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AGENDA

Planning Committee Meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 14 May 2018
at 6.00pm.

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Agenda

1. MEMBERSHIP

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Lina Messina (Deputy Mayor)

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

Cr Tim Laurence and Cr Trent McCarthy are 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 16 April 2018 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT 386-392 Bell Street Preston

Author: Town Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Buro Architects	Teresa Congiv	Buro Architects
		TTM Consulting
		Clive Steele Partners
		Energy Lab

SUMMARY

- It is proposed to demolish the existing buildings on the two lots that make up the site and construct a six (6) storey building plus a basement and a rooftop terrace.
- The proposal is a mixed use development with two (2) shops and a food and drink premises on the ground floor facing Bell Street, with a combined floor area of 339 square metres. A total of 39 dwellings are provided comprising 10 1-bedroom apartments, 25 2-bedroom apartments and four (4) 3-bedroom apartments.
- A total of 49 car parking spaces for both residents and staff will be provided within the basement, accessible via a crossover to Arthur Street.
- A total of 44 bicycle spaces are provided within the Arthur Street frontage and adjacent to the residential entry area.
- The site is zoned Priority Development Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay and the Heritage Overlay.
- There is no restrictive covenant registered on title for the subject land.
- Two (2) objections were received against this application.
- The proposal is considered to be generally consistent with the relevant objectives and standards of the Darebin Planning Scheme (the Scheme).
- It is recommended that the application be supported and a Notice of Decision be issued.

CONSULTATION:

- Public notice was given via three (3) 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, Asset Management Unit, City Works Unit, Capital Works Unit, Urban Designer, Environmentally Sustainable Design Officer and Heritage Advisor.
- This application was referred externally to VicRoads.

Recommendation

That Planning Permit Application on D/94/2017 be supported and a Notice of Decision to Grant a Permit be issued for:

- Demolition of the existing building at 392 Bell Street,
- Construction of a 6-storey (plus basement and roof top terrace) mixed use building (comprising two (2) shops, one (1) food and drink premises and 39 dwellings),
- Use of the site for the purpose of dwellings,
- Reduce the car parking requirements and
- Alteration of access to a road in a Road Zone, Category 1 on land affected by a Heritage Overlay, in accordance with the endorsed plans.

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 drawings A101 – TP5, A102 – TP4, A103 – TP4, A104 – TP4, A200 – TP4 and A300 – TP4 dated November 2017 and prepared by Buro Architects) but modified to show:
 - a) The gradients to the ramps of the shop premises nominated in accordance with Australian Standard 1428.1 and no steeper than 1 in 14.
 - b) Resident bicycle parking facilities to include a minimum of 20% of ground level (horizontal) bicycle parking devices.
 - c) All bicycle parking spaces dimensioned in accordance with Australian Standard 2890.3:2015.
 - d) The length of the 1:8 transition increased to 2.6 metres at the ramp grade change from 1:4 to flat or a ground clearance assessment to the satisfaction of the responsible authority.
 - e) The proposed Car Stacker Systems (Wohr Parklift 450-170 (320) and Wohr Parklift 450-200 (350)) clearly nominated.
 - f) Section plans updated indicating pit depths corresponding to the nominated car stacker system.
 - g) Confirmation of height clearances within the basement parking level to the satisfaction of the responsible authority.
 - h) A useable platform with of at least 2.4m achieved for all car stacker units.
 - i) Dimensions illustrating that the balconies to the following dwellings have a minimum area of 8 square metres with a minimum dimension of 1.6 metres:
 - First floor dwellings 1 and 4.
 - Second floor dwellings 1 and 4
 - Third floor dwellings 1 and 4.
 - j) External clothes lines to apartments 1-3 on the ground floor, 6-8 on the first floor and 1-5 on the fourth floor; to be located and/ or screened so as to be minimally visible from the public realm and adjacent properties.
 - k) Taps and floor wastes to all balconies as per the revised Sustainable Design Assessment (Refer to Condition No. 4 of this Permit).

- l) All environmentally sustainable design features referred to within the revised Sustainability Management Plan (SMP) listed in table form and any required modifications shown on the plans (Refer to Condition No. 4 of this Permit).
- m) A landscape plan in accordance with Condition No. 5 detailing landscaping along the property boundaries, common roof terrace and the private open space areas of the ground floor dwellings 1, 2 and 3.
- n) Any modifications in accordance with the approved Waste Management Plan (Refer to Condition No. 8 of this Permit).
- o) Details of a residential lobby entry feature that increases visibility and identification from the public realm.
- p) Car parking spaces notated as being allocated in accordance with Condition No. 20 of this Permit.
- q) Storage cages allocated to each dwelling.
- r) Details of electronically operated gates to secure the basement car park.
- s) Details of the proposed artistic treatment to the right of way.
- t) Any modifications in accordance with the approved acoustic assessment (Refer to Condition No. 9 of this Permit).
- u) A comprehensive schedule of external materials, colours and finishes (including colour samples). Construction materials are to be low maintenance. External materials and finishes (including glazing) are to be of a low reflectivity level. The use of painted surfaces must be minimised.

Annotated coloured elevations showing the location/application of the materials, colours and finishes must be provided.

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 the development starts, a revised Sustainable Management Plan (SMP) generally in accordance the document identified as Environmentally Sustainable Development V2, prepared by Energy Lab and dated October 2017 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. The document is to be revised as follows:
 - a) Gas hot water and cooking to be removed in favour of heat pump or efficient instantaneous electric.
 - b) Correct the site analysis to state that the entire site is impervious.

- c) BESS (Energy) – points are not to be claimed for clothes dryers.
- d) BESS - Replace solar hot water panels with additional PV panels.
- e) BESS - Inclusion of 1.5kW PV panel array consistent with the development plans.
- f) BESS (IEQ) – provide further information on windows and the vertical and horizontal sky angles. Clearly identify windows/doors that are being referred to.
- g) BESS – label all individual utility meters for residents and commercial tenants
- h) BESS (Water) – provide locational details for the 50sq.m of garden that is to be detailed. If irrigation is irrigation impractical, remove from proposal.
- i) BESS (Water 3.1) – this item conflicts with the proposed garden irrigation and so it to be modified.
- j) STORM – provide details on how 30% of all balconies will drain to the raingardens.
- k) BESS (NatHERS) – the cooling loads of some of the apartments are not acceptable as they are over 30MJ. Include more insulation and/or external shading.

The development must be constructed in accordance with the requirements/recommendations of the SMP to the satisfaction of the Responsible Authority.

Prior to the occupation of the development, a report from the author of the SMP Report, prepared by Energy Lab and dated October 2017 approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SMP Report have been implemented in accordance with the approved Plan.

5. 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) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown, commensurate with the size of planting area available.
 - 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 paving (such as pavers, brick, gravel, asphalt and concrete). Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) All constructed items including common terrace facilities.

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- h) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - i) An outline of the approved building/s, 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.
 - j) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - k) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
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. Waste storage and collection must be undertaken in accordance with the approved management plan prepared by TTM Consulting, dated December 2016 and amended June 2017, and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.
9. Before development starts, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:
- a) Noise emissions associated with the operation of surrounding and nearby non-residential uses and traffic do not impact adversely on the amenity of the dwellings.
 - b) The design and construction of habitable rooms of all dwellings limits internal noise levels to:
 - Not greater than 35dB(A) for bedrooms, assessed as an LAeq, 8h from 10pm to 6am.
 - Not greater than 40dB(A) for living areas, assessed LAeq, 16h from 6am to 10pm.
 - c) Noise emissions from the development (including the operation of plant, transmission of noise between dwellings, use of the lift and the use of the car park and car stackers) do not impact adversely on the amenity of dwellings within the development.
- The development must be constructed in accordance with the requirements/recommendations of the approved Acoustic Assessment to the satisfaction of the Responsible Authority.
10. Prior to commencement of any works, including demolition, a construction management plan must be submitted to and approved by the Responsible Authority and then carried out to the satisfaction of the Responsible Authority. The plan must provide for or include details of access, management and disposal arrangements during construction; methods to manage stormwater runoff; details of building materials recycling; construction parking; and the operation of any continuing uses on the land.
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11. Before the demolition starts, a professionally prepared and annotated photographic study (of archival quality) of the building must be submitted to the Responsible Authority as a record of the building. The survey must be prepared to the satisfaction of the Responsible Authority and must include:
 - a) Each elevation of the building;
 - b) The interior of the building;
 - c) architectural design detailing of the building; and
 - d) a statement prepared by an architectural historian describing and explaining both the design and construction of the building and the photographs.
12. The land must be drained to the satisfaction of the Responsible Authority.
13. 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 2010. 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.
14. All outdoor 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.
15. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the building entries, common hallways and basement must be provided on the land to the satisfaction of the Responsible Authority.
16. 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.
17. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
18. Before the development is occupied, 44 bicycle parking spaces must be provided on the land to the satisfaction of the Responsible Authority.
19. 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;
 - d) Drained;
 - e) Line-marked to indicate each car space and all access lanes; and
 - f) Clearly marked to show the direction of traffic along the access lanes and drivewaysto 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.
20. The car parking spaces are to be allocated as follows:
 - a) Two (2) car spaces to each shop;

- b) Two (2) car spaces for the food and drink premises;
 - c) One (1) car space for each 1- and 2-bedroom apartment; and
 - d) Two (2) car spaces for each 3-bedroom apartment.
21. The approved food and drink premises use is not to be used for a Hotel or Tavern.
22. The approved shop use is not to be used for an Adult Sex Product Shop, Department Store or Supermarket.
23. Before buildings and works start, a detailed Streetscape Improvement Plan, to the satisfaction of the Responsible Authority and VicRoads, must be submitted to and approved in writing by the Responsible Authority. The Streetscape Improvement Plan must be prepared by a suitably qualified person and must incorporate:
- a) A detailed plan showing the location, design and dimensions of all existing streetscape elements and location of proposed streetscape elements, including, all public right-of-ways directly adjacent to the frontage, building envelopes, street, median and footpath patterns and edge quality, driveways, crossovers and kerb lines, street trees, landscaping, street lighting, site furnishings, way finding and public signage and the relation of all elements to the proposed development. All proposed elements, access and walkability must be generally in accordance with the Preston Central Structure Plan – September 2006 (as amended) and the Green Streets Strategy 2013 to Council standard requirements.
 - b) A detailed schedule of all existing street trees. The genus, species, height and spread of all trees must be specified.
 - c) An existing feature level survey and plan indicating all services above and below ground. Conflicts of such services with all proposed items must be avoided.
 - d) Details of buildings directly adjacent to the development site.
 - e) A detailed schedule of all existing streetscape elements and assets including current condition, suitability and photograph.
 - f) Incorporation of Water Sensitive Urban Design principles such as passive irrigation tree pits, infiltration devices, permeable paving, improved drainage design, common trenches parallel to kerbs, closer alignment of services and increased landscaping opportunities.
 - g) A notation that all proposed elements will be in accordance with Darebin Standard Details.
 - h) Scale, north point and appropriate legend. Streetscape Improvement Plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
24. Before the development is occupied, streetscape improvements in the road reserve adjacent to the subject site must be completed by the owner/developer in accordance with the Streetscape Implementation Plan (Refer to Condition No 20 of this Permit) at the cost of the owner/developer. The streetscape improvements are to be generally in accordance with the 'Preston Central Structure Plan – September 2006 (as amended)' and the 'Green Streets Strategy 2013'.

VicRoads Conditions

25. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the occupation of the buildings hereby approved.

NOTATIONS

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

- 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.
- 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.
- 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.

- 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

There are two (2) historical planning permits for the portion of the site known as 386 Bell Street, reference PR3601 & PT3039 and these relate to use of the site as a medical centre.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land comprises two lots and is irregular in shape. It measures 32.00 metres along the western and 33.22 metres along the northern boundary, has a frontage width along Bell Street of 34.29 metres and 28.00 on Arthur Street. The total site area is approximately 1,048 square metres.
- The land is located on the northern side of Bell Street some 80 metres to the east of the intersection with St Georges Road.
- The site currently contains a single storey dwelling at 392 Bell Street and a single storey office building at 386 Bell Street. Site access is provided via two crossovers, one to Bell Street and one to Arthur Street. Existing vegetation is located within the setbacks of the buildings.
- To the west of the subject site is the Darebin RSL, a single storey, contemporary building setback approximately 5 metres from Bell Street and approximately 1 metre from the common boundary shared with the subject site. The building extends to the rear along the entire common boundary.
- To the north is a right of way and the car park of the Darebin RSL with vehicle access provided via crossovers to Arthur Street and a driveway continuing west towards other car parking areas of the RSL and St Georges Road.

- To the east across Arthur Street is a double storey Masonic Hall built to the Arthur Street frontage and setback approximately 2 metres from the Bell Street frontage.
- To the south is Bell Street with seven traffic lanes and a naturestrip separating east and west bound vehicular traffic. On the opposite side of Bell Street is a double storey commercial building and the intersection of Bell Street and Peter Street.
- The character of the area is mixed, with a multitude of different forms and scales of buildings present. Uses are generally commercially focussed; however there are a number of residential, civic and community uses in the immediate area.
- On-street parking restrictions of 2 hours apply to this part of Bell Street, outside of clearway times that are in force in the morning and afternoon. 1 and 2 hour parking restrictions apply along Arthur Street.
- The site has excellent access to public transport and is within walking distance of train stations, tram routes and bus routes, as illustrated in figure 1 below.
- There are a number of on-road bicycle lanes and shared paths, including the Northern Pipeline Trail, proximate to the site.
- The site is located within the Preston Central Activity Centre, which offers a diverse mix of commercial, cultural, civic and employment opportunities.

Figure 1 – Public Transport Access



Source: PTV website

Proposal

- The proposal seeks to demolish the existing buildings on the subject site and construct a six (6) storey mixed use building including two (2) shops, a food and drink premises and 39 dwellings.
- The proposed demolition of 392 Bell Street is notable as it is affected by a Heritage Overlay. The lot and office building located at 386 Bell Street are not affected by the Heritage Overlay.
- The basement is to provide for car parking and access, waste storage and residential storage areas.

- Two (2) shop tenancies and a food and drink premises are proposed on the ground floor along Bell Street with the residential entry lobby and vehicle access located on the Arthur Street frontage. Three (3) dwellings with courtyards are located to the north and west of the ground floor.
- Levels 1-5 comprise dwellings ranging in size from 1-3 bedrooms, all provided with balconies.
- The rooftop provides for a communal terrace with garden areas and roof top plant.
- 49 car parking spaces will be provided within the basement accessible via a crossover from Arthur Street.
- 44 bicycle spaces are provided within the Arthur Street frontage and in an enclosure adjacent to the entry area.
- The contemporary design utilises two (2) types of brick to the bottom four (4) storeys and colorbond cladding to the upper two (2) storeys. Additional design features comprise timber cladding to the ground floor facades, perforated metal and vertical louvers.

Objections summarised

- Traffic congestion in Arthur Street
- No visitor car parking
- Additional visitors utilising and parking in Arthur Street
- Delivery trucks to the shops utilising and parking in Arthur Street.

Officer comment on summarised objections

Traffic congestion in Arthur Street,

The applicant has submitted a Traffic Impact Assessment which estimates that the proposed development will generate some 41 vehicle movements during the peak hour or some 410 vehicle movements per day. The submitted report has been reviewed and the traffic movements assessed with reference to the RTA Publication "Guide to Traffic Generating Developments, October, 2002" and the level of additional traffic generation is not expected to adversely impact on the operation of the surrounding street network.

No visitor car parking

Additional visitors utilising and parking in Arthur Street

An assessment of the proposal against the car parking requirements of Clause 52.06 has been undertaken in the assessment section of this report.

Delivery trucks to the shops utilising and parking in Arthur Street.

The proposal does not include a loading bay. Given the size of the tenancies and the land area of the site, it is expected that loading events would only be minor and therefore could reasonably occur on-street or in the car parking spaces allocated to each tenancy.

PLANNING ASSESSMENT

The key matters for consideration in this application are:

- Planning policy support;
- Zoning;

- Built form response;
- Off-site impacts;
- On-site facilities and internal amenity; and
- Traffic and car parking matters.

Planning Policy Support

The starting point with respect to policy analysis is the State Planning Policy Framework. The comprehensive redevelopment gathers widespread support from State policy, in particular:

- Clause 9 gives statutory effect to *Plan Melbourne 2017-2050* which includes objectives for increased housing choice in location close to jobs and services, and encouraging development which contributes to a liveable city with a quality built environment.
- Clause 11 focuses investment and growth to metropolitan activity centres, and seeks to ensure sufficient land is available to provide for sustainable urban development that responds to forecast demand.
- Clause 11.06 furthers the above policy with particular focus on growth within the metropolitan Melbourne region.
- Clause 15 sets out urban design guidance to achieve a high quality built environment and public realm.
- Clause 16 encourages the efficient utilisation of urban land with housing provision to be directed to (among other locations) activity centres.
- Clause 17 encourages development which contributes to the retail, entertainment, office and other commercial services function of existing activity centres.

From the above, it is evident that the subject site is well located within an existing activity centre, is presently underutilised and therefore is suitable for redevelopment in a mixed-use function that contributes to housing delivery and the commercial focus of the centre.

The question therefore becomes one of execution and the form, scale and intensity of the redevelopment response. The provisions of the Local Planning Policy Framework provide further guidance on these matters.

Council's Municipal Strategic Statement ('MSS')

Council MSS provides the strategic guidance for the municipality and sets out (among other things) the provision of appropriate housing and local job opportunities through land supply for businesses as key future issues.

Activity Centres play a central role in the Strategic Framework Plan with the following noted at Clause 21.01 (extracted as relevant):

A key element in the future development vision for Darebin as places for urban intensification, taking advantage of capacity for development, existing facilities, access to employment and public transport services.

Consolidation of higher density residential uses in and around activity centres, at a scale appropriate to its role and physical context, is encouraged to support retail and commercial uses and provide a diversity of housing to meet community needs.

Structure plans provide detailed directions for land use and development for Darebin's larger activity centres, and are implemented in this Planning Scheme through various zone, overlay and local policy controls.

And with reference to Preston Central Activity Centre specifically:

One of largest 'traditional, multi-dimensional' activity centres in northern Melbourne and a major focus for business, shopping, community, culture and recreation. Land use and development is guided by the Preston Central Structure Plan.

Activities that maintain the regional significance of Preston Central and take advantage of opportunities for retail and residential activities in the centre at greater scale and intensity are encouraged.

Clause 21.03 sets out the strategic framework for housing delivery and nominates the subject site and surrounding area along Bell Street as one of Substantial Housing Change. Clause 21.03-1 provides the following description (extracted as relevant):

- *Residential, commercial and designated activity centres that have the capacity to accommodate substantial residential development over time. Substantial Change Areas will support increased residential densities and increased housing diversity. It is expected that the character of these areas will change substantially in the future...*

Capacity among Substantial Housing Change areas is, importantly, hierarchical. Preston Activity Centre is nominated as a first-tier area within the hierarchy. Furthermore, although not specifically nominated as such, the subject site satisfies the criteria of a 'Strategic Opportunity Site'.

With respect to housing development, the following objectives are set out:

To facilitate housing development that has an appropriate scale and intensity in locations across the municipality.

To achieve higher density housing outcomes in identified locations to accommodate Darebin's projected population growth.

To facilitate residential and mixed use developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity for residents.

Of particular relevance to the subject site, the following strategies are to be adopted:

In Substantial Housing Change Areas, encourage a variety of housing typologies at increased densities and to discourage underdevelopment, with the scale of development appropriate to precinct characteristics and context as identified by a structure plan or adopted policy of Council, and generally in accordance with the hierarchy of residential growth identified at Clause 21.03-1

Support a diversity of housing types, sizes, designs and configurations and support redevelopment at higher overall densities in Substantial Housing Change Areas and on Strategic Opportunity Sites, as identified in the Strategic Housing Framework Plan.

Discourage underdevelopment of areas that are identified as Substantial Housing Change Areas and on Strategic Opportunity Sites.

Encourage lot consolidation in Substantial Housing Change Areas, to facilitate increased densities, efficient use of land and to facilitate sustainable design outcomes.

Encourage housing development in the Preston Central, Northland East Preston, Northcote and Reservoir Activity Centres in accordance with Structure Plans and related zone and overlay provisions in this Planning Scheme.

Encourage new housing near retail and employment precincts and above ground floor level within these precincts.

Encourage greater housing densities and mixed use development along High Street, Plenty Road, St Georges Road and Bell Street.

Encourage multi-level, mixed use developments that incorporate contemporary designs, providing interesting architectural forms and creative urban design responses, including the development of landmark buildings that contribute to the distinctiveness and positive image of Darebin.

Ensure new housing is located so as to allow pedestrian access to local services, employment and facilities, including commercial areas.

In terms of economic development, the following objective is relevant to the retail function of the Preston Activity Centre:

To strengthen the established retail centres hierarchy in Darebin and the roles of the various activity centres and strategic development precincts in accommodating diverse and appropriate retail activities.

The above policy emphasises:

- The redevelopment of the subject site is encouraged at higher density;
- A mixed-use redevelopment comprising ground floor commercial along Bell Street and residential to the rear and above is appropriate in the activity centre context;
- The surrounding area is identified to undergo substantial change in the future; and
- The scale and intensity of the redevelopment must be appropriate to the physical and policy context of the Scheme, and have regard to the relevant structure plan.

Preston Central Structure Plan

Council's local policy gives effect to the Preston Central Structure Plan and relevantly seeks the following objectives:

- *To support and promote Preston Central as a major integrated sustainable centre of economic, social, community, civic and residential activity for Darebin and the northern region of Melbourne.*
- *To provide integrated, safe and convenient access to and circulation within Preston Central, with priority for walking, cycling and public transport.*
- *To ensure an attractive physical form, scale and character that expresses the role and function of Preston Central and strongly encourages positive outcomes for the natural environment.*

The document locates the subject site in Precinct I (Southern Gateway). It is described as follows:

The preferred future role and character of the Southern Gateway Precinct therefore involves substantial change to:

Mid-rise buildings (up to 6 storeys high) with consistent setbacks containing showrooms with apartments above facing Bell Street or apartments without frontage to Bell Street, except buildings (up to 3 storeys) between Garnet Street and High Street to protect the Bell Railway heritage to the south.

Buildings reducing in height away from Bell Street.

The proposal addresses the objectives, policies and strategies of the Preston Central Structure Plan as follows:

- The proposed development is a mid-rise building no less than 3 and no more than 6 storeys high on Bell Street.

- The development contains showrooms (shops) with dwellings above facing Bell Street or dwellings without frontage to Bell Street.
- It redevelops a site which is currently underutilised;
- The proposal improves the public realm at a prominent corner within the centre which is currently poorly resolved with negligible pedestrian amenity.

The applicant has agreed to conditions requiring the submission of a Streetscape Improvement Plan, and to carry out these streetscape improvements at their cost, and generally in accordance with Preston Central Structure Plan – September 2006 (as amended) and the 'Green Streets Strategy 2013' prior to occupation of the development.

Preston Central Incorporated Plan March 2007 (amended 2014)

The Preston Central Incorporated Plan March 2007 (amended 2014) is referred to in the requirements of the Structure Plan as well as under the zoning and therefore an essential document in assessing the suitability of a proposal on the subject site. The proposal complies with the Use and Development Objectives of the Preston Central Incorporated Plan as follows:

- The proposal strengthens and promotes the role of Preston Central as a social and economic attractor in the Northern region.
- The development is a multi-level mixed-use proposal (6 storeys) featuring retail and residential uses.
- The proposal exceeds the preferred minimum heights.
- The development provides residential development above ground floor level contributing to housing choice.
- The proposed uses, development, transport and movement outcomes integrate with adjoining precincts and the wider Preston Central Activity Centre.
- The contemporary design providing an interesting architectural form and creative urban design response.
- The active frontages and a high level of pedestrian amenity, in particular to Bell Street.
- The provision for safe, attractive and convenient bicycle use.
- The functional vehicle routes and parking areas responding to other transport modes and minimising conflict with pedestrians and cyclists.
- An environmentally sustainable design.

A mixed-use redevelopment in the format proposed is undeniably supported, conceptually, by both State and local policy. The critical question therefore relates to the acceptability of proposal's execution relative to the detailed provisions within the Scheme. These matters are set out below.

Zoning

The subject site is located in the Priority Development Zone – Schedule 2. It should be noted that under the zoning transitional provisions apply regarding the requirements of Clause 58:

Clause 58 does not apply to:

An application for a planning permit lodged before the approval date of Amendment VC136.

The application was lodged on the 20 February 2017 prior to the approval date of Amendment VC136 and therefore Clause 58 does not apply.

The objectives of the Schedule 2 to the Priority Development Zone are as follows:

- *To implement the Preston Central Incorporated Plan March 2007 (as amended 2014).*
- *To encourage intensive development and use of the land for retail, residential, office, entertainment, community and civic activity.*
- *To encourage high quality urban design that is responsive to the site's environs, provides active frontages, and facilitates built-form scale and design outcomes appropriate to a Principal Activity Centre.*
- *To provide opportunities for sustainable travel and increased use of public transport.*
- *To facilitate local accessibility and permeability throughout the centre.*

Land Use

The proposal generally complies with the envisaged land uses for the precinct in that it contains:

- Retail uses located at ground floor level facing Bell Street.
- Dwellings located principally above ground floor level.

Built form response

The key guidance with respect to built form matters is derived from Clause 15.01-2, Clause 22.06 and the Preston Central Incorporated Plan March 2007 (amended 2014).

Design and Materials

The mass of the building has been located centrally on the lot and is appropriate as the premises to the rear comprise car parking areas with no sensitive interfaces that might require further protection. Towards the corner the building has been highlighted through a strong robust form and variation in materials and colour.

The design is considered to be appropriately contemporary, addressing two (2) street frontages and utilising durable and high quality materials such as brick, timber and metal cladding. Void and solid elements have been provided to achieve a balanced design approach.

The proportions sufficiently address the pedestrian environment with a lower scale street edge and three-tiered module approach and provide for an attractive interface with the adjoining pedestrian paths allowing for passive surveillance.

Art work has been proposed towards the rear to minimise the potential for graffiti, further details of which will be required by way of condition. Building services have been nominated and integrated into the building design and are located centrally on the roof to be visually recessive. Further detail of the proposed materials and finishes will be required by way of condition.

Building height and setbacks

The Preston Central Incorporated Plan sets out the following height and setbacks for the Subject Site:

Buildings must meet the requirements of the Building Height and Setbacks Table below (6 storeys). The height limits exclude projections and plant or equipment areas.

Where building height is expressed as a number of storeys, the ground floor is expected to be up to 4 metres high. Storeys above ground are to be up to 3 metres high.

A storey does not include stairwells and lightwells that comply with the overall height requirements; or areas in addition to the storey definition above.

The podium element of a building should be 3-4 storeys.

For the subject site the above means a maximum building height (excluding basement) of six (6) storeys or 19.00 metres. The proposal has a maximum building height of six (6) storeys but is a total of 21.85 metres in height due to the roof top communal terrace. Plant and equipment areas, including the lift overrun and stairwells can exceed the height requirement, and so are excluded from this overall height as per the guidance in the Incorporated Plan.

Given that the additional 2.85 metres in height is limited to a small and centralised area of the building for lift and stair access to the proposed roof terrace, and as there are no sensitive uses on adjoining or nearby sites, the additional height is considered acceptable in terms of both appearance and amenity impact. The building height measures a maximum height of 19.35 metres to the top of the sixth floor and so the bulk of the building generally complies with the preferred height set out in the Incorporated Plan, albeit 350mm higher.

The document calls for dwellings to be set back 3-4 metres from the front boundary and other buildings to be set back no more than 2 metres. The top two storeys of a 6 storey building are to be set back at least 3 metres from the storey below.

The proposed setbacks have adopted the required approach with the ground floor proposed to be built to the southern and eastern boundaries to provide for an active frontage and with upper floor dwellings set back from Bell Street by 3 metres, increasing to 6 metres for the upper two (2) storeys (level 4 and 5). Overall, the design presents as a strong pedestrian level and podium, with recessive upper levels.

Street address

The ground floor shops have been designed so that either two (2) small or one (1) large premises can be provided, allowing for flexibility that can respond to market demand. The ground floor shops and food and drink premises are generally built to the frontage, save for areas for ramp access and outdoor seating, and so successfully portray an active frontage to Bell Street, that wraps around to Arthur Street.

The entry to the residential component is appropriately provided via the secondary Arthur Street frontage and the entry lobby, providing for mail services and seating, directs visitors to the lift and stair entry within the centre of the ground floor. A sense of address for the residential component is identified by way of a break in the built form on the eastern elevation, with balconies on upper floors designed to line up with the ground floor pedestrian entry. Landscaping and a stylised street number have been provided to assist in the identification of the residential entry, however further details of a modified entry are required in order to ensure that a sense of address is promoted. Overall, the entry provides a safe interface to the public realm with no obscured recesses. Landscaping is provided as part of the proposal and a landscape plan will be required subject to any approval.

Lot consolidation and dwelling diversity

The proposal is located over two (2) lots and achieves a good design outcome by maximising the development potential of land within an activity centre, as envisaged under state and local policy. In addition to that the proposal comprises the provision of a diverse mix of dwellings with one (1), two (2) and three (3) bedroom dwellings present.

Heritage

The application requires the demolition of the existing buildings on site and has been accompanied by a structural engineers report and a heritage assessment which indicated that the existing dwelling, which is affected by a Heritage Overlay, is beyond reasonable repair. The information has been reviewed by Council and is agreed that, due to the poor condition of the building, it is acceptable for it to be demolished. A condition of approval will require an archival quality annotated photographic study to be submitted to Council as a record of the building.

Off-site impacts

Direct amenity impacts

The subject site abuts Darebin RSL and associated car parking to the west and across the right of way to the north and a Masonic Hall is located on the opposite side of Arthur Street to the east. Consequently, there are no direct sensitive abutments; and hence no direct amenity impacts that require mitigation.

A uniform 4.5 metre setback to the west-facing apartments achieves on and off-site amenity benefits (discussed below).

