		Storage areas are provided. A condition of approval will require the storage to have a minimum volume of 6.0 cubic metres.	Y	Y
55.06-1	B31	Design detail		
		Please see assessment in the body of this report.	Y	Y
55.06-2	B32	Front fences		
		A 1.2 metre high front fence is proposed which is appropriate in the neighbourhood context.	Y	Y
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Sufficient areas for site services are provided.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
Capital Works	No objection, subject to condition included in recommendation.
Transport Management and Planning	No objection The use of the right-of-way is encouraged as it removes a vehicular crossover from Thackeray Road. Whilst the pedestrian visibility of the exit of the right-of-way onto Mendip Road is restricted due to high fencing, it is considered reasonable as it removes a vehicular crossover from Thackeray Road.
Strategic Asset Management	No objection The right-of-way would need to be constructed to Council specifications

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08-4 (General Residential Zone) – construction of two or more dwellings on a lot.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1
LPPF	21.05-1, 21.05-2, 21.05-3, 22.04
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 55
General provisions	65.01
Neighbourhood Character Precinct	E7

POLICY IMPLICATIONS

Environmental Sustainability

The development has been designed to be generally energy efficient, subject to condition.

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications as a result of the determination of this application.

FUTURE ACTIONS

Nil

DISCLOSURE OF INTERESTS

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Manager authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

RELATED DOCUMENTS

Darebin Planning Scheme and the *Planning and Environment Act (1987)* as amended.

Attachments

- Application for Planning Permit D/907/2016 at 6 Thackeray Road, Reservoir - Aerial Map (**Appendix A**)
- Application for Planning Permit D/907/2016 at 6 Thackeray Road, Reservoir - Advertised Plans (**Appendix B**)

Darebin City Council



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LOCATION MAP

PROPOSED THREE TOWNHOUSES DEVELOPMENT

6 THACKERAY ROAD, RESERVOIR

PROJECT NO: 651

TOWN PLANNING

REVISION E
 MAY 2017

- TP00 LOCATION MAP/ COVER SHEET
- TP01 NEIGHBOURHOOD CHARACTER PLAN
- TP02 DESIGN RESPONSE PLAN

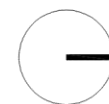
- TP11 GROUND FLOOR PLAN
- TP12 FIRST FLOOR PLAN
- TP13 ROOF PLAN

- TP21 PROPOSED ELEVATIONS 1
- TP22 PROPOSED ELEVATIONS 2
- TP23 STREETScape ELEVATIONS

- TP31 SHADOW DIAGRAMS

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A	27.07.2016	FOR TOWN PLANNING APPLICATION

BY	TITLE
GH	LOCATION MAP
GH	COVER SHEET
GH	
YA	

PROJECT
PROPOSED THREE TOWNHOUSES DEVELOPMENT 6 THACKERAY ROAD RESERVOIR

TOWN PLANNING		
BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP00
SCALE NTS	DATE 09.05.2017	REV E



NEIGHBOURHOOD AND SITE DESCRIPTION PLAN

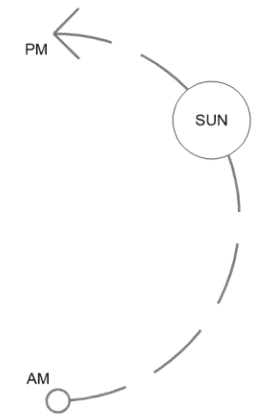
DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT
 THE SUBJECT SITE IS LOCATED ON THACKERAY STREET, RESERVOIR. THIS SITE IS ZONED UNDER THE PERMITTED DEVELOPMENT (PD) ZONING SCHEME (GRZ2) OF DAREBIN CITY COUNCIL.
 THERE IS ONLY DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCP) APPLICABLE TO THIS SITE.
 THE PREDOMINANT ARCHITECTURAL STYLE IN THE AREA IS A MIX OF TRADITIONAL AND MODERN STYLES.
 THE PITCHED ROOFS AND THE CONSISTENT ARTICULATION OF THE BUILDINGS ARE COMMON TO THE AREA.
 MATERIALS ARE A MIX OF TIMBER AND BRICK WITH TILED ROOFS.
 BUILDINGS ARE CONSISTENTLY SETBACK FROM THE FRONT BOUNDARY BY 10 METRES OR MORE.
 DATE: 23 May 2017
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PROXIMITY TO SERVICES AND AMENITIES

- RESERVOIR EAST PRIMARY SCHOOL (0.60KM NORTHEAST)
- RESERVOIR HIGH SCHOOL (HEIDELBERG SECONDARY TEACHING UNIT) (1.20KM EAST)
- RESERVOIR 13 TRAIN STATION (0.51KM NORTHWEST)
- HOWARD MENDIP RESERVE (0.25KM NORTHEAST)
- RESERVOIR 75-75 PINE ST. HOSPITAL (1.65KM NORTHWEST)
- RESERVOIR POLICE STATION (1.15KM NORTHWEST)
- METROCALHAN BUNGAROOD (4.00KM NORTH)

EXISTING SITE ANALYSIS

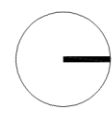
TOTAL SITE AREA	696.77 M ²
EXISTING DWELLING AREA	243.61 M ²
SITE COVERAGE (M ²)	288.29 M ² / 41.38%



TOWN PLANNING

BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP01
SCALE 1:200@A1	DATE 09.05.2017	REV E

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BY	TITLE
GH	NEIGHBOURHOOD CHARACTER PLAN
GH	
GH	
YA	

PROJECT
PROPOSED THREE TOWNHOUSES DEVELOPMENT 6 THACKERAY ROAD RESERVOIR



DEVELOPMENT SUMMARY

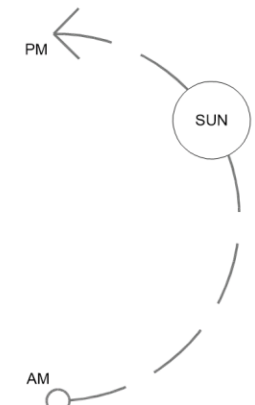
TOTAL SITE AREA	096.72 MF
NO. OF DWELLINGS	3
SITE COVERAGE (M ² %)	279.24 MF / 40.86%
PERMEABILITY	33.37%

AREA ANALYSIS

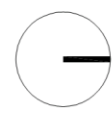
DWELLING NO.	1	2	3
GROUND FLOOR	48.51	48.51	48.51
FIRST FLOOR	48.51	48.51	48.51
GARAGE	36.57	36.57	36.57
TOTAL AREA	153.9	153.9	153.9
SPOS	25	25	25
POS	88	15.91	16.23
TOTAL POS/SPOS	113	40.91	41.23

E.

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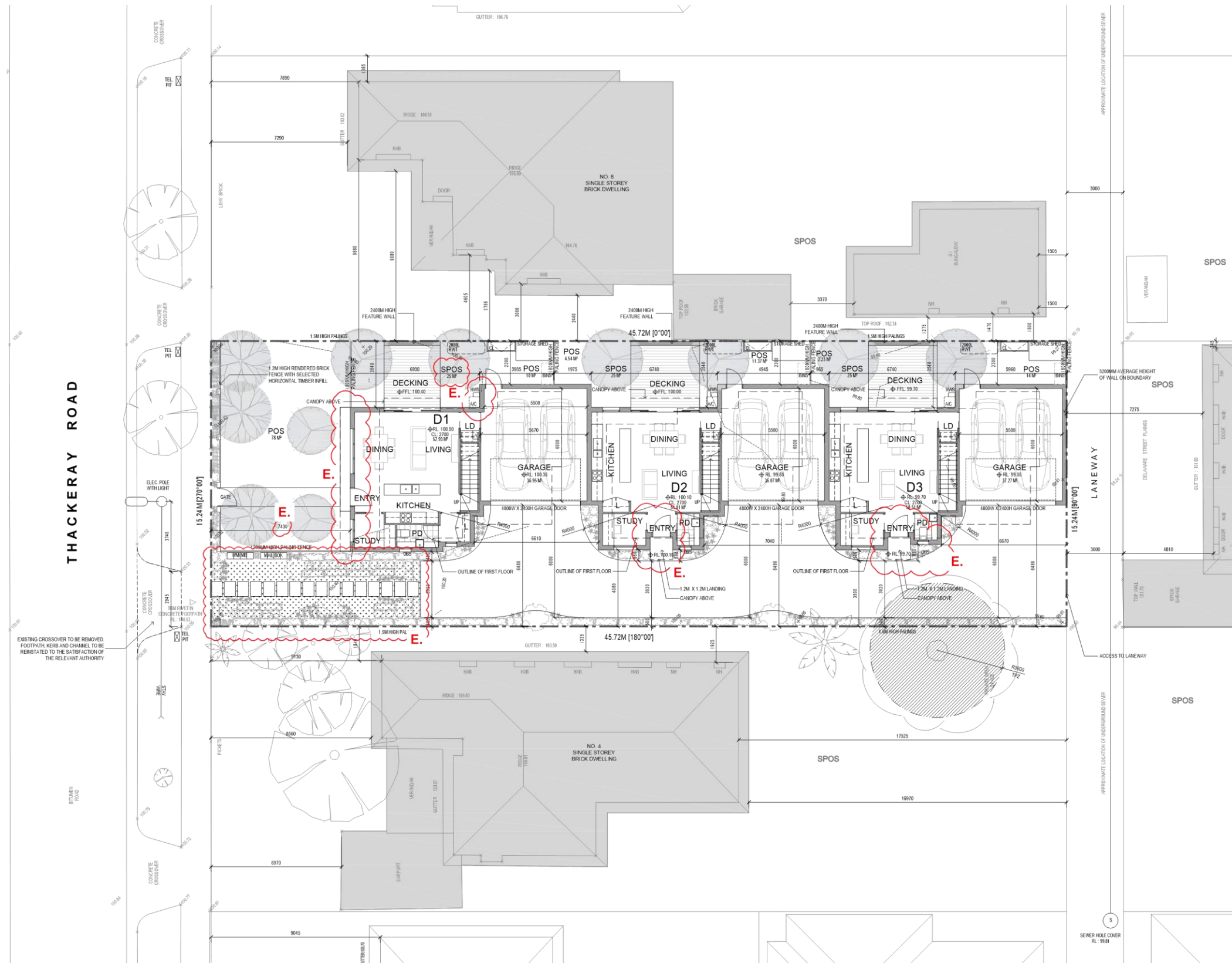
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B	26.09.2016	FOR TOWN PLANNING APPLICATION	GH	
A	27.07.2016	FOR TOWN PLANNING APPLICATION	VA	

PROJECT
PROPOSED THREE TOWNHOUSES DEVELOPMENT
 6 THACKERAY ROAD
 RESERVOIR

TOWN PLANNING		
BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP02
SCALE 1:200 @ A1	DATE 09.05.2017	REV E



DEVELOPMENT SUMMARY

TOTAL SITE AREA	096.72 MF
NO OF DWELLINGS	3
SITE COVERAGE (M ²)	279.24 MF / 40.88%
PERMEABILITY	33.7%

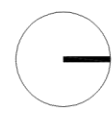
AREA ANALYSIS

DWELLING NO.	03	04	05
GROUND FLOOR	48.51	48.51	48.51
FIRST FLOOR	48.52	48.52	48.52
GARAGE	36.57	36.57	37.27
TOTAL AREA	153.9	152.7	153.9
SPOS	25	25	25
POS	88	15.91	16.33
TOTAL POS/SPOS	113	40.91	41.23

LEGEND

AC	AIR CONDITIONING OUTDOOR UNIT
CL	CLOTHES LINE
HLW	HIGHLIGHT WINDOW
HWS	HOT WATER UNIT
LD	LAUNDRY
POS	PRIVATE OPEN SPACE
SPOS	SECLUDED PRIVATE OPEN SPACE
PD	POUNDER ROOM
PT	PANTRY
RWT	RAINWATER TANK
ST	STORAGE
NI	NON HABITABLE WINDOW
HNB	HABITABLE WINDOW
EM	ELECTRICITY METER BOX
WM	WATER METER BOX
GM	GAS METER BOX
MB	MAILBOX
ET	EXISTING TREE TO BE REMOVED
TPZ	TREE PROTECTION ZONE (TPZ)
OB	FIXED OBSCURE GLAZING TO 1.7M ABOVE FINISHED FLOOR LEVEL UNLESS NOTED OTHERWISE WITH A MAXIMUM OF 25% TRANSPARENCY
FS	FIXED EXTERNAL SCREEN WITH A MINIMUM HEIGHT OF 1.7M ABOVE FINISHED FLOOR LEVEL WITH A MAXIMUM OF 20% TRANSPARENCY
L	LINE

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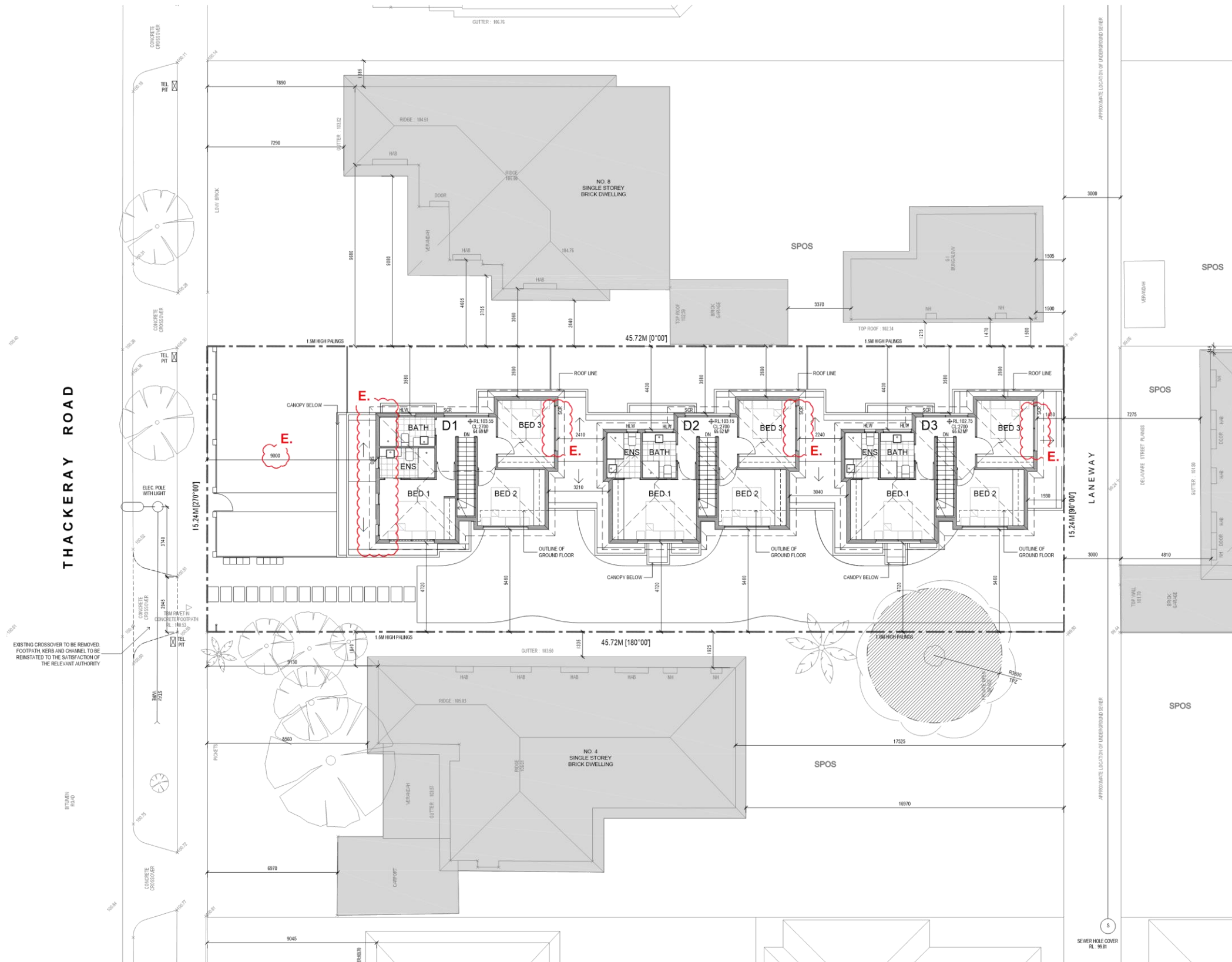
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BY: GH
 GH
 GH
 GH
 YA
 TITLE: GROUND FLOOR PLAN