Equitable Development

The subject site abuts two (2) potential development sites to its northern and western boundaries, albeit currently occupied by Darebin RSL.

To the west, the proposed building is constructed to the common boundary on the ground floor with the upper storeys having a 4.5 metre setback from the common boundary. This configuration would allow for a reciprocal arrangement to be provided on the neighbouring site, allowing for a continuation of the street edge along Bell Street, and a 9.0 metre separation (balcony-to-balcony) to avoid overlooking screens to balconies and habitable room windows. This interface is acceptable as it promotes equitable development opportunities.

To the north, a 3 metre wide laneway abuts the subject site. Any development to the north could only be built to the common boundary along the northern edge of the laneway. This 3 metre setback could be reciprocated to the north so, along with the right of way, a 9 metre setback could also be achieved, again reducing the need for screening to reduce overlooking from windows and balconies.

On-site facilities and internal amenity

Building Facilities and Services

The proposed development provides a range of features, facilities and services that contribute to the building's amenity offering:

- Consolidated residential entry with lift access;

- Appropriately proportioned communal corridors with passing/refuge areas;
- Waste chutes servicing all floors of the building;
- A generous communal open space area accessible to all residents; and
- Individual storage cages for each dwelling, to be allocated by way of condition.

Apartment Internal Amenity

The proposed dwellings provide a good level of internal amenity to future occupants for the following reasons:

- All bedrooms and living areas are provided with direct access to daylight and ventilation.
- Daylight modelling has been provided demonstrating appropriate daylight factor to habitable spaces.
- The layout avoids the need for additional screening techniques, thus maintaining outlook, and setbacks futureproof balcony amenity as discussed under equitable development above.
- South-facing apartments are generally provided with shallower floorplates to improve daylight penetration and have access to a light well to the north.
- A high proportion of dwellings benefit from a dual-aspect layout.
- Cross-ventilation is available to many of the dwellings.
- Many dwellings are provided with balcony spaces in excess of the minimum requirements in terms of area and/or dimension, and a condition will ensure compliance with relevant Rescode requirements for those dwellings with 9 square metre balconies.
- A generous communal open space has been provided on the roof of the building.
- Adjustable louvers have been provided to address and manage heat gain.
- The ground floor dwellings will face boundary fencing and so a condition of approval will require landscaping details so as to improve amenity to these spaces.
- A condition of any approval will require an acoustic assessment to ensure that the design and construction of dwellings is not detrimentally affected by road noise from Bell Street or from plant and infrastructure that services the development.

Environmentally Sustainable Design (ESD)

The applicant has provided a Sustainable Management Plan (SMP) in accordance with the requirements at Clause 22.12 of the Scheme, setting out the performance of the proposed development. The sustainable design features proposed include:

- Fixed shading devices to the north facing windows and glazed doors and operable shading devices to the west facing glazed doors.
- Double glazing to all windows and glazed sliding doors for thermal and acoustic comfort of residents.
- Bicycle parking for both residents and visitors located at ground level in a dedicated storage area to minimise the interaction between cyclists and cars.
- The provision of a PV panels.

- 20,000L shared rainwater tanks collecting rainwater from the metal-deck roofing area servicing sanitary flushing system within the development, watering gardens in planter boxes / gardens, bin wash out (bin store area), external wash-down services, emergency services storage.
- FSC approved timber sourced from suppliers who provide plantation timber product.

The SMP and accompanying BESS Assessment as considered generally satisfactory, subject to modification/clarification on a number of matters and as requested via conditions.

Traffic and car parking matters

Car Parking Provision

The proposed development generates the following statutory car parking demand as per Clause 52.06-5 of the Scheme:

Use	Rate	Number / Area	Requirement
Dwelling	1 to each 1&2 bedroom dwelling	12 x 1 Bedroom dwellings	12
	2 to each 3 bedroom dwelling	24 x 2 Bedroom dwellings	24
		4 x 3 bedroom dwellings	8
Dwelling Visitor	1 space to each 5 dwellings	40	8
Food & Drink Premises	4 spaces to each 100 square metres net floor area	117square metres	4
Shop		Shop 2 69 square metres	2
		Shop 3 125 square metres	5
Total Requirement			63

The applicant seeks a reduction of 14 as they have proposed 46 resident and 3 staff car parking spaces for a total of 49 car parking spaces.

It is considered more appropriate to reallocate the car parking to residents, with 2 spaces per 3 bed dwelling (total 8) and 1 space per 1 & 2 bed dwelling (total 35), with 2 spaces to each of the shops and food and drink premises to be used by staff, noting that residential visitors and customers would find it difficult to access a secure basement to park their vehicles.

The overall reduction is acceptable for the following reasons:

- The site has excellent access to public transport infrastructure, including trains, trams and buses, and the use of public transport is considered a viable alternative to private motor vehicle use in this location.
- The Northern Pipeline Bicycle Trail, which connects to State Route 46 with dedicated bicycle lanes, forms one of the major cycling routes into the CBD and is proximate to the site.

- Based upon the provisions of the Scheme, the site has an existing parking requirement of 21 parking spaces. 6 on-site parking spaces are currently provided, thus the existing site has a shortfall of 15 parking spaces against the requirement of the Scheme. The current proposal is seeking a 14 space shortfall against the requirements of the Scheme.
- The food and drink premises and shops will generate a mix of short and long term parking demand. The long term parking demand for staff will be in the order 1 space per 100 square metres, thus an on-site provision of 6 spaces for the commercial tenancies is considered acceptable. The remaining parking demand generated by the commercial uses will be from customers and therefore short term in duration. Thus it would be reasonable to expect this demand will be accommodated on the streets nearby to the site.
- The sites proximity to public transport, the Preston Activity Centre and walking and cycling routes justifies a reduction of parking.
- The provision of a reduced number of staff spaces per tenancy is considered appropriate given the size of the shops and food and drink premises.
- The residential component is expected to generate up to six (6) visitor parking spaces based on surveys of similar developments which determined peak visitor parking demands of around 0.12 spaces per dwelling. The reduction in residential visitor parking is supported on the basis that visitor parking demands associated with the residential component of the development will typically peak during weekday evenings and during the afternoon to evening period on weekends, with very small demands anticipated during the day on weekdays, when the peak customer parking demands associated with the commercial tenancies is expected.
- Any overspill of parking can be readily accommodated within available on-street parking areas and would not be considered to represent any adverse impact upon the amenity of the surrounding area, noting the long-term parking demands associated with residents and staff will be accommodated on-site.
- Adequate bicycle parking is provided on site (see below).

Car Parking Design

The proposed car parking layout is generally acceptable, or can be conditioned to comply with the relevant requirements as follows:

- Car parking spaces and aisle width are provided in accordance with Clause 52.06-9 – Design Standard 2. Swept path diagrams demonstrate convenient ingress/egress;
- The applicant has prepared a vertical clearance diagram which confirms sufficient height clearance along the accessway, with a minimum headroom clearance of 2398mm.
- The basement parking aisle has not been extended 1.0m beyond the last parking space as per 2.4.2(c) of AS2890.1:2004. Nevertheless the swept paths prepared by the applicant confirm that vehicles can adequately access the end parking space.
- One (1) accessible space is provided and dimensioned in accordance with AS2890.6:2009;
- All ‘standard’ parking bays have been widened by 300mm where they are bounded by a wall or fence as per 2.4.2(c) of AS2890.1:2004.
- Ramp gradients are generally acceptable; however bottoming can occur between 1:8 and 1:4 changes of 2.0 metres. A condition will require either bottom clearance analysis or the 1:4 grades to be extended to 2.6 metres.

- Mechanical parking will be utilised and subject to conditions included in the recommendation provide an adequate form of parking spaces.
- A condition will require details of an electronic gate that ensures the basement car park can be kept secure.

Traffic Impact

The applicant has submitted a traffic analysis of the proposed development indicating 410 vehicle movements, 41 of which are during peak periods. This increase in vehicle movements via the Arthur Street access is considered to be an acceptable increase and will not adversely impact the operation of the local or state arterial road network.

Loading / Unloading

No loading bay is proposed, however given the size of the food and drink premises and shops, it is expected that loading events will be minor and infrequent and therefore able to be appropriately carried out on-site or on-street.

Bicycle Parking

The proposal generates the following statutory bicycle parking requirements:

Use	Rate		Employee / Resident Requirement	Visitor / Shopper Requirement
	Employee / Resident	Visitor / Shopper		
Dwelling (four or more storeys)	1 resident space to each 5 dwellings	1 visitor space to each 10 dwellings	8	4
Food & Drink Premises	1 to each 300square metres	1 to each 500 square metres	0	0
Shop (>1000 square metres)	1 to each 600 square metres	1 to each 500 square metres	0	0
Total Requirement			9	6

The applicant has proposed to provide 44 bicycle parking spaces, including 40 resident spaces and 4 visitor bicycle parking spaces. This is a significant oversupply of bicycle parking when measured against the requirements of the Scheme, and is therefore acceptable.

The bicycle parking provided is in a range of configurations including at-grade and hanging style racks.

The applicant proposes to provide the resident bicycle parking within a secure lockable compound on the ground floor accessed directly from Arthur Street. An additional access is provided to the lobby. 31 bicycle parking spaces will be provided using a 'Ned Kelly' type wall-mounted rack with the remaining 9 bicycle spaces provided as a floor-mounted 'Flat-Top' rail.

Conditions of approval will require the bike parking facilities to be designed to include a minimum of 20% of ground level (horizontal) BPDs (Bike Parking Devices) This is to provide for those riders unable to lift a bicycle to a hanging BPD, and for parking of non-standard bicycles in accordance with Australian Standard 2890.3:2015. Therefore the applicant is recommended to provide a total of eight (8) ‘Flat-Top’ rails.

In addition to the above, the applicant proposes four (4) Flat-Top bicycle rails for visitors located outside the secure resident bicycle parking compound.

A condition will require that all bicycle parking spaces must be dimensioned in accordance with Australian Standard 2890.3:2015 subject to condition.

Waste Management

The applicant seeks to rely on private contractor collection for both residential and commercial waste. Given the scale of the development and accessibility, this is the most appropriate means of collection and the submitted waste management plan is considered acceptable and is to be secured by way of condition.

REFERRAL SUMMARY

Department/Authority	Response
Capital Works	No objection, subject to condition included in recommendation
Transport Management and Planning	No objection, subject to conditions included in recommendation
Asset Management	No objection, subsequent changes to plans have been undertaken following initial comment.
City Works	No objection.
Urban Designer	No objection, subsequent changes to plans have been undertaken following initial comment.
ESD Officer	No objection, subject to conditions included in recommendation
Heritage Advisor	No objection.
VicRoads	No objection, subject to a condition included in recommendation

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Priority Development Zone – Schedule 2 (Clause 37.06-1) – Dwelling use located on ground floor.
- Priority Development Zone – Schedule 2 (Clause 37.06-4) – Construct a building or construct or carry out works.
- Heritage Overlay (Clause 43.01-1) – Demolition, construction a building and construction and carrying out of works.
- Car Parking (Clause 52.06-3) – Reduce the number of car parking spaces required under Clause 52.06-5.

- Land Adjacent to a Road Zone, Category 1 (Clause 52.29) – Alter access to a road in a Road Zone, Category 1.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 11.06-2, 15.01, 15.02, 15.03-1, 16.01, 18.02-5, 19.03-1
LPPF	21.02-3, 21.02-4, 21.03-2, 21.04-3, 21.05, 22.06, 22.12
Zone	37.06
Overlay	43.01, 45.06
Particular provisions	52.06, 52.29, 52.34
General provisions	65.01
Neighbourhood Character Precinct	N/A

POLICY IMPLICATIONS

Environmental Sustainability

The application is accompanied by a Sustainability Management Plan (SMP) outlining sustainable design features included as part of the proposal.

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

RELATED DOCUMENTS

- Preston Central Incorporated Plan March 2007 (amended 2014)
- Darebin Planning Scheme
- *Planning and Environment Act 1987*

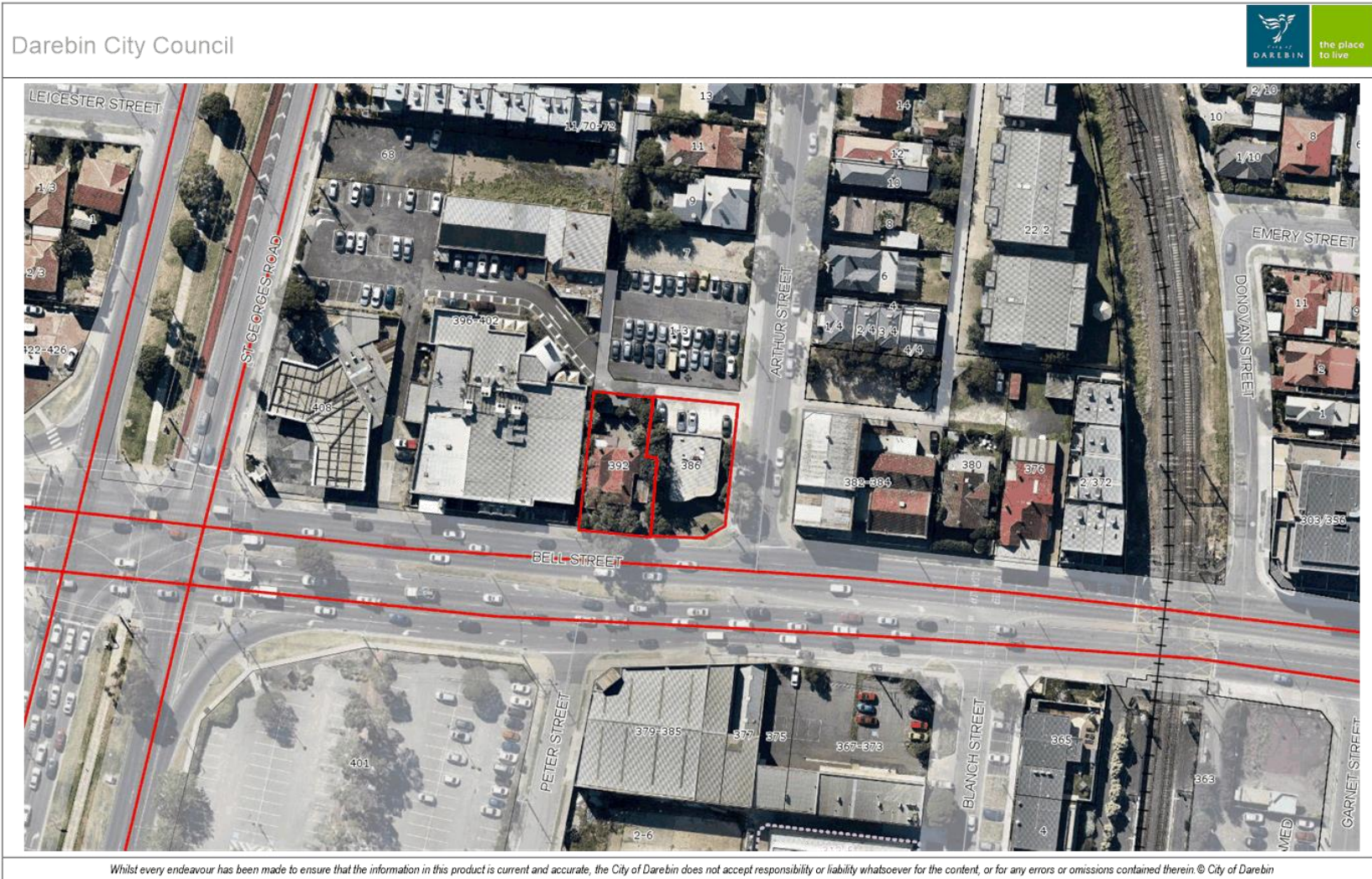
Attachments

- Aerial Photo (**Appendix A**) [↓](#)
- Advertised Plans (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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



386-392 BELL ST PRESTON

A000 - TP4	DRAWING INDEX AND EXISTING CONDITIONS	1:1, 1:200, 1:...
A000 - TP4	NEIGHBOURHOOD PLAN	1:200
A101 - TP4	BASEMENT & GROUND LEVEL FLOOR PLAN	1:100
A102 - TP4	LEVEL ONE & TWO FLOOR PLAN	1:100, 1:200
A103 - TP4	LEVEL THREE & FOUR FLOOR PLAN	1:100
A104 - TP4	LEVEL FIVE FLOOR & ROOF PLAN	1:100
A200 - TP4	ELEVATIONS	1:100
A200 - TP4	SHADOW STUDIES & SECTION	1:250, 1:100
A201 - TP4	SHADOW STUDIES	1:250

DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT
Application No: D/14/2017
Date: 06 December 2017
Document No: 1 of 9
Page: 1 of 9

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HATCHING INDICATES EXTENT OF DEMOLITION OF BUILDINGS ON SITE

EXISTING CONDITIONS AND DEMOLITION
1:200

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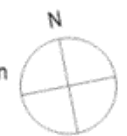
NOTES

DATE	NO.	DESCRIPTION	BY
19/11/17	TP4	DRAWING AMENDED FOLLOWING TP COMMENTS	ME
14/09/17	TP2	DRAWING AMENDED FOLLOWING TP COMMENTS	ME
02/07/17	TP1	ISSUED FOR TOWN PLANNING REPORT APPLICATION	ME

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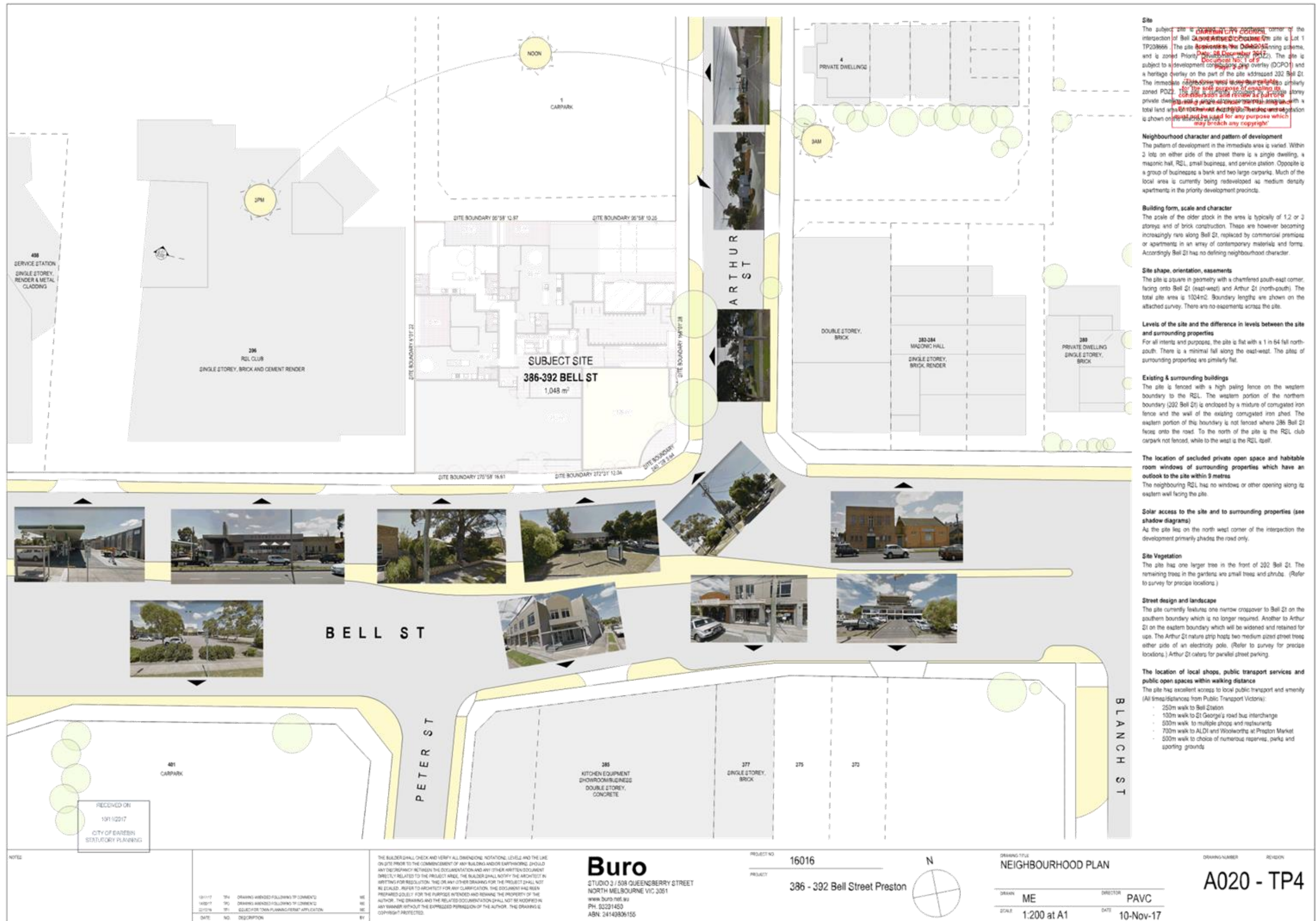
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PROJECT 386 - 392 Bell Street Preston

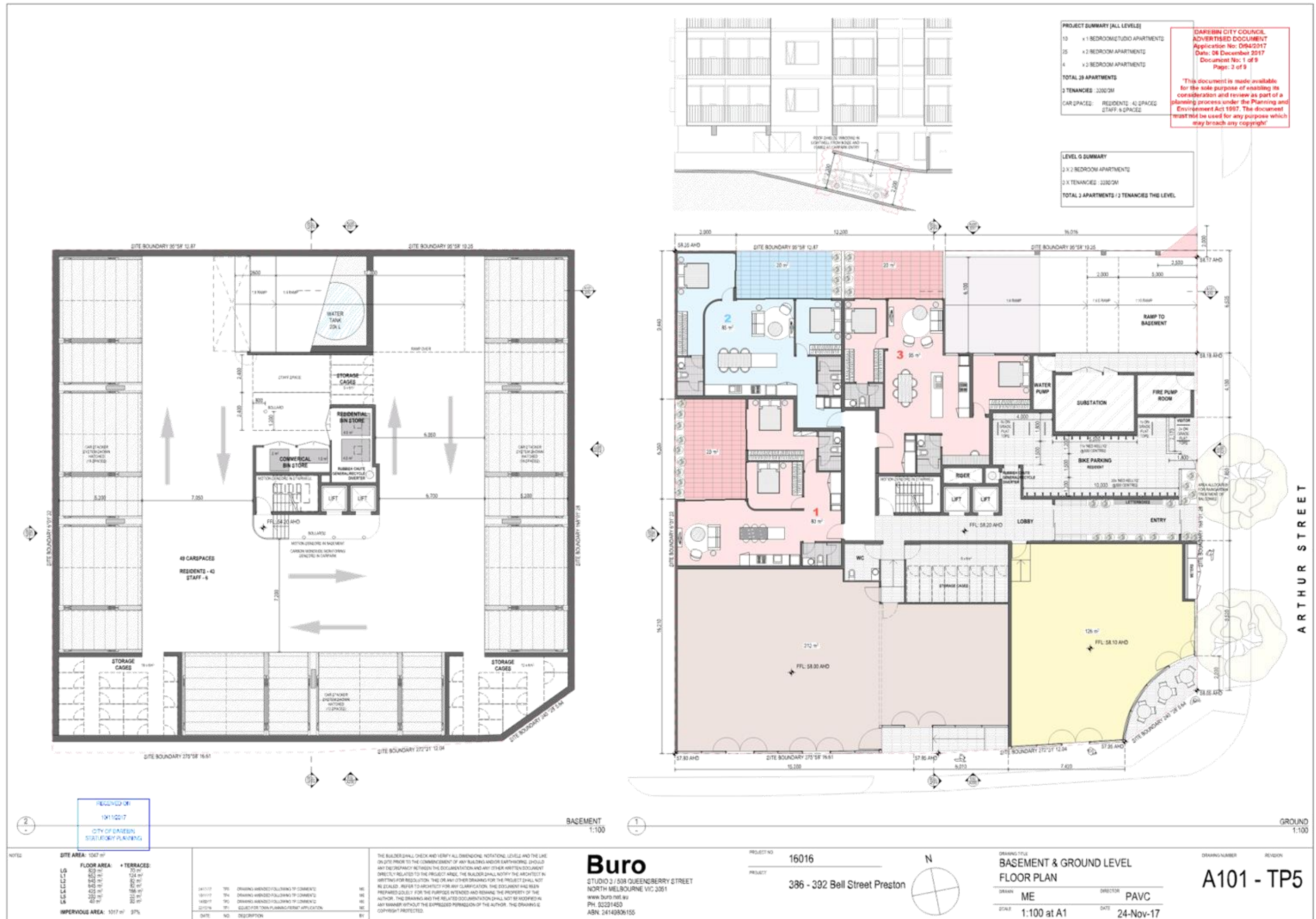


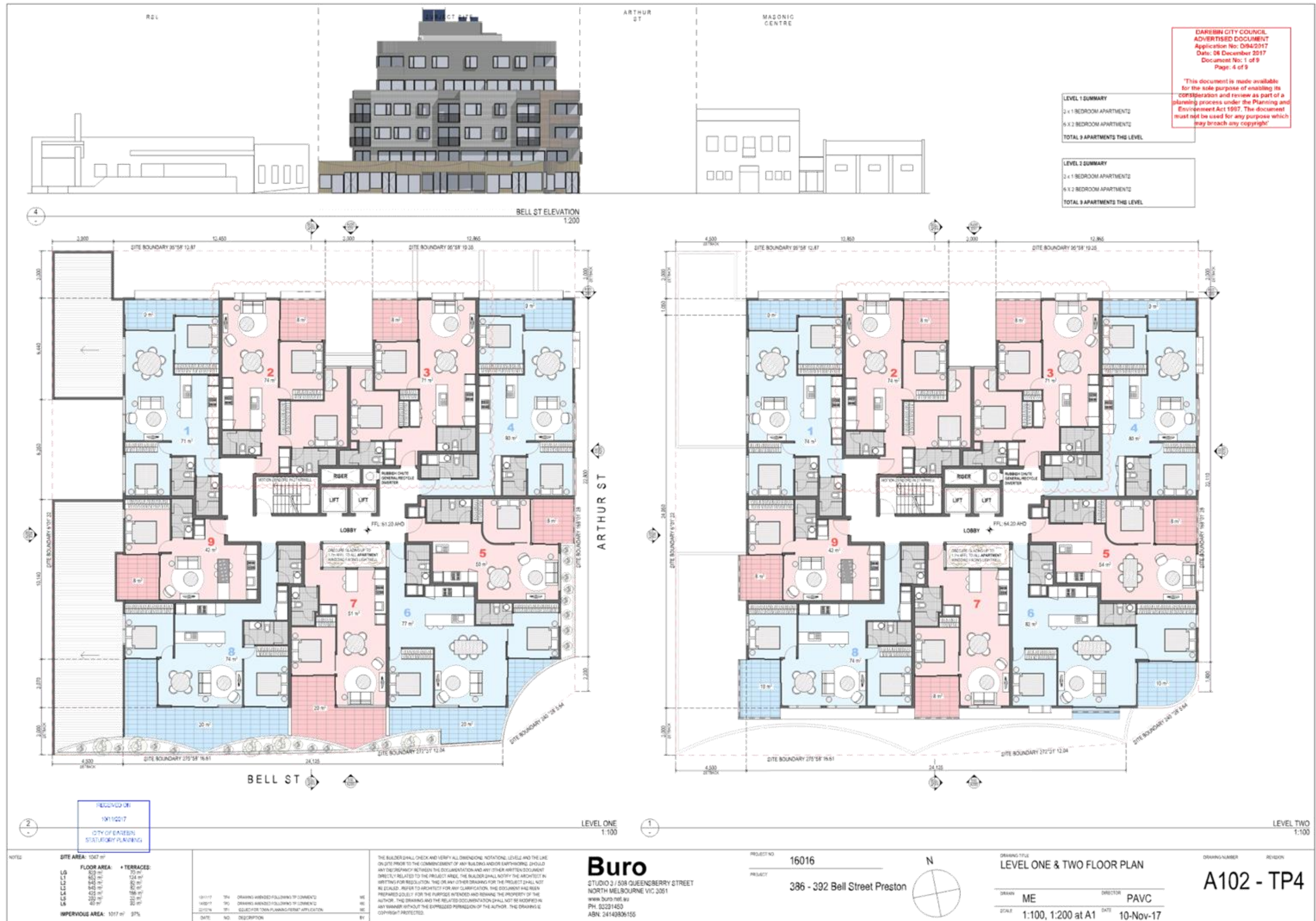
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DRAWING INDEX AND EXISTING CONDITIONS

DRAWN ME DIRECTOR PAVC
SCALE 1:1, 1:200, 1:0.31 at A1 10-Nov-17

DRAWING NUMBER
A000 - TP4







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 Application No: D184/2017
 Date: 06 December 2017
 Document No: 1 of 9
 Page: 5 of 9

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LEVEL 3 SUMMARY
 3 x 1 BEDROOM APARTMENTS
 6 x 2 BEDROOM APARTMENTS
 TOTAL 9 APARTMENTS THIS LEVEL

LEVEL 4 SUMMARY
 1 x STUDIO
 2 x 2 BEDROOM APARTMENTS
 2 x 3 BEDROOM APARTMENTS
 TOTAL 5 APARTMENTS THIS LEVEL



LEVEL THREE
 1:100

LEVEL FOUR
 1:100

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 STATUTORY PLANNING

NOTES

	SITE AREA: 1047 m ²	FLOOR AREA: + TERRACES:
LG	829 m ²	70 m ²
L1	842 m ²	124 m ²
L2	842 m ²	82 m ²
L3	842 m ²	82 m ²
L4	842 m ²	156 m ²
CS	332 m ²	32 m ²
CB	48 m ²	32 m ²
	IMPERVIOUS AREA: 1017 m²	97%

NO	DATE	NO	DESCRIPTION	BY
13/11/17	13/11/17	13/11/17	DRAWING AMENDED FOLLOWING TP COMMENTS	ME
14/01/17	14/01/17	14/01/17	DRAWING AMENDED FOLLOWING TP COMMENTS	ME
22/07/16	22/07/16	22/07/16	SCALE FOR TOWN PLANNING APPLICATION	ME

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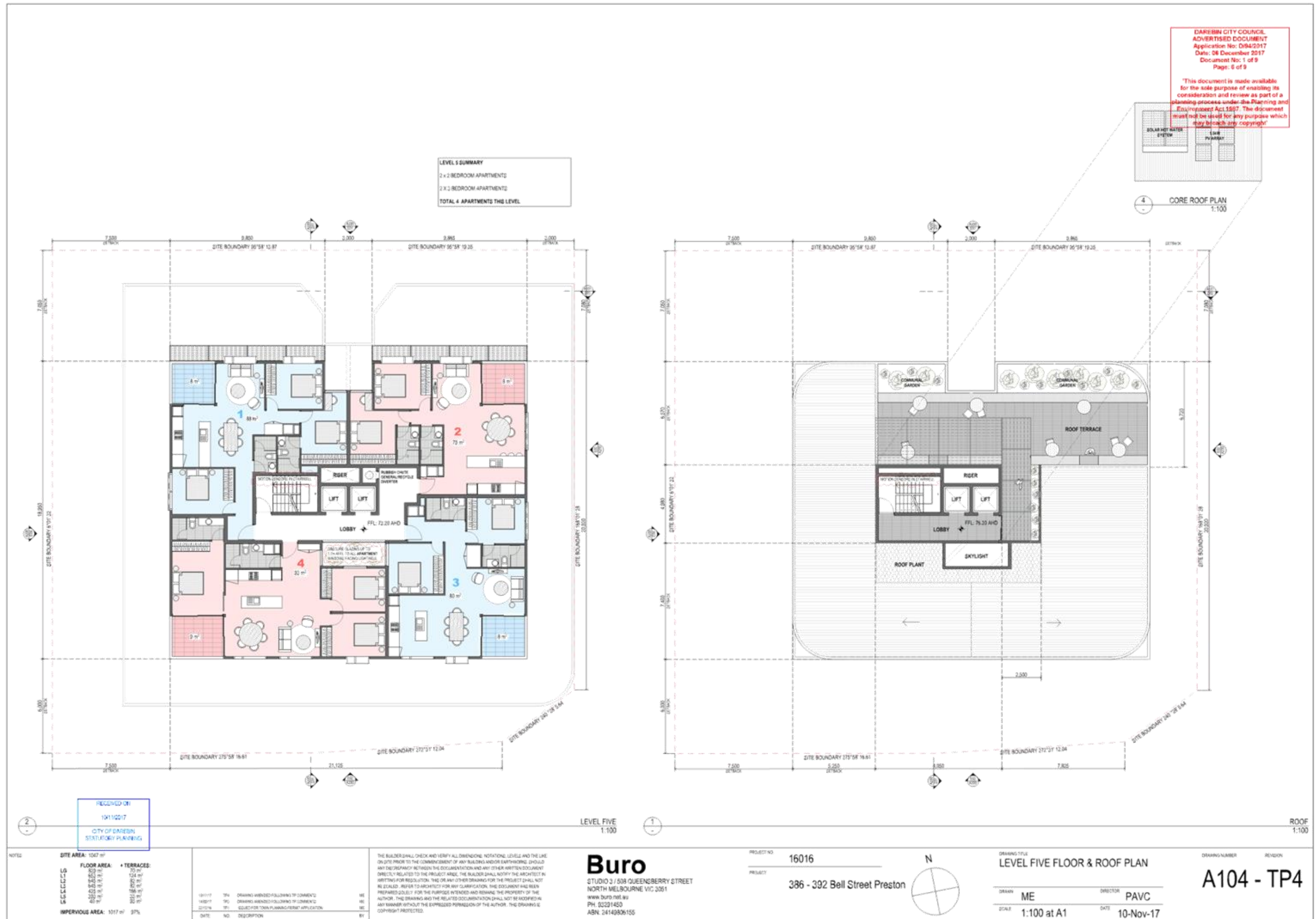
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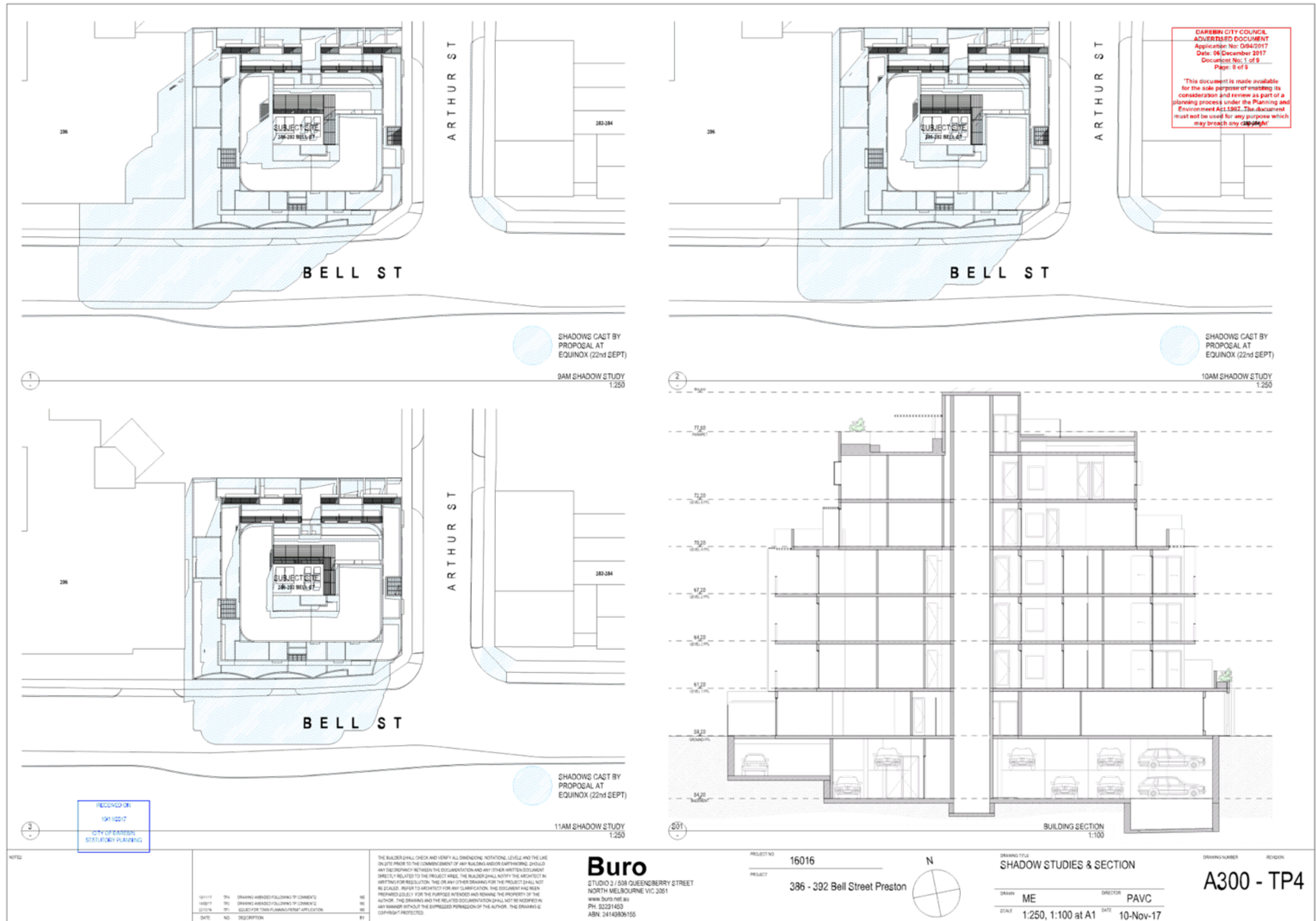


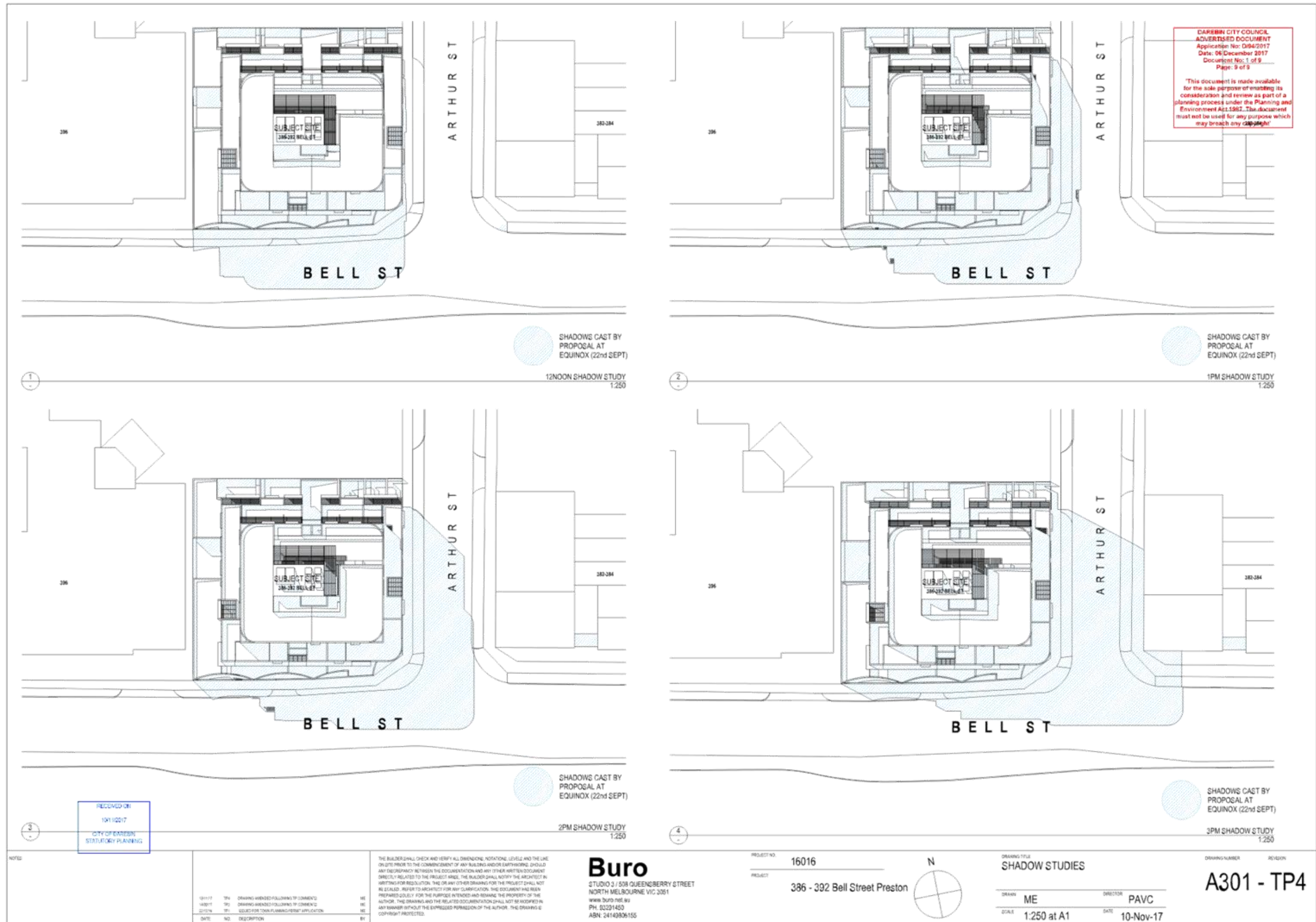
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 DRAWN: ME
 SCALE: 1:100 at A1
 DIRECTOR: PAVC
 DATE: 10-Nov-17

DRAWING NUMBER: A103 - TP4









**5.2 APPLICATION FOR PLANNING PERMIT D/945/2017
19 Dundas Street Preston**

Author: Senior Planner

Reviewed By: Principal Statutory Planner

Applicant	Owner	Consultant
Aurecon	Buzzden Pty Ltd	Aurecon

SUMMARY

- Construction of a 30 metre high monopole in the location of an existing light pole, which is to be removed, within a supermarket car park. Six (6) 2.533 metre long panel antennas (2.63 metres high) are to be mounted to the top of the monopole;
- Construction of associated infrastructure units (telecommunications cabinets at 1.45-1.82 metres in height) to be located at the base of the pole in an existing island garden bed. A low level metal framed barrier around the ground level cabinets will provide protection from vehicular movements.
- Relocation of lights from the existing light pole, to the monopole.
- The site is within the Commercial 1 Zone and is affected by the Development Contributions Overlay - Schedule 1 (DCPO1), Design and Development Overlay Schedule 3 (DDO3), Environmental Audit Overlay (EAO) and Heritage Overlay (HO30).
- There is no restrictive covenant on the title for the subject land.
- 21 objections were received against this application. This includes 1 petition with 108 signatures.
- The proposal is generally consistent with the objectives and standards of Clause 52.19 of the Darebin Planning Scheme (The 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 Heritage Advisor.
- This application was not required to be referred to external authorities

Recommendation

That Planning Permit Application on D/945/2017 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

- (1) The plans to be endorsed and which will then form part of the permit are the plans submitted with the application (identified as Sheets S1, S1-1 and S3, DWG No. V112530 prepared by *Aurecon Australia P/L* and dated 26.10.17).

- (2) The telecommunications facility (including any associated services/infrastructure) 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) The appearance of the telecommunications facility (including any associated services/infrastructure) must be so ordered and maintained to the satisfaction of the Responsible Authority.
- (5) Within three (3) months of the date of the facility becoming redundant, all buildings and works shall be removed from the site to the satisfaction of the Responsible Authority.
- (6) All radio frequency emissions from any antennas constructed on the pole must comply with the relevant Australian Standard (“the Standard”), any amendment to the Standard and/or any document which replaces the Standard.

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 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/905/2009 on 5 May 2010 to:

- (1) Demolish buildings affected by the Heritage Overlay;
- (2) Construct buildings and works comprising 112 dwellings, two (2) offices, four (4) shops, one (1) restaurant and a supermarket (Aldi);
- (3) Use the land for offices and dwellings;

- (4) Display illuminated signage;
- (5) Reduce the car parking requirement associated with the use/s on the land;
- (6) Vary loading bay requirements; and
- (7) Vary bicycle facility requirements.

Planning Permit D/905/2009 also affects the land known as 2-10 Plenty Road, and has been amended a number of times.

Council issued Planning Permit D/370/2011 on 2 June 2011 for display of internally illuminated business identification signage in accordance with the endorsed plans.

Council issued Planning Permit D/285/2012 on 1 May 2012 for buildings and works for the construction of a pedestrian ramp.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is irregular in shape and measures 79.1 metres in width and 52.7 metres in depth, with a site area of approximately 4,411 square metres.
- The land is located on the northern side of Dundas Street approximately 70 metres east of the intersection with Plenty Road and High Street.
- The site contains an existing Aldi supermarket and associated car park, which includes a number of light poles and trees within landscape beds.
- The site is within a retail activity centre where infrastructure such as overhead wiring for trams, light poles, traffic lights and the like are part of the character of the area.
- To the north is another existing car park and associated Woolworth's supermarket.
- To the south of the site, on the opposite side of Dundas Street, are residential properties.
- To the east of the site are the rear secluded private open space areas of dwellings fronting Roxburgh Street and a number of dwellings fronting Dundas Street.
- To the west of the Aldi supermarket is a mixed use multi storey development on the corner of Dundas Street and Plenty Road. A portion of the former 'Otto Wurth' bacon factory is located between these two developments.

Proposal

- Construction of a 30 metre high monopole in the location of an existing light pole, which is to be removed, within a supermarket car park. Six (6) 2.533 metre long panel antennas (2.63 metres high) are to be mounted to the top of the monopole;
- Construction of associated infrastructure units (telecommunications cabinets at 1.45-1.82 metres in height) to be located at the base of the pole in an existing island garden bed. A low level metal framed barrier around the ground level cabinets will provide protection from vehicular movements.
- Relocation of lights from the existing light pole, to the monopole.
- The associated infrastructure will be linked to the monopole via a series of underground conduits.
- The monopole is sited to avoid removing any established trees.

- The monopole is proposed to be located approximately 38 metres north of the Dundas Street title boundary and approximately 30 metres to the eastern title boundary, which is shared with a right of way, the monopole is proposed to be located approximately 45 metres from the residential area to the east.
- Access to the site will be via the existing crossover and car park.

Objections summarised

- Exposure to electromagnetic Radiation (EMR);
- Proximity of the to 'community sensitive' location/residential hinterland;
- Lack of consideration for co-location with an existing telecommunication facility within Preston;
- Visual appearance of the facility and associated detriment to the surrounding area; and
- Not required as this is not a 'black spot'.

Officer comment on summarised objections

EMR Exposure

Specific telecommunications legislation, beyond that of the *Planning and Environment Act 1987*, provides additional requirements for the deployment of telecommunications facilities. Benchmarks for EMR have been developed by the Australian Radiation Protection and Nuclear Safety Agency ('ARPANSA') and prescribed within '*Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz*'. An assessment against the standard has been provided by the applicant demonstrating compliance, with a maximum exposure of 0.55% (when operating at full power) of the standard achieved at a distance of 160 metres. On this topic, the comments of the Tribunal in *Hyett v Shire of Corangamite and Telstra (Application No 1999/11208 unreported)* are considered relevant:

'Whilst the Tribunal accepts that Mr Hyett's beliefs are sincerely held, two preliminary observations must be made. First, the Tribunal is obliged to apply the relevant regulatory standards as it finds them, not to pioneer standards of its own. The creation of new standards is a matter for other authorities. Second, the decisions of the Tribunal must be made on the evidence available to it. ... As to other side effects which Mr Hyett fears, there is simply no reliable evidence which would entitle the Tribunal to find that there will be any risk to public health occasioned by this proposal.'

Devaluation of property

Fluctuations in property prices are a not relevant consideration in assessing development under the provisions of the *Planning and Environment Act 1987*, or the Scheme.

Co-Location / Additional services not required as not a black spot.

The co-location, where possible, of telecommunications facilities is a practice that is encouraged of operators and outlined within '*A Code of Practice for Telecommunications Facilities in Victoria*'.

Ultimately, the proposed facility is a required relocation of an existing Telstra mobile base station at 6-34 High Street, Preston, due to proposed redevelopment of the site hence a co-located facility would not be suitable given the lack of available existing monopoles in the area.

Given the cost benefits of a co-located facility the proposal indicates that a new facility stems from operational necessity.

Proximity to sensitive locations

Although located in proximate to an established residential area, the subject site is entirely within a Commercial 1 Zone. The applicant's submission details the canvassing of a number of other sites within the Preston area. These locations were roof-top facilities (in lieu of pole-mounted) along High Street, some buildings of which are under construction. While also located within a Commercial 1 Zone, these alternate locations were discounted due to being immediately above or adjacent to dwellings, existing or proposed built form which would block antenna signal or space and access issues.

While telecommunications facilities should be appropriately sited (refer Code of Practice assessment below) to limit impact on sensitive areas, ultimately a balance must be struck as their very nature is to provide communication infrastructure for the community.

Visual Appearance

The proposed telecommunication facility is to replace an existing light pole. Whilst significantly taller than the existing pole, the telecommunications facility will not look out of place in this activity centre context. Furthermore, the attached panels will run parallel to the monopole (as opposed to an array/lattice type layout) to streamline the structure as much as possible.

The telecommunication facility is considered to be acceptable infrastructure given the location within an activity centre and a car park which currently contains a number of light poles. Views of the monopole will be largely obstructed by the mixed use towers which are located in the Junction.

The facility is located approximately 45 metres from the rear secluded private open space of the dwellings facing Roxburgh Street and approximately 39 metres from the nearest residential across Dundas Street, reducing the visual impact of the facility.

Conditions requiring maintenance to the satisfaction of the responsible authority will ensure the facilities appearance remains acceptable to the public realm.

PLANNING ASSESSMENT

Clause 62.01 provides, amongst other things, that any use requirement within the Scheme does not apply to 'use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19'. Similarly, Clause 62.02-1 provides that any buildings and works requirement of the Scheme does not apply to 'buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met'. Consequently, Clause 52.19 serves as the sole permit trigger for the proposed facility.

The principles for the design, siting, construction and operation of a Telecommunications facility set out in A Code of Practice for Telecommunications Facilities in Victoria.

The Code of Practice outlines 4 principles relating to the design, siting, construction and operation of telecommunication facilities. These are as follows:

Principle 1: A Telecommunications facility should be sited to minimise visual impact.

- The facility will be located towards the middle of the car park using existing buildings, light poles and vegetation for screening.

- The facility includes a monopole, hence cannot be integrated into the design of a building.
- The associated equipment will be located within an existing garden bed (defined by kerb and channel), is of a small scale and will be partially screened by vegetation.
- No Council street trees will be impacted by the proposed building and works to construct the facility.
- The facility will not disrupt the view of any significant landscape, streetscape, vista or panorama identified within the Scheme. The broader surrounds are a mix of commercial and residential development including multi-storey mixed use buildings and other telecommunication facilities are visible from this location. There is an existing level of visual clutter around this site, consistent with that of an activity centre, that will enable the proposed facility to sit relatively comfortably within the surrounds.

Principle 2: Telecommunications facilities should be collocated wherever practical.

- The facility is to be constructed to rectify an existing network deficiency due to the loss of an existing nearby monopole which makes co-location with an existing facility impossible.
- Being a new facility, it is necessary to run new conduits, however these are to be located underground.

Principle 3: Health standards for exposure to radio emissions will be met.

- The applicant has provided assessment of the proposed facility against the ARPANSA 'Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz' and demonstrated compliance. At its peak (160 metres from the facility) EMR will accumulated to only 0.55% of that allowed under the standard. By comparison between 0 metres and 50 metres from the site, the predicted EMR is 0.18% of the standard, between 50 metres and 100 metres the predicted EMR is 0.11% of the standard and between 400-500 metres from the site the predicted EMR is 0.12% of the standard.
- The documentation provided by the applicant explains that these levels are worst case scenarios and assumes that there are no obstructions surrounding the facility and that all antennas are operating at full power for 24 hours, which is not expected to be the case.

Principle 4: Disturbance and risk relating to siting and construction should be minimised. Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines.

- The extent of construction work required for the facility will be modest and is not expected to last for an unreasonable length of time.
- The construction of the support equipment will involve a small concrete slab set within existing kerb and channel and should not disrupt the surrounding area.

The effect of the proposal on adjacent land.

- As detailed above, the proposed monopole and associated infrastructure is not anticipated to have an unreasonable impact on the adjoining land or nearby residential properties. In drawing this conclusion, consideration has been given to the following:

- The proposed site is located entirely within a supermarket car parking in the Commercial 1 Zone and setback sufficiently from the residential areas to the south and east.
- The monopole will be replacing an existing light pole which exhibits a similar appearance (albeit at a lower height).
- Noise emitted from the operation of the facility is negligible.

If the Telecommunications facility is located in Design and Development Overlay and a Heritage Overlay the decision guidelines in those overlays and the schedules to those overlays.

Design and Development Overlay – Schedule 3

The subject site is encumbered by the Design and Development Overlay – Schedule 3 (DDO3) which encompasses the Junction – South Preston.

Design objectives essentially aim to encourage high quality urban development that achieves higher residential densities within The Junction and provides for pedestrian connectivity through strategic sites.

While providing little in the way of guidance for service or infrastructure installations, the proposal is considered acceptable in the context of the DDO3 on the basis of the following:

- The architectural integrity of the facility is somewhat limited however has been streamlined through the use of slim monopole and parallel mounted antenna panels rather than a bulkier lattice type design.
- There are no vistas identified within the Scheme which will be compromised as a result of the proposal.
- While not making an urban design contribution to the area, the proposed facility will further the objectives of the Junction – South Preston area by improving infrastructure/services, subsequently supporting the future growth of the centre.
- The scope for environmentally sustainable design features is limited for a service installation such as a telecommunication facility.

Heritage Overlay – Schedule 30

The property is included in HO30: Former Bacon Curing factory, corner of Dundas Street and Plenty Road, Preston.

Demolition of the majority of the Former Bacon Curing Factory (HO30) occurred from 2010 onwards during the development of the multi-level mixed used development to the west, including the Aldi supermarket. This recent development sits between the proposed location of the monopole and the remaining portion of the heritage building, which will significantly reduce any impact on the heritage place.

Environmental Audit Overlay (Clause 45.03)

Pursuant to Clause 45.03 the purpose of this overlay is *"to implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

To ensure that potentially contaminated land is suitable for use which could be significantly adversely affected by any contamination".

Pursuant to Clause 45.03-01 a requirement under the overlay is before construction or carrying out of buildings and works in association with a sensitive use commences:

- *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*
- *An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*

As this proposal is for the development of a telecommunications facility and not a sensitive use, this overlay is not applicable to this development application.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Telecommunications Facility (Clause 52.19) – a permit is required to construct a building or construct or carry out works for a Telecommunications facility.

REFERRALS

- Heritage Advisor – No objection.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 15.03, 19.03-4
LPPF	21.05-1, 21.05-2, 21.05-3, 22.04
Zone	34.01
Overlay	43.01, 43.02, 45.03, 45.06
Particular provisions	52.19
General provisions	65.01
Neighbourhood Character Precinct	N/A

POLICY IMPLICATIONS

Environmental Sustainability

Nil

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

RELATED DOCUMENTS

- The Darebin Planning Scheme
- *Planning and Environment Act 1987*
- A Code of Practice for Telecommunications Facilities in Victoria

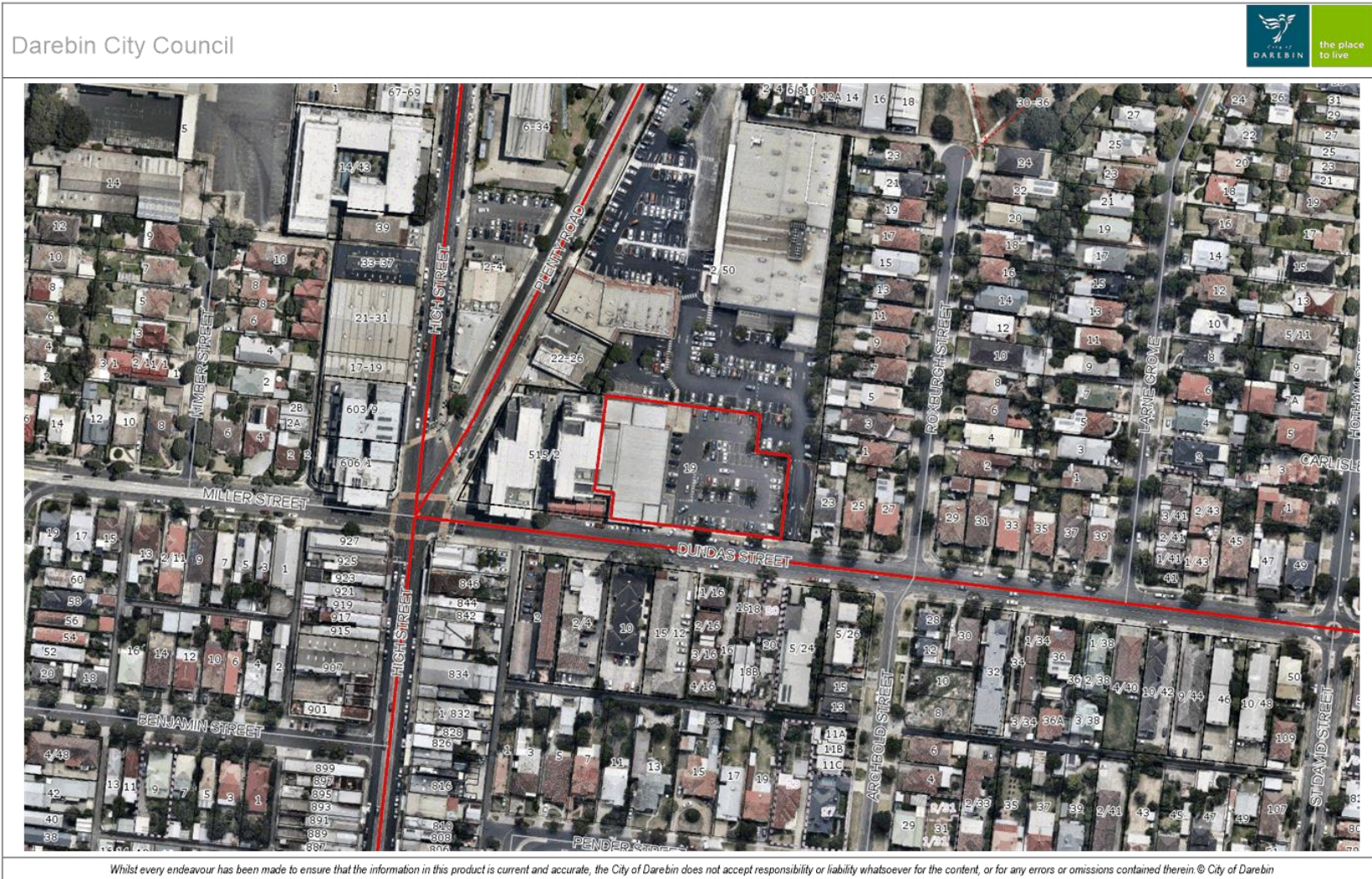
Attachments

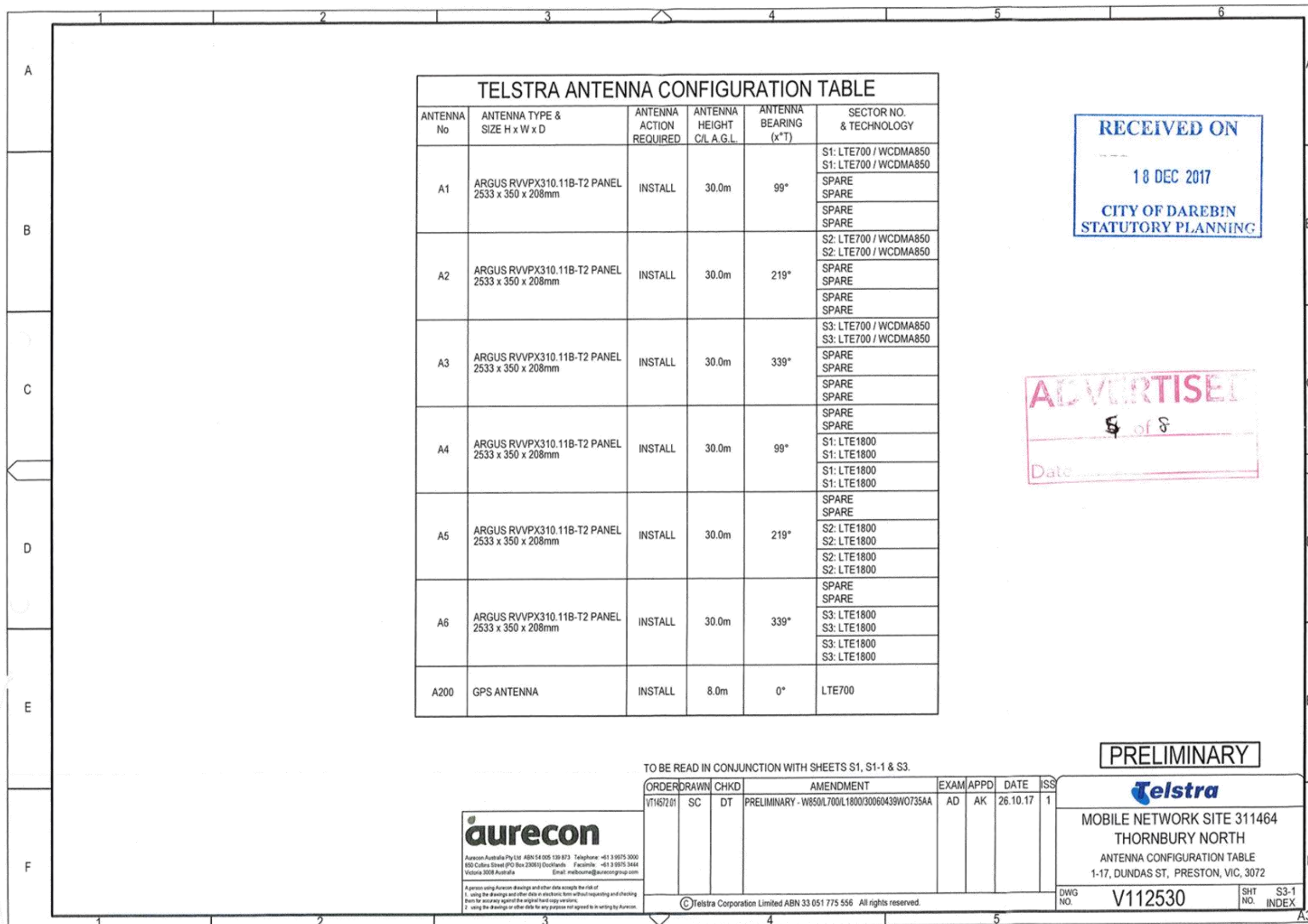
- Aerial Photograph (**Appendix A**) [↓](#)
- Proposed plans (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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