PROJECT: PROPOSED THREE TOWNHOUSES DEVELOPMENT
 6 THACKERAY ROAD
 RESERVOIR

TOWN PLANNING

BY/CHK	JOB NO	DWG NO
GH/YA/NL	651	TP11
SCALE	DATE	REV
1:100 @ A1	09.05.2017	E



DEVELOPMENT SUMMARY

TOTAL SITE AREA	096.72 MF
NO OF DWELLINGS	3
SITE COVERAGE (M ²)	279.24 MF / 40.86%
PERMEABILITY	33.77%

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AREA ANALYSIS

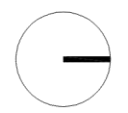
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DWELLING NO.	03	04	05
GROUND FLOOR	48.51	48.51	48.51
FIRST FLOOR	48.51	48.51	48.51
GARAGE	36.57	36.57	36.57
TOTAL AREA	153.9	153.9	153.9
SPOS	25	25	25
POS	88	15.91	16.33
TOTAL POS/SPOS	113	40.91	41.23

LEGEND

AC	AIR CONDITIONING OUTDOOR UNIT
CL	CLOTHES LINE
HLW	HIGHLIGHT WINDOW
HWS	HOT WATER UNIT
LD	LAUNDRY
POS	PRIVATE OPEN SPACE
SPOS	SECLUDED PRIVATE OPEN SPACE
PD	POUNDER ROOM
PT	PANTRY
RWT	RAINWATER TANK
ST	STORAGE
NH	NON-HABITABLE WINDOW
HAB	HABITABLE WINDOW
EM	ELECTRICITY METER BOX
WM	WATER METER BOX
GM	GAS METER BOX
MB	MAILBOX
ET	EXISTING TREE TO BE REMOVED
TPZ	TREE PROTECTION ZONE (TPZ)
OB	FIXED OBSCURE GLAZING TO 1.7M ABOVE FINISHED FLOOR LEVEL UNLESS NOTED OTHERWISE WITH A MAXIMUM OF 25% TRANSPARENCY
ES	FIXED EXTERNAL SCREEN WITH A MINIMUM HEIGHT OF 1.7M ABOVE FINISHED FLOOR LEVEL WITH A MAXIMUM OF 20% TRANSPARENCY
L	LINE

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BY: GH
 GH
 GH
 GH
 YA
 TITLE: FIRST FLOOR PLAN

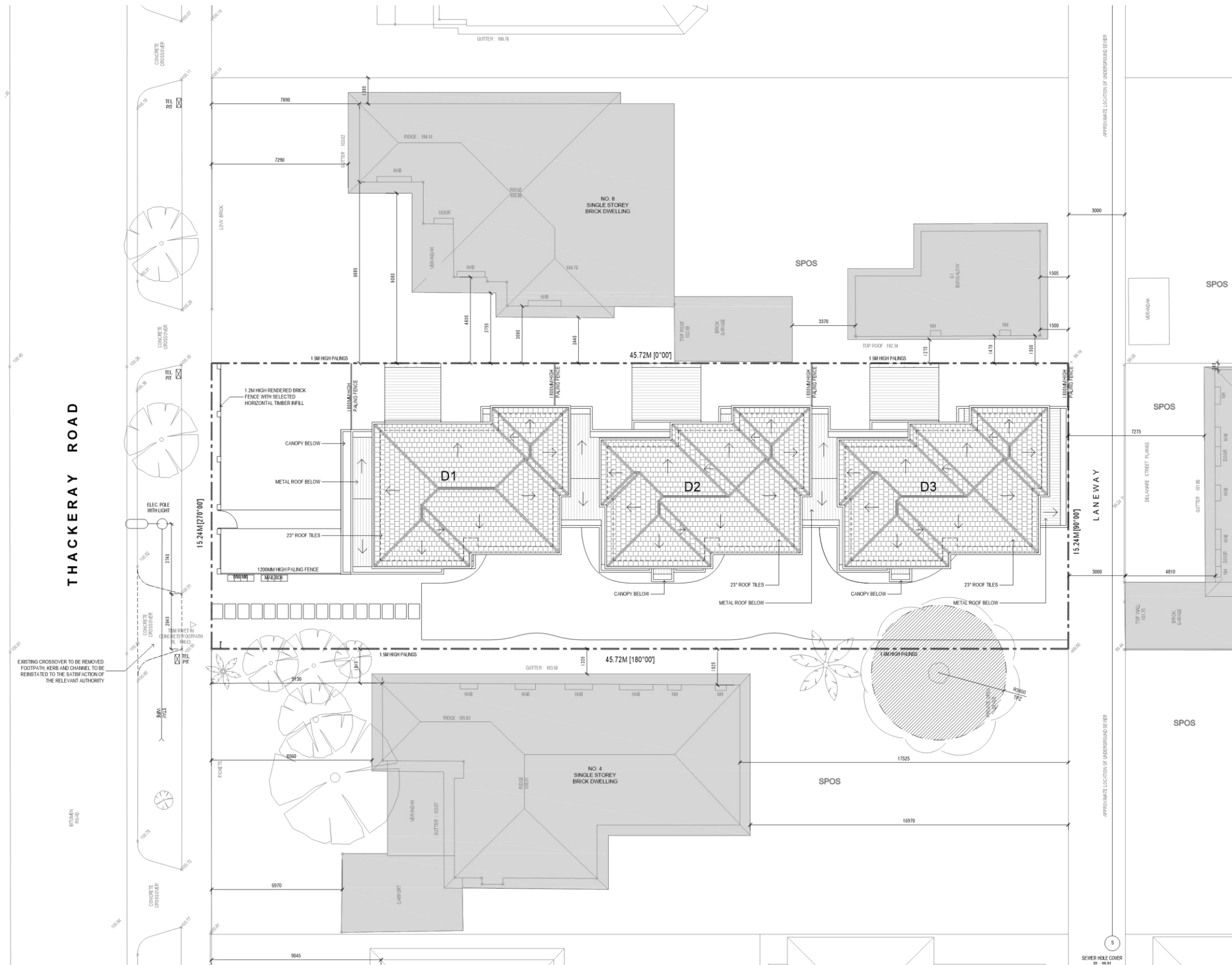
PROJECT: PROPOSED THREE TOWNHOUSES DEVELOPMENT
 6 THACKERAY ROAD
 RESERVOIR

TOWN PLANNING

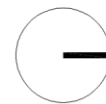
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GH/YA/NL	651	TP12
SCALE	DATE	REV
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BY	TITLE
GH	
GH	
GH	
GH	
YA	ROOF PLAN

PROJECT
 PROPOSED THREE TOWNHOUSES DEVELOPMENT
 6 THACKERAY ROAD
 RESERVOIR

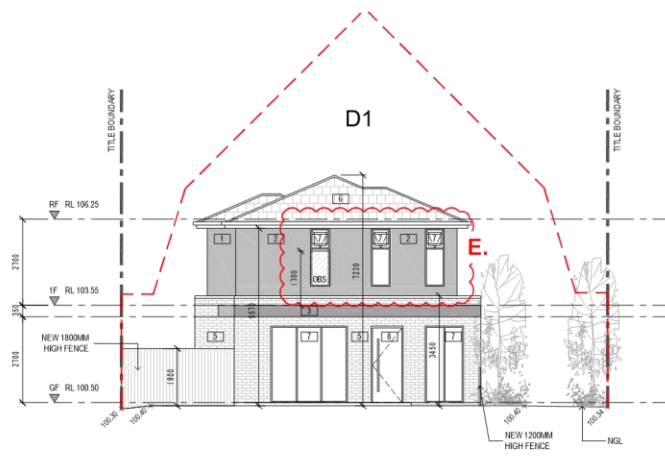
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BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP13
SCALE 1:100 @ A1	DATE 09.05.2017	REV E



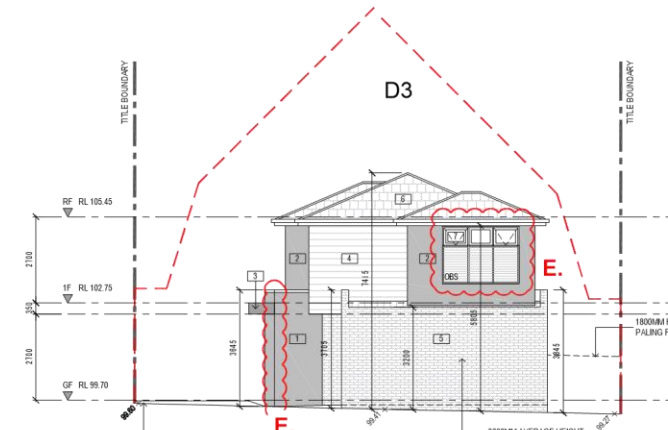
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E	09.05.2017	FOR RFI RESPONSE	GH	PROPOSED ELEVATIONS 1
D	06.02.2017	FOR RFI RESPONSE	GH	
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A	27.07.2016	FOR TOWN PLANNING APPLICATION	YA	

PROJECT
PROPOSED THREE TOWNHOUSES DEVELOPMENT
6 THACKERAY ROAD
RESERVOIR

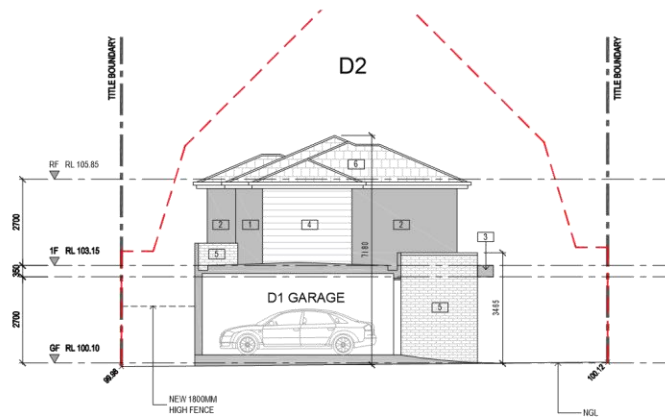
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BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP21
SCALE 1:100 @ A1	DATE 09.05.2017	REV E



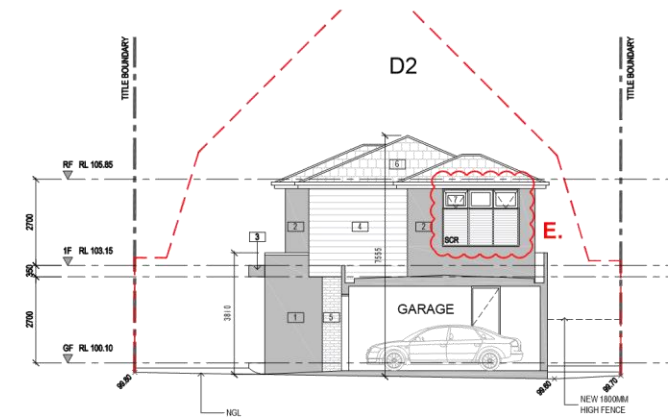
SOUTH ELEVATION - THACKERAY ROAD



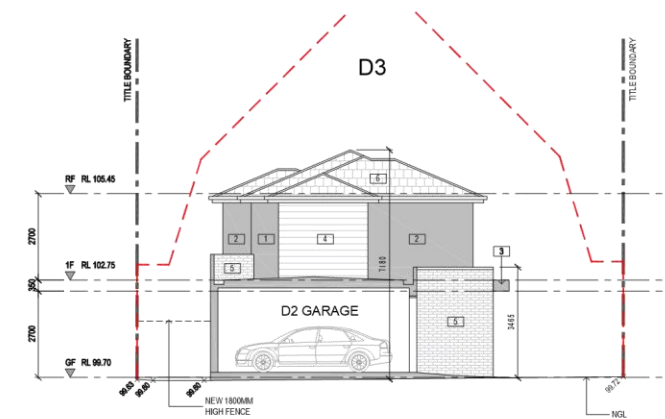
NORTH ELEVATION - LANEWAY



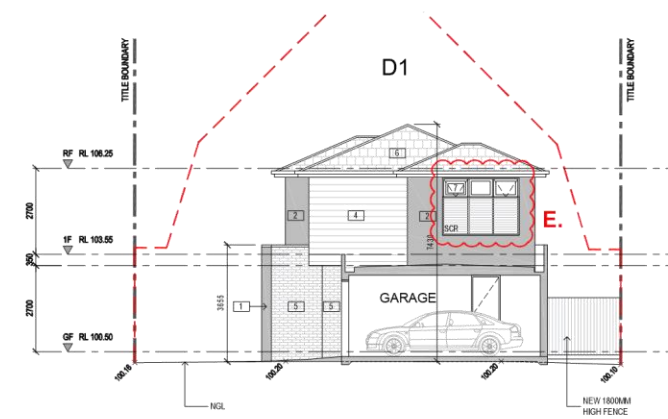
SOUTH ELEVATION - D2



NORTH ELEVATION - D2



SOUTH ELEVATION - D3



NORTH ELEVATION - D1

MATERIALS & FINISHES

- 1 RENDER FINISH - COLOUR: WHITE
- 2 RENDER FINISH - COLOUR: DARK GREY
- 3 ALUMINIUM FINISH - COLOUR: DARK GREY
- 4 TIMBER CLADDING
- 5 BRICKWORK FINISH - COLOUR: RED
- 6 ROOF TILES
- 7 ALUMINIUM WINDOW / GLAZING
- 8 FRONT ENTRY DOOR - COLOUR: WINE
- 9 GARAGE DOOR

LEGEND

OB5 FIXED OBSCURE GLAZING TO 1.7M ABOVE FINISHED FLOOR LEVEL UNLESS NOTED OTHERWISE WITH A MAXIMUM OF 25% TRANSPARENCY.