TELSTRA ANTENNA CONFIGURATION TABLE					
ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	ANTENNA BEARING (x°T)	SECTOR NO. & TECHNOLOGY
A1	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	99°	S1: LTE700 / WCDMA850 S1: LTE700 / WCDMA850 SPARE SPARE SPARE SPARE
A2	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	219°	S2: LTE700 / WCDMA850 S2: LTE700 / WCDMA850 SPARE SPARE SPARE SPARE
A3	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	339°	S3: LTE700 / WCDMA850 S3: LTE700 / WCDMA850 SPARE SPARE SPARE SPARE
A4	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	99°	SPARE SPARE S1: LTE1800 S1: LTE1800 S1: LTE1800 S1: LTE1800
A5	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	219°	SPARE SPARE S2: LTE1800 S2: LTE1800 S2: LTE1800 S2: LTE1800
A6	ARGUS RVVPX310.11B-T2 PANEL 2533 x 350 x 208mm	INSTALL	30.0m	339°	SPARE SPARE S3: LTE1800 S3: LTE1800 S3: LTE1800 S3: LTE1800
A200	GPS ANTENNA	INSTALL	8.0m	0°	LTE700

RECEIVED ON
18 DEC 2017
CITY OF DAREBIN
STATUTORY PLANNING

ADVERTISED
\$ of \$
Date

PRELIMINARY



MOBILE NETWORK SITE 311464
THORNBURY NORTH
ANTENNA CONFIGURATION TABLE
1-17, DUNDAS ST, PRESTON, VIC, 3072

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1 & S3.

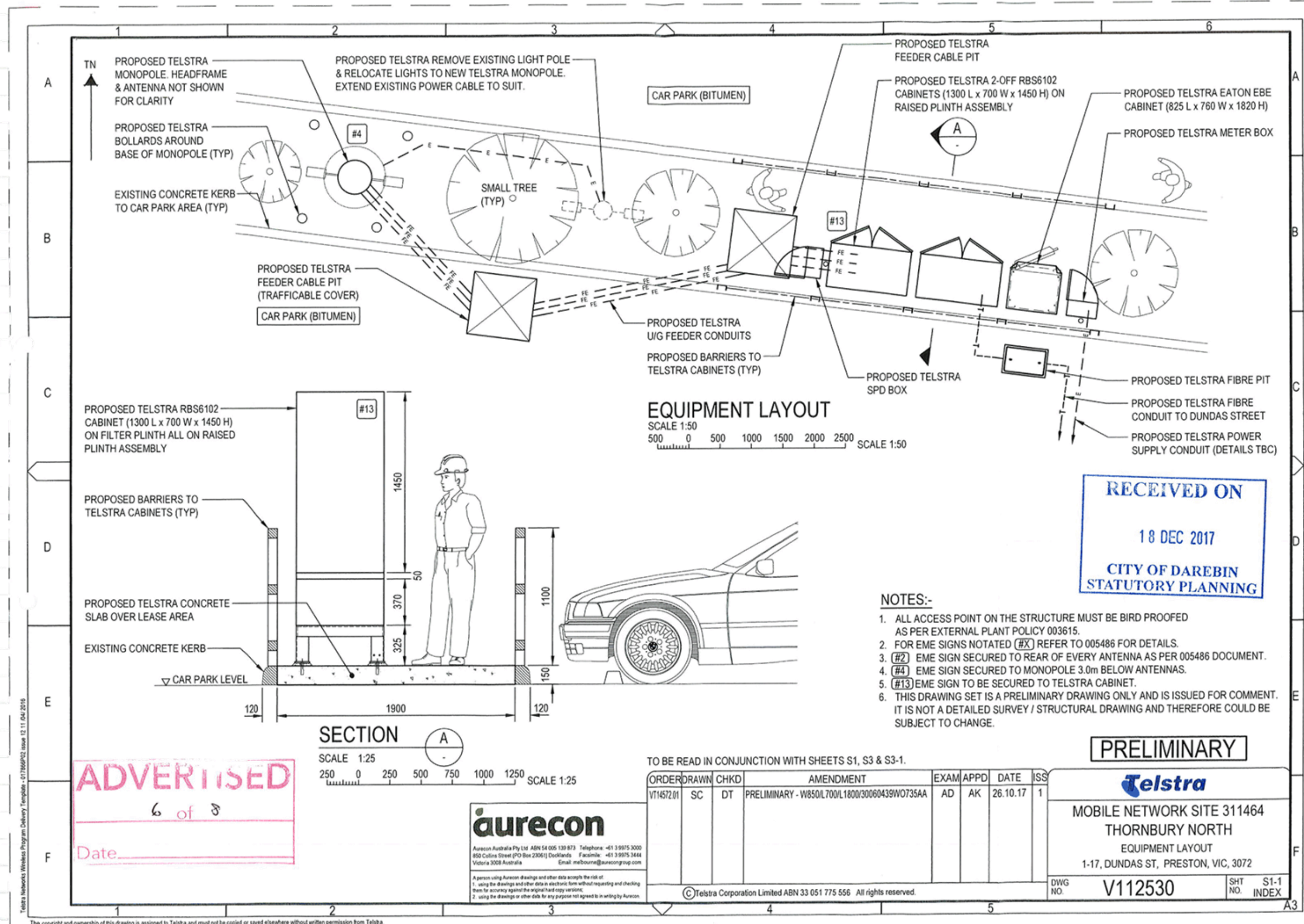
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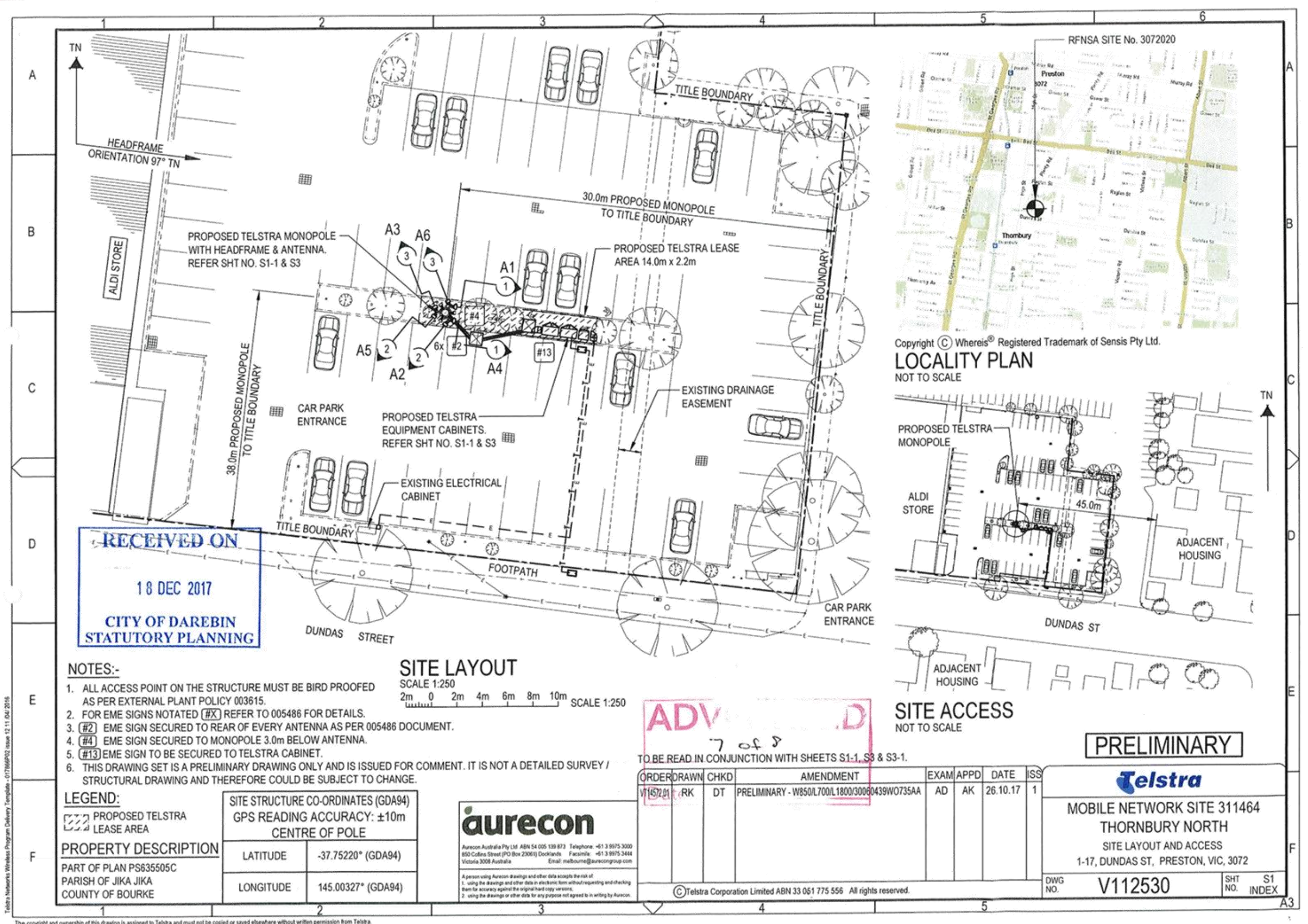
aurecon
Aurecon Australia Pty Ltd ABN 54 005 139 873 Telephone +61 3 9975 3000
650 Collins Street (PO Box 23061) Docklands Facsimile +61 3 9975 3444
Victoria 3008 Australia Email: melbourne@aurecongroup.com

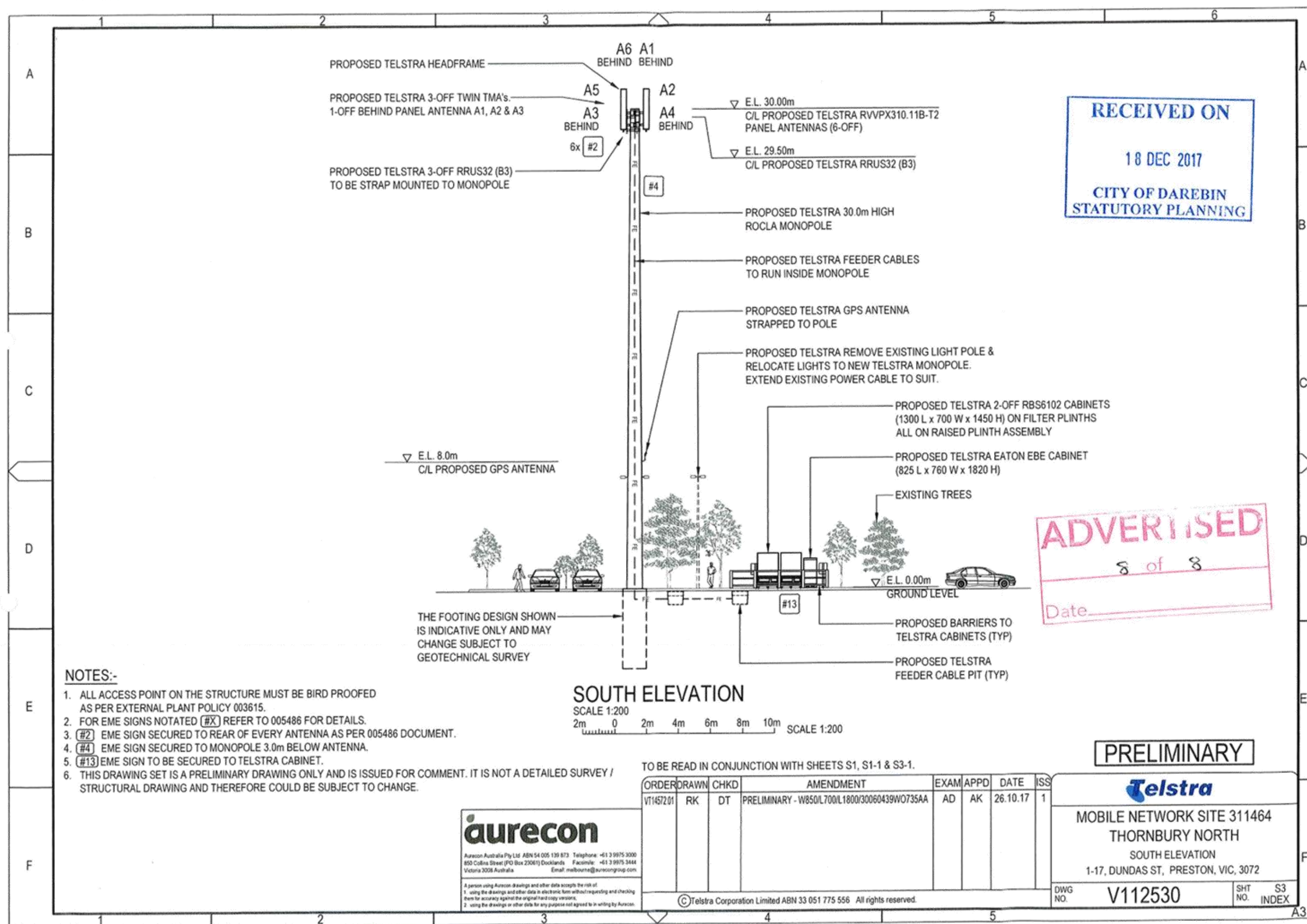
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DWG NO. **V112530** SHT NO. **S3-1** INDEX







NOTES:-

1. ALL ACCESS POINT ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR EME SIGNS NOTATED (#X) REFER TO 005486 FOR DETAILS.
3. (#2) EME SIGN SECURED TO REAR OF EVERY ANTENNA AS PER 005486 DOCUMENT.
4. (#4) EME SIGN SECURED TO MONOPOLE 3.0m BELOW ANTENNA.
5. (#13) EME SIGN TO BE SECURED TO TELSTRA CABINET.
6. THIS DRAWING SET IS A PRELIMINARY DRAWING ONLY AND IS ISSUED FOR COMMENT. IT IS NOT A DETAILED SURVEY / STRUCTURAL DRAWING AND THEREFORE COULD BE SUBJECT TO CHANGE.

SOUTH ELEVATION

SCALE 1:200
2m 0 2m 4m 6m 8m 10m SCALE 1:200

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
VT1457201	RK	DT	PRELIMINARY - W850L700L1800/30060439W0735AA	AD	AK	26.10.17	1

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PRELIMINARY



MOBILE NETWORK SITE 311464
THORBURY NORTH
SOUTH ELEVATION
1-17, DUNDAS ST, PRESTON, VIC, 3072

DWG NO. **V112530** SHT NO. S3 INDEX

**5.3 DEVELOPMENT PLAN POD/1/2007/D
1056-1140 & 1142 Plenty Road, Bundoora (Polaris - Former Larundel Psychiatric Hospital)**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
SJB Planning	Deal Corporation P/L (Dealcorp)	SJB Planning Clarke Hopkins Clarke Architects

SUMMARY

- It is proposed to amend the Village Precinct Development Plan (**VPDP**) approved under the provisions of the Development Plan Overlay – Schedule 1.
- The amendments sought generally relate to the redevelopment of Lot 8 which is occupied by Building 2 of the Heritage Overlay – Schedule 111. Other clerical or ‘housekeeping’ amendments are also proposed.
- The site is in the Mixed Use Zone (**MUZ**) and covered by (either wholly or in part) by the Development Plan Overlay – Schedule 1 (**DPO1**) and Heritage Overlay – Schedules 107, 108 and 111 (**HO111**).
- A series of Section 173 Agreements apply across the land.
- One (1) submission has been received.
- The proposal is generally consistent with the provisions of the DPO1, and allows for the substantial retention and refurbishment of the building protected under the HO111.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via letters sent to surrounding owners and occupiers.
- This application was referred internally to Council’s Heritage Advisor.
- This application was not required to be referred to external authorities.

Recommendation

That amendment POD/1/2007/D be supported and the amended Village Precinct Development Plan be adopted subject to the following conditions:

- (1) The partial demolition of Building 2 is limited to the rear administrative/specialist medical rooms, central bridge, atrium and internal walls, with the central foyer, male and female ward wings and the projecting gables retained. The extent of demolition is to be shown dashed/hatched on Drawing No. 1344/CP01c (or a separate sheet, as appropriate).

- (2) The owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority to the effect that, without the written consent of the Responsible Authority:
- a) The extent of demolition to Building 2 is limited to that specified in Condition No. 1;
 - b) Any development of Lot 8 will include the restoration of Building 2;
 - c) If the development of Lot 8 is to occur in stages, the restoration of Building 2 must occur as part of the first stage;
 - d) Any restoration of Building 2 must be undertaken generally in accordance with the Conservation Management Plan Review prepared by Lovell Chen dated February 2013 and to the satisfaction of the Responsible Authority; and
 - e) The restoration of Building 2 (as retained) must be fully restored to the satisfaction of the Responsible Authority and an occupancy permit must be obtained for Building 2 before any occupancy permit issued for any building constructed on Lot 8.
- (3) The legend/notations on Drawing No. 1344/CP01c amended as follows:
- a) The legend updated to distinguish between heritage townhouses within Building 2 and new townhouses;
 - b) Roof deck notation amended to clarify that roof decks may only be provided to new townhouses, with no roof decks to be provided to townhouses within the heritage townhouses in Building 2; and
 - c) Building height notation amended to clarify buildings (including any roof deck access structure(s)) are to have a height no greater than the adjacent heritage building (Building 2).
- (4) Dimensions provided for the central pedestrian walkway achieving a minimum dimension of 7 metres between the inboard townhouses and 4 metres between the apex townhouses (entry from Nova Circuit).

INTRODUCTION AND BACKGROUND

(1) Site History – Lancaster Gate

After the Hospital closed in 1999, Places Victoria (then known as the Urban and Regional Land Corporation (URLC)), purchased the Lancaster Estate for redevelopment.

In November 2001, Council approved the Lancaster Gate Development Plan. This plan was prepared by the URLC and divided the Lancaster Estate into three parts; a Residential Precinct (approx. 15.38h hectares), the Village Precinct which included the former hospital buildings and the Mixed Use Precinct (approx. 10.61 hectares).

The Residential Precinct was subsequently subdivided, developed into individual dwelling lots and sold off.

The residual Village Precinct and Mixed-Use Precinct (now Town Centre) were sold by Places Victoria (then VicUrban) via expression of interest in 2006. These precincts now for 'Polaris'.

(2) Polaris

The Polaris 3083 Development Plan (**PDP**) was approved in its current state on 23 September 2009, and subsequently amended 8 October 2012. Development under the PDP commenced in 2010 comprising the mixed use town centre.

This is a general, over-arching document which sets out principles on how the site should be developed including mix of uses, building height, general layout and form, tree retention and removal, car parking and other matters.

The VPDP provides more specific guidance for the redevelopment of the residential lots in the north-east section of the site. It generally sits alongside, and is to be read in conjunction with the PDP.

Various permits have been issued for the Village Precinct under the VPDP, including:

- Planning Permit D/759/2014 for Lot 7;
- Planning Permit D/264/2014 for Lot 10; and
- Planning Permit D/400/2016 for Lot 9.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The subject site is the Polaris Site (Lancaster Gate) comprising the former Larundel Psychiatric Hospital in Bundoora.
- The site is currently being redeveloped and comprises two (2) sub-precincts – the Town Centre and the Village Precinct.
- The Village Precinct (to which this amendment is relevant) relates to the residential area on the north-east side of the site, generally comprising Lots 7, 8, 9, 10 and 2D (refer Figure 1).
- Lot 8 contains heritage building 2 which is protected by HO111. The building is currently in poor condition through vandalism and environmental degradation. A number of significant, high retention value trees are located in front of the building.
- Lot 8 comprises approximately 8,645 square metres and forms an island site of the Village Precinct bound by Nova Circuit and Galileo Gateway.

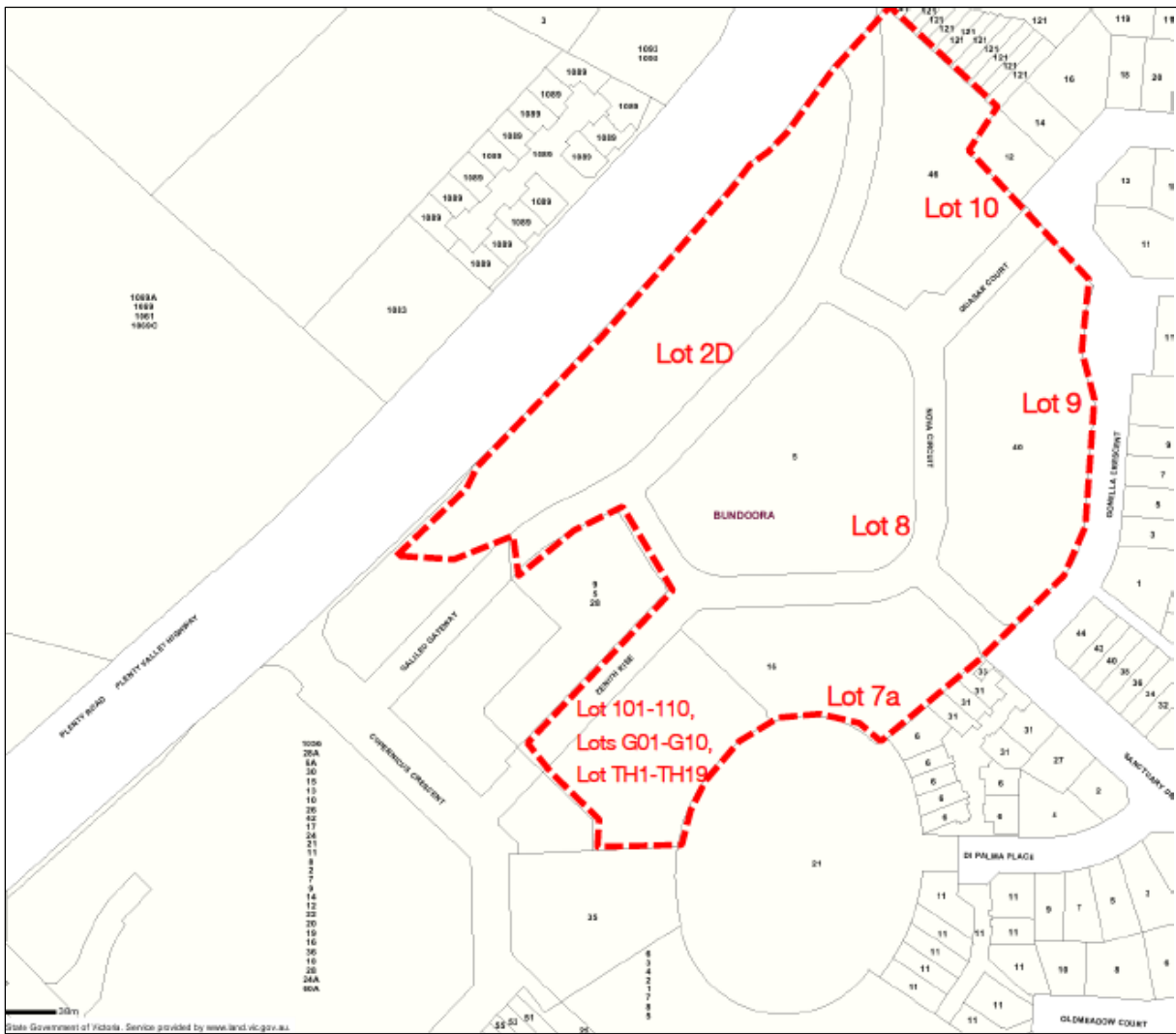


Figure 1 – Polaris Village Precinct

Proposal

It is proposed to amend the approved VPDP primarily with respect of Lot 8 as follows:

- Lot 8: Change of the proposed building typology (three-storey townhouses);
- Lot 8: Part demolition of Building 2 with adaptive re-use as townhouses and apartments;
- Lot 8: Consequential changes to building footprints, heights, setbacks vehicle/pedestrian access, car parking design, landscaping and tree retention; and
- Other consequential changes to the Village Precinct Development Plan to reflect current title details, lot boundaries, Introduction of Amendment C137 (Plenty Road) and the expired Development Contributions Plan Overlay – Schedule 1.

Objections summarised

One (1) submission against the proposed amendment has been

- Development density; and
- Traffic

Officer comment on summarised objections(3) Development Density

The amended VPDP proposes an overall lower density and reduced dwelling yield to that currently approved. The key difference between the approved and proposed VPDP results from the changed building heights and typology proposed which are discussed in detail below.

In aggregate terms, the development plan area is slated for intensive urban renewal. It is listed as a neighbourhood level activity centre under Clause 21.04 of the Scheme, an area of Substantial Housing Change under Clause 21.03 of the Scheme, and is located on a strategic corridor (Plenty Road) with direct access to the Principal Public Transport Network.

(4) Traffic

Both the PDP and VPDP have been approved with details transport appendices that manage overall traffic impact and vehicle movements. Neither of these appendices are proposed to be amended as part of this application. The proposed changes are accommodated in the existing reports and the amended redevelopment of Lot 8 can fit comfortably within their parameters.

Given the discussion above relating to development density, if anything the likely traffic volume as a result of the proposed amendments will decrease.

PLANNING ASSESSMENT

The principle requirement of the DPO1 is that the Development Plan should address the elements of the North East Corridor Strategic Plan relevant to the site. It is important to note that this plan has been largely superseded by the work undertaken through amendment C137 for the Plenty Road Corridor, particularly in relation to height controls.

Sub-clause 1.0 of the DPO1 sets out the requirements for what should be included in the development plan, which have been provided for in the amended VPDP submitted by the applicant.

Sub-clause 2.0 sets out the guidelines for the consideration of the development plan, including:

The responsible authority will discourage industrial uses from locating on the land.

The responsible authority should consider whether the development plan or permit application is consistent with the North East Corridor Strategic Plan.

Any applicable heritage study and any applicable conservation policy should be considered. Whether the location, bulk, height and appearance of any proposed buildings or works will be in keeping with the character of the area.

Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.

The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed car parking.

Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area will adversely affect the significance, character or appearance of the heritage place.

This North East Corridor Strategic Plan (**NECSP**) is the current key reference point in the Scheme for the development of this site. The strategic vision of the plan that, amongst other things, the Larundel Urban Village be redeveloped to accommodate medium density residential development with mixed use development fronting Plenty Road (ancillary retail premises outside the local centre).

Varied forms of medium density housing are contemplated, including townhouses and apartments, in order to maintain a level of activity and safety in the area at night. The Larundel Urban Village is also identified as the most appropriate area for student housing – potentially in the heritage buildings. Like uses should face each other across every street.

With regards to vegetation the development should seek to retain as many trees as possible. Exotic trees of importance to the area should also be protected unless they place a significant restriction on development. All development proposals must be based on an accurate survey of existing native trees and provide justification for the removal of any native trees. Where possible, the development should be planned to incorporate trees identified for protection within the public domain. Any trees identified for protection remaining on private lots should be protected by appropriate building siting controls.