SCR FIXED EXTERNAL SCREEN WITH A MINIMUM HEIGHT OF 1.7M ABOVE FINISHED FLOOR LEVEL WITH A MAXIMUM OF 25% TRANSPARENCY.

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LEGEND

OB5 FIXED OBSCURE GLAZING TO 1.7M ABOVE FINISHED FLOOR LEVEL UNLESS NOTED OTHERWISE WITH A MAXIMUM OF 25% TRANSPARENCY.

SCR FIXED EXTERNAL SCREEN WITH A MINIMUM HEIGHT OF 1.7M ABOVE FINISHED FLOOR LEVEL WITH A MAXIMUM OF 25% TRANSPARENCY.

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D	06.02.2017	FOR RFI RESPONSE
C	21.10.2016	FOR TOWN PLANNING APPLICATION
B	26.09.2016	FOR TOWN PLANNING APPLICATION
A	27.07.2016	FOR TOWN PLANNING APPLICATION

BY	TITLE
GH	
GH	
GH	
GH	
YA	PROPOSED ELEVATIONS 2

PROJECT
PROPOSED THREE TOWNHOUSES DEVELOPMENT 6 THACKERAY ROAD RESERVOIR

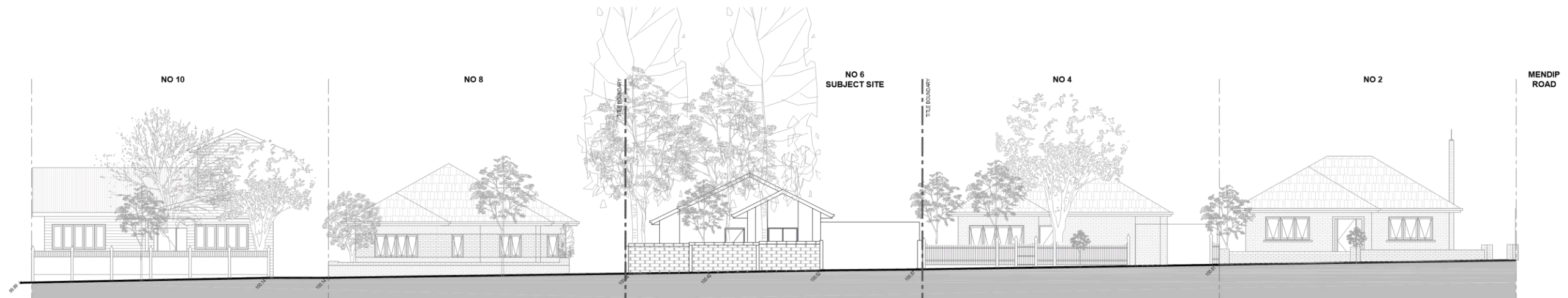
TOWN PLANNING		
BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP22
SCALE 1:100 @ A1	DATE 09.05.2017	REV E

DAREBIN CITY COUNCIL
 ADVERTISED DOCUMENT
 Application No: D/007/2016
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STREETSCAPE PHOTOS - THACKERAY ROAD



EXISTING STREETSCAPE ELEVATION - THACKERAY ROAD



PROPOSED STREETSCAPE / FRONT FENCE ELEVATION - THACKERAY ROAD

THE SILVER ARC
 The Silver Arc Pty. Ltd.
 T 03 9553 7230 F 03 9223 2530
 L2, 433 - 435 South Road, Bentleigh VIC 3204 Australia
 W www.the-silver-arc.com.au E info@the-silver-arc.com.au

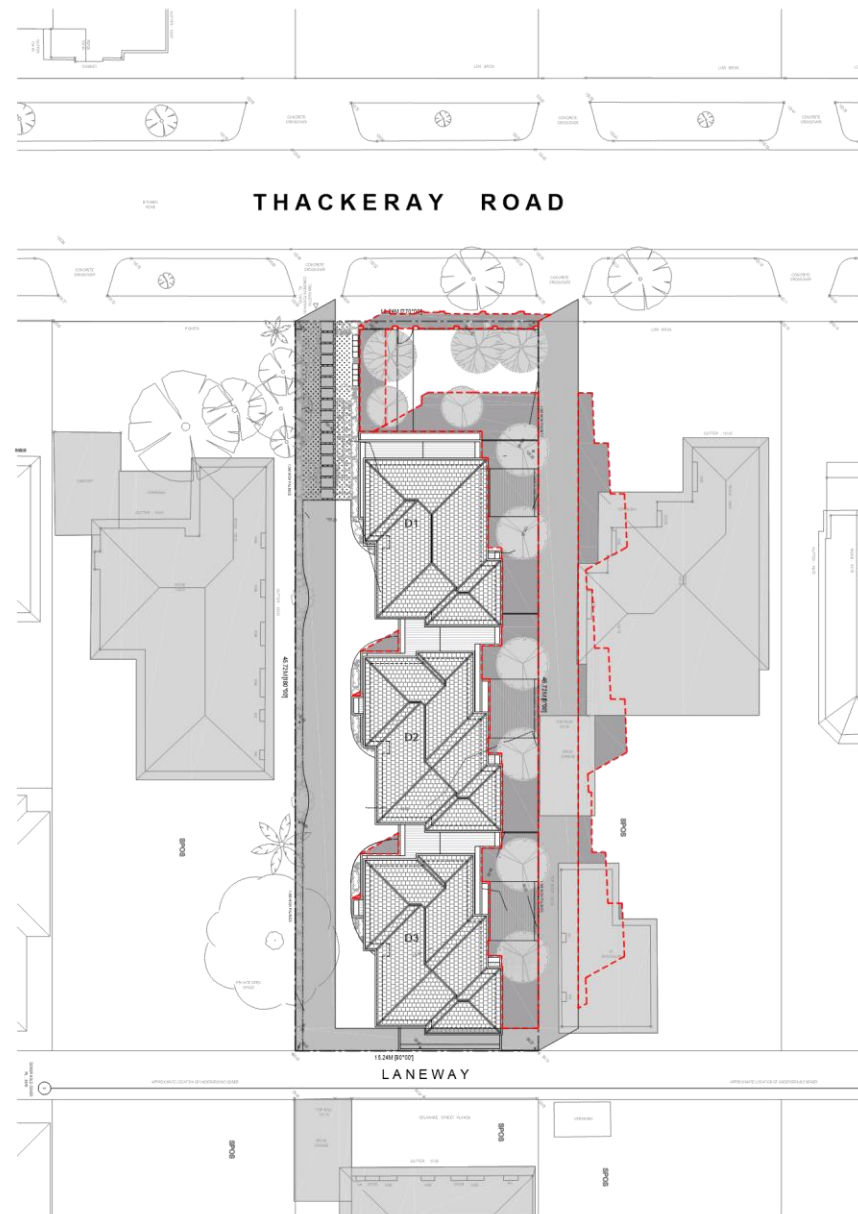
REV	DATE	ITEM	BY	TITLE
E	09.05.2017	FOR RFI RESPONSE	GH	
D	06.02.2017	FOR RFI RESPONSE	GH	
C	21.10.2016	FOR TOWN PLANNING APPLICATION	GH	
B	26.09.2016	FOR TOWN PLANNING APPLICATION	GH	
A	27.07.2016	FOR TOWN PLANNING APPLICATION	YA	STREETSCAPE ELEVATIONS

PROJECT
 PROPOSED THREE TOWNHOUSES DEVELOPMENT
 6 THACKERAY ROAD
 RESERVOIR

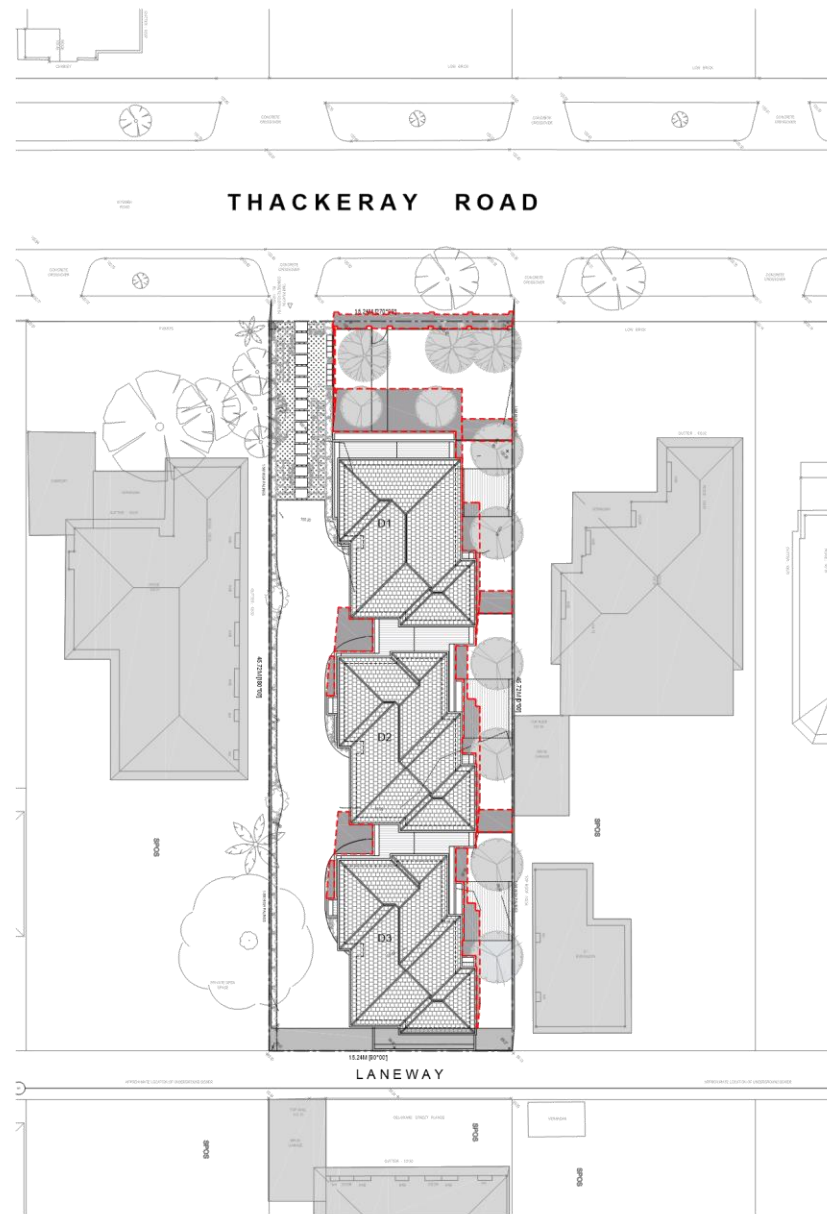
TOWN PLANNING		
BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP23
SCALE 1:100 @ A1	DATE 09.05.2017	REV E

DAREBIN CITY COUNCIL
 ADVERTISED DOCUMENT
 Application No: D/607/2016
 Date: 23 May 2017
 Document No: 1 of 3
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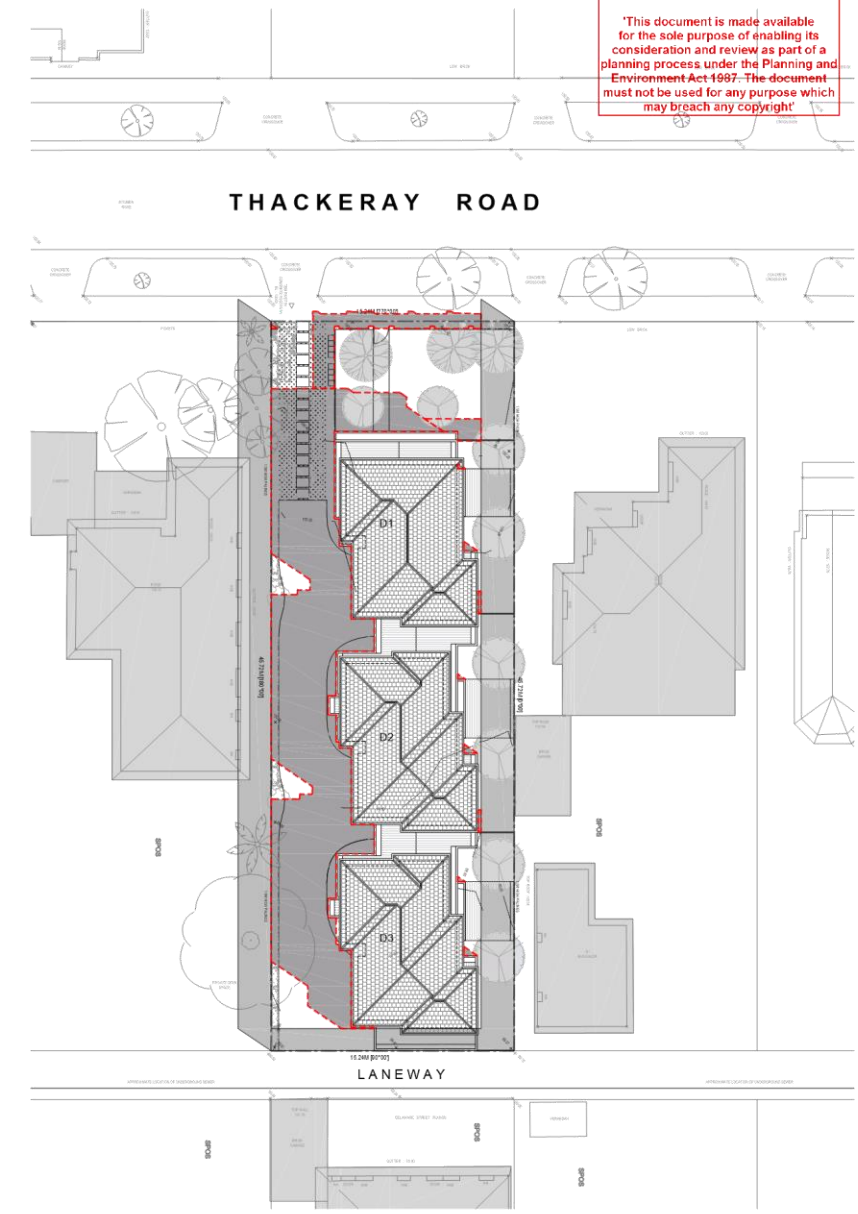
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SHADOW DIAGRAM
 AT THE TIME OF EQUINOX AT 9:00AM



SHADOW DIAGRAM
 AT THE TIME OF EQUINOX AT 12:00PM

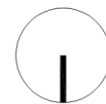


SHADOW DIAGRAM
 AT THE TIME OF EQUINOX AT 3:00PM

 PROPOSED SHADOW  EXISTING SHADOW

TOWN PLANNING

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REV	DATE	ITEM
E	09.05.2017	FOR RFI RESPONSE
D	06.02.2017	FOR RFI RESPONSE
C	21.10.2016	FOR TOWN PLANNING APPLICATION
B	26.09.2016	FOR TOWN PLANNING APPLICATION
A	27.07.2016	FOR TOWN PLANNING APPLICATION

BY	TITLE
GH	SHADOW DIAGRAMS
GH	
GH	
YA	

PROJECT
 PROPOSED THREE TOWNHOUSES DEVELOPMENT
 6 THACKERAY ROAD
 RESERVOIR

BY/CHK GH/YA/NL	JOB NO 651	DWG NO TP31
SCALE 1:200 @ A1	DATE 09.05.2017	REV E

SITE SPECIFICATION

Soil Preparation
Crushed rock, concrete spillage and any other matters deleterious to plant growth (e.g. large rocks) shall be removed from the site of any planting beds and semi-advanced trees. All trees to be removed shall be stump ground and all rubbish/vegetative spoil is to be removed from site. Imported topsoil is to be used throughout the site. All imported topsoil is to be free of weeds, rubble and other materials deleterious to plant growth and is to be of a medium texture (sandy loam) with a pH of 6.0-7.0. Imported top soil is to be laid over a prepared sub-base which has had any materials deleterious to plant growth (e.g. rubble and large rocks) removed. This soil is then to be spread to the appropriate depth and cultivated into the existing site soil to a minimum depth of 150mm. Imported top soil is to be lightly and uniformly compacted in 150mm layers to a minimum depth of 100mm on lawn areas, 300mm on excavated planting beds and 450mm in tree planting areas.

Weed Removal
All weeds shall be thoroughly removed. All vegetative material, including roots and rhizomes of non-woolly perennials and woolly suckering weeds, is to be removed or appropriately controlled using chemical means. The stumps of non-suckering woody perennials are to be stump ground. All vegetative material shall be appropriately disposed of off site in a manner which will not allow their re-establishment elsewhere. Any chemical controls are to be used in accordance with manufacturer's instructions and standard occupational health and safety procedures. If any existing planting is to be retained then care must be taken to ensure these are not damaged during weed removal. This also implies that any herbicides used are suitable for use around the vegetation to be retained.

Planting
Planting shall be carried out using accepted horticultural practices with all plants conforming to the species, size and quantities indicated on the Landscape Plan and Plant Schedule. Plants shall be thoroughly soaked through immersion in water prior to planting and if the planting soil is very dry then the planting hole is also to be filled with water and allowed to drain completely. The rootball of semi-advanced trees is to be well irrigated rather than immersed. All plants shall be appropriately hardened off in the nursery. Use plants with the following characteristics: Large healthy root systems with no evidence of root curl or pot bound restriction or damage, vigorous, well established, free from disease and pests and of good form, consistent with the species or variety, hardened off - not soft or forced. Plants that do not meet these requirements will be rejected. Planting holes for shrubs and groundcovers are to be of minimum size 75mm larger than the planting pot in all directions. Semi-advanced tree planting holes are to be the same depth as the rootball and 2-3 times its diameter, with the top of the rootball being at grade. Planting holes are not to be excavated using an auger unless the edges of the hole are later broken up using a spade or similar. The use of augers can smooth the side of the hole and lead to root girdling. A 75mm high berm is to be constructed at edge of root-ball to hold water. All plants are to be thoroughly watered after planting and slow release fertiliser added at the quantities specified by the manufacturer.

Mulching
Organic mulch is to be supplied to all garden beds and is to be of chipped or shredded vegetable material with 80% of particles in the size range 25 to 50mm in plan and 5 to 10mm in thickness. No particles are to exceed 75mm in plan. Mulch shall be free of deleterious and extraneous matter such as soil, weeds and sticks. Mulch is to be stockpiled and thoroughly weathered prior to delivery. This mulch shall be laid to a minimum depth of 50mm and is to be sloped towards plant stems and kept 100mm back from the stems of all plants to prevent collar rot.

Irrigation
An approved Netafun irrigation system is to be supplied to all garden beds. It is the responsibility of the contractor to ensure that all irrigation meets Netafun specifications. This system is to be comprised of drip irrigation to all garden beds including a rain-shut off device and timer.

Drainage
Agricultural drains are to be installed to garden beds. Pipes shall be 90mm diameter slotted P.V.C. flexible coil laid with one line of perforations at the bottom. Trench floor is to be uniformly graded, with falls directed towards pits and best pipes on a continuous 750mm layer of screenings. Trees, couplings or adapters suitable for the works required are to be used at the junctions of pipes with pipes to be surrounded with open graded crushed rock to 100mm with opened graded crushed rock to 100mm above pipes. Connect Agricultural drains to storm water.

Plant Establishment Period
There shall be a 13 weeks Plant Establishment Period following the approval of Practical Completion by the responsible authority. During this period the landscape contractor shall make good all defects in his/her scope of works. Maintenance and Establishment means the care and maintenance of the contract area by accepted horticultural practices, as well as rectifying any defects that become apparent in the work under normal use. This shall include, but shall not be limited to watering, fertilising, weeding, pruning, pest and disease control, cultivation, re-staking and replacement of any plants that fall or are damaged with plants of the same species and size.

GENERAL VEGETATION PROTECTION

Tree Protection Guidelines for Construction Sites
Tree Protection Zone (TPZ)
In the case of an existing tree, the Tree Protection Zone is deemed as - A circular area with a radius equal to the furthest point of the tree canopy from the centre of the trunk plus 5 metres. This area shall be centred on the centre of the trunk. The centre of the trunk is deemed to be centre of the trunk at the point where it meets the natural soil level.
No works that may affect an existing tree, including its roots, may be undertaken within the Tree Protection Zone, except where -
1. an arborist with a recognised qualification in arboriculture has provided a documented assessment of the impact of the proposed works on the existing tree and a management plan that ensures the works will not adversely affect the existing tree at any stage in its life, and
2. those works to be performed inside the Tree Protection Zone are supervised by an arborist with a recognised qualification in arboriculture.
3. and Council's arborist approves the documented assessment and proposed management plan, wherever possible, any buildings and works should be located outside the Tree Protection Zone of any tree that is to be retained.

Guidelines for Tree Protection Zones
Before the works take place near an existing tree, an exclusion zone must be created around the TPZ of the tree to prevent unnecessary intrusion into this zone. It is recommended that a two metre high temporary chain metal mesh fence be used. Prior to the TPZ fence being erected the area inside the Tree Protection Zone must be mulched with 75-100mm deep organic mulch. A sign at each of the four compass points must be attached to the fence displaying the following message:

- Tree Protection Zone - KEEP OUT.**
Prohibited Practices include:
- Entry of machinery or people.
 - Storage of building materials.
 - Parking of vehicles or machinery.
 - Erecting or placing site facilities.
 - Removing or stockpiling soil or site debris.
 - Disposing of liquid waste, including paint and concrete wash.
 - Excavation or branching of any kind.
 - Attaching signs or any other objects to the tree.
 - Placement of waste disposal skips or bins.
- Responsibilities of the contractor**
1) Before commencement of works it is the responsibility of the Contractor to contact DIAL BEFORE YOU DIG (Ph: 1100) for information on services in the area shown on the plan.
2) The Contractor shall verify the location and depth of all services prior to commencing on site.
3) The Contractor shall be liable for any damage to services during construction works.

LEGEND:

DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT
Application No: D1907/2016
Date: 23 May 2017
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- Proposed new shrubs
- Proposed new groundcovers
- Proposed new climbers
- Proposed new paving
- Proposed concrete driveway
- Proposed new Lawn area
- Proposed decking

REV	DATE	DESCRIPTION	DRAWN
A			
B			
C			
D			

Proposed Residential Development
6 Thackeray Road, Reservoir

	Job No: TLT1657-651	Scale: 1:100 @ A1
	Date: 27-04-17	Drawer: MISRAEL EKA

Contractors please note:
All construction indicated in these drawings is to comply with relevant council and building codes. Engineer's specifications, where required are to be supplied by contractor. All measurements and plant quantities to be checked on the site by contractor. This drawing must not be copied in whole or in part without the written consent of THE LONELY TREE PTY LTD.



CONCEPT LANDSCAPE PLAN



THE LONELY TREE

P.O. Box 2259 Moorabbin VIC 3189 Tel: (03) 95322930 Fax: (03) 95554576 ABN:55 149 229 185



6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

The General Planning Information attached at **Appendix A** contains lists of:

- Scheduled VCAT appeals for the information of the Planning Committee. The table includes appeals heard as well as those scheduled for the coming months (but does not include mediations and practice day hearings).

Recommendation

That the General Planning Information attached as **Appendix A** be noted.

Related Documents

- Nil

Attachments

- Schedule of VCAT Appeals (**Appendix A**)

Delegate Decisions before VCAT

OCTOBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/10/2016	D/803/2015	340 Plenty Road, Preston Cazaly	Development of eight (8) three (3) storey dwellings and a reduction to the visitor car parking requirement.	Refusal - Applicant appeal	Adjourned to administrative mention in April 2017
Result					
5/10/2016	D/30/2016	40 Showers Street, Preston Cazaly	Construct a seven storey development plus basement comprising 39 dwellings (12 x 1 bedrooms and 27 x 2 bedrooms) and 39 car spaces with associated storage units.	Refusal - Applicant appeal	Council's decision affirmed – No permit granted.
Result					
The Tribunal was troubled by the lack of built form guidance relevant to properties in Showers Street when regard was had to the wording of DDO16. Nevertheless, the Tribunal considered that while 4 storeys may be able to be accommodated on the site, the design of the proposal did not respond to its context enough to be worthy of a permit.					
19/10/2016	D/423/2015	2 Leicester Street, Preston Cazaly	A medium density housing development comprised of the construction of a three (3) storey building accommodating eight (8) dwellings on land affected by the Special Building Overlay; a reduction in the car parking requirement; creation of access to a road in a Road Zone Category 1, as shown on the plans accompanying the application.	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result					
The Tribunal did not provide written reasons.					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

OCTOBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
24/10/2016	D/1087/2015	12 Jackson Street, Northcote Rucker	Partial demolition and alterations and additions to an existing dwelling on land affected by a Heritage Overlay in accordance with the endorsed plans.	Notice of Decision – Objector Appeal	Not required as settled at an earlier Practice Day Hearing by consent.
Result					
28/10/2016	D/800/2015	68 St Vigeons Road, Reservoir	Construct a medium density housing development comprised of five (5) double storey dwellings; and Reduce the car parking requirements associated with the dwellings (1 visitor space)	Refusal - Applicant appeal	Council's decision set aside – Permit Granted
Result					
The Tribunal provided oral reasons, and only a summary of the reasons in writing. The Tribunal found that the amended plans in the proposal were worthy of support, and was satisfied Council's confined points of objection did not warrant refusing the application.					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

NOVEMBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
9/11/2016	D/10/2016	16-18 Clarendon Street, Thornbury Rucker	Construction of a three (3) storey apartment building and a waiver of visitor car parking	Refusal – Applicant Appeal	Council's Decision Affirmed – No Permit Granted
Result	Notwithstanding that the site enjoys the benefit of an existing planning permit that allows a 3 storey apartment building on the site, the Tribunal considered the design of the present proposal with reduced setbacks at upper levels (which the Tribunal considered unduly dominant, especially to properties to the south), a greater basement footprint (which limits landscaping opportunities) and insufficient justification for reduction of visitor parking, the Tribunal concluded the proposal was an overdevelopment and affirmed Council's refusal.				
16/11/2016	D/227/2016	150 Leamington Street, Reservoir La Trobe	A medium density housing development comprising three (3) double storey dwellings	Refusal – Applicant Appeal	Council's Decision Set Aside – Permit Granted
Result	The Tribunal did not accept Council's argument that the proposal did not contribute to the preferred character of the area – noting that the site was not located in an area of consistent open 'backyard-scapes'. What the Tribunal did consider relevant was amenity impacts resulting from the extensive upper levels of Unit 2 on the adjoining property's backyard. The Tribunal also noted the opportunity for landscaping along Unit 2's interface with adjoining property was limited – as a result it required Unit 2 to be further set back from the common boundary to allow room for landscaping. Otherwise, the Tribunal was satisfied the proposal was an acceptable response to neighbourhood character and had no unreasonable amenity impacts. While there was a slight shortfall in private open space when considered against the requirements of the General Residential Zone Schedule 1, the Tribunal did not consider this fatal to the proposal given the site's proximity to Edwardes Lake Park.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

DECEMBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/12/2016 (Compulsory Conference)	D/444/2016	52-56 Clyde Street, Thornbury Rucker	20 Dwellings	Failure appeal (Council opposed the Application)	Council's Decision Set Aside – Permit Granted
Result	At the compulsory conference, the Permit Applicant was willing to make design changes to their proposal to address resident and Council concerns. As a result of these changes, the parties were able to reach agreement that a permit should issue.				
9/12/2016	D/889/2015	8 Doolan Street, Reservoir Cazaly	Medium density development comprising the construction of two (2) side by side dwellings	Refusal – Applicant appeal	Council's Decision Set Aside – Permit Granted
Result	The Tribunal did not agree that the design detailing of the proposal (which was argued by Council to be unacceptable due to its 'busy' interwar inspired appearance) was unacceptable from a character point of view – rather that such a response provided articulation to the proposal. The Tribunal was also satisfied that appropriate landscaping could be provided notwithstanding the double crossover. In the absence of any unsatisfactory amenity impacts, the Tribunal set aside Council's decision and granted a permit.				
12/12/2016	D/942/2015	11 Edith Street, Preston Cazaly	Development of seven (7) three (3) storey buildings and a reduction to the visitor car parking requirement	Refusal – Applicant appeal	Council's Decision Set Aside – Permit Granted
Result	The Tribunal was not persuaded that the proposal had unreasonable off site amenity impacts when regard was had to DDO16 which called for intensification in the area.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JANUARY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
11/01/2017	D/81/2016	207-209 Separation Street, Northcote Rucker	Construction of eight (8) dwellings and waiver of a visitor car space	Refusal - Applicant Appeal	Council's decision set aside – Permit Granted
Result	It was not in dispute that the site could accommodate some form of redevelopment, given proximate transport and services. The critical issues for the Tribunal was whether there was policy support for the 3 storey proposal, the fit of the design into the neighbourhood and off site amenity impacts. Subject to additional conditions requiring the deletion of one of the three storey dwellings and provision of visitor parking on site, together with conditions that go to root barrier protection and species selection (for trees next to adjoining properties), the Tribunal was comfortable a permit could issue.				
17/01/2017	D/402/2016	38-40 Gisbourne Crescent, Reservoir La Trobe	Construction of eight (8) dwellings	Refusal - Applicant Appeal	Council's Decision Set Aside – Permit Granted
Result	When regard was had to developments approved and constructed in the area, together with the incremental change policy applicable to the site, the Tribunal was satisfied the proposal was an acceptable response to preferred character. Together with some minor additional conditions, the Tribunal was satisfied there was acceptable compliance with Clause 55 and no unreasonable off site amenity impacts, so it directed the grant of a permit.				
31/01/2017	D/121/2016	90 David Street, Preston Cazaly	Construction of two double storey dwellings	Notice of Decision - Objector Appeal	Resolved by way of Consent Order – Hearing no longer required – Permit Granted
Result					
31/01/2017	D/168/2016	411 Murray Road, Preston Cazaly	Construct a medium density housing development comprised of two (2) triple storey dwellings and two (2) double storey dwellings	Refusal - Applicant Appeal	Council's decision affirmed – No permit granted
Result	While the Tribunal considered the proposal was consistent with broader state and local policy, it nevertheless considered the proposal an overdevelopment of the site when regard to neighbourhood character and the visual bulk of the proposal. In particular, the Tribunal noted the 3 rd storey elements provided an excessive transition between adjoining properties and rear open spaces. The Tribunal was also critical of the lack of landscaping proposed along the rear of the site. As such, it affirmed Council's refusal.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