With regards to heritage, heritage buildings should be retained and reused unless it is proved to be financially unfeasible. Historic interpretation should be promoted through the display of information about the site and buildings' history.

Heritage

Lot 8 is occupied by the original hospital building (known as Building 2) of the former Larundel Hospital. The building is covered by the HO111 and is of identified heritage significance. The 1999 heritage citation provides the following (extracted as relevant to Building 2):

The 2-storeyed Hospital is of primary significance in the 1940-42 core group of Larundel's master plan. Its form as a hollow building symmetrical about the central axis of the master plan is of exceptional interest. Its facade to Plenty Road is a larger and more complex mirror image of the Administration Block opposite with male and female ward wings radiating eastward and away from the Administration building, each with two projecting bays; half-timbered decorative brick jerkin gables on the inner bays and larger triangular gables on the end bays. The gabled end elevations are interesting for their combination of Tudor revival detailing with modern glass blocks; this is shown on the original drawings and repeated in the two storey Sub-Receiving Blocks (No's.4,5) flanking the Hospital.

The Hospital building is on a sloping site, a self-imposed challenge to the designer. Percy. E. Everett, who had been "ticked off" by Dr. W.E. Jones for choosing such a location. The more utilitarian rear elevations are interesting for their functional design incorporating wheelchair ramps up to the ground floor, where the dormitory wards are accessed along the side with verandahs enclosed by steel framed security windows. The first floor has an open brick pillared verandah sewing male and female staff bedroom wings. (Their conversion to hospital wards was probably envisaged after separate staff quarters shown in the master plan were completed).

Although bigger and more complex the Hospital plan strongly resembles the layout of the 1924 Mont Park 'New Hospital'. At Larundel however, the atrium is part of the axial thoroughfare through the entire complex and a more powerful central space surrounded by administrative and specialist medical functions. It is pierced with a double height bridge from one side to the other (now built in), allowing brisk nurses and important doctor's rapid access to the various internal and outlying wards.

At the exit and, a large double flight stair flanks the central axis whilst the floor ramps down sharply toward the Messroom. The atrium landscaping appears not to be original except possibly for the very large white-trunked eucalyptus tree in its south court, the entrance foyer is altered with a modern staircase and false ceiling. The entrance porch has been glazed in.

The exterior elevations and atrium of the Hospital building are substantially intact. It is significant as the dominant element of the Larundel Stage 1 master plan for the excellence of its Tudor revival style and brickwork detailing, and for its interesting central atrium and rear ward elevations. The central entry porch and vestibule, atrium space and 2~storey bridge, and rear stairwell vestibule, are significant interior spaces and should be restored. The rest of the interior is not considered significant.

The building has declined into poor condition as a result of vandalism and environmental degradation. Hoardings have been constructed to assist in the protection and ultimate retention of the building in the future. Section 2.3 of the VPDP lists Building 2 as being of 'primary significance'. Despite efforts to secure the building there are regular break ins and damage being caused to the building.

The proposed amendments to the VPDP seek to demolish the rear portion of the building, including the rear administrative/specialist medical rooms and central double-height bridge to envelopes the central atrium. The central foyer, male and female ward wings and the projecting gables will be retained, restored and incorporated into the new townhouses.

Although the rear wing, atrium and bridge form part of the secondary, utilitarian section of Building 2, they still form original building fabric, underscore the architectural interest of the building and contribute to the overall symmetry of what remains of the original Larundel Hospital complex.

If to be demolished, Council's Heritage Advisor has required the following to be undertaken:

- Works on the heritage buildings to be first;
- Western façade and ends to be faithfully restored, including retention of landscape as much as possible (i.e. retain as much grass as possible, and minimise formal paving, paths and other paraphernalia,)
- Roof form to ridge to be replicated accurately and in the same materials
- All windows to be restored including original glazing bars
- Architectural treatment of the new rear of the old building to be respectful of the old, yet clearly contemporary – perhaps a stripped and simplified version but with more contemporary but sensitive materials and colours etc.

In some cases, the details sought are to be ratified in a future planning permit application for Lot 8.

In any case, given the extent of heritage fabric from the original complex that remains, ensuring the faithful retention and restoration of Building 2 is paramount. Consistent with measures undertaken previously for Lot 7, it is appropriate that the amended VPDP be contingent on the owner entering into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 to give effect to the above sequencing of development and restoration requirements. Further, an amended Concept Plan for Lot 8 should be provided for the VPDP which sets out the desired staging.

Land Use and Building Typology

The approved VPDP currently calls for a the adaptive re-use of the existing heritage building for student housing, with a consolidated apartment building up to five (5) storeys located to the south-east corner on Nova Circuit. The area between the heritage building and new apartment were to be utilitarian car parking and accessways.

The proposed amendments seek to depart from this configuration through utilising an entirely townhouse configuration across the entire lot. This results in a lower building height than the existing approved plan.

The NECSP entertains a range of housing types across the precinct provided they contribute to the delivery of medium density housing. The proposed townhouses evidently fit within this vision. While a diversity of housing types will not be delivered within Lot 8, it is the precinct as a whole which is charged with achieving this objective. Across the Polaris redevelopment area there is already a range of housing options including shop-top apartments in the town centre, stand-alone apartment buildings and various townhouse formats.

There is no explicit requirement for student housing to be provided on Lot 8.

Built Form Matters

The proposed amendments to the VPDP include substantive changes to the format of redevelopment to the rear of the heritage building. As noted above, this results largely from the revised demolition and restoration of the heritage building, along with the amended typology sought for the new development behind.

The most obvious change to the Lot 8 concept plan is the reduction of building height from 5 storeys to 3 storeys which is consistent with the typology change discussed above. A reduction of scale for Lot 8 is uncontroversial.

Secondly, the setbacks from Nova circuit have reduced from the approved plan. Currently no setbacks are nominated on the Lot 8 concept plan with 4-5 metres (from kerb to building line) nominated Village Precinct Plan. A setback of 2 metres (from kerb to building line) is proposed with the south-east apex townhouses reducing to 1 metre. Up to a 1 metre upper level cantilever is to be entertained under the proposed plan. The setback will allow for a nominal front garden area for each townhouse which will be subject to a future planning permit application and landscape plan submission. This is reflective of the sites context within the Polaris Town Centre which is urban in character and conducive to reduced building setbacks. It is noted that an increased setback from Nova Circuit is likely to constrain vehicle movement within the accessway behind the proposed dwellings.

Finally, the separation between Building 2 and the new built form will be reduced by virtue of the lower scale townhouses occupying greater ground floor area. Importantly, the separation previously proposed was a highly utilitarian, almost back-of-house car parking area. This in many respects remains the same. The reduced setback will be ameliorated through indenting the two (2) dwellings that flank the accessway entries from Nova Circuit.

Landscaping / Tree Retention

Vegetation and landscaping forms an important part of both the PDP and VPDP. Lot 8 contains a number of established trees of varying significance.

Trees 156-161 and 303-306 are to be retained as per the approved VPDP. Importantly, these trees are located in front of Building 2 and form part of the garden setting of the front façade. Tree 155 continues to be proposed for removal. This tree is of nominated as being of high retention value under the PDP however its location in the atrium of Building 2 and size create complications to the re-use of the building.

The changes to the approved VPDP relate to the group of trees in the eastern section of Lot 8, behind Building 2. The PDP identifies four (4) trees in this location (Trees 151-154 inclusive). Figure 83 of the PDP identifies Trees 153 and 154 for removal, both being of medium retention value. The approved VPDP notes Tree 151 for retention and Tree 152 for removal.

The application was referred to Council's Parks Unit for review. Having reviewed the documentation and the site conditions, it appears that Trees 151 and 154 have been removed, with Trees 152 and 153 remaining. Notwithstanding, the merits assessment of the trees by Council's arborist concludes that the removal of this group of trees is otherwise acceptable. Trees 152-154 have always been slated for removal (either in the PDP or VPDP) and consideration of Tree 151 was such that its location and species was otherwise unsuitable.

Dwelling Yield

The proposal increases dwelling numbers. Whilst the existing development plan provides some indication as to possible dwelling numbers these are indicative only and can change when a planning application is considered.

The current amendments seek changes to not only net dwelling numbers but also the size and typology of dwellings to be delivered, and also accommodation use. The approved VPDP calls up student housing which is no longer proposed. In terms of dwellings, the approved 5-storey apartment building yielding up to approximately 60-70 dwellings will be replaced with approximately 40 by 3-storey townhouses.. The re-use of Building 2 will provide approximately 16 townhouses with further apartment style dwellings located in the projecting gable flanks; however given the retro-fitting nature of this construction, overall yield will be largely directed through constructability and feasibility.

The overall yield anticipated under the amended VPDP remains consistent with the objectives of the overarching PDP, and the policy provisions of the Scheme (being an area of Substantial Housing Change).

Traffic and Access

There are no alterations to the road layout, with these already crystallised through the subdivision process.

The increased densities proposed will not impact significantly upon traffic generation.

The amended VPDP results in changes to the pedestrian and vehicle movements through the site. The vehicle access points from Nova Circuit will remain as approved however the circulation of vehicles will change within the site given the preference for a townhouse typology with private garage car parking. This configuration replaces the previous open, at-grade car park between Building 2 and the new form behind.

The vehicle access points will be shared space also used by pedestrians to access the rear of the townhouses within Building 2, and the new central, inboard townhouses. The quality of this space, and how it functions (i.e. low speed, pedestrian preference) will be resolved via a future planning permit application. The objectives for achieving this are already generally set out in Section 4.1.7 of the VPDP.

Dedicated pedestrian access will be arranged on a central axis through the site, reflective of the original symmetrical design of the Larundel Hospital complex. The primary façade and entry foyer of Building 2 will provide pedestrian access from the north-west of the site through to the shared space and new townhouses behind. An inboard bank of townhouses internal to the site will have a centralised pedestrian walkway to which the entries will front. A second dedicated pedestrian access point is provided between the townhouses at the apex of Lot 8 at Nova Circuit. This pedestrian access and circulation layout respects the symmetry of the original heritage fabric and creates the hierarchical design of roads, streets and accessways called for under the VPDP. A condition of approval should require dimensions be provided for the internal walkways ensuring acceptable pedestrian amenity for what will be the entry for approximately 16 dwellings.

Other Amendments

Other amendments to the VPDP includes updates to reflect changes that have occurred to the Darebin Planning Scheme since the previous amendment of the VPDP. This includes (among other things) the gazettal of Amendments C137/C138 and the expiry of the Development Contributions Plan Overlay. These amendments to the VPDP can be comfortably described as ‘housekeeping’ changes to the document and of no tangible consequence to its operation.

REFERRAL SUMMARY

Department/Authority	Response
Heritage Advisor	No objection, subject to condition included in recommendation.
Darebin Parks	No objection.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Pursuant to Clause 43.04, a development plan must be prepared to the satisfaction of the Responsible Authority.
 Schedule 1 applies to the land and sets out requirements for the development plan (sub-clause 1.0) and guidelines for consideration (sub-clause 2.0).

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	9, 11, 11.06, 15, 16, 17, 18, 19
LPPF	21.01, 21.02, 21.03, 21.04, 21.05
Zone	32.04
Overlay	43.01, 43.04, 45.06
Particular provisions	52.06
General provisions	65

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

RELATED DOCUMENTS

- *Planning and Environment Act 1987* (as amended)
- Darebin Planning Scheme
- Polaris 3083 Development Plan (as amended)

Attachments

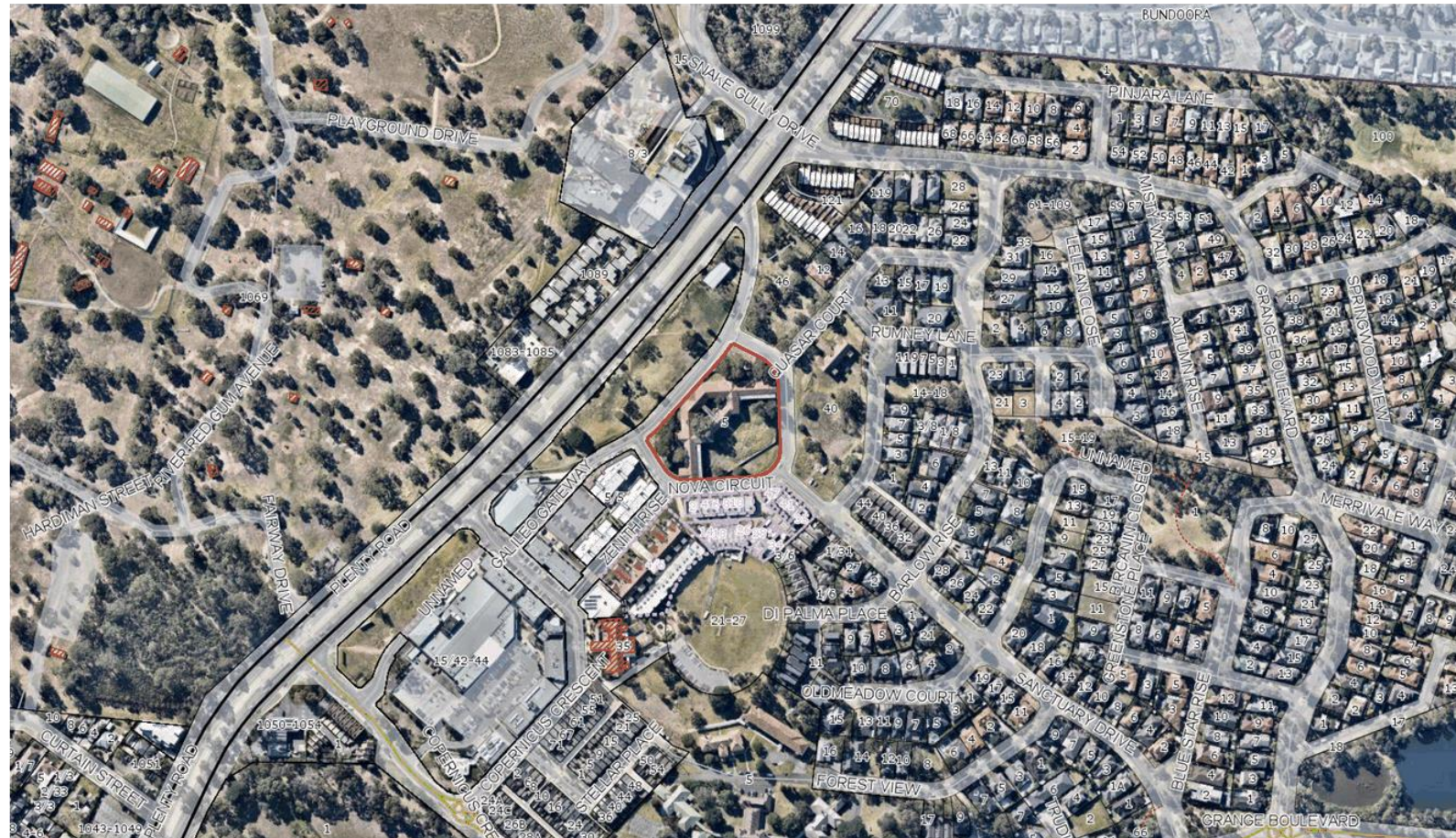
- Aerial Map (**Appendix A**) [↓](#)
- Polaris Village Precinct Development Plan (February 2018) (**Appendix B**) [↓](#)
- Village Precinct Plan (February 2018) (**Appendix C**) [↓](#)
- Lot 8 Plan (February 2018) (**Appendix D**) [↓](#)

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.

Aerial – Polaris Development Plan Amendment



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Village Precinct Development Plan

1056-1140 Plenty Road, Bundoora

October 2013
(Amended [February 2018](#))

Statement of Environmental Effects

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Village Precinct Development Plan

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1.0 Introduction

This development plan amendment affects part of the land located at 1056-1140 Plenty Road in Bundoora. This land comprises part of the former Larundel Psychiatric Hospital site and part of the 25.99ha Lancaster Estate site.

After the Hospital closed in 1999, Places Victoria (then known as the Urban and Regional Land Corporation (URLC)), purchased the Lancaster Estate for redevelopment.

In 2001, Council approved the Lancaster Gate Development Plan. This plan was prepared by the URLC and divided the Lancaster Estate into three parts; a Residential Precinct (approx. 15.38h hectares), the Village Precinct which included the former hospital buildings and the Mixed Use Precinct (approx. 10.61 hectares).

The Residential Precinct was subsequently subdivided, developed into individual dwelling lots and sold off. In 2007, an addendum was added to the Lancaster Gate Development Plan to relocate the proposed multi-purpose community centre from the Residential Precinct to the Mixed Use Precinct.

In 2006, Places Victoria (then VicUrban) entered into an Expression of Interest campaign to sell the 10.61 hectare land parcel comprising the Village Precinct and Mixed Use Precincts. As part of the transaction, a master plan concept was prepared for the residual eastern portion of the Lancaster Estate.

This master plan took the form of the Polaris 3083 Development Plan (PDP), which was approved by Council in September 2009. Although branded differently, the PDP forms an amendment to the original Lancaster Gate Development Plan and relates to the redevelopment of the Village Precinct and Mixed Use Precincts. The PDP provides for a Town Centre in the Mixed Use Precinct in the north-west of the site as well as for retail, apartments and townhouse development.

Development in accordance with the PDP commenced in 2010 with a planning permit for the construction of the Town Centre including a major line supermarket, retail premises and apartments, as well as the construction of major roads and infrastructure across the entire PDP area. Since 2010, planning permits have also been issued for subdivision and the construction of townhouse and apartment developments immediately south and east of the Town Centre. The balance of the PDP area, mainly the original Village Precinct containing the heritage buildings, however remains vacant.

1.1 Purpose of the Development Plan

This document is known as the Village Precinct Development Plan (VPDP). It is a further amendment to the endorsed Lancaster Gate Development Plan and builds on the approved PDP.

Except where specified under the plan, the VPDP must be read in conjunction with the PDP document 1, 2 and 3 of 3 approved on September 2009 and pages 1 to 14 approved on 17 January 2013, [and as subsequently amended](#).

This document seeks to guide the redevelopment of Village Precinct and considers site context, built form and land use, heritage, traffic and car parking, arboriculture, open space, landscaping, and servicing and infrastructure matters. It has specific regard to the extant condition of the heritage

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buildings, the feasibility of restoration and adaptive reuse and Council's current strategic planning for the Plenty Road Corridor.

This document will be the primary reference document for the consideration of future planning permit applications within the Village Precinct. Any permits issued for development within the precinct must be generally in accordance with the approved development plan.

2.0 Site Details and Context

2.1 The Village Precinct

The Village Precinct includes Lots 7, 8, 9, 10 and 2D. These lots are formally described as follows:

- Lot 7A (16 Zenith Rise) on PS734593,
- Lots 101-110, Lots G01-G10, Lot TH1-TH19 (16 Zenith Rise) on PS734593
- Lot 8 (5 Nova Circuit) on Plan PS638777A
- Lot 9 (40 Nova Circuit) on Plan PS638777A
- Lot 10 (46 Nova Circuit) on Plan PS638777A
- Lot 2D on Plan PS640935V

Copies of the above certificates of title and plans of subdivision are attached as **Appendix A**.

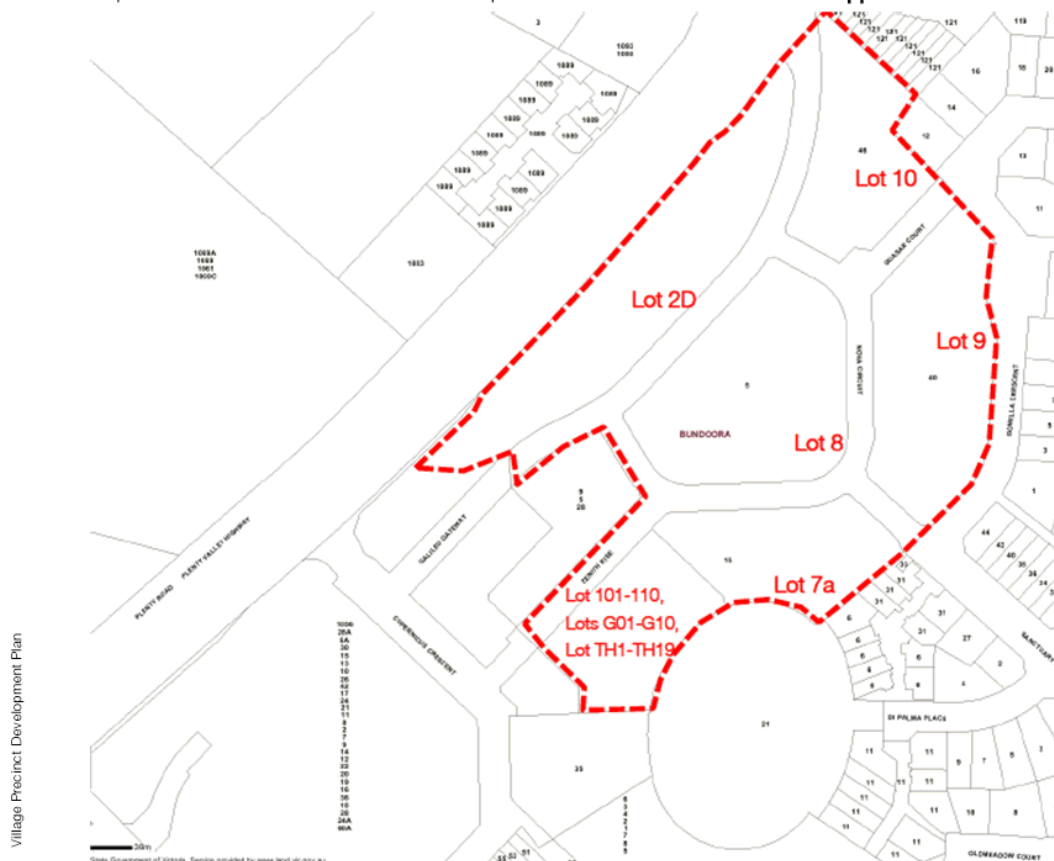


Figure 1: Village Precinct Site Plan

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2.2 Location

The Village Precinct is located in the suburb of Bundoora and City of Darebin approx. 15 kilometres north-east of Melbourne CBD.

The Village Precinct adjoins the Polaris Town Centre to the west and an existing residential neighbourhood comprising single and multiple dwelling residential development to the east (being the original Residential Precinct of the Lancaster Gate Estate). It abuts Plenty Road to the north-west and former oval (now known as Lancaster Green) to the south-east. Bundoora Park is located on the western side of Plenty Road which is a major regional open space and recreation resource. La Trobe University's Centre for High Learning is located to the south of the site and La Trobe University Bundoora campus is located to the south-east of Main Drive. The Village Precinct also adjoins the Community Centre located at the south-east of the Town Centre and abutting Lancaster Green.

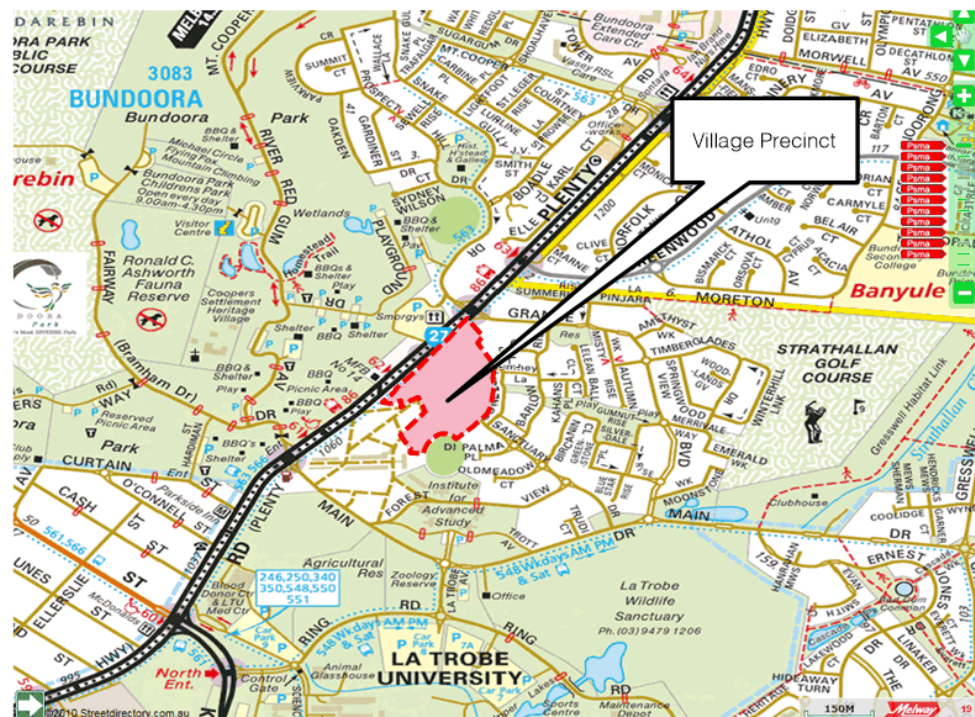


Figure 2: Location Plan

2.3 Existing Built Form

The master plan for the Larundel Psychiatric Hospital was prepared by Percy Everett, then the Chief Architect of the Victorian Public Works Department. There are nine (9) original heritage buildings which comprise the former Larundel Psychiatric Hospital. These include Buildings 1 to 9, being the main hospital building and wards and support buildings.

The former hospital comprises a complex of single and double-storey buildings, mostly of red brick construction. They are designed in a Tudor Revival style imparting a domestic quality to the otherwise formal institutional nature of the complex.



Figure 3: Former Larundel Hospital Buildings

The buildings are principally accessed from the curved drive, off Plenty Road and symmetrically arranged around the axis oriented north-west / south-east. The areas of the site to the north and south of the principal buildings are arranged less formally. An oval (known as Lancaster Green), to the south of the Village Precinct, was added in 1953 and is located behind the male receiving wards.

The layout of the existing site reflects Everett’s original 1938-42 master plan, with the addition of new buildings in the 1950s outside of the Village Precinct. The existing road layout is of contributory heritage significance, and the relationship between the remaining buildings and roadways demonstrates the original site planning. This ensures the site continues to be interpreted as buildings within a master

Village Precinct Development Plan

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planned landscape, albeit now on a reduced scale. The planning of the site retains sufficient distance between the buildings such that they were largely viewed 'in the round', and as discreetly linked elements in a park-like setting.

The arrangement of buildings in the Everett master plan reflects the functional and aesthetic principles of the site and this should inform the layout of the future development.

All of the former hospital buildings form part of the Village Precinct except for Building 9 (Former Larundel Building B) which has been restored and converted into the Community Centre.

The condition of the former hospital buildings has significantly deteriorated since the hospital closed. The buildings have suffered from opportunistic vandalism (including graffiti), weather exposure and fire damage. Building 1 was substantially destroyed by fire in 2005, leaving only brick walls and the chimneys intact.

A complete assessment of the buildings' condition was undertaken by Lovell Chen Architects & Heritage Consultants in 2012 as part of a review of the 2000 Conservation Management Plan (CMP) prepared for the former hospital buildings. A summary of assessment and heritage values is provided below for each building in the Village Precinct. A copy of the 2012 CMP Review prepared by Lovell Chen Heritage Architects and Heritage Consultants is attached as **Appendix B**.

Building		Summary of Heritage Value
Building 1	Administrative Building	Considerable destruction to fabric due to fire and vandalism, reduced level of heritage significance: contributory significance
Building 2	Hospital Building	Significant vandalism and environmental degradation, retains primary significance due to complex plan and visual prominence. Interiors have undergone alteration and modification and are of little or no significance. The elevated walkway to the east and open garden areas to either side should be retained.
Building 3	Dining and Messroom Building	The portions of the service building have been demolished and east elevation modified. The building is affected by vandalism (spray painting and graffiti), windows and doors are screened with security sheeting and, the interior is affected by water penetration. The building has contributory significance. The interior is of little or no significance.
Building 4	Male/Female Receiving Wards	Affected by opportunistic vandalism, part-secured by wire fencing and windows, doors are screened with security sheeting. Interior affected by fire, fixtures and fittings vandalised. Plan form and parts of interior are largely intact. Primary significance, interior little or no significance.
Building 5	Male/Female Receiving Wards	Affected by opportunistic vandalism, part-secured by wire fencing and windows, doors are screened with security sheeting. Roof tiling and building interior damaged. Floor

Building	Summary of Heritage Value
Building 6 Sub-Receiving Wards	plan is similarly intact. Primary significance, interior little or no significance.
Building 7 Sub-Receiving Wards	Affected by vandalism and the impacts of environmental damage from the loss of roof fabric and joinery. Graffiti and spray-painting to building exterior. Original plan form intact along with partly intact fixtures and elements of original fabric albeit deteriorated. Primary significance.
Building 8 Former Larundel Building A	Affected by vandalism and the impacts of environmental damage from the loss of roof fabric and joinery. Graffiti and spray-painting to building exterior. Original plan form intact, but subject to fire damage which has charred internal spaces and stripped paint and plaster from the walls. Primary significance.