FEBRUARY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/02/2017	D/271/2016	766 Plenty Road, Reservoir Cazaly	Development of three (3) three (3) storey dwellings	Refusal - Applicant Appeal	Council's decision set aside – Permit granted
Result	Notwithstanding the Council's concerns the application was a piecemeal application that would result in an underdevelopment of the site (when regard was had to its physical and planning context), the Tribunal did not agree with such concerns there was a 'policy disconnect'. It considered that the proposal presented an acceptable interface to the balance of the Plenty Road site, responding to the previous Tribunal decision's criticism of this interface.				
2/02/2017	D/167/2016	25 Kenilworth Street, Reservoir La Trobe	Development of eight (8) three (3) storey dwellings and one (1) two (2) storey dwelling and a reduction to the visitor car parking requirement	Refusal - Applicant Appeal	Council's Decision Affirmed – No permit granted
Result	The Tribunal considered the proposed part 1, 2 and 3 storey reverse living townhouses (and one single storey unit) too intense for the site's location on the periphery of the Reservoir Activity Centre. The Tribunal in particular considered the proposal too big, and would have a jarring visual impact on the surrounding area. The Tribunal also had concerns with the quality of the design, areas left for landscaping and internal amenity.				
3/03/2017	D/16/2016	6 Elliot Street, Reservoir La Trobe	Variation of restrictive covenant and construction of three (3) dwellings	Refusal - Applicant Appeal	Council's decision affirmed – No permit granted
Result	The Tribunal considered that the permit applicant had not persuaded it that it had satisfied the very high legislative tests in the Act – namely, that no beneficiaries of the covenant would not suffer any detriment of any kind. In addition, the Tribunal had concerns about the extent of walls on boundary and built form in the back yard. As such, it affirmed Council's refusal.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

FEBRUARY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/02/2017	D/882/2015	10 Stymie Street, Kingsbury La Trobe	Construction of a medium density development comprising two (2) dwellings	Refusal - Applicant Appeal	Council's decision set aside (by consent) – Permit Granted
Result	The parties were able to negotiate a consent order on the basis of amended plans, thus avoiding the need for a contested hearing.				
15/02/2017	D/1301/2015	55 Nisbett Street, Reservoir Cazaly	Construction of a medium density housing development comprising one (1) single storey dwelling to the rear of the existing dwelling and alterations and additions to the existing dwelling	Refusal - Applicant Appeal	Council's decision set aside (by consent) – Permit Granted
Result	The parties were able to negotiate a consent order on the basis of amended plans, thus avoiding the need for a contested hearing.				
27/02/2017 (Compulsory Conference)	D/671/2016 Rucker	12 Hall Street, Fairfield	A medium density residential development comprising the construction of two (2) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit Granted
Result	The permit applicant was willing to make changes to address Council concerns, accordingly a permit was able to be granted by consent.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

MARCH 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/03/2017 (Compulsory Conference)	D/509/2016	512 Gilbert Road, Preston Cazaly	Proposed medium density housing development comprising the construction of 4 double storey and 1 single storey dwellings and a waiver of the visitor car space	Refusal – Applicant appeal	Council's decision set aside (by consent) – Permit Granted
Result	The Permit Applicant was willing to make changes to address Council concerns. As such, the parties were in agreement that a permit could issue.				
15/03/2017	D/959/2015	7 Separation Street, Fairfield Rucker	Medium density development comprising the construction of four (4) double storey dwellings	Refusal – Applicant appeal	Council's decision affirmed – No permit granted.
Result	While the Tribunal considered the location and zoning of the land could support some form of development, it was the execution of same that fell short. In particular, the Tribunal considered the extent of attached double storey built form, together with driveway paving and minimal opportunities for landscaping were found to be unacceptable by the Tribunal.				
28/03/2017	D/1096/2015	113 Cheddar Road, Reservoir La Trobe	Proposed medium density development comprising the construction of four (4) double storey dwellings on a lot affected by the special building overlay	Refusal – Applicant appeal	Council's decision affirmed – No Permit granted.
Result	The Tribunal was satisfied that the development of the site with four reverse living dwellings was supported by state and local policy. It also considered the proposal was an acceptable response against neighbourhood character. Where the proposal fell short was internal amenity due to the extent of screening required at first floor to prevent overlooking. As such, the Tribunal affirmed Council's refusal.				
30/03/2017 (Compulsory Conference)	D/245/2015	3 Tharratt Street, Thornbury Rucker	Medium density development comprising the construction of six (6) dwellings within a two storey building and basement	Notice of Decision – Objector Appeal and Conditions Appeal	Council's decision varied – Permit Granted
Result	The Permit Applicant was willing to make changes to address Council and resident concerns. As such, the parties were in agreement that a permit could issue.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

APRIL 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/04/2017 (Administrative Mention)	D/803/2015	340 Plenty Road, Preston Cazaly	Development of eight (8) three (3) storey dwellings and a reduction to the visitor car parking requirement.	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result 2 June 2017	The Tribunal advised the parties were in agreement as to the proposal. Final orders to come. On 2 June 2017 the Tribunal made consent orders giving effect to the agreement reached between the parties.				
26/04/2017	D/506/2016	102 Yarralea Street, Alphington Rucker	Display of two (2) business identification signs	Refusal – Applicant appeal	Council's decision affirmed – No permit granted
Result	While the Tribunal did not consider the site sat within a 'pristine residential area', it nevertheless considered its context was still primarily a residential one. When the Tribunal considered the prominence of the signage proposed, it considered the signage would result in a visual dominance that overwhelms the site and its surrounds.				
26/04/2017	D/486/2016	25 Clifton Grove, Preston Cazaly	Development of seven (7) dwellings within a Special Building Overlay and reduction in one (1) resident car space and waiver of one (1) visitor car space	Failure Appeal – To Oppose (Subsequently resolved to support)	Council's Decision Set Aside – Permit Granted
Result	The Permit Applicant lodged amended plans which addressed Council and resident concerns, therefore the parties were in a consent position by the time of the hearing.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

APRIL 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/05/2017	D/696/2016	18 View Street, Reservoir La Trobe	A medium density development comprising the construction of four (4) double storey dwellings	Notice of Decision - Objector appeal	VCAT Decision Pending
Result					
3/05/2017 Compulsory Conference	D/818/2016	156 Rossmoyne Street, Thornbury Rucker	Construct two (2) double storey (plus basement level) dwellings on the lot	Refusal - Applicant Appeal	Council's Decision Set Aside – Permit Granted
Result					
The Permit Applicant was willing to make changes to address Council and resident concerns, therefore the parties were in agreement that a permit could issue.					
3/05/2017 Administrative Mention	D/195/2003/C	36-46 Wingrove Street, Alphington Rucker	Amend the endorsed plans attached to planning permit D/195/2003 to alter the car parking layout	Notice of Decision - Objector Appeal	Council's Decision Set Aside – No Permit Granted
Result					
The Permit Applicant determined not to proceed with their application to amend the permit – accordingly, VCAT set Council's decision aside. VCAT specifically noted it made no finding on the merits of the application.					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

APRIL 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/05/2017	D/368/2016	8 St Duthus Street, Preston Cazaly	A medium density development comprising the construction of a double storey dwelling to the rear of the existing dwelling	Refusal – Applicant Appeal	Council's Decision Set Aside – Permit Granted
Result	The Tribunal only gave oral reasons for setting Council's decision aside.				
5/05/2017	D/367/2016	10 Seston Street, Reservoir Cazaly	Construction of a medium density housing development comprising eight (8) dwellings and a waiver of visitor parking	Refusal – Applicant Appeal	Council's Decision Affirmed – No permit granted
Result	The critical failing of the proposal was the subject site being too small for the scale of development proposed, and the associated inability of the site to implement the preferred Garden Apartment typology as sought by Council. As a result of the site being too small, the Tribunal in turn had issues in respect of the level of internal amenity to be received on site and the poor presence to the street of a number of dwellings who take their sense of address from a narrow pathway with poor visibility.				
8/05/2017	D/127/2016	31 Best Street, Reservoir La Trobe	Proposed two (2) lot subdivision and construction of two (2) new dwellings	Refusal – Applicant Appeal	Council's decision Affirmed – No permit granted
Result	While the Tribunal considered the site could support multi dwelling development, it considered the critical failing in this instance was its lack of site responsiveness. In particular, while the site had a 2 metre slope from front to rear, the dwellings adopted a relatively continuous floor level with only 2 steps difference between front and rear. The effect of this leaves a continuous and imposing form on the neighbourhood and adjoining properties. The Tribunal was also concerned about impacts upon a street tree as a result of a proposed crossover.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

APRIL 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/05/2017	D/127/2016	21 Cuthbert Road, Reservoir La Trobe	Construct a medium density housing development comprised of four (4) double storey dwellings	Refusal – Applicant Appeal	Interim Decision
Result	The Tribunal was not supportive of the height and massing of the 4 dwelling development through the site, nor its reduced front setback. As such, it issued an interim decision inviting the permit applicant to prepare amended plans for three 2 storey townhouses. Such plans have been received by Council for comment.				
15/05/2017	D/453/2016	731 High Street, Preston Cazaly	Retrospective application to convert a garage to a dwelling	Refusal - Applicant Appeal	Council's decision affirmed – No permit granted
Result	The Tribunal affirmed Council's refusal firstly because of the poor internal amenity outcomes that the dwelling would provide. In particular, the Tribunal was concerned with the private open space to the dwelling, solar access to be received by private open space, lack of windows (or south facing highlight windows), small bedroom sizes and lack of sense of identity. As to car parking, the Tribunal considered the arrangements proposed poorly conceived and indicative of the proposal seeking too much from the site.				
19/05/2017	D/371/2016	28 Erskine Avenue, Reservoir La Trobe	A medium density housing development comprised of the construction of two (2) double storey dwellings to the rear of an existing dwelling providing two (2) bedroom accommodation	Refusal - Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal was satisfied that the proposed design was an acceptable response to an area with already an inconsistent character, and that further aspects of the design responded to Council's preferred character.				
31/05/2017	D/1103/2015	242 Gooch Street, Thornbury Rucker	Construct a medium density development comprising of three (3) double storey dwellings	Refusal - Applicant Appeal	Council's Decision Affirmed – No permit granted
Result	The Tribunal did not consider that the proposal generated any unreasonable off site amenity impacts; where it considered the proposal fell short was its very contemporary design not respecting the existing architecture in the neighbourhood.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JUNE 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/06/2017 (Compulsory Conference)	D/75/2011	161-187 & 195 High Street, Preston Cazaly	Seven storey mixed use apartment building	Section 87A Application – Position taken to Oppose	Hearing Confirmed
Result	The matter did not settle and accordingly the Tribunal has confirmed the hearing date of this matter.				
1/06/2017	D/418/2016	18 Crispe Street, Reservoir Cazaly	A medium density housing development comprising the construction of three (3) double storey dwellings	Refusal – Applicant Appeal	VCAT Decision Pending
Result	The Tribunal disagreed with Council's ResCode argument that notwithstanding a numerical standard is being met, the associated objective isn't necessarily also met. As such, the Tribunal formed the view the proposal was an acceptable response to ResCode as well as the preferred neighbourhood character for the area.				
13/06/2017 (Compulsory Conference)	D/173/2011	1091 Plenty Road, Bundoora La Trobe	Alterations to approved development	Section 87A Application	Hearing Confirmed
Result	The matter did not settle and accordingly the Tribunal has confirmed the hearing date of this matter.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JUNE 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
14/06/2017	D/184/2014/B	112 Collins Street, Thornbury Rucker	Amend the permit which allows "a medium density housing development comprised of two (2) attached double storey dwellings".	Failure Appeal	Council's decision set aside – Amended permit granted
Result	The main issue in dispute in this matter was the location of a car parking space in the front setback, together with some changed side setbacks. The Tribunal considered that the retention of the existing crossover servicing the site would not be out of step with the existing character of the street and would result in an appropriate streetscape outcome. The Tribunal was neither troubled by the changed side setbacks. In granting an approval however, it included a condition requiring no structures over the car parking space in the front setback.				
27/06/2017	D/195/2003/C	36-46 Wingrove Street, Alphington Rucker	Amend the endorsed plans attached to planning permit D/195/2003 to alter the car parking layout	Notice of Decision – Objector Appeal	Not required – Permit Applicant no longer wished to pursue their application
Result					
27/06/2017	D/787/2016	206 Dundas Street, Thornbury Rucker	Development of five (5) double storey dwellings and reduction to the visitor car parking requirement	Refusal – Applicant Appeal	Council's Decision Set Aside – Permit Granted
Result	Notwithstanding the design response which was contrary to some of Council's neighbourhood character guidelines, the site's location opposite an industrial estate meant there was more context to draw a contemporary design response from as opposed to more purely residential areas elsewhere in Darebin. Subject conditions requiring additional windows and screening, the Tribunal was satisfied the proposal was acceptable.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JULY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/07/2017 (Compulsory Conference)	D/553/2016	112 Dundas Street, Thornbury Rucker	Construction of a medium density development consisting of five (5) dwellings and a reduction in the number of visitor car parking spaces associated with five (5) dwellings	Delegate – Conditions Appeal	Council's Decision Set Aside (by consent) – Permit Granted
Result	The Permit Applicant was willing to make changes to their proposal to address Council concerns, as such the parties were in a position that the Tribunal could direct the grant of a permit.				
17/07/2017	D/75/2011	161-187 & 195 High Street, Preston Cazaly	Amend the existing permit to add an additional storey and re-arrangement of the proposed building	S87A Application to VCAT to amend Permit – Council's position is to oppose	VCAT Decision Pending
Result					
18/07/2017	N/A	731 High Street, Preston Cazaly	Planning enforcement proceedings due to owner not building in accordance with planning permit	Application for Enforcement Orders	Enforcement Order Allowed
Result	The Owner and Respondent did not contest the matter.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JULY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/07/2017	D/807/2016	4 Tambo Avenue, Reservoir La Trobe	Development of the land with three (3) double storey and one (1) single storey dwellings	Refusal – Applicant Appeal	VCAT Decision Pending
Result					
19/07/2017	D/496/2016	56 Harrow Street, Preston Cazaly	A medium density housing development comprising the construction of four (4) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit Granted
Result	The Permit Applicant was willing to make changes to address concerns at a compulsory conference – accordingly the parties were in agreement a permit could issue.				
21/07/2017	D/496/2016	93 Mansfield Street, Thornbury Rucker	Construction of a medium density development comprising two (2) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit Granted
Result	The Permit Applicant was willing to make changes to address Council concerns, accordingly the parties were in agreement that a permit could issue.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JULY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
28/07/2017 (Compulsory Conference)	D/144/2017	47 Showers Street, Preston Cazaly	Development of seven (7) three (3) storey dwellings and a reduction to the car parking requirement	Refusal - Applicant Appeal	Hearing Confirmed – Matter did not settle
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

AUGUST 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/08/2017	D/433/2016	8 Johnson Street, Northcote Rucker	Construction of a three (3) storey (including partial basement) building consisting of eight (8) dwellings	Refusal – Applicant Appeal	VCAT Decision Pending
Result					
9/08/2017	D/572/2016	88 Victoria Road, Northcote Rucker	Development of the land with five (5) double storey attached dwellings and a reduction in the standard car parking requirement	Refusal – Applicant Appeal	VCAT Decision Pending
Result					
11/08/2017	D/431/2009/C	692 High Street, Thornbury Rucker	Amend the permit and plans to provide an additional storey and dwelling with a further reduction of car parking	Refusal – Applicant Appeal	VCAT Decision Pending
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

AUGUST 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/08/2017 (Compulsory Conference)	D/862/2016	500 Plenty Road, Preston Cazaly	Construction of five dwellings and a reduction in the car parking requirement (visitor parking)	Refusal – Applicant Appeal	
Result					
21/08/2017	D/913/2016	186 Gillies Street, Fairfield Rucker	A medium density development comprised of the construction of two (2) double storey side by side dwellings	Refusal – Applicant Appeal	
Result					
24/08/2017	D/193/2016	713-721 Gilbert Road, Reservoir Cazaly	Medium density development comprising the construction of seven (7) double storey dwellings	Refusal – Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

SEPTEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/09/2017	D/702/2016	39 High Street, Preston Cazaly	Buildings and works for the construction of a flue and a reduction in car parking associated with the use of the site as a restaurant	Refusal – Applicant Appeal	
Result					
5/09/2017	D/773/2016	286 Station Street, Fairfield Rucker	Medium density development comprising the construction of four (4) double storey dwellings and to alter access to a road in a Road Zone Category 1	Refusal – Applicant Appeal	
Result					
5/09/2017	D/493/2016	73 Boldrewood Parade, Reservoir La Trobe	Proposed construction of four (4) double storey dwellings and alteration to access to a Road Zone Category 1	Failure Appeal – Subsequent position of opposition taken	
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

SEPTEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/09/2017	D/439/2016	72-74 Clyde Street, Thornbury Rucker	Medium density housing development comprising the construction of seven (7) two storey dwellings, on land covered by a Special Building Overlay	Failure Appeal – Subsequently purported to refuse	
Result					
6/09/2017	D824/2016	31 Ross Street, Northcote Rucker	Demolition of the existing dwelling and construction of a double storey dwelling on land affected by a Heritage Overlay	Notice of Decision – Objector Appeal	
Result					
7/09/2017	D/978/2012/A	138 Darebin Road, Northcote Rucker	Amendment to endorsed plans	Section 87A Application	
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

SEPTEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/09/2017 (Compulsory Conference)	D/992/2016	98 Albert Street, Preston Cazaly	Medium density housing development comprising the construction of seven (7) dwellings (two (2) double storey and five (5) triple storey) and alteration of access to a Road Zone - Category 1	Refusal – Applicant Appeal	
Result					
13/09/2017	D/1099/2015	60 Station Street, Fairfield Rucker	Proposed medium density development comprising the construction of four units within a three storey building and alterations to access to a road in a Road Zone Category 1	Conditions Appeal	
Result					
14/09/2017	D/144/2017	47 Showers Street, Preston Cazaly	Development of seven (7) three (3) storey dwellings and a reduction to the car parking requirement	Refusal – Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

SEPTEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/09/2017	D/731/2016	231 Station Street, Fairfield Rucker	Proposed medium density development comprising the construction of four three- and one double-storey dwellings on land adjacent to a road in a Road Zone	Refusal – Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

AUGUST 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
25/08/2017	D/553/2016	112 Dundas Street, Thornbury Rucker	Construction of a medium density development consisting of five (5) dwellings and a reduction in the number of visitor car spaces associated with five (5) dwellings	Conditions Appeal	Matter settled by consent – Hearing not required
Result	The parties were able to successfully negotiate a consent outcome meaning a hearing was not required.				
31/08/2017	D/1084/2016	189 Rathmines Street, Fairfield Rucker	Construction of five double storey dwellings and waiver of the required one visitor car space	Refusal – Applicant Appeal	
Result					

Planning Committee Decisions before VCAT

OCTOBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/10/2016	D/655/2015	3 Gillies Street, Fairfield Rucker	Development of a 3 storey building comprising 9 dwellings and a reduction to the car parking requirement	Refusal (contrary to officer recommendation) - Applicant appeal	Council's decision set aside – Permit granted.
Result	This matter was a repeat appeal – with Council previously having a refusal affirmed in <i>Tsakmakis v Darebin CC</i> [2015] VCAT 462. Accordingly, the permit applicant sought to respond to the concerns raised by the Tribunal in the previous decision. The Tribunal considered that the present proposal was a better response to its northern neighbour (which was the critical failing of the previous proposal) in terms of amenity impact, however from a character point of view, the 3 rd level in this proposal actually came closer to the street than the previous proposal. The Tribunal considered that the third level needed to be made more recessive to be an acceptable character outcome to Gillies Street – as such it included a permit condition requiring this third level to be further set back from the street with no changes to any other setback. Otherwise, the Tribunal was satisfied that the design response adequately addressed amenity impacts to the site's northern neighbour.				
6/10/2016	D/629/2015	66-68 Waterloo Road, Northcote Rucker	Medium density housing development comprising the extension of 10 existing dwellings and construction of seven (7) new dwellings over a common basement car parking area.	Notice of Decision – Objector Appeal	Council's decision varied – Permit granted
Result	It was not in dispute that the site was suitable for redevelopment, therefore the primary focus of resident concerns was the proposal's reliance on Quarrion Lane to provide vehicle access to the development. Notwithstanding resident concerns, the Tribunal found that the use of Quarrion Lane for vehicle access was acceptable from a character point of view (as the front garden would not be dominated by car parking structures) as well as from a design point of view (in that if ramps from Waterloo Road were required to access a basement, a significant amount of the site would be given over to ramping). The Tribunal also had no concerns in respect of the condition of the laneway and the potential for impacts on amenity of surrounding residents from vehicle movements, given the low speed environs of the laneway in any event.				
12/10/2016	D/716/2015	255 Darebin Road, Thornbury Rucker	Construction of three (3) double storey dwellings	Refusal (contrary to officer recommendation) - Applicant appeal	Council's decision set aside – Permit Granted
Result	When the Tribunal had regard to the site's proximity to High Street, the Tribunal considered the design of the proposal, subject to a further modification (by way of condition) was an acceptable response to neighbourhood character and ResCode.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

OCTOBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/10/2016	D/1109/2014	682-684 Bell Street, Preston Cazaly	Construction of six (6) dwellings, alter access to a Road Zone and a reduce the standard visitor car parking requirements.	Refusal (Contrary to Officer Recommendation) - Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered the key issues were neighbourhood character, whether the front setback was acceptable and whether the proposal was an overdevelopment of the site. The Tribunal found the proposal an acceptable response to neighbourhood character given its finding that Bell Street has an eclectic character and main road setting. While the Tribunal was not troubled by the 3 storeys, it did require by way of condition the third storey to be set back so they do not sit forward of their lower floors. The Tribunal was otherwise not persuaded the application was an overdevelopment, or that the front setback needed to be changed.				
13/10/2016	D/949/2015	7 Highland Street, Kingsbury La Trobe	Proposed medium density development comprising the construction of 4 double storey dwellings as shown on the plans accompanying the application.	Failure Appeal – Council subsequently resolved not to support in line with officer recommendation.	Council's decision affirmed – No permit granted.
Result	The critical failing with the proposal was its response to neighbourhood character. In particular the Tribunal was concerned that the reverse living typology maximised the ground level site coverage and provided minimal landscape opportunities – as a result the Tribunal was not satisfied the proposal responded adequately to Council's preferred character outcome of encouraging additional planting in all gardens. Further, the Tribunal was critical of the internal amenity of the dwellings given their balconies were proposed to be fully screened to 1.7m in height, meaning such dwellings have poor outlook. Finally, the Tribunal considered car parking arrangements should be revisited as part of any new proposal.				
14/10/2016 and 24/10/2016	D/423/2015	12 Farnan Street, Northcote Rucker	Medium density development comprising the construction of five (5) double storey dwellings and reduction of the standard car parking rate, on land covered by a Special Building Overlay.	Refusal (Contrary to officer recommendation) – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal did not have concerns with the proposal's impact upon the character of the area, noting that change existed in the relevant part of Farnan Street already and there was an absence of planning controls to prevent demolition of building in the area. What troubled the Tribunal was the proposal's presentation to the street and to the Right-of-way, to that end the Tribunal placed conditions on the permit requiring the first floor of the dwelling which fronts the street to be set back behind the ground floor, and also for further setbacks to be provided to the first floors of units 3 and 4. The effect of these changes is that units 2 and 4 are now 2 bedroom dwellings, whereas at least dwelling 4 was a 3 bedroom dwelling. Otherwise, the Tribunal was not persuaded that there were any other unacceptable aspects of the proposal.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

OCTOBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
26/10/2016	D/820/2015	283-291 Gilbert Road, Preston Cazaly	Development of a three (3) to four (4) storey building comprising 23 dwellings, a cafe and a reduction to the car parking requirement.	Refusal (in line with officer recommendation) – Applicant appeal	Council's Decision Affirmed – No permit granted.
Result	The Tribunal considered the critical issue was not whether the site could be redeveloped, but the execution of such redevelopment was in issue. Notwithstanding the site's designation as 'substantial change', the Tribunal noted that the site sat at the bottom end of the "substantial change hierarchy". When the Tribunal considered the design response of the proposal, the Tribunal was not satisfied the proposal responded adequately to its sensitive interfaces as well as what policy calls for on the site. Therefore the Tribunal was not satisfied the proposal struck the right balance and affirmed Council's refusal.				
31/10/2016	D/910/2015	65 Dundee Street, Reservoir La Trobe	A medium density housing development comprised of 4 double storey dwellings	Refusal (contrary to officer recommendation) – Applicant appeal	Council's Decision Set Aside – Permit Granted
Result	The Tribunal considered that with a condition requiring a greater setback of the first floor of Unit 2 from an adjoining property, it was satisfied the proposal was an acceptable response to neighbourhood character and generated no unreasonable off site amenity impacts.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

NOVEMBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/11/2016 (Compulsory Conference)	D/748/2015	167-173 Station Street, Fairfield Rucker	Construction of a three storey (plus basement) apartment building comprising 20 dwellings, reduction in visitor car parking and alteration of access to a Road Zone Category 1	Refusal (contrary to officer recommendation) – Applicant appeal	Council's decision set aside – Permit Granted
Result	At the compulsory conference, the permit applicant was willing to make changes to address resident and Council concerns – as such, all parties were in agreeance and therefore a permit could issue.				
14/11/2016	D/285/2015	30 Cramer Street, Preston Cazaly	Construction of a part 9-storey, part 6-storey mixed use development comprised of three (3) ground floor shops and car parking and 95 dwellings at upper levels; a reduction in the car parking requirement and waiver of the loading bay requirement; creation and alteration of access to a Road Zone Category 1	Refusal (in line with officer recommendation) – Applicant appeal	Council's Decision Set Aside – Permit Granted
Result	The Tribunal considered that the design of the proposal was a suitable response to policy – in particular notwithstanding the lack of a tower and podium form, it represented a 'suitable landmark [building]' and provided activation to a hostile street environment (St Georges Road). The Tribunal considered the ESD credentials of the building acceptable, and subject to a number of conditions requiring internal rearrangements of dwellings to provide a more functional layout, the internal amenity of the dwellings was considered acceptable.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

NOVEMBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
14/11/2016	D/483/2015	75 Gooch Street, Thornbury Rucker	Construct a medium density development comprising of four (4) double storey dwellings	Refusal (in line with officer recommendation) – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal provided oral reasons and only a short written summary of same. Originally, Council had sought an adjournment of the hearing on the basis it had not yet formed a view on amended plans lodged – this was due to the caretaker period during the election. Nevertheless, the adjournment request was refused, meaning Council had to attend the Tribunal without a formal position. The Tribunal was understanding of Council's predicament - calling Council's concern for due process to be followed "appropriate". The Tribunal however felt it was in a position to determine the matter, and did so. The Tribunal was otherwise comfortable with the merits of the proposal and directed a permit issue.				
23/11/2016	D/944/2015	704-706 Gilbert Road, Reservoir La Trobe	Construct a medium density housing development comprised of 10 dwellings over two (2) lots; and reduce the visitor car parking requirements associated with the dwellings	Refusal (contrary to officer recommendation) – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal was satisfied that the proposal presented an acceptable response to neighbourhood character and had acceptable off site amenity impacts but for impacts associated with parking and traffic movements on the adjoining neighbour. As a result, the Tribunal granted a permit subject to conditions requiring a significant redesign of the rear of the proposal to locate car parking there as opposed to proximate the adjoining dwelling.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

NOVEMBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
28/11/2016	D/602/2015	13 Dean Street, Preston Cazaly	Proposed medium density housing development comprising the construction of six (6) dwellings in a two (2) storey building and reduction of visitor car space to zero (0)	Refusal (contrary to officer recommendation) – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered that the physical and policy setting of the site meant that an increase in residential density was considerable. In reaching the view that the proposal was acceptable, the Tribunal considered that Council's Neighbourhood Character Study was in need of review – in fact the Tribunal found the proposal, through its design had addressed many characteristics of preferred future character and did not generate unreasonable off site amenity impacts that couldn't be addressed by way of condition. Finally, contrary to the Council decision, the Tribunal considered the proposal was not an overdevelopment of the land when regard was had to ResCode standards.				
30/11/2016	D/1037/2015	38 Mansfield Street, Thornbury Rucker	A medium density housing development comprising the construction of five (5) double storey dwellings and a reduction of car parking requirements	Refusal (contrary to officer recommendation) – Applicant appeal	Council's decision affirmed – No permit granted
Result	While it was not in issue that the site could support some form of redevelopment, it was the execution that was in issue. The Tribunal disagreed with the Permit Applicant's expert that the site was located in an area with only a few period homes. As such, the Tribunal was of the view there was a high degree of consistency in the streetscape. As such, the Tribunal was of the view neighbourhood character policy called for interpretation of valued character elements in a contemporary manner. When regard was had to the contemporary, rectilinear design of the proposal, the Tribunal concluded the proposal failed to interpret prevailing building forms (for instance, the proposal included cantilevered elements), roof forms, siting and external materials of the original period dwellings. The Tribunal was also critical of the poor landscaping opportunities offered by the proposal, as well as the internal amenity to be received by the reverse living dwellings.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

DECEMBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
8/12/2016 (Compulsory Conference)	D/1011/2012	195-209 St Georges Road, Northcote Rucker	Development of a 10 storey building comprising 168 dwellings, a supermarket (1500 square metres) and eight (8) shops and a reduction to the car parking requirement	Refusal (in line with Officer recommendation) – Applicant appeal	Compulsory Conference Vacated
Result	Prior to the Compulsory Conference, Council raised a legal issue (relating to the Metropolitan Planning Levy) that has the potential to result in the application for a planning permit being void. The Tribunal has sought the views of the Minister for Planning, who has until 21 December 2016 to make a submission to the Tribunal. Ultimately, the Tribunal determined the preliminary issue in favour of the Permit Applicant.				
8/12/2016	D/2/2016	72A Station Street, Fairfield Rucker	Construct and use a part six (6) and part five (5) storey building (plus ground floor mezzanine and including roof top communal terrace area, pergolas, lift, plant and equipment) associated with 20 dwellings, three (3) retail premises, a waiver of loading requirements and a reduction in car parking requirements to zero (0)	Notice of Decision (in line with Officer Recommendation) – Objector appeal	Council's decision varied – Permit granted
Result	The Tribunal granted a permit for the proposal on the basis it would provide housing and retail spaces consistent with what the Darebin Planning Scheme anticipates for the site. In particular, the Tribunal considered the design of the proposal to be a preferable outcome to the existing approved office building that could be constructed on site (and which has a similar built form to the proposal). As to the issue of the absence of car parking, the Tribunal was of the view the site had excellent access to public transport, access to an activity centre and nearby public open space. Further, the Tribunal noted Council was aware of issues in the vicinity of the site as a result of car parking – to that end the Tribunal was supportive of the condition agreed between the Applicant and Council requiring payment of a monetary security to do traffic surveys and establish restrictions, in future if required. The only change the Tribunal required to the application was a slight rephrasing of the monetary security condition as recommended by Council's own expert.				
14/12/2016	D/915/01 and CON/560/2015	1-9, 99 Helen Street, Northcote Rucker	Amend the permit to allow use of the 9 offices as dwellings with reduction in car parking and end the section 173 agreement which prevents the use of the 9 premises as dwellings	Failure Appeal (Council subsequently resolved to oppose in line with Officer Recommendation)	Council's decisions set aside – Permit amended and s173 directed to be ended
Result	The Tribunal was satisfied the section 173 agreement could be ended given that the use of the land for the purpose of dwellings is now as of right. In particular, it considered that no one would be disadvantaged by the ending of the agreement. In terms of the application to amend				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

DECEMBER 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
					the permit, the Tribunal considered it sufficient if a notation were placed on the plans requiring the room shown as an 'office' or 'store' to be used for the purpose of a study, home office or theatre, unless mechanical ventilation and borrowed light is installed in accordance with Building Code requirements. The Applicant was also successful in having the Tribunal order Council reimburse its filing fee. The Tribunal noted "the Council's failure to make a decision, the Council's deferral of the decision for no particular reason and the Council's failure to make a decision in a timely manner" led it to conclude the Applicant was entitled to be reimbursed.

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

DECEMBER 2016					
Date of Final Order	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
19/12/2016 (Original hearing in August 2016)	D/742/2015	384-388 St Georges Road, Thornbury Cazaly	Development of four (4) storey building comprising forty-one (41) dwellings and a car parking reduction.	Refusal - Applicant appeal	Interim Decision – 17 August 2016 Final Decision – Council's decision set aside – Permit Granted.
Result	<p>The Tribunal issued an interim decision giving the permit applicant an opportunity to lodge amended plans. In particular, the Tribunal was of the view that proposal could not be supported in its present form, but that a modified version could strike the right balance and be worthy of a permit. Some of the suggested changes the Tribunal has put to the applicant include meeting the 45 degree rear setback envelope, keeping the extent of basement excavation confined so as to allow for more landscaping and consolidation of a number of apartments that had poor internal amenity. The permit applicant has until 14 October 2016 to file and serve amended plans.</p> <p>Following receipt of the amended plans and further submissions from Council and a number of residents, the Tribunal considered that the proposal adequately responded to its Interim Decision and as a result was in a position to grant a permit for ultimately a 36 dwelling proposal; however it considered matters such as landscaping, waste management, screening, internal amenity and setbacks were now acceptable.</p>				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JANUARY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
9/01/2017	D/1102/2015	71 Miller Street, Thornbury Cazaly	A medium density housing development comprising the construction of six (6) double storey dwellings and a reduction of visitor car parking on land affected by a Special Building Overlay	Refusal (contrary to officer recommendation) – Applicant appeal	Council's decision set aside – Permit Granted
Result	The critical issue for the Tribunal in this instance was the tension between the site's designation as 'substantial change' (whereby increased housing densities are expected) viz a viz the policy objective of respecting neighbourhood character. The Tribunal formed the view that policy was explicit in establishing that if the Council were to meet its housing needs in substantial change areas (for instance), then less weight is given to neighbourhood character considerations. This, together with the Tribunal's view the proposal successfully integrated with the linear park and had no unreasonable off site amenity impacts led the Tribunal to grant a permit for the proposal.				
12/01/2017 & 7/02/2017	D/187/2015	305-307 Plenty Road, Preston Cazaly	Development of a five (5) storey building (plus basement) comprising 14 dwellings	Refusal (contrary to officer recommendation) – Applicant appeal	Interim Decision
Result	The Tribunal considered that in light of the site's physical and policy context, a 5 storey building was acceptable. The issue the Tribunal had was with the form of the proposal. As such, it issued an interim decision allowing the permit applicant an opportunity to lodge amended plans to address the Tribunal's concerns of minimal front setback and inappropriate height of walls on boundary. The Permit Applicant has indicated they intend to prepare amended plans.				
20/01/2017	D/1065/2015	9 Smith Street, Reservoir La Trobe	A medium density housing development comprised of the construction of five (5) dwellings, a reduction in the visitor car parking requirement	Refusal (contrary to officer recommendation) – Applicant appeal	Council's decision set aside – Permit granted
Result	The critical issue for the Tribunal was whether the proposal's reverse living typology was an acceptable fit in the neighbourhood. The Tribunal was satisfied reverse living was acceptable in this instance due to the site's context – in particular, the Tribunal was satisfied what had occurred 'on the ground' was not reflective of Council's preferred character statement. As such, the Tribunal was of the view site could accommodate the proposal.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

FEBRUARY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/02/2017 (Compulsory Conference)	D/319/2011/A	445-453 High Street & 1-13 Beavers Road, Northcote Rucker	Amendment so preamble reads: A mixed use development comprising a two - eight storey building (plus two basement levels) comprising 114 apartments, 3 shops, and a reduction to the car parking requirement	Failure Appeal (Council resolved to oppose in line with Officer Recommendation)	Council's decision set aside (by consent). Permit granted (by consent)
Result	The permit applicant was willing to make changes to address resident and Council concerns, as such all parties were in agreeance a permit could issue.				
22/02/2017 (Compulsory Conference)	D/400/2016	1056-1140 Plenty Road, Bundoora La Trobe	The construction of two or more dwellings on a lot in the MUZ; Buildings and works associated with the construction; reduction in statutory car parking requirement for visitor parking, construction of a front fence where associated with more than 2 dwellings on a lot and exceeds the maximum height of Clause 55.06-2	Failure Appeal (Council resolved to support in line with Officer Recommendation)	Council's decision set aside – Permit granted
Result	As the Council had resolved to support the application, the parties were able to enter into consent orders thereby avoiding the need for 4 days worth of hearings.				
22/02/2017	D/699/2015	34 Don Street, Reservoir La Trobe	Medium density development comprising the construction of three (3) double storey dwellings to the rear of the existing dwelling	Refusal - Applicant Appeal (Contrary to Officer Recommendation)	Council's decision affirmed – No permit granted
Result	While it was accepted the site was suitable for some form of redevelopment, it was the execution in this case that was fatal to the proposal. In particular, the Tribunal agreed with Council that the site did not have a high level of convenience to public transport – this meant that while change could be expected, it needed to be highly tempered and should fit comfortably into the neighbourhood. The 3 proposed double storey units, together with the existing double storey dwelling were considered by the Tribunal to be an unacceptable fit in terms of neighbourhood character, where double storey elements are located towards the street, as opposed to being in the rear of sites. The Tribunal was also critical of the poor landscaping opportunities, the limited articulation of the proposed units ground and first floors, insufficient upper storey setbacks and unbroken length of two storey form.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

FEBRUARY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
23/02/2017 (Compulsory Conference)	D/1011/2012	195-209 St Georges Road, Northcote Rucker	Development of a 10 storey building comprising 168 dwellings, a supermarket (1,500 square metres) and eight (8) shops and a reduction to the car parking requirement	Refusal - Applicant Appeal (in line with Officer Recommendation)	Matter did not settle.
Result	The matter did not settle at the Compulsory Conference, accordingly the matter is listed for hearing on 26 June 2017.				
28/02/2017 (Compulsory Conference)	D/1039/2015	658-664 High Street, Thornbury Rucker	A mixed use development comprising of ground floor office and shop tenancies and residential dwellings above, including a reduction in car parking	Failure Appeal (Council subsequently resolved to oppose in line with Officer Recommendation)	Council's decision set aside (by consent) – Permit Granted
Result	The Applicant was willing to make design changes to address Council concerns. As such, the parties were in agreement that a permit could issue.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

MARCH 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/03/2017 (Compulsory Conference)	D/374/2004/B	63-71 Plenty Road, Preston Cazaly	1. Construction of an 14 storey building (plus basement levels) 2. Use of the land for the purpose of two (2) shops and 85 dwellings 3. Reduction of the car parking requirements 4. Waiver of the loading bay requirement	Refusal - Applicant Appeal (in line with Officer Recommendation)	Matter did not settle.
Result	The matter did not settle at the Compulsory Conference, accordingly the matter is proceeding to hearing.				
22/03/2017	D/934/2015	254-256 Murray Road, Preston Cazaly	Development of seven (7) dwellings and a reduction to the visitor car parking requirement	Refusal - Applicant Appeal (Contrary to Officer Recommendation)	Council's decision set aside – Permit Granted
Result	The Tribunal considered the proposal was an acceptable response against Clause 22.09 – Preston Central Incremental Change which in turn encouraged 3 storey buildings to Murray Road. In terms of amenity impacts, the Tribunal was satisfied subject to a permit condition requiring a section demonstrating compliance with B17 to an adjoining property, the Tribunal could grant a permit.				
22/03/2017	D/400/2015	60 Burbank Drive, Reservoir La Trobe	A medium density housing development comprised of the construction of three (3) dwellings	Refusal - Applicant Appeal (Contrary to Officer Recommendation)	Council's decision set aside – Permit Granted
Result	Notwithstanding the site sat within a minimal change area, the unique characteristics of the site and design response of two single storey dwellings and one double storey dwelling meant the Tribunal was comfortable the proposal was an acceptable response to a minimal change area.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

MARCH 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
27/03/2017	D/319/2011/A	445-453 High Street & 1-13 Beavers Road, Northcote Rucker	Amendment so preamble reads: A mixed use development comprising a two - eight storey building (plus two basement levels) comprising 114 apartments, 3 shops, and a reduction to the car parking requirement	Failure Appeal (Council subsequently resolved to oppose in line with Officer Recommendation)	No longer required – settled at Compulsory Conference Permit Granted by Consent
Result	Permit granted by consent.				
31/03/2017 (Compulsory Conference)	D/939/2015	314-316 St Georges Road, Thornbury Cazaly	Use and development of the land for the purpose of a 5-storey development comprised of four (4) commercial tenancies, one (1) restaurant and 46 dwellings; a reduction in the car parking requirement and waiver of the loading bay requirement	Refusal - Applicant Appeal (in line with Officer Recommendation)	No longer required – application for review withdrawn by Permit Applicant
Result	Hearing no longer required.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

APRIL 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/04/2017	D/988/2015	2-4 Kelsby Street, Reservoir La Trobe	A medium density housing development comprising eight (8) double storey dwellings and a reduction of visitor car parking requirements	Refusal - Applicant Appeal (Contrary to Officer Recommendation)	Council's decision set aside – Permit granted
Result	The Tribunal considered the site's strategic and physical context lent itself towards achievement of urban consolidation goals, rather than respect of neighbourhood character due to the site's location adjacent a residential growth zone and proximity to shops and services (Reservoir Activity Centre). In respect of design and amenity impacts, the Tribunal was satisfied that these were acceptable and that the waiver of a visitor space was also acceptable.				
11/04/2017 (Compulsory Conference)	D/568/2015	1/72-74 Chifley Drive, Preston	Use of the land for the purpose of a Place of Worship and Indoor Recreation Facility	Notice of Decision (in line with Officer Recommendation) - Objector Appeal	Council's decision varied – Permit granted.
Result	The Applicant was willing to make design changes to address concerns of nearby businesses. As such, the parties were in agreement that a permit could issue.				
18/04/2017 (Not required)	D/1039/2015	658-664 High Street, Thornbury	A mixed use development comprising of ground floor office and shop tenancies and residential dwellings above, including a reduction in car parking	Failure Appeal (subsequently resolved to oppose in line with Officer Recommendation)	Council's decision set aside (by consent) – Permit Granted
Result	The Applicant was willing to make design changes to address Council concerns. As such, the parties were in agreement that a permit could issue.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