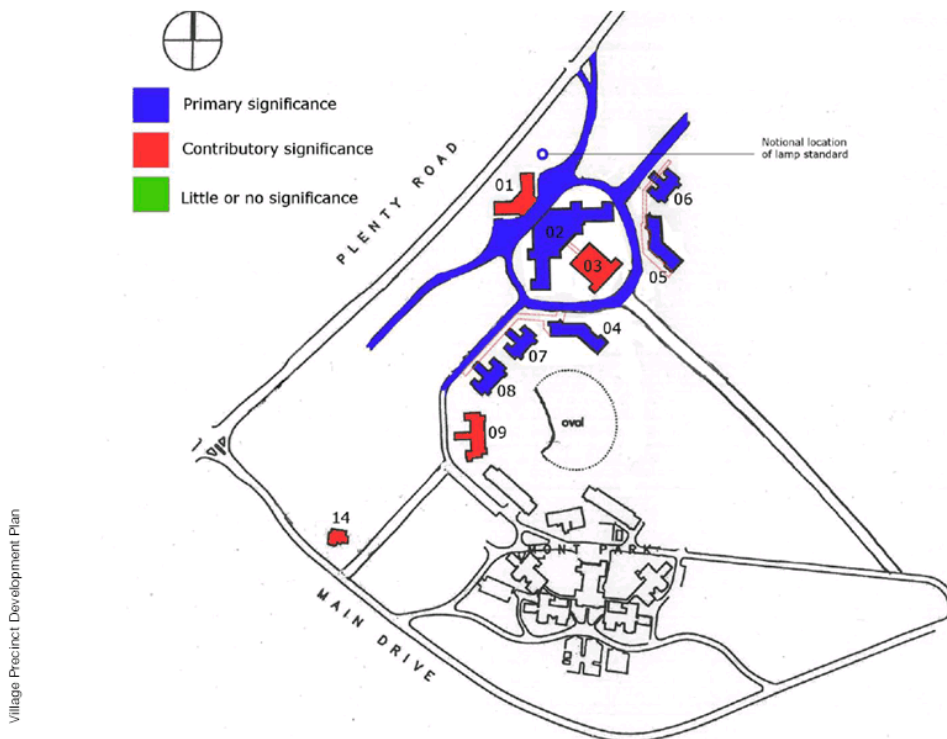


Figure 4: Plan Summary of Heritage Significance

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2.4 Topography

The land in the Village Precinct falls gently from the north to the south and west. There is a level change of 3m from north-east to the north-west along Plenty Road, and approx. 6.33m to the south-east at Sanctuary Drive. Given the site's topography, the finished floor levels of the existing buildings sit above the natural ground level. Survey plans prepared by Bosco Jonson are attached as **Appendix C**.

2.5 Road Network, Circulation and Access

The internal road layout in the Village Precinct is fully constructed and provides vehicle and pedestrian access to the surrounding road network and Polaris Town Centre. The internal roads follow the original road design and are aligned in an axial arrangement to complement the symmetrical layout of the former hospital buildings.

New development in the Village Precinct will access key destination points such as Polaris Town Centre and main thoroughfares such as Plenty Road and Main Drive via Nova Circuit, Galileo Gateway, Zenith Rise and Copernicus Crescent. New development is unlikely to exit the Village Precinct into the surrounding residential area.

The existing road connections between the Village Precinct and Sanctuary Drive and Gonella Crescent will provide access for the surrounding residential area into the Polaris Town Centre, and to Main Drive and Plenty Road.

There is limited capacity to provide on-street car parking within the internal roads.

2.6 Interfaces

The Village Precinct has external interfaces to Plenty Road, the Community Centre (Building 9), Lancaster Green, the Polaris Town Centre and approved future residential apartment building on Lot 6. It also maintains sensitive interfaces to existing residential development along Sanctuary Drive, Gonella Crescent and Grange Boulevard. Internally, future development within the Village Precinct will also maintain sensitive interfaces with the former hospital buildings.

2.7 Key views and corridors

Key view lines are challenged by the precinct's size and variation in natural ground levels. Currently, there are minimal views of the former hospital buildings from Plenty Road due to existing vegetation. Although the symmetrical organisation of the buildings can be best appreciated from an aerial or plan perspective, there are important landmark views within the site including the visual relationship between key heritage buildings on the north-south axis (Buildings, 6, 2, 7 and 8). Reverse views also exist from Lancaster Green into the Village Precinct.

2.8 Landscape

The Village Precinct has a highly modified landscape given past development and the introduction and planting of non-indigenous and exotic vegetation. Notwithstanding, the existing landscape character of the Village Precinct has a semi-rural park-like quality which contributes to the original pastoral setting.

The landscape setting was originally designed by Hugh Linaker who was appointed Superintendent of Parks and Gardens at Mont Park between 1912 and 1937. While no longer viewed within a generous pastoral setting and with an altered roadway arrangement, the site landscape contributes to the understanding of the aesthetic value of the former Larundel Hospital site.

The landscape comprises a mix of native and exotic tree and shrub species. An arboriculture assessment carried out by Stephen Fitzgerald Arboriculture in 2007 and attached to the PDP as Appendix E provides an assessment of tree retention values.

A tree retention plan included as Figure 82 of the PDP identifies a variety of trees with high, medium and low retention values. It is noted that arboricultural conditions may have altered since 2007 and that several trees including Trees 165, 168, 361 and 368 have been subsequently removed in accordance with Planning Permit D909/2010.

3.0 Planning Scheme Policy and Statutory Requirements

3.1.1 Land Use Zone

The Village Precinct is located in the Mixed Use Zone (MUZ) which seeks to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.
- A planning permit is not required to use the land for the purpose of a dwelling.

A planning permit is not required to use the land for the purpose of a dwelling.

A permit is required for buildings and works associated with land uses such as accommodation and other section 2 uses (other than a single dwelling on a lot greater than 300sqm and one dependent person's unit on a lot). A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

A permit is required to subdivide land in the MUZ.

Advertising signage requirements are provided at Clause 52.05 and the MUZ is considered to be Category 3.

3.1.2 Overlays

Development Plan Overlay

Pursuant to Clause 43.04 of the Darebin Planning Scheme, the Village Precinct is affected by the Development Plan Overlay Schedule 1 relating to the Former Larundel Psychiatric Hospital.

The purpose of the DPO is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if it is generally in accordance with a development plan.

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.

Pursuant to DPO1, the Development Plan should address the elements of the North East Corridor Strategic Plan relevant to the site. It should also provide various plans including but not limited to the layout of the existing and proposed buildings and works, the location of passive and open space, treatment of internal roads and road connections and proposed uses.

Pursuant to DPO1 the following guidelines are to be considered when assessing a proposed development plan or planning permit:

- That the proposal discourages industrial uses.
- Whether the development plan or permit application is consistent with the North East Corridor Strategic Plan.
- Consideration of any applicable heritage study and any applicable conservation policy
- Whether the location, bulk, height and appearance of any proposed buildings or works is in keeping with the character of the area.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Consideration of the layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed car parking.
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area will adversely affect the significance, character or appearance of the heritage place.

An application under any provision of this scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Heritage Overlay Schedule 111

Heritage Overlay Schedule 111 relating to Central Administration, Hospital and Dining/Kitchen Blocks and the Mental Patients Block (including the Male & Female Receiving Wards, and Sub-Receiving Wards affects the PDP. An incorporated plan 'Heritage Overlay Plan, Larundel' applies under the overlay as do external paint controls and prohibited uses.

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3.1.3 Existing Development Plans

Lancaster Gate Development Plan

In 2001, Council approved the Lancaster Gate Development Plan (LGDP). This plan was prepared by the URLC and divided the Lancaster Estate into three parts; a Residential Precinct (approx. 15.38h hectares), the Village Precinct which included the former hospital buildings and the Mixed Use Precinct (approx. 10.61 hectares combined). The plan was later amended in 2007 to relocate the multi-purpose community facility to Building 9 in the current Polaris Town Centre.

The Village Precinct is identified for possible student housing, medium density town house development, apartment housing, education, community, open space, recreation and office development and ancillary development.

A further amendment to the development plan is required under the LGDP in respect of the future use and development of the Village and Mixed Use Precincts.

Polaris Development Plan

In 2009, Council approved the Polaris 3083 Development Plan (PDP) as an amendment to the original LGDP and relating specifically to the redevelopment of the original Village Precinct and Mixed Use Precincts.

The plan provides for a Town Centre generally located at the [south-west](#) of the site and in the original Mixed Use Precinct. It also provides for retail, apartments and townhouse development.

Whilst the plan did contemplate future development of the former hospital buildings, insufficient analysis was undertaken to test the viability of the proposed restoration and redevelopment works under the PDP. The PDP was prepared on the basis of a 2000 Conservation Management Plan, which included an assessment of the condition of the heritage buildings. Since 2000, the condition of the former hospital buildings has significantly deteriorated, suffering from opportunistic vandalism including graffiti, weather exposure and fire damage.

Furthermore, the design of some of the former hospital buildings doesn't readily facilitate commercial and/or residential redevelopment due to the single storey built form and character, and constrained aesthetic prominence given the buildings' position relative to site contours. Consequently, amendments to the PDP are required to deliver a practical restoration and redevelopment solution for the Village Precinct.

3.1.4 Other Planning Considerations

North East Corridor Strategic Plan

The North East Corridor Strategic Plan (NECSP) was adopted by Council in 1998. The plan covered the Lancaster Gate Estate and generally envisaged medium density housing in the eastern half of the estate, medium density or mixed use in the western half of the estate and a maximum residential building height of 2 storeys. Mixed use development of a maximum of 3 storeys was anticipated along Plenty Road and around former hospital Building 2, which was to become a local centre. All heritage buildings were to be retained and a bus route was planned along Sanctuary Drive and Galileo Gateway. No trees in the Village Precinct were identified for retention.

The NECSP contemplates the possibility of future demolition of some former hospital buildings if retention and reuse is proved financially infeasible. The recent deterioration of the buildings and costs involved in restoration and adaptive reuse significantly affects the feasibility of retaining the buildings as originally contemplated.

Moreover, several changes to State planning policy have occurred since the NECSP was approved, in addition to the reclassification of the site as the Lancaster Gate Neighbourhood Activity Centre. The Polaris Town Centre, approved under the PDP, has been relocated to the west along Main Drive and maximum building height has been increased generally to 3 storeys across the site.

The NECSP is not an incorporated document pursuant to Clause 81 of the Darebin Planning Scheme. It is intended to act as a reference document to DPO1, however given its age and recent permit and development plan changes affecting the Village Precinct, it provides limited guidance in terms of strategic planning outcomes and background information.

Plenty Road Corridor Framework and Scheme Amendment C137

Council has undertaken significant strategic planning for the Plenty Road Corridor, incorporating new built form controls under the Plenty Road Corridor Urban Design Framework. [The Framework formed the basis of Scheme Amendment C137 which introduced a new Design and Development Schedule \(DDO17\) into the Darebin Planning Scheme.](#) Whilst the PDP is identified as a strategic site, with active frontages to Plenty Road and Main Drive and future pedestrian links to the Future La Trobe University Town Centre site to the south, it is not located within the DDO17 boundary.

[DDO17 allows for a maximum 6 storey building height proximate to the site at 1093-1095 Plenty Road and on the land west of Plenty Road between Bundoora Park and Bradshaw Street.](#)

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4.0 Development Plan Requirements

4.1.1 Proposed Master Plan

The proposed master plan for the Village Precinct will guide the future development of the site, balancing the retention and restoration of former hospital buildings with new townhouse, apartment and mixed use development.

The master plan, attached on the following page together with detailed individual lot plans, has been designed to respond appropriately to the future character of the Plenty Road Corridor, the site's sensitive interfaces, existing heritage values and the feasibility of restoration and adaptive re-use works.

The master plan proposes the following elements:

- Retention and restoration of Buildings 2 ([external western facade and returns along Galileo Gateway](#)), 6, 7, 8;
- Inclusion of Building 8 and 9 into Heritage Overlay 111;
- Demolition of Buildings 1, 2 ([limited to the eastern floorplate and façade behind the retained external façade](#)), 3, 4 and 5 and temporary planting of building footprint with grass prior to further development;
- Creation of 2000sqm of Public Open Space generally in the footprint of Building 1 (to be removed) and along a minimum frontage of 40m to Plenty Road;
- Construction of new apartment buildings and/or townhouses on Lots 10, 9 and 7;
- [Construction of townhouses generally in the footprint of Building 3](#);
- Construction of mixed use buildings abutting Plenty Road on Lot 2D.

A mix of housing typologies are proposed including 2 and 3 storey townhouses and partial 3, 4 and 5 storey apartment buildings. A substantial number of dwellings are proposed to be located the restored former hospital buildings.

The scale and density of development expands upon the approved PDP in order to provide a viable and practical restoration and redevelopment strategy for the Village Precinct.

4.1.2 Proposed uses

The Village Precinct will accommodate a variety of uses including dwellings, aged care accommodation and commercial uses such as office and retail uses. The former hospital buildings are most suited to residential uses whilst future buildings along Plenty Road may comprise future mixed use or commercial buildings. Future uses will be consistent with the purposes and expectations of the Mixed Use Zone.

4.1.3 Heritage Values

The VPDP focuses on achieving positive heritage outcomes for the former Larundel Hospital Buildings that are consistent with the development strategies established in the CMP as reviewed in 2012.

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Village Precinct Development Plan



17th November 2015
 1304/CF01h

Scale 1:200 @ A1
 0 1:500 @ A3

Block 2a - Lot 7 CONCEPT 05
 Polaris 3083 Bundoora

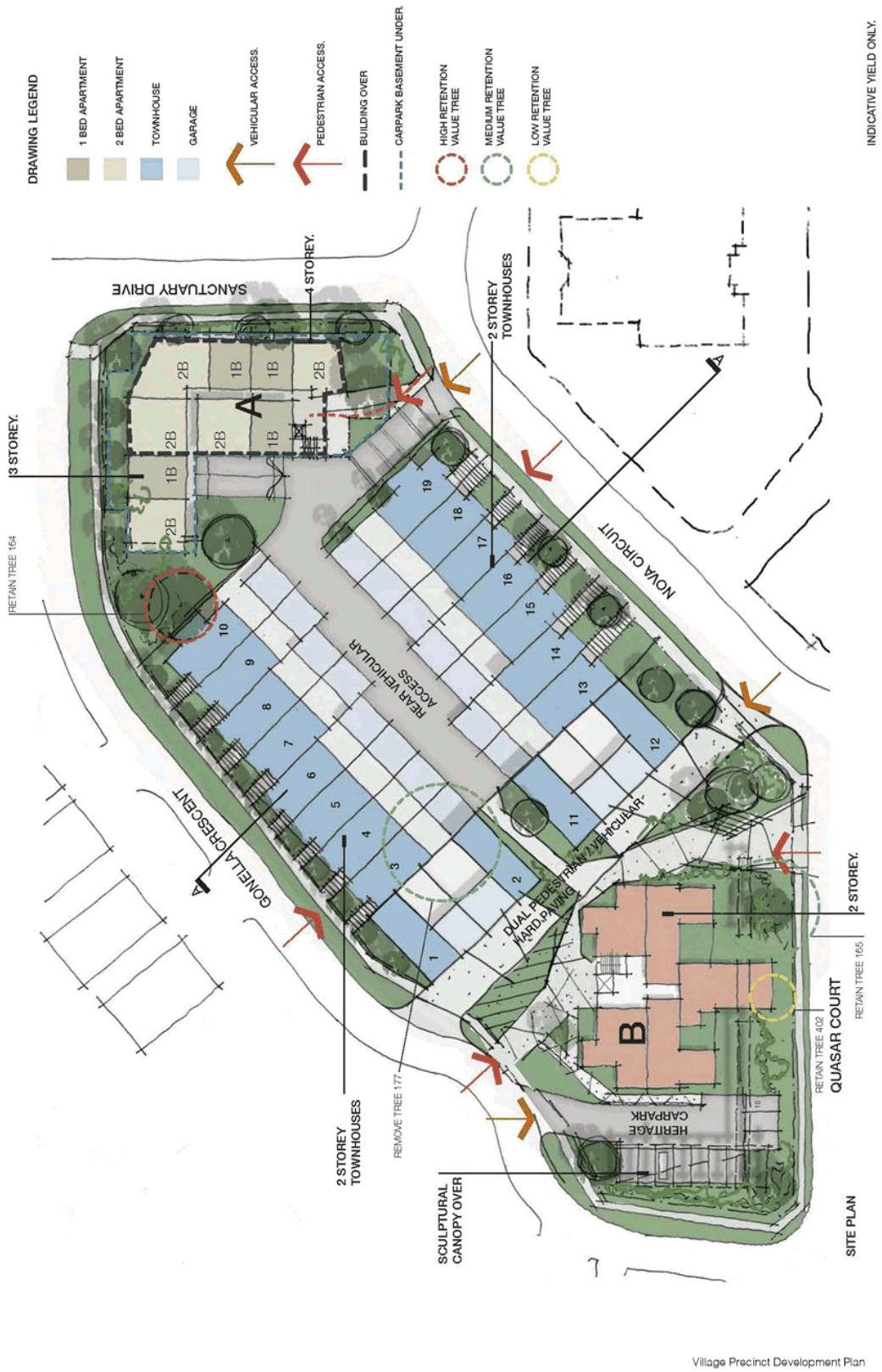
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Village Precinct Development Plan

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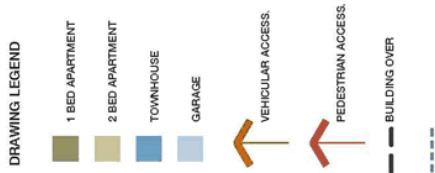
Village Precinct Development Plan

THE COMMON BOUNDARIES SHARED WITH 11-21/21 GRANGE BOULEVARD AND 12 GONELLA CRESCENT ARE A SENSITIVE INTERFACE AND MAY REQUIRE GREATER SETBACKS THAN IMPLIED BY THE BUILDING ENVELOPES.

REFER FIGURE 9 - APARTMENT BUILDING FRONTING GALILEO CIRCUIT REDUCED IN HEIGHT TO 3.4 AND 5 STOREYS (FROM 4 AND 5 STOREYS) HAVING REGARD TO THE TOPOGRAPHY OF THE LAND AS SHOWN ON FIGURE 12. INDICATIVE WEST ELEVATIONS PROVIDED.



SITE PLAN

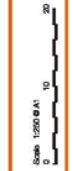


INDICATIVE YIELD ONLY

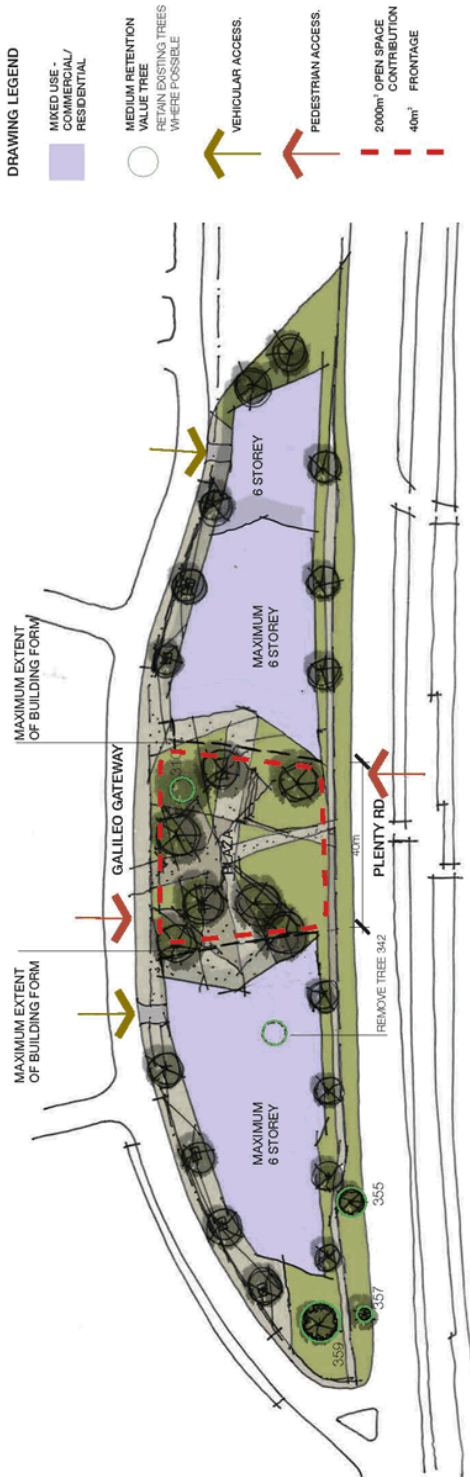


Block 20 - Lot 10 CONCEPT 01

Polaris 3083 - Estate Masterplan



28th Mar 2014
1280/CP 01



NOTE: THE DEVELOPMENT TO BE GENERALLY IN ACCORDANCE WITH THE FOLLOWING PRINCIPLES:
 THE BUILDING MAY PROVIDE A PODIUM FORM (MAXIMUM FOUR STOREYS) TO THE PUBLIC REALM, WITH UPPER TOWER LEVELS GENERALLY SETBACK A MINIMUM OF 3m FROM THE PODIUM WALLS BELOW ADJACENT TO THE PUBLIC OPEN SPACE AND DIFFERENTIATED FROM PODIUM BY DESIGN AND / OR SETBACKS AS FRONTING PLENTY ROAD AND OTHER STREETS.
 GENERALLY PROVIDE AT GRADE ACTIVE COMMERCIAL FRONTAGES TO PLENTY ROAD AND THE PUBLIC OPEN SPACES WITH CANOPY/ SHELTER OVER FOOTPATH/ TOWARDS COMMERCIAL ACTIVE FRONTAGES.

Village Precinct Development Plan

Clarke Hopkins Architects
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 Northcote, Auckland 1061
 Phone: +64 9 308 6300
 Email: info@clarkehopkins.com

Product 2d - Site Plan and Plenty Rd Elevation
 Polaris 3083 Bundoora

Scale 1:500 @ A1 Size 1:1000 @ A3

28th Mar 2014
 12122/CP04c

Whilst the master plan includes the loss of some buildings, this loss is balanced by an overall consolidation of the site's heritage values. The master plan provides for adaptive reuse and restoration of primary significant buildings, a landscape that responds to the heritage values of the site and an infrastructure layout that is respectful of the site's heritage.

In particular, the demolition of Buildings 1, 2 (limited to the eastern floorplate and façade behind the retained external (western) façade), 3, 4 and 5 and provision of a larger scale of development within the site will improve the viability of heritage restoration works and ultimately facilitate the redevelopment of the Village Precinct.

Future development will preserve heritage values and achieve the objectives of CMP by:

- Retaining key visual relationships between heritage buildings, particularly the north-south axial relationship between Buildings 6, 2, 7, 8 and 9.
- Introducing new views of the former hospital buildings from Plenty Road through the provision of 2000sqm of open space.
- Undertaking high quality external conservation works to the retained heritage buildings.
- Reinforcing the landscaped character; retaining buildings within a landscaped setting that is interpretive of the historic open setting and improving the interface to Lancaster Green.
- The inclusion of Buildings 8 and 9 within the Heritage Overlay area.
- Ensuring that there is sufficient physical and visual separation between the heritage buildings and new development, particularly where new building form has a greater scale than existing heritage buildings.
- Introducing new built form to the rear of Buildings 7 and 8 that adopts a contemporary architectural language and is visually recessive.
- Reducing the extent of visually intrusive at-grade car parking by locating car parking out of view from the public realm, providing landscaping treatments and basement level car parking.
- Reusing heritage bricks, to be salvaged from demolished buildings, in the conservation and repair of retained heritage fabric where feasible and/or as part of landscaping treatments.
- The inclusion of a comprehensive graphic interpretation scheme as a component of the development would enhance the opportunities for wider understanding of the significant values of the site.

In addition, the following commitments are made to conserving heritage values on the site as part of the VPDP:

- The immediate commencement of further securing works to the buildings to be retained. Early weatherproofing and enclosure works to retained heritage buildings comprising the enclosure of window openings with painted plywood will reduce the potential for further deterioration of the heritage buildings.
- General works to tidy up the site including the removal of overgrown scrub and the removal of covered walkways and other peripheral elements will be undertaken in order to improve the site's physical appearance and internal security and surveillance.
- Provision of grassed areas to the footprint of the demolished buildings as an interim measure to manage site presentation.

The first works under the VPDP will commence on Lot 7. These works will consist of both conservation works and the adaptive reuse of Buildings 7 and 8, as well as new development to the rear of the lot. Any development on Lot 7 must include restoration works on the former hospital buildings, even in the event future works are staged. Furthermore, before any occupancy permit issues for any building constructed on Lot 7, an occupancy permit must first be obtained in respect of both Buildings 7 and 8.

4.1.4 Built Form Guidelines

Height and Density

Building height varies across the precinct, having regard to site contours, the recommendations of the Plenty Road Urban Design Framework and sensitive interfaces associated with the amenity of existing dwellings and heritage values of the retained former hospital buildings. Development should be visually recessive relative to the retained heritage fabric. In lesser sensitive areas, buildings may adopt a greater scale compared to the retained former hospital buildings.

Building height varies between 2 and 6 storeys with the greatest heights concentrated along Plenty Road, transitioning down to 2-4 storeys at the residential and heritage interfaces.

Two 6-storey mixed use buildings are proposed at the [Precinct's](#) Plenty Road frontage, which is consistent with Council's Plenty Road Land Use and Urban Design Framework and [DDO17](#) as introduced by Amendment C137.

New apartment buildings range in height from 3 – 5 storeys. Taller buildings have been located in the lower parts of the landscape to maintain consistent viewlines, particularly to the heritage buildings, and to provide an appropriate transition to sensitive interfaces.

Like building height, density is concentrated along Plenty Road and at the gateways of the site, and is broken up by locating the 2 storey townhouses between the apartment and former hospital buildings.

Indicative building heights are demonstrated in the sections below.

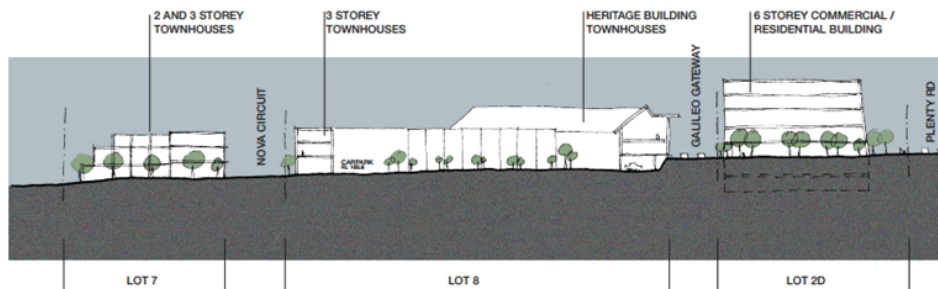


Figure 5: Indicative north-east to South-west Section: Plenty Road to Sanctuary Drive

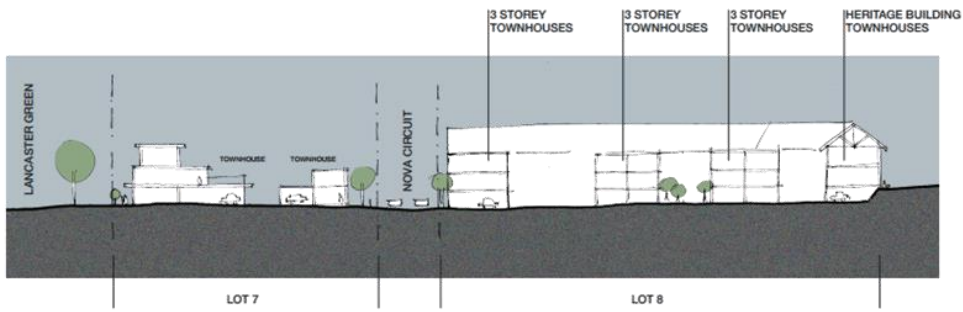


Figure 6: Indicative section through Lot 7 – Nova Circuit to Lancaster Green

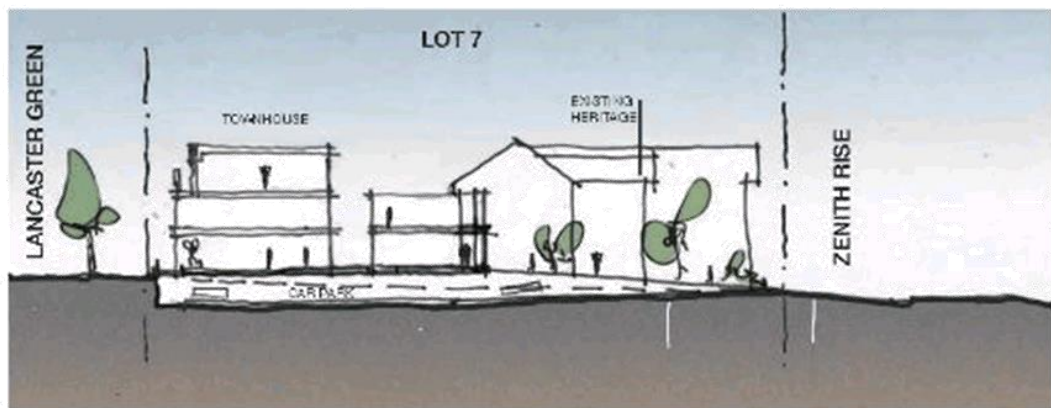


Figure 7: Indicative section through Lot 7 – Zenith Rise to Lancaster Green

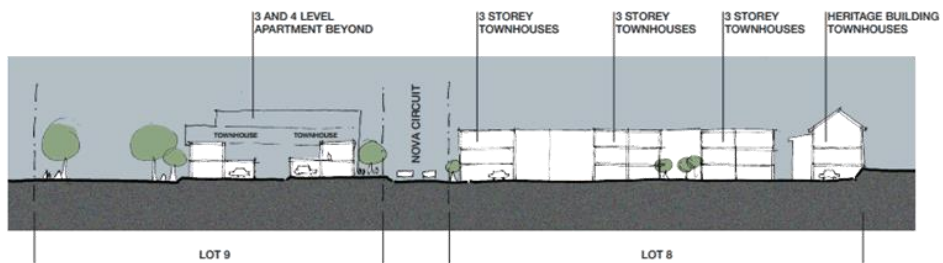


Figure 8: Indicative section through Lot 9 – Gonella Crescent to Lot 8

Village Precinct Development Plan

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Figure 9: Indicative west elevation – Galileo Gateway Frontage to Lot 10

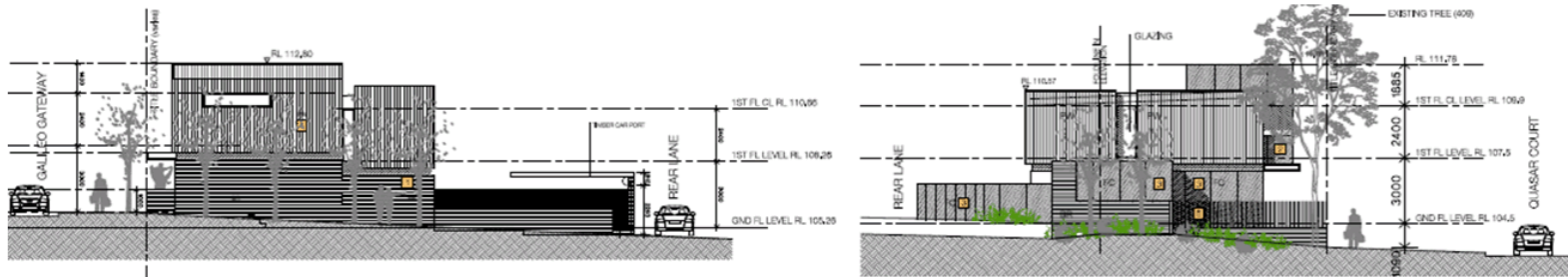


Figure 10: Indicative east elevation – Nova Circuit Frontage to Lot 10

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All development is to be generally in accordance with the Village Precinct Development Plan (this document). The indicative building envelopes represent a maximum building height and are provided to allow an appreciation of the maximum scale of development over the site only. They do not imply a right to build wholly within the building envelope and therefore, allow some flexibility having regard to the sloping nature of the land and the possible need to vary plans in the future without amending the development plan.

All future development will be subject to planning permit applications. The form, setback and height of future buildings should be designed having regard to the following:

- Topography of the land;
- The scale, location and views of the adjacent heritage buildings;
- The amenity of the public open space including potential mass and bulk impacts;
- Potential mass and bulk impacts upon adjacent dwellings secluded private open space;
- Potential overshadowing impacts upon adjacent dwellings secluded private open space;
- The need to retain vegetation on the site; and
- Plenty Road.

Note: Storeys on the development plan exclude basements as defined under Section 72 of the Darebin Planning Scheme.

Setbacks

New development is to be sited carefully to respect sensitive interfaces to existing heritage buildings and residential dwellings along surrounding streets. The views and presentation of heritage buildings will be enhanced through the inclusion of appropriate setbacks between the existing and new development.

The sensitive interface to existing residential dwellings (shown as red dashed line below) include dwellings directly abutting or adjoining the Village Precinct, such as those located at 121 Grange Boulevard, 11, 12, 13, 14 and 16 Gonella Crescent, 11 Rumney Lane, 1, 3, 5, 7, 9 and 14 Gonella Crescent, 44 Sanctuary Drive, units at 31 Sanctuary Place and 6 Di Palma Place.

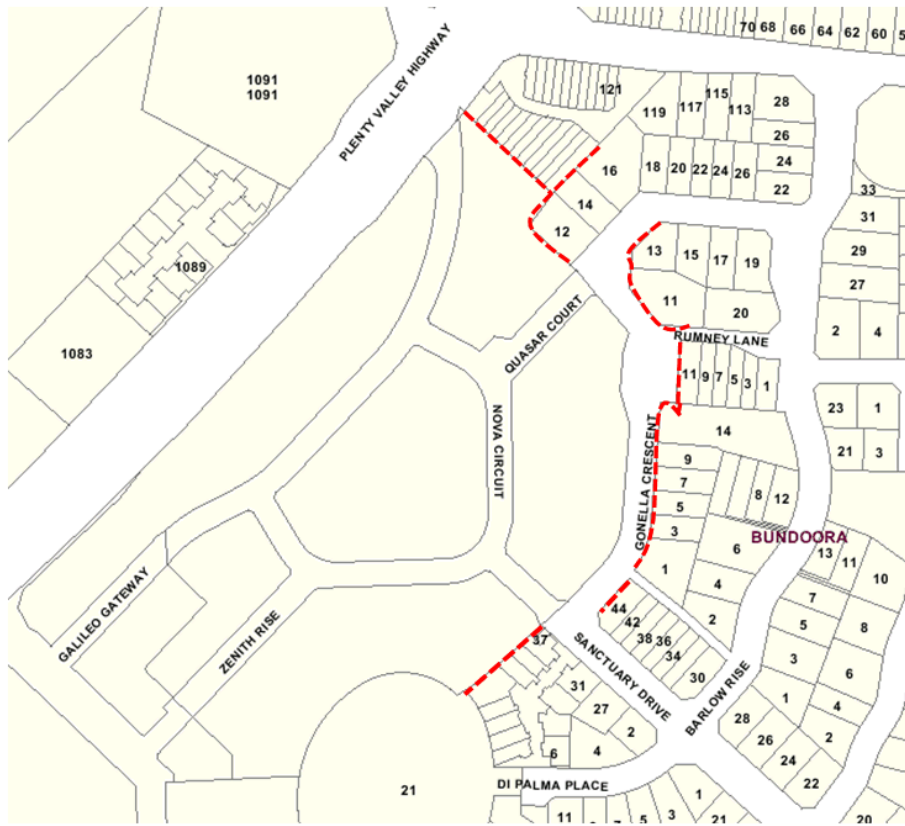


Figure 11: Sensitive residential interfaces

Setbacks to abutting dwellings should be designed to appropriately respond to existing residential amenity in keeping with relevant ResCode Standards B17 to B24 as provided at Clause 55 of the Darebin Planning Scheme. Setbacks to corner lots must enable sufficient sightlines for traffic in accordance with the relevant Australian Standard (AS2890.1-1989).

New development is also to be set back from the internal roads and along the important north-south axis to provide opportunity for an open landscape setting. Open front setbacks will help to preserve sightlines and provide landscaping opportunities. The siting of at-grade car parking generally out of view of the public realm will also reinforce the achievement of open, landscaped front setbacks.

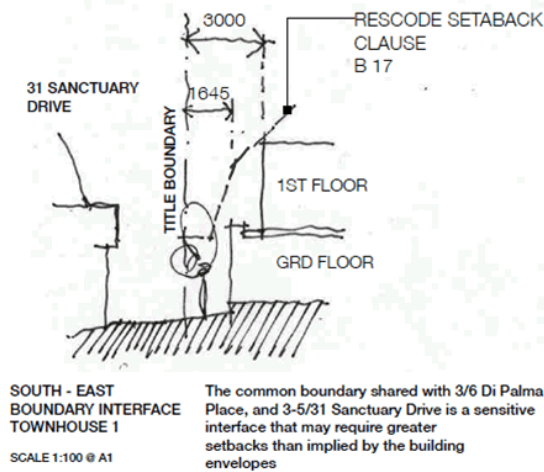


Figure 12: Indicative setback treatment to southern adjoining residences on Lot 7 (Standard B17)

Retained Former Hospital Buildings – Design and Architectural Approach

The architectural presentation and design of the buildings is a key element of the heritage values of the place. The Tudor Revival buildings incorporate Moderne elements that result in a highly detailed and cohesive design outcome.

The conservation and restoration of former hospital buildings aims to retain and conserve the site’s historic meanings and architectural presentation. This enables the continued interpretation and understanding of the heritage values associated with the former Hospital and through surviving evidence of the original master plan.

Conservation and restoration works should focus on returning high quality and properly conserved external elevations to the retained buildings. Conservation works should utilise traditional materials and construction methods. Reconstruction and repair works will be undertaken with like materials and detailing.

Adaptive reuse works should ensure that the exterior presentation of the heritage buildings is largely unaffected. Any alteration to the exteriors of buildings for new openings and the like should minimise the visual and physical impacts of new and introduced elements to the heritage buildings, so as to not undermine the architectural presentation of the buildings. New and introduced elements should be undertaken on lesser elevations with consideration to minimising their visual impact.

In particular, the rear of the buildings has the potential to contain additions, pavilions, infrastructure and car parking but must maintain sufficient visual and physical separation. The position and scale of new structures should be informed by the potential for visibility from the public domain and aim to minimise their visual presence.

There is considerable flexibility in terms of the treatment and alteration of internal spaces.

Village Precinct Development Plan

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New Development – Design and Architectural Considerations

Future site development should aim to maintain and enhance the architectural and aesthetic values of the former Larundel psychiatric hospital, through considered design and inclusion of new structures and landscape elements.

New built form should demonstrate excellence of design and attention to construction quality. Building facades should represent a simple and contemporary style. Bulky roof forms or extensive blank facades in a single material or colour should be avoided. The architectural design of new buildings should utilise contemporary architectural language but reflect the scale and form of the existing heritage buildings.

Development should give primacy to the street address and development with two street frontages is to maintain articulated and façade treatments to both frontages. Activated edges should achieve a high level of pedestrian amenity through a combination of uses, entrances, glazing, and other design detail and architectural treatments.

Blank walls should be avoided to ensure an attractive and visually appealing presentation. The visual impact of large areas of exposed walls is to be reduced in scale by architectural treatments and or use of colour. Exposed blank walls are to be treated to the same standard as the rest of the building.

Plant and equipment will be concealed or screened and exterior elements are to be integrated into the building.

The master plan identifies the location of new development amongst the extant hospital buildings. New buildings should be responsive in scale and height to the extant heritage places and have been carefully sited in order to preserve visual links between the heritage buildings. New elements will strike a balance between achieving an appropriate design response that considers the heritage values of the site and fulfilling a new design brief.

New buildings and additions to heritage places should have regard to the form, scale and visibility of development. New buildings should aim to be visually recessive and deferential to the significant heritage buildings by:

- Adopting a lower scale when adjacent to the heritage buildings;
- Referencing the form and scale of historic buildings in developing an architectural response;
- Providing sufficient setbacks, separation from heritage buildings and of landscape treatments;
- Locating additions to the heritage buildings preferably to the rear, away from the public domain and separated by low level linking elements;
- New buildings being designed with articulated plan and three dimensional forms.

Materials and finishes

A varied palette of materials is to be used to ensure a visually rich environment. Materials and finishes are to be robust.

Conservation works should utilise traditional materials. Reconstruction and repair works will be undertaken with like materials and detailing.

The reuse of heritage bricks from former hospital buildings which are to be removed is encouraged in the conservation and repair of retained heritage fabric where feasible and/or as part of landscaping treatments.

New buildings and additions are encouraged to comprise a contemporary design and detail response. Material selection may refer to the extant materials palette but the use of modern materials is appropriate.

New built form proposed with an interface to Quasar Court on Lot 10 should also recognise the existing character and themes of materials, finishes and colours and create a transition between new and existing development.

4.1.5 Open Space

The new mixed use buildings proposed in Lot 2D along a 40m frontage to Plenty Road will be separated by the 2000sqm of Public Open Space, which not only will become a green, community space but will also provide views from Plenty Road in to the site and to the former hospital buildings.

The 2,000sqm of Public Open Space will be vested in or transferred to Council within 6 months following the issue of either a Statement of Compliance for the subdivision of Lot 2D or the issue of an occupancy permit for any building constructed on Lot 2D, whichever occurs earliest.

Prior to vesting or transferring the land, the landowner must:

- Prepare a landscape design for the POS Land to the satisfaction of Council which is designed to be generally in accordance with that standard usually required by Council for a similar sized Public Open Space; and
- Carry out improvements to the POS Land in accordance with the design approved by Council at the full cost of the Owner.

Following the vesting or transfer of the open space, no further Public Open Space contributions are payable in respect of the Village Precinct or original Mixed Use Precinct.

4.1.6 Landscape

Future landscaping of the Village Precinct is to provide an attractive setting that seeks to enhance the aesthetic value of the site through the maintenance of existing landscape elements and the introduction of landscape treatments that are informed by historic precedents.

With respect to heritage considerations, there is a strong emphasis on the preservation of the site's landscape character and the understanding that the former hospital buildings were traditionally seen within an open landscape setting.

The provision of landscaped open front setbacks will reinforce the site's traditional landscape character and also ensure visually intrusive at-grade car parking is located out of view from the public realm.

Landscape responses should exclude residential front fences onto the internal roadway complex, except where required to comply with the Building Code of Australia. Boundary delineation should be achieved using a landscape resolution more in keeping with the landscape context of the site, such as low hedges. Insensitively designed fencing has the potential to diminish the presentation of the heritage place.

The general vegetation strategy includes the provision of a mix of exotic and native tree species to complement the existing site character, whilst retaining as many of the trees identified for retention in Figures 81 and 82 of the PDP as practical.

Landscaping should contribute to a high quality frontage and appropriate species selection should be used to visually soften and reduce building bulk and screen visually obtrusive areas. Environmental factors should be considered in relation to minimising surface runoff, species selection, materials and finishes and ongoing energy requirements. In selecting plant species, consideration should be given to local soil and weather conditions, sun and ongoing moisture requirements, shade and drought tolerance and screening potential. The species of all proposed plants selected must be to the satisfaction of the responsible authority.

Existing vegetation that is retained should be protected during construction. Tree Protection Zones (TPZ) must be generally established prior to construction around trees and/or groups of trees that are to be retained. The TPZ will need to be determined in consultation with an arborist and is dependent upon tree species and age for example, and also in relation to proposed development adjacent to identified trees.

New street tree planting will comprise both exotic and native species to reinforce the current character of vegetation on the site. Selection will be based on providing solar access to dwellings, habitat creation, trees that do not damage infrastructure and the need to provide shady streets for pedestrian amenity.

New planting on the land surrounding Lancaster Green will comprise new tree and lawn planting to provide an attractive and passive interface between Lancaster Green and the heritage buildings.

As noted above, the new area of Public Open Space proposed along Plenty Road is subject to a landscape design to the satisfaction of Council and is to be designed generally in accordance with the usual standards required by Council for a similar sized Public Open Space

A detailed landscape plan, including existing trees to be retained and removed, should be prepared by a qualified landscape architect with the permit application for each lot. The landscape plan should be generally provide:

- Existing trees to be retained or removed.
- A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity and quantities of all plants.
- Clear graphics identifying trees (deciduous and evergreen), shrubs, groundcovers and climbers; and a scale, north point and appropriate legend.
- Street trees within the nature strip/s adjacent to the property.
- Details of all surfaces including lawns, mulched garden beds and hard paving (such as asphalt, concrete, brick or gravel).
- All constructed items including retaining walls, letter boxes, garbage bin receptacles, outdoor furniture, lighting, clothes lines etc.

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Village Precinct Development Plan

- Edge treatment between grass (lawn) and garden beds.
- An outline any building/s including any basement, the location of entry doors, windows, gates and fences.
- The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.

Arboricultural considerations

An arboricultural assessment was carried out by Stephen Fitzgerald Arboriculture in 2007, and is attached to the PDP as Appendix E. This assessment assigned an arboricultural value to existing trees (high, medium and low retention value) and identified trees in poor health or dangerous condition and those recommended for removal. The results of the arboriculture assessment are summarised in Figure 82 of the PDP.

An arborist report will be provided as part of all planning permit applications, detailing all existing vegetation and assessing the benefit of retaining all trees and providing critical root zones and retention measures.

Vegetation removal

The master plan seeks to retain as many of the existing trees identified for retention in Figures 81 and 82 of the PDP as possible.

However, in order to achieve the ultimate development vision for the Village Precinct, some existing trees, in addition to those proposed for removal in the 2007 arboriculture assessment, may require removal despite good health or significance. Any removal of existing trees is to be balanced with appropriate new replacement vegetation. The extent of vegetation proposed to be removed on site is not considered excessive having regard to future replacement planting and the Village Precinct master plan.

Tree retention policy

A planning permit must require that if any tree which is identified for retention in Figure 82 of the PDP, subject to a future review of arboricultural values, is removed or destroyed during and by construction works, a monetary amount shall be paid to the responsible authority unless the responsible authority agrees to revegetation "works in lieu" of an equivalent value.

The monetary amount in respect of each tree is to be determined by an appropriately qualified person and is to be agreed upon between Council and the permit applicant.

The payment of contributions and offset plantings is to compensate for the loss of amenity associated with the removal of trees, with the calculation of the amenity value based upon the existing Arborist Report (Appendix E: Lancaster Precinct Arboricultural Report prepared by Stephen Fitzgerald Arboriculture June 2007) or future updated arboricultural advice, and in accordance with Council's Tree Retention Policy 2007.

If any monies are paid to the responsible authority under this provision, these monies should be used by the responsible authority for revegetation works on the land or in a location agreed by both parties if insufficient land area is available on site.

Trees planted in the new POS Land, subject to first having been approved for such planting by Council, shall be offset as a credit for any trees removed to the satisfaction of Council.

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4.1.7 Traffic and parking

No change is proposed to the existing road network, comprising roads and connections to Plenty Road, the Town Centre and surrounding residential neighbourhood. The existing road network, as created under the PDP, provides for vehicle, pedestrian and bicycle connections. Additional pedestrian and vehicle connections are proposed under the master plan within individual lots and connecting with Lancaster Green, surrounding streets, basements or at-grade car parking areas.

The proposed internal road network retains the historic layout of the key access roads and provides an integrated network to cater for the needs of pedestrians, cyclists, cars, and service, emergency and delivery vehicles. The proposed vehicular access connections onto Plenty Road and Main Drive provide for safe, convenient and dispersed connections onto the adjacent arterial road network.

Design of at-grade car parking in the Village Precinct, minor roads 'mews' and pathways should consider the aesthetic values of site. New roads and paths should be of a lesser scale and employ materials that differentiate them from the reconstructed road layout. Car parking should have a limited interface with the roadway views of the hospital buildings. Large areas of hardstand for car parking, especially adjacent to the former hospital buildings should be avoided, or if it cannot be avoid, otherwise treated in a manner to minimise the visual impacts.

Car parking rates have been established under the PDP and in subsequent planning permits. A detailed traffic engineering assessment should be prepared by a qualified traffic engineer with the permit application for each lot. The assessment should include a car parking demand analysis and address Clause 52.06 of the Darebin Planning Scheme. Future development should have regard to parking rates approved under the PDP and in subsequent permits, including those below. Established parking rates may be varied for example in accordance with sustainable transport principles, empirical data or temporal parking demand analysis, to Council's satisfaction.

- 0.7 spaces per 1 bedroom dwelling
- 1 space per 2 bedroom dwelling
- 2 spaces per 3 bedroom dwelling
- 0.2 spaces per dwelling for visitor parking may be provided on-street
- A peak rate of 0.3 spaces per student bed for student accommodation
- A peak rate of 0.3 spaces per aged care bed (inclusive of staff and visitor parking) and a peak rate of 0.5 spaces per unit for independent units for older persons, or 1 space per dwelling for townhouses.

It is intended that future redevelopment will provide self-sufficient car parking facilities via a combination of basement, at-grade and on-street car parking with consideration to any temporal parking characteristics. Areas surrounding car parks should be landscaped, and include canopy tree planting.

The design and configuration of car parking facilities should generally accord with the provisions of Clause 52.06 of the Darebin Planning Scheme or Australian Standards AS/NZS2890.1:2004.

Transport Management Plan

A Transport Management Plan (TMP) has been prepared by Cardno for the VPDP.

As with the Integrated Transport Plan (ITP) prepared by Ratio Consultants in July 2009, the TMP is intended to act as 'base' reference document and is to be used as a guide only for the future development within the Polaris Village Precinct.

The TMP has been prepared to address the following:

- 1. Estimate of each transport mode's share of travel.*
- 2. A traffic analysis which has regard to the likely pattern and intensity of development and the expected number of trips generated.*
- 3. Works to existing and proposed intersections and proposed traffic management and control works on site and on adjoining roads where necessary to accommodate traffic increases and safe pedestrian movement.*

The TMP requires the proponent to undertake Traffic and Transport Assessments in support of each Planning Permit Application for development in the future. These assessments should consider specific detail of modal share, traffic generation and any future road works required to accommodate development generated traffic.

A copy of the TMP can be found at **Appendix D**.

4.1.8 Servicing and infrastructure

Subject to augmentation and upgrade works, the Village Precinct will be generally serviced by existing infrastructure.

The provision of all services (electricity, gas, water supply, sewerage drainage etc) to the Village Precinct must be undertaken to the satisfaction, and in accordance with the requirements/conditions of the relevant authority. All telecommunication and electrical supply is to be provided underground.

Consultation with all relevant services authorities during the design stages of each lot will ensure the coordination of utility services to minimise construction and maintenance costs and disruption to the public and landscaping.

Fire hydrants must be located in accordance with the requirements of the Metropolitan Fire Brigade.

Roads and drains must be designed and constructed in accordance with the City of Darebin Road Geometry and Design Guidelines to the satisfaction of the responsible authority.

No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority or the responsible authority without the prior written consent of the responsible authority and any relevant authority.

The existing access points in Plenty Road will be retained and upgraded where required subject to traffic engineering assessment in accordance with Council and VicRoads requirements.

Prior to the commencement of any development permitted by a planning permit, a detailed drainage plan must be prepared to the satisfaction of the responsible authority.

4.2 Implementation

4.2.1 Stages of development

Under the revised Development Plan, the retained former hospital buildings will be restored and adapted for reuse. Building and works are proposed to commence on Lot 7 and will include both restoring retained former hospital buildings and the construction of new apartments and townhouses.

4.2.2 Future planning permit approvals

Redevelopment of the Village Precinct has commenced with this development plan. The next steps in the approval process are envisaged to be:

- The layout of all proposed buildings will be finalised and approved at the planning permit application stage for each lot.
- Future permit applications will have regard to the heritage values of the site as clarified in the recommendations of the 2012 CMP Review.
- Indicative uses have been identified at Section 4.1.2. The final uses for each lot will be finalised at the planning permit application stage.
- Other than the 2000sqm Public Open Space, the location of passive and open space will be finalised during the detailed design of each future lot at the planning permit stage.
- Specific design detail pertaining to vegetation and landscaping will be provided at the future planning permit stage for individual lots in keeping with the parameters provided at Section 4.1.6.
- Detail relating to the future subdivision of each lot will be provided at the subdivision permit stages
- Servicing infrastructure needs will be addressed at planning permit stage for each lot.
- An updated survey and detailed arboriculture assessment will be undertaken at the planning permit stage for each lot.
- The provision of a Traffic and Transport Assessment will be undertaken at the planning permit stage for each lot.

Appendix A – Certificates of Title

Appendix B – 2012 CMP Review prepared by Lovell Chen Heritage Architects and Heritage Consultants

Village Precinct Development Plan

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Appendix C – Site Survey Information

Appendix D – Transport Management Plan prepared by Cardno

Village Precinct Development Plan

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DRAWING LEGEND

- APARTMENT
 - 3 storey
 - 4 storey
 - 5 storey
- TOWNHOUSES
- COMMERCIAL
- HERITAGE
- BY OTHERS
- APPROVED/ BUILT

LOT 10: APARTMENT BUILDING FRONTING GALILEO CIRCUIT REDUCED IN HEIGHT TO 3, 4 AND 5 STOREYS (FROM 4 AND 5 STOREYS) HAVING REGARD TO THE TOPOGRAPHY OF THE LAND AS SHOWN ON FIGURE 9 INDICATIVE WEST ELEVATIONS.

LOT 8: UPPER LEVELS MAY OVERHANG THE NOVA CIRCUIT GROUND LEVEL SETBACK AND MUST MAINTAIN A MINIMUM 1m SETBACK FROM THE BACK OF FOOTPATH.

ALL DEVELOPMENT TO BE GENERALLY IN ACCORDANCE WITH VILLAGE PRECINCT DEVELOPMENT PLAN

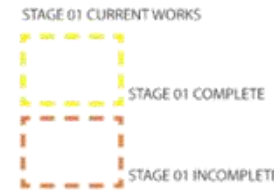
NOTE: INDICATIVE BUILDING ENVELOPES REPRESENT A MAXIMUM BUILDING HEIGHT AND ARE PROVIDED TO ALLOW AN APPRECIATION OF THE MAXIMUM SCALE OF DEVELOPMENT OVER THE SITE ONLY. THEY DO NOT IMPLY A RIGHT TO BUILD WHOLLY WITHIN THE BUILDING ENVELOPE AND ALLOW SOME FLEXIBILITY HAVING REGARD TO THE SLOPING NATURE OF THE LAND AND THE POSSIBLE NEED TO VARY PLANS IN THE FUTURE WITHOUT AMENDING THE DEVELOPMENT PLAN. ALL FUTURE DEVELOPMENT WILL BE SUBJECT TO PLANNING AND PERMIT APPLICATIONS. THE FORM, SETBACK AND HEIGHT OF FUTURE BUILDINGS MUST BE DESIGNED HAVING REGARD TO THE SITE CONTEXT HAVING FULL REGARD TO

- TOPOGRAPHY OF THE LAND.
- THE SCALE, LOCATION AND VIEWS OF ADJACENT HERITAGE BUILDINGS.
- THE AMENITY OF THE PUBLIC OPEN SPACE INCLUDING MASS AND BULK IMPACTS.
- MASS AND BULK IMPACTS UPON ADJACENT DWELLINGS SECLUDED PRIVATE OPEN SPACE.
- OVERSHADOWING IMPACTS UPON ADJACENT DWELLINGS SECLUDED PRIVATE OPEN SPACE.
- THE NEED TO PROTECT AND RETAIN VEGETATION ON THE SITE.
- PLENTY ROAD.

LOT 7: ANY DESIGN WILL NEED TO PROVIDE AN APPROPRIATELY LANDSCAPED SOFT EDGE TRANSITION FROM THE HARD EDGE OF THE 2 AND 3 STOREY BUILT FORM IN THE PUBLIC OPEN SPACE SETBACK AND THE FRONT SETBACK TO THE ROAD RESERVE, WITH SUFFICIENT LAND TO PROVIDE FOR APPROPRIATE CANOPY TREES ON THE PRIVATE LAND. CANOPY TREES WILL COMPRISE A MEDIUM CANOPY TREE IN THE FRONT SETBACK AND PUBLIC OPEN SPACE SETBACK OF TWO OF EVERY THREE OF THE TRIPLE STOREY DWELLINGS AND A SMALL CANOPY TREE IN THE FRONT SETBACK AND PUBLIC OPEN SPACE SETBACK OF TWO OF EVERY THREE OF THE DOUBLE STOREY DWELLINGS. A QUALITATIVE ASSESSMENT WILL NEED TO BE PROVIDED BY AN ARBORIST AND / OR LANDSCAPE ARCHITECT DEMONSTRATING THAT THE DESIGN ALLOWS AN ADEQUATE SOFT EDGE TRANSITION. SETBACKS MAY NEED TO BE INCREASED TO PROVIDE FOR THE TREES. CANOPY TREES MUST HAVE THE FOLLOWING MINIMUM WIDTHS AT MATURITY: SMALL CANOPY (4 METRES), MEDIUM CANOPY (6 METRES).

NOTE:

1. ALL FUTURE DEVELOPMENT IS SUBJECT TO A PLANNING PERMIT APPLICATION.
2. BUILDING ENVELOPES ARE INDICATIVE ONLY. NEW BUILDINGS ADJACENT TO RETAINED HERITAGE BUILDINGS TO BE OF AN EQUIVALENT SCALE OR LESS.
3. BUILDING HEIGHT PROVIDES AN INDICATION OF MAXIMUM BUILDING HEIGHT.
4. STOREYS ON THE DEVELOPMENT PLAN EXCLUDE BASEMENTS, AS DEFINED UNDER CLAUSE 72 OF THE DAREBIN PLANNING SCHEME.



1. INDICATIVE YIELD ONLY.
2. INDICATIVE LAND USE TYPOLOGIES SHOWN.
3. INDICATIVE SETBACKS SHOWN.
4. FINAL YIELD, LAND USE TYPOLOGIES AND SETBACKS TO BE DETERMINED AT THE PLANNING PERMIT APPLICATION STAGE AND FOR EACH LOT OR PART THEREOF.

Polaris Estate - Indicative Village Precinct Development Plan
Polaris 3083 Bundoora



Scale 1:750 @ A1 1:1500 @ A3

13th February 2018
1225/MP02S



SITE PLAN

Block 2c - LOT 8 CONCEPT 01- TOWNHOUSES - GRD FLOOR
Polaris 3083 Bundoora



13th February 2018
1344/CP01c

**5.4 PLANNING PERMIT APPLICATION D/80/2017
196-198 Albert Street, Reservoir VIC**

Author: Principal Planner

Reviewed By: Principal Statutory Planner

Applicant	Owner	Consultant
George Manoly	Sarwat Fouad Shenouda	Treelogic ML Traffic Engineers

SUMMARY

- It is proposed to construct a four storey residential development including basement car parking level.
- The development is to include 20 dwellings, providing:
 - 6 x 1-bedroom dwellings
 - 13 x 2-bedroom dwellings
 - 1 x 3-bedroom dwelling
- The basement level includes 21 car parking spaces for residents.
- No visitor car parking is proposed to be accommodated on site.
- The ground floor dwellings will have secluded private open space in the form of terraces to the front, side and rear setbacks.
- The upper floor dwellings will have secluded private open space areas in the form of balconies.
- The development will have a contemporary design, with flat roof forms behind parapet walls. The materials are to be brick, lightweight render and cladding.
- The height is to be approximately 13 metres to the top parapet, with a lift overrun having a height of 14.9 metres.
- The site is zoned Residential Growth Zone (RGZ2) and is affected by the Design and Development Overlay (DDO19) and Development Contributions Plan Overlay (DCPO1). The site adjoins a road (Albert Street) in a Road Zone Category 1 (RDZ1).
- The mandatory garden area requirement does not apply to land in the Residential Growth Zone.
- There is no restrictive covenant on the title for the subject land.
- One objection was received against this application.
- The proposal is generally consistent with the objectives and standards of Clauses 22.06, 32.07, 43.02, 52.06 and 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via three signs posted on site and letters sent to surrounding owners and occupiers.

- This application was referred internally to the Transport Engineering and Strategy Unit, Infrastructure and Capital Delivery Unit, Urban Designer, ESD Officer, the Capital Delivery Unit and Arboricultural Planning Unit.
- This application was referred externally to VicRoads.