APRIL 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
24/04/2017 (Compulsory Conference)	D/478/2016	36 Kelsby Street, Reservoir La Trobe	Medium density housing development comprising the construction of six (6) double storey dwellings and a reduction in car parking (visitor space)	Refusal - Applicant Appeal (Contrary to Officer Recommendation)	Council's Decision Set Aside (By Consent) – Permit Granted
Result	The parties were able to reach agreement as to a suitable form of development and have requested VCAT make a consent order.				
28/04/2017	D/770/2015	33 Joffre Street, Reservoir	A medium density housing development comprising eight (8) double storey dwellings and reduction of visitor car parking	Refusal - Applicant Appeal (in line with Officer Recommendation)	Council's Decision Affirmed – No Permit granted
Result	When the Tribunal had regard to the physical and planning policy context for the site, as well as the design of the proposal, it considered the proposal's response to neighbourhood character is where it fell short. In particular, the Tribunal considered the extent of two storey built form throughout the depth of the site would be inconsistent with the predominant form and scale of the area. Further, the Tribunal considered the area had a prevailing character of open rear yards, and that the proposal's design response was inconsistent with this character.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

MAY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/05/2017	D/1046/2015	50 Regent Street, Preston Cazaly	Construct a medium density housing development comprising four (4) double storey dwellings	Failure Appeal – Since resolved to oppose	Council's decision set aside – Permit Granted
Result	The Tribunal considered the proposal was an appropriate response in its neighbourhood settings (noting that the site was on a corner to Regent Street which had a different character to Myrtle Grove), and that there would be no unreasonable off site amenity impacts on adjoining properties. Notwithstanding the reverse living typology in the proposal, the Tribunal specifically found such a typology acceptable in this instance as <i>inter alia</i> such a typology had already been approved in the area and that there was nearby parkland.				
3/05/2017	D/197/2016	42 Banff Street, Reservoir La Trobe	Construction of a medium density development comprising two (2) double storey dwellings and two (2) single storey dwellings	Failure Appeal	Council's decision set aside – Permit Granted
Result	In terms of neighbourhood character, while the proposal presented as a different response to the street (centralised driveway as opposed to side driveway), the Tribunal considered this an acceptable response that respected, but not replicated neighbourhood character. Further, with appropriate permit conditions, the Tribunal was satisfied that there were no unreasonable off site amenity impacts and that on site amenity was acceptable.				
8/05/2017	D/1083/2015	375 St Georges Road, Thornbury Rucker	Construction of a three storey mixed use development comprising a takeaway food premises and four (4) dwellings, a reduction of car parking and loading facilities and alteration of access to a road zone category 1	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision affirmed – No permit granted
Result	Notwithstanding that the permit applicant's representative later sought to give expert evidence on the proposal, the Tribunal was not satisfied that the design of the proposal was 'exemplary' to justify the grant of a permit on a relatively narrow site in the DDO16. In addition, the lack of information about the car stackers the Tribunal considered fatal to the proposal as the Tribunal could then not make an informed decision about impacts from the stackers.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

MAY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
9/05/2017 Compulsory Conference	D/465/2015	36-46 High Street, Preston Cazaly	Mixed use development comprising: - Buildings and works consisting of a 12 storey building (plus three (3) levels of basement and part mezzanine); - Use as 90 dwellings; - A reduction in the car parking requirement associated with use as 90 dwellings and two (2) retail premises; - Waiver of the loading/ unloading requirements associated with use as two (2) retail premises; on land affected by a Design and Development Overlay - Schedule 3 (DDO3)	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes to the design of the proposal to address Council concerns. Accordingly, the parties were in a position to request VCAT grant a permit by consent.				
29/05/2017 Compulsory Conference	D/900/2016	16-20, 29-35 Stokes Street and 15-19 Penola Street, Preston	29-35 Stokes Street, Preston: Medium density housing development comprising the construction of a three (3) storey building comprising 22 Units and reduction of the standard car parking requirement on land partly covered by a Special Building Overlay. 16-20 Stokes Street and 15-19 Penola Street, Preston: Housing development comprising the construction of a four (4) storey building and additional underground basement comprising 46 Units and reduction of the standard car parking requirement on land covered by a Development Plan Overlay and Special Building Overlay	Failure Appeal - Council was going to refuse the matter but a failure appeal was lodged prior to refusal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes to the design of the proposal to address Council concerns. Accordingly, the parties were				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

MAY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
	in a position to request VCAT grant a permit by consent.				
30/05/2017	D/478/2016	36 Kelsby Street, Reservoir La Trobe	Medium density housing development comprising the construction of six (6) double storey dwellings and a reduction in car parking (visitor space)	Refusal – Applicant Appeal	Not required – settled at Compulsory Conference
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JUNE 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/06/2017	D/643/2015	50-52 Wales Street, Thornbury Rucker	The construction of a medium density housing development comprising five (5) double storey dwellings, use of land for dwellings and a waiver of a visitor car space	Refusal (Contrary to Officer Recommendation – Applicant Appeal	Council’s decision set aside – Permit granted
Result	In light of the site’s designation as incremental change and the design response which proposed re-use of an original shop front building, the Tribunal considered the proposal was a comfortable fit into the site’s surrounds, with no unreasonable off site amenity or traffic impacts.				
5/06/2017	D/568/2015	1/72-74 Chifley Drive, Preston Cazaly	Use of land for the purpose of a Place of Worship and Indoor Recreation Facility	Notice of Decision – Objector Appeal	Matter resolved at Compulsory Conference – Hearing not Required
Result					
9/06/2017	D/404/2012	429 Heidelberg Road, Fairfield Rucker	Extension of Time (Grandview Hotel)	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council’s Decision Set Aside – Extension of Time Granted
Result	The Tribunal was satisfied it could grant an extension of time when regard was had to the unchanged planning policy in the scheme and physical context of the site, the total elapse of time since the grant of the permit, the economic burden and challenges of sourcing gaming machine entitlements and its opinion that if applied for today, a fresh permit would more likely than not be issued.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JUNE 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
14/06/2017	POD/3/2015	198 Beavers Road, Northcote Rucker	Development Plan: Development of the site to accommodate a mix of medium density dwellings (including townhouses and/or apartments)	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Not Required
Result	The Applicant withdrew their appeal to VCAT.				
19/06/2017	D/757/2015	8-10 Pellew Street, Reservoir Cazaly	Development of six (6) double storey dwellings and a reduction to the visitor car parking requirement	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal did not provide written reasons.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JUNE 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
22/06/2017 (Compulsory Conference) and 6/07/2017 (Compulsory Conference)	D/393/2016	Preston Market – 1C	(Stage 1C) Development of a 14-storey building comprising 170 dwellings and a reduction to the car parking requirement, as shown on the plans accompanying the application.	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Matter did not settle – Proceeding to hearing
Result					
22/06/2017 (Compulsory Conference) and 6/07/2017 (Compulsory Conference)	D/398/2016	Preston Market – 1B	Development of two (2) 10-storey buildings comprising a total of 130 dwellings, the relocation of the existing Aldi supermarket, offices, retail tenancies, a food and drink premises, a reduction to the car parking requirement and alterations to the existing vehicle access to Murray Road, as shown on the plans accompanying the application.	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Matter did not settle – Proceeding to hearing
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JUNE 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
26/06/2017	D/465/2015	36-46 High Street, Preston Cazaly	Mixed use development comprising: - Buildings and works consisting of a 12 storey building (plus three (3) levels of basement and part mezzanine); - Use as 90 dwellings; - A reduction in the car parking requirement associated with use as 90 dwellings and two (2) retail premises; - Waiver of the loading/ unloading requirements associated with use as two (2) retail premises; on land affected by a Design and Development Overlay-Schedule 3 (DDO3)	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Not required – Matter settled at Compulsory Conference
Result					
26/06/2017	D/1011/2012	195-209 St Georges Road, Northcote	Development of a 10 storey building comprising 168 dwellings, a supermarket (1,500 square metres) and eight (8) shops and a reduction to the car parking requirement	Refusal (in line with Officer Recommendation) - Applicant Appeal	Interim Decision
Result					
The Tribunal issued an interim decision giving the Applicant the opportunity to amend their plans in response to 23 concerns identified by the Tribunal. In addition, as part of the Tribunal's interim decision, it also required the reduction in height of the building by one storey, an increase to dwelling diversity, the RoW to the rear of the site being widened as well as treatments to the two uppermost levels to make them more recessive. The Applicant has until 11 August 2017 to advise the parties if they intend to circulate amended plans.					
27/06/2017	D/255/2016	24 Claude Street, Northcote	A medium density development comprising partial demolition of the existing dwelling and construction of two (2) double storey dwellings on land affected by a Heritage Overlay and a Design and Development Overlay and a reduction in the statutory car parking requirement	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	VCAT Decision Pending
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JULY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/07/2017	D/815/2015	22-24 Knox Street, Reservoir Cazaly	A medium density housing development comprising the construction of six double storey dwellings on land in the General Residential Zone Schedule 2	Refusal (Contrary to Officers Recommendation – Applicant Appeal	VCAT Decision Pending
Result					
4/07/2017	D/784/2015	666 Bell Street, Preston Cazaly	Construction of a three (3) storey building plus basement containing eight (8) dwellings	Refusal (Contrary to Officers Recommendation – Applicant Appeal	Council's decision set aside – Permit Granted
Result					
When regard was had for the robust environment of Bell Street, together with the site's General Residential Zoning, the Tribunal did not an issue with the concept of a 3 storey apartment building. What the Tribunal did require were changes to the built form of the proposal to make the uppermost storey more recessive, as well as changes to respect the adjoining heritage dwelling and to provide additional storage for the dwellings on site.					
10/07/2017	D923/2015	25 Gilbert Road, Preston Cazaly	Use and development of the land for the purpose of a four (4) storey development comprised of four (4) dwellings and a shop; a reduction in the car parking requirement	Failure Appeal – Subsequently resolved to oppose contrary to Officers Recommendation	Council's Refusal Affirmed – No permit granted
Result					
While the Tribunal was satisfied that the site could accommodate a four storey building and that the off site amenity impacts from the proposal were acceptable, the Tribunal considered the critical failings of the proposal were car parking arrangements (which sought to rely on street parking for some of its resident demand) and the level of internal amenity the dwellings were to receive (external to the site access to storage and bins was considered to be unacceptable).					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JULY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
12/07/2017	D/341/2016	2 Margaret Grove, Preston Cazaly	The construction of three (3) dwellings	Refusal (Contrary to Officers Recommendation – Applicant Appeal)	VCAT Decision Pending
Result					
17/07/2017	D/900/2016	16-20, 29-35 Stokes Street and 15-19 Penola Street, Preston Cazaly	29-35 Stokes Street, Preston: Medium density housing development comprising the construction of a three (3) storey building comprising 22 Units and reduction of the standard car parking requirement on land partly covered by a Special Building Overlay. 16-20 Stokes Street and 15-19 Penola Street, Preston: Housing development comprising the construction of a four (4) storey building and additional underground basement comprising 46 Units and reduction of the standard car parking requirement on land covered by a Development Plan Overlay and Special Building Overlay	Failure Appeal – Council subsequently resolved to oppose (Contrary to Officer Recommendation)	Hearing not required – Matter settled at Compulsory Conference
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

JULY 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
27/07/2017	D/173/2011	1091 Plenty Road, Bundoora La Trobe	Mixed use development comprising the construction of six buildings with basement parking comprising 250 dwellings, 150 Residential Hotel units (serviced apartments), restricted recreation facility (gym), food and drinks premises (excluding restaurant, convenience restaurant, tavern and Residential Hotel), liquor licence, reduction in dwelling visitor car parking requirement, reduction in loading and unloading requirement, removal of native vegetation and removal of water supply and sewerage easements in accordance with the endorsed plans	Section 87A Application – Council position of opposition	VCAT Decision Pending
Result					
31/07/2017	D/389/2016	20-22 Thackeray Road, Reservoir La Trobe	Construct a medium density housing development comprising the construction of eight (8) double storey dwellings, with a reduction in the standard visitor car parking requirement to zero	Failure Appeal – Council subsequently resolved to oppose (in line with Officer Recommendation)	VCAT Decision Pending
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

AUGUST 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/08/2017	D/410/2016	155 Gooch Street, Thornbury Rucker	Medium density development comprising the construction of three (3) double storey dwellings	Refusal (in line with Officers Recommendation) – Applicant Appeal	VCAT Decision Pending
Result					
9/08/2017	D/374/2004/B	63-71 Plenty Road, Preston Cazaly	1. Construction of an 14 storey building (plus basement levels) 2. Use of the land for the purpose of two (2) shops and 85 dwellings 3. Reduction of the car parking requirements 4. Waiver of the loading bay requirement	Refusal (in line with Officers Recommendation) – Applicant Appeal	VCAT Decision Pending
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

AUGUST 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
14/08/2017	D/393/2016	Preston Market – Stage 1C Cazaly	(Stage 1C) Development of a 14-storey building comprising 170 dwellings and a reduction to the car parking requirement, as shown on the plans accompanying the application.	Refusal (Contrary to Officers Recommendation) – Applicant Appeal	VCAT Decision Pending
Result					
14/08/2017	D/398/2016	Preston Market – Stage 1B Cazaly	Development of two (2) 10-storey buildings comprising a total of 130 dwellings, the relocation of the existing Aldi supermarket, offices, retail tenancies, a food and drink premises, a reduction to the car parking requirement and alterations to the existing vehicle access to Murray Road, as shown on the plans accompanying the application.	Refusal (Contrary to Officers Recommendation) – Applicant Appeal	VCAT Decision Pending
Result					

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

AUGUST 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
24/08/2017	D/630/2016	25 Kenilworth Street, Reservoir La Trobe	Medium density housing development comprising the construction of seven (7) double storey dwellings and a reduction in the standard car parking requirements (1 visitor space)	Failure Appeal (Committee opposition, in line with Officer Recommendation)	
Result					
28/08/2017	D/187/2015	305-307 Plenty Road, Preston Cazaly	Development of a five (5) storey building (plus basement) comprising 14 dwellings	Refusal (contrary to officer recommendation) – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered that the amended plans lodged by the Permit Applicant sufficiently addressed the concerns identified in its Interim Decision. As such, the Tribunal was satisfied a permit could issue.				

PLANNING COMMITTEE MEETING

11 SEPTEMBER 2017

SEPTEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
27/09/2017	D/601/2016	50 Bourke Street, Reservoir Cazaly	Construct a medium density housing development comprising three (3) double storey dwellings	Notice of Decision – Objector Appeal	
Result					
28/09/2017 (Compulsory Conference)	D/518/2016	607-617 High Street, Thornbury Rucker	Construct alterations to the existing building; Increasing patron numbers of the existing Hotel to 1050 (from 725 patrons); and Reduce the car parking requirements associated with the increase in the patron numbers	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	
Result					

Matters completed and to be heard to 30/09/2017

7. URGENT BUSINESS

8. CLOSE OF MEETING