Recommendation

That Planning Permit Application D/80/2017 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 Sheet 3 Rev 2; Sheets 2-13 Rev 1; Sheet 14 Rev 2, sheet 9 Revision A, sheets 10-13, revision B, dated April 2017 and prepared by Gemano Architects) but modified to show:
 - a) The common circulation corridors at Ground, First, Second and Third Levels increased to a minimum width of 1.5 metres. This must not result in a reduction in any setback from a boundary.
 - b) Full details of the glazing to the common central lightwell, ensuring that daylight access and ventilation is optimised whilst preventing any internal overlooking.
 - c) The 1.85 metre high fencing shown along the western and southern frontages of the site are to be reduced in height to 1.5 metres maximum with any section of fence above 1.2 metres to be visually transparent i.e. at least 25% permeable.
 - d) The provision of a fence (and gate as necessary) along the southern boundary of the site, extending between the eastern boundary with a return along the eastern side of the basement ramp to secure the Basement emergency access staircase. This fence must not have a height greater than 1.5 metres with any section above 1.2 metres to be visually transparent.
 - e) The Apartment entrance from Albert Street and the foyer area increased in width to 2.5 metres. This may be achieved by an internal re-arrangement of the ground floor dwellings and must not result in a reduction in any setback from the boundaries.
 - f) The main entrance door from Albert Street and the lift door must have a minimum width of 1.5 metres and both must be capable of remaining open (e.g. sensor operated) to allow bicycles to enter and exit the building and the lift with ease.
 - g) The provision of weather protection over the ground floor entrances of Units 1, 2, 3 and 6 at ground floor.
 - h) The balcony of Unit 13 and 18 increased in depth to 2.0 metres minimum. This must be achieved without a reduction in any setback.
 - i) The balcony of Unit 17 is to be located to the west side of the Meals/Living area facing Albert Street, with the section of balcony to the north side deleted. The balcony must achieve a minimum area of 8sqm with a minimum depth of 2 metres.
 - j) The northern edge of the balcony of Unit 11 and Unit 16 provided with either:
 - i. A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - ii. 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.

- k) The following windows must be confirmed to have fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level or other alternative screening in accordance with Clause 55.04-6 of the Darebin Planning Scheme:
 - i. The east-facing balcony and windows to bedrooms of Dwelling 10;
 - ii. The east-facing balcony and windows to bedrooms and north-facing windows to bedrooms of Dwelling 11;
 - iii. The north-facing window to the bedroom and the east-facing kitchen window of Dwelling 12;
 - iv. The north-facing windows to the bedroom and living area of Dwelling 16;
 - v. The north-facing window to the bedroom of Dwelling 17; and
 - vi. The north-facing windows to the kitchen and bedrooms of Dwelling 20.
- l) Notions confirming that all windows shown on elevations plans and labelled with an 'o' are fitted with fixed obscure glazing to a minimum height of 1.7 metres above finished floor level.
- m) The provision of light weight weather protection to all secluded private open space areas and balconies.
- n) The provision of levels to the top of each section of parapet on the relevant elevations confirming the following maximum heights as measured above natural ground level at the corresponding boundary:
 - i. Overall building height (excluding lift and stair over-run) of 13.5 metres (all elevations).
 - ii. 6.9 metres to the northern boundary walls (North elevation).
 - iii. 8.5 metres to top of Unit 15 and 16 balcony balustrades (East elevation).
 - iv. 10.4 metres to top of Unit 15 and 16 Bedrooms (East elevation).
 - v. 10.9 metres to Unit 15 and 16 Living (East elevation).
 - vi. 11.3 metres to Unit 19 and 20 Bedrooms and Unit 19 Living (East elevation).
- o) The provision of a lockable bicycle compound for residents within the Basement Level, in accordance with Condition No.12 of this Permit. The Basement footprint may be increased toward the south as necessary to create additional space for the compound as necessary.
- p) The provision of two (2) visitor bicycle parking spaces near the main entrance of the development, in accordance with Condition No.13 of this Permit and the deletion of the visitor bicycle parking spaces within the south-eastern setback of the site.
- q) An increase in the bottom transition of the vehicle access ramp to 2.6 metres or the provision of a ground clearance assessment illustrating ground clearance to the satisfaction of the responsible authority.
- r) Provision of a notation to state the existing crossover to Newton Street is to be removed and kerb, channel and naturestrip reinstated.

- s) The height of fences on the northern boundary and eastern boundary (where adjacent to the secluded private open space area of Unit 5) to be a minimum height of 1.7 metres above the finished ground floor level. This does not apply to these fences where they are within 5 metres of the street boundary.
- 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.
- t) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No.4 of this Permit.
- u) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the sides of the proposed crossover on Newton Street. Where within the subject site, any structures or vegetation within these splays must be not more than 0.9 metres in height.
- v) The location of all plant and equipment (including air conditioners, solar panels, gas metres, water metres, boosters and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
- w) A single communal antenna for the development (refer also to Condition No. 14 of this Permit). The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
- x) The location of letterboxes near or within the entrance lobby of the development.
- y) The waste collection bins and bin access aisles within the Basement Level drawn to scale and dimensioned in accordance with the recommendations of the Waste Management Plan (refer to Condition No.11 of this Permit). The Basement Level footprint may be extended toward the south as necessary to accommodate bins.
- z) Any modifications in accordance with the Sustainable Management Plan (Refer to Condition No.8 of this Permit), including but not limited to:
- i. 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.
 - ii. Fixed external sun shading devices to all north facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not to extend within 1 metre of a property boundary.
 - iii. Window operation on all elevation plans and an increase in operable windows to the east. Window operation must not result in overlooking of adjoining secluded private open space and/ or habitable room windows.
 - iv. Details of photo voltaic panels to provide for common area energy (number, location, kilowatt size and angle from horizontal).
 - v. Details of how 100% will be achieved in the Melbourne Water STROM tool.

- aa) A comprehensive schedule of construction materials, external finishes and colours (including colour samples). The selected finishes and materials is to include:
 - i. Reduction in the extent of render finish on external walls
 - ii. Increase the use of timber or similar high quality and durable cladding material/s in lieu of render
 - iii. Specify muted colours and tones and avoid primary colours in the design

The proposed materials, finishes and colours (as coded on the Schedule/Legend) are to be included on a set of coloured elevations.
- bb) Modifications in accordance with the Acoustic Report Noise (Refer to Condition No.10 of this Permit)
- cc) A Landscape Plan in accordance with 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 (including demolition) start, tree protection fencing must be erected in accordance with the following requirements to define a Tree Protection Zone (TPZ).

Tree (as defined in the Arboricultural Assessment prepared by Treelogic dated 9/8/2017)	TPZ (radius from the base of the trunk)
Tree 15 – Photinia serratifolia (Chinese Hawthorn)	3.6 metres All works within the TPZ to be constructed at or above grade and remain permeable.
Tree 16 – Acmena smithii (Lilly Pilly)	4.6 metres The concrete pads within the TPZ must be excavated by hand, with all roots greater than 30mm in diameter to be avoided.
Tree 17 – Prunus cerasifera (Cherry Plum)	4.3 metres The concrete pads within the TPZ must be excavated by hand, with all roots greater than 30mm in diameter to be avoided.

Tree 18 – Fraxinus angustifolia (Narrow-leaved Ash)	3.6 metres The proposed 2.5 metre wide space, north of the master bedroom of Unit 6 must be constructed at or above grade using permeable materials
Tree 19 – Robinia pseudoacacia (Locust) – naturestrip tree	3.6 metres (within the confines of the naturestrip)
Tree 20 – Pyrus Calleryana (Callery’s Pear) – nature-strip tree	2.0 metres

Ground protection (mulch and rumble boards) must be installed within the TPZ’s of Trees 16, 17 & 18 as per arborist’s recommendations.

Any pruning works must be carried out in accordance with the Australian Standard AS4373 - 2007: Pruning of Amenity Trees, and undertaken by a suitably qualified arborist.

Tree protection measures are to be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.

Tree protection fencing must be constructed of star pickets and chain mesh (or similar) and remain in place until construction is complete, to the satisfaction of the Responsible Authority.

The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a TPZ. The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.

No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.

No storage or dumping of tools, equipment or waste is to occur within a TPZ.

Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the subject site.

- (5) 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) Tree protection measures and associated notations in accordance with Condition No.4 of this Permit
 - b) 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.
 - c) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - d) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
 - e) The provision of at least four (4) medium and four (4) small canopy trees on the site. 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).
- f) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - g) 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 15%. 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.
 - h) Hard paved surfaces at all entry points to dwellings.
 - i) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - j) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - k) 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.
 - l) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - m) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
- (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) Before the development starts, a Sustainable Management Plan (SMP) 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. The SMP must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SMP. The development must be constructed in accordance with the requirements/recommendations of the Sustainable Management Plan to the satisfaction of the Responsible Authority.
- (9) As part of the consultant team *Gemano Architects* or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design and quality and the appearance of the approved building is maintained to the satisfaction of the Responsible Authority.

- (10) Before development starts, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:
- a) Noise emissions associated with the operation of surrounding and nearby non-residential uses and traffic do not impact adversely on the amenity of the dwellings.
 - b) The design of habitable rooms of all dwellings adjacent to a road limits internal noise levels to a maximum of 35 dB(a) in accordance with relevant Australian Standards for acoustic control (including AS3671-Road Traffic).
 - c) Noise emissions from the development (including the use of the vehicle ramp near habitable room windows, operation of plant, transmission of noise between dwellings and the use of the car park) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

The development must be constructed in accordance with the requirements/recommendations of the approved Acoustic Assessment to the satisfaction of the Responsible Authority.

- (11) Before the development starts, a waste management plan, to the satisfaction of the Responsible Authority, demonstrating the operation of the garbage and recyclables storage area must be submitted to the Responsible Authority.

The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (i.e. cardboard, paper, plastic and metals recycling or comingled waste, general waste, hard rubbish and organic waste), waste collection vehicle size suitable to enter and exit the site (Basement Level) in a forwards direction; types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles, location of on-site bin storage, location of bins for collection and any other relevant matter.

Waste storage is to be provided in accordance with the following minimum capacity for the development:

Unit Size	Garbage Capacity/week	Recycling Capacity/fortnight
1 Bedroom	80L	160L
2 Bedroom	80L	240L
3+ Bedroom	80L	240L

Waste collection must be undertaken by a private contractor on site. The plan may require bin sharing and specify no more than bi-weekly collection for each stream of waste. Waste storage and collection must be undertaken in accordance with the approved waste management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

Waste bins must not be stored on Council land (naturestrip) for collection.

- (12) Before the development is occupied, bicycle racks must be provided on the land to the satisfaction of the Responsible Authority, as follows:
- i. The provision of 15 resident bicycle parking facilities within the Basement Level within a secure lockable compound. At least 20% of the bicycle parking facilities must be ground mounted.

- ii. The wall mounted bicycle parking is to be designed in accordance with AS2890.1:2015. The bicycle parking spaces must allow 1200mm envelope for the bicycle to extend out from the wall, plus a 1500mm wide aisle for access.
- iii. Ground mounted rails are to be designed in accordance with Australian Standard 2890.3:2015. Bicycle parking nose to tail must conform to Figure 2.3 of AS2890.3:2015.

The design of bicycle parking is to be in accordance with the above-mentioned Australian standards and Clause 52.34-4 of the Darebin Planning Scheme.

- (13) Before the development is occupied, at least two (2) visitor bicycle parking facilities must be provided near the main entrance of the development. The bicycle rails must be dimensioned at 1000mm centres. If visitor bicycle parking facilities are unable to be accommodated on the land, a contribution must be made (equivalent to two bicycle space) to cycling infrastructure within the vicinity of the subject site (where possible) or within the municipality, to the satisfaction of the Responsible Authority.
- (14) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- (15) 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 2010. 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.
- (16) All dwellings that share dividing walls and floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
- (17) 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.
- (18) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- (19) The land must be drained to the satisfaction of the Responsible Authority.
- (20) 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.
- (21) 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.
- (22) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- (23) 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;
- d) Drained;
- e) Line-marked to indicate each car space and all access lanes; and
- f) Clearly marked to show the direction of traffic along the access lanes and driveways

to 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.

- (24) Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. 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.

VicRoads Conditions

- (25) All disused or redundant vehicle crossings must be removed and the area reinstated to (describe how the job is to be finished eg. kerb and channel) to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the buildings or works (strike out which is inappropriate) hereby approved.

NOTATIONS

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

VicRoads Notation

- N1 The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Other Notations

- N2 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.
- N3 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.
- N4 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.

- N5 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.
- N6 This planning permit must be attached to the “statement of matters affecting land being sold”, under section 32 of the *Sale of Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.
- N7 To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.
- N8 No building or works may be built over any easement on the land except with the written consent of the relevant authority.
- N9 In relation to the requirements of Condition No.13 of this Permit, please contact Council's Bicycle Strategy Co-ordinator (Ph: 8470-8665) for details on how to supply on-street bicycle spaces or to make an equivalent contribution.

INTRODUCTION AND BACKGROUND

Planning Permit D/338/2012 for a medium density housing development comprising three (3) double storey dwellings was issued on 23 April 2013 for land at 198 Albert Street. Plans in association with the permit were endorsed on 8 October 2013. This Permit was not commenced and subsequently expired on 23 April 2016.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The subject site is located on the north east corner of Albert Street and Newton Street.
- The site is regular in shape (with a splay to the south-west corner) and is comprised of two (2) allotments known as 196 and 198 Albert Street.
- The site has a total combined frontage of 33.53 metres to Albert Street, a frontage of 30.48 metres to Newton Street, with an overall site area of 1221.7 square metres. A 1.83 metre wide easement affects the eastern boundary of 198 Albert Street.
- The northern allotment at 198 Albert Street contains a single storey dwelling. It has two (2) crossovers to the street frontage, with a circular driveway. The southern allotment at 196 Albert Street contains a single storey dwelling. This site has vehicle access from Newton Street to a garage in the rear yard area adjacent to the eastern boundary. The site has a fall of approximately 600mm, from the south-west corner to the north east (rear).
- The surrounding area consists of mainly single storey dwellings, with some double storey and medium density developments nearby.
- To the north of the site is a single storey dwelling. This dwelling has high masonry front and side fences, with a front setback of 6.65 metres and a setback of 2.4 metres from the common boundary.
- To the south, on the opposite side Newton Street is a single storey dwelling.

- To the east of the site is a medium density development comprised of three (3) single storey dwellings fronting Newton Street. There are two (2) dwellings at the front and one (1) dwelling at the rear. The dwellings at the front have a setback of 9 metres from the street frontage and approximately 1 metre from the common boundary. The rear dwelling is set back approximately 1 metre from the common boundary.
- To the west, on the opposite side of Albert Street, the sites have been developed with double-storey infill development and a single storey detached dwelling.
- It is noted that the above-mentioned adjoining sites are located in the Residential Growth Zone.
- On street parking restrictions on Albert Street is subject to a Clearway (6:30am-9:30am Monday - Friday) and No Stopping (4:00pm-6:00pm Monday – Friday) restriction on the eastern side (site frontage). No parking restrictions apply to Newton Street.
- The site has access to public transport via bus route 556 along Albert Street, bus routes 563 and 566 along Tyler Street and to Tram route 86 along Plenty Road within 700 metres north of the site.
- The site is located 600 metres south of the Summerhill Neighbourhood Centre.

Proposal

- It is proposed to construct a four storey residential development, plus a basement car parking level, comprising 20 dwellings.
- The basement level includes 21 car spaces for residents; 20 storage units, waste storage areas and bicycle parking facilities with lift and stair access provided to the upper levels. Vehicle access to the Basement Level is to be via a double crossover from Newton Street.
- The ground level is to have six apartments (2x1 bedroom and 4x2 bedrooms), with private open space in the form of ground level terraces. Ground floor dwellings will have individual access from the street.
- Common pedestrian access to the entry foyer is located centrally on the Albert Street frontage.
- The first floor is to have six apartments (2 x 1-bedroom, 3 x 2-bedroom and 1 x 3-bedroom).
- The second floor will accommodate five apartments (2 x 1-bedroom and 3 x 2-bedroom).
- The third floor will accommodate three apartments (3 x 2 bedroom dwellings).
- The upper floor dwellings will have secluded private open space areas in the form of balconies.
- A central light-court is to provide daylight to the deeper ends of the dwellings. The light court is widened toward the upper floors.
- The development will have a contemporary design, with flat roof forms behind parapet walls. The materials are to be brick, lightweight render and cladding.
- The height is to be approximately 13 metres to the top parapet, with a lift overrun having a height of 14.9 metres.

Objections summarised

- Request for an arborist report to determine whether the existing trees on the adjoining property to the north (200 Albert Street) will remain viable and whether trimming will be required.

Officer comment on summarised objections

Request for an arborist report to determine whether the tree on the adjoining property to the north (200 Albert Street) will remain viable and whether trimming will be required.

In accordance with the objector request, an Arborist Report prepared by Treelogic was submitted and the objector has been provided with copies of the plans and arborist report on 17 April 2018. No further objection or withdrawal of the existing objection has been received. The arborist report has been reviewed by Council. The recommendations of the report have been supported, noting that the trees on the adjoining northern property will be sufficiently protected, subject to conditions (refer to referral comments in later sections of this report).

PLANNING ASSESSMENT**LOCAL POLICY:****Clause 21.03 – Housing**

The Strategic Housing Framework Plan illustrates the directions for residential land use and development in Darebin as set by the Darebin Housing Strategy (2013). This framework provides greater certainty as to where growth and change can be expected and the preferred scope of housing change in terms of the intensity and type of residential development to be encouraged in different areas. The framework plan also identifies three (3) Housing Change Areas, which apply to all land in the municipality that currently has a zoning that permits residential uses. These housing change areas are Minimal Housing Change, Incremental Housing Change and Substantial Housing Change.

As the site is in the area covered by the Northland Residential Neighbourhood Precinct Structure Plan adjacent to the Northland Activity Centre, it is located in a Substantial Housing Change area within the Framework plan.

These areas are residential, commercial and designated activity centres that have the capacity to accommodate substantial residential development over time. Substantial Change Areas will support increased residential densities and increased housing diversity. It is expected that the character of these areas will change substantially in the future. The site is therefore considered suitable for a substantial increase in housing density.

Clause 21.03-2 Housing Development: Objective 1 – Housing Provision

It is policy to ensure that the design of development at interfaces between Substantial Change and Incremental or Minimal Change Areas, or between Incremental and Minimal 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.
- Sympathetic response to the identified values of any adjoining heritage overlays.

The subject site and adjoining sites are located in a Substantial Housing Change area, and it is considered that the proposal appropriately addresses the level of change and amenity impacts that are expected in this area

Complies

Clause 21.03-2 Housing Development: Objective 2 – Housing Density

It is policy to achieve higher density housing outcomes in identified locations to accommodate Darebin's projected population growth.

The strategies are to support diversity in housing and support redevelopment at higher overall densities in Substantial Housing Change Areas and discourage underdevelopment in these areas. Other objectives at clause 21.03-3 also ensure that housing diversity is increased and increase the supply of affordable housing in these areas.

Importantly, strategies at clause 21.03-4 are *'to ensure Darebin's ability to meet its housing needs in activity centres, Substantial Change Areas and on Strategic Opportunity Sites is not compromised by the protection of neighbourhood character'*.

Clearly, as the site is in the Northland Residential Neighbourhood Precinct Structure Plan area adjacent to the Northland Activity Centre, there is a particular policy direction for these areas to accommodate increased densities and dwelling diversity, so that the character of the area will change over time and that existing character will not limit the ability to provide increased densities.

CompliesClause 21.03-2 Housing Development: Objective 3 – Residential Amenity

It is policy to facilitate developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity for residents. Developments are to be designed to provide adequate amenity to residences on the site, minimising the need for screening and limiting unreasonable negative amenity impacts on surrounding residential uses.

The proposed development is considered to meet policy objectives identified above in regard to the extent of impact it will have on surrounding residential land. It provides adequate setbacks to the side and rear, so that visual bulk impacts, overshadowing and solar access impacts on the immediately adjoining dwellings are acceptable. The proposal development has setbacks to the rear (northern and eastern) elevations, so that there is a transition in height and the effects on the adjoining rear yard area are minimised.

Complies**Darebin Housing Strategy**

The Darebin Housing Strategy 2013-2033 provides a housing change framework plan that indicates *"the appropriate level of change in terms of the intensity and type of residential development that could be accommodated in areas that permit residential use."*

The subject site is located in a Substantial Housing Change area in the Strategic Housing Framework Plan and is defined as:

"Residential, commercial and designated activity centres that have the capacity to accommodate substantial residential development over time. Substantial Change Areas will support increased residential densities and increased housing diversity. It is expected that the character of these areas will change substantially in the future." (Clause 21.03)

The Strategic Housing Framework Plan builds on the directions for residential land use and development in Darebin as set out by the Darebin Housing Strategy (2013). The policy states that Substantial Housing Change areas generally display one (1) or more of the following characteristics:

- *Have an evolving character where there is an eclectic mix of new and old forms of architectural style and housing typologies. This includes more recent apartment developments at higher densities and in mixed-use formats.*
- *Are identified locations for increased residential densities to support economic investment and growth in the La Trobe National Employment Cluster.*
- *Are within or immediately adjacent to activity centres that possess superior access to the Principal Public Transport Network.*
- *Have a frontage to a strategic corridor.*
- *Are generally within 400 metres of a train station or tram route.*

The scale and intensity of residential growth will differ across Substantial Change Areas depending on their strategic capacity to accommodate municipal growth and future housing needs as described at Clause 21.01-6. Generally, residential growth in Darebin adheres to the following hierarchy:

- *Preston Central and Northland East Preston Activity Centres*
- *Reservoir and Northcote Activity Centres*
- *Neighbourhood Centres*
- *Strategic Corridors including Plenty Road and St Georges Road*
- *Other substantial change areas as identified in the Strategic Housing Framework Plan.*

The proposed development of a four (4) storey buildings for 20 dwellings is considered to be appropriate for a Substantial Housing Change area and is acceptable in this context.

Clause 22.06 - Multi-Residential and Mixed Use Development

Objectives:

- *To facilitate residential and mixed use development which promotes housing choice, displays a high standard of urban design, limits off-site amenity impacts, and provides appropriate on-site amenity for residents.*
- *To facilitate development that demonstrates the application of environmentally sustainable design principles.*
- *To facilitate a high quality street edge that relates to the public realm.*
- *To encourage efficient design outcomes that consider the development potential of adjoining sites.*

- *To encourage the consolidation of lots to facilitate better design and amenity outcomes for higher density development in locations where substantial housing change is directed*

This policy applies to mixed-use development (that includes a residential use) and multi-dwelling apartment development in a Residential Growth Zone, Mixed Use Zone, Commercial Zone, Priority Development Zone and a General Residential Zone (excluding land within DDO14 Northcote Major Activity Centre. It provides the following policy direction with regard to development.

The assessment against the policy objectives and design guidelines is as follows:

Element	Comment	Compliance
Sustainability	<p>The development provides shared floors, internal stairs, multi storey construction, all of which contribute to energy efficiency. In general, adequate natural light and ventilation is available to all habitable rooms within the dwellings reduce the energy loading.</p> <p>The central lightwell allows adequate daylight to deeper internal areas. The design provides widening of the internal light court toward the upper floors to ensure that daylight access to lower levels is optimised.</p> <p>Additional sustainable design features will be requested via conditions, as well as a Sustainable Design Assessment in accordance with Clause 22.12.</p>	Complies subject to condition
Design and Materials	<p>The design does not mimic the existing character of the area and provides an appropriate infill development.</p> <p>The development is four (4) storeys and although exceeding the height of adjoining and nearby single and double storey buildings, the proposed relationship to adjoining properties is appropriate, given the preferred scale and proposed setbacks and height accord with the objectives of the Design and Development Overlay. The proposed height is consistent with the preferred future character of the area.</p> <p>The development exhibits an appropriate standard of design, materials of construction and external finishes.</p> <p>As the building is on the corner it appropriately provides a more robust form.</p> <p>The proposed materials consist of brick and two-tone render material, with one render surface displaying grooves to provide articulation. The proposed use of render is considered excessive and is not considered a durable material. The extent of render should be minimised on the elevations and a third more domestic material such as natural timber cladding material should be utilised to complement the masonry and render finishes. This modification can be requested via conditions. Furthermore, a comprehensive schedule of materials and coded elevations will be requested via conditions of any approval.</p> <p>The building mass is located to the street frontage and away from the rear (east) boundary.</p>	Complies subject to conditions

	<p>The upper floors are set back from the lower levels to the street.</p> <p>There are no large areas of blank walls.</p> <p>Further detail of air conditioning and plant may be requested via conditions of any approval.</p>	
Building Height	<p>Surrounding development is predominantly single storey in scale, with some double storey buildings.</p> <p>A consideration of height requires a balanced deliberation of all the related policy drivers, such as: urban design; policy direction; housing diversity; affordability; and urban consolidation. Furthermore, the consideration of height should be balanced against the design and massing of the building and its response to the preferred character, including adjacent dwellings.</p> <p>The State planning policy framework generally encourages Melbourne to become a more compact city by accommodating a substantial portion of its future household growth within its established urban areas. Activity centres, strategic redevelopment sites and locations well served by public transport are the preferred locations for new residential development, which is encouraged to comprise an intensive scale and built form.</p> <p>At a local planning level, there is a preferred character for higher scale development on this site and in the area. This is supported by the maximum height limit of 13.5 metres within the Residential Growth Zone.</p> <p>The proposed four (4) storey building height is 13 metres and is not excessive, given the allowed 13.5 metres height under the zone (the lift core exceeds this; however this is acceptable, as it is well set back). Therefore, considering the above, the building height has been appropriately determined with regard to the site context or application of the other elements of this policy.</p>	Complies
Dwelling diversity	<p>The development provides a diversity of layouts comprising 6x1 bedroom, 13x2 bedroom and 1x3 bedroom dwellings, with a variety of configurations and offering dwelling diversity in the area.</p>	Complies
Parking and vehicle access	<p>Vehicle access is appropriately provided via a proposed crossover to Newton Street.</p> <p>The parking for the dwellings is in the basement and is not a dominant feature.</p> <p>The vehicle access, including the basement parking area, are acceptable as per the discussion under Clause 52.06.</p> <p>Bicycle parking is provided at Basement Level for residents and for visitors at Ground Level. These facilities are required to be improved via conditions (see discussion later in this report under Clause 52.34).</p> <p>Adequate parking is provided (see discussion later in this report under Clause 52.06).</p>	Complies

<p>Street address</p>	<p>The proposal meets the policy guidelines in respect of street address in that meaningful landscaping is provided to the front and side street setbacks and the building has active areas to the façade.</p> <p>The proposal provides good pedestrian access directly from the street frontage. However weather protection is not shown to the entry porches/balconies of the dwellings which take access from the street directly. This can be requested via conditions.</p> <p>The dwellings provide windows and balconies to the street frontages.</p> <p>Mailboxes may be located to the entry area.</p> <p>There is fencing shown along the Newton Street and Albert Street frontages of 1.85 metres. The fences are set back 1.5 metres from the Albert Street boundary and 1 metre from Newton Street boundary, and 20% transparent. Modifications to these fences will be requested via conditions, in accordance with the fencing requirements of Schedule 2 to the Residential Growth Zone (refer to discussion under Standard B32 later in this report).</p> <p>The entry width of 2.0 metres is however considered to be slightly narrow given that it provides primary access to 20 dwellings. This is to be increased to 2.5 metres minimum via conditions of any approval. The increase of 0.5 metres can be excised through an overall reduction in the internal dimensions of the dwellings on the ground floor and must not result in a reduction in any setback.</p>	<p>Complies subject to conditions</p>
<p>Amenity Impacts Including Overshadowing and Overlooking</p>	<p>There are adjacent dwellings to the north and east. Issues of overlooking and overshadowing impacts are addressed further below in the assessment against Clause 55.</p> <p>Further screening is required to prevent overlooking and can be addressed via conditions of any approval (refer to assessment under Clause 55 later in this report).</p>	<p>Complies subject to conditions</p>
<p>On-Site Amenity and Facilities, including Private Open Space</p>	<p>The dwellings are accessible via a lift and stairs to all levels. The proposal will be accessible to people with limited mobility, in compliance with Clause 55.05-1.</p> <p>The dwellings have an appropriate sense of address and entry in compliance with Clause 55.05-2, subject to conditions as per Urban Design referral comments.</p> <p>Habitable room windows will have access to natural light and ventilation and will face an appropriate outdoor area in compliance with Clause 55.05-3.</p> <p>Open spaces are provided in balconies of 8 square metres or greater and are considered to be acceptable, as they are well integrated with principal living areas, have varying aspects and provide sufficient amenity, in compliance with Clause 55.05-4. Balcony dimensions and balcony locations of Units 13, 17 and 18 are to be modified slightly to improve their amenity.</p>	<p>Complies subject to condition</p>

	<p>The dwellings have external storage at the basement level against the wall associated with each dwelling’s car parking space and indicate that the units will provide at least 6 cubic metres of storage capacity.</p> <p>Appropriate space is available for services.</p> <p>All dwellings bedrooms and living area windows on an outside wall complimented by additional daylight and ventilation in the deeper sections of the dwellings’ footprint to an internal light court.</p> <p>Weather protection may be incorporated to the private open space areas via conditions. Weather protection may be part of the sun-shading required for east, west and northern windows/glazed doors.</p> <p>A single communal antenna may be required by condition.</p>	
Waste Management	<p>An area to store waste and recyclables is provided at the basement level.</p> <p>A Waste Management Plan may be required by condition.</p> <p>Refer to discussion in later sections of this report.</p>	Complies subject to condition
Equitable Access	<p>Lift access is provided to all levels.</p> <p>The development is accessible to persons of limited mobility. Appropriate disabled access may be provided to the commercial premises.</p> <p>The upper levels are provided with lift access.</p>	Complies

Clause 22.12 – Environmentally Sustainable Development

This policy applies throughout the City of Darebin to residential and non-residential development that requires a planning permit in accordance with the thresholds in Table 1 of this Policy.

Under Table 1 – ESD Application requirements, the construction of 10 or more dwellings requires the preparation and implementation of a Sustainability Management Plan (SMP) using BESS, Green Star, MUSIC and STORM tools. This will be requested via conditions of any approval.

Clause 32.07 - Residential Growth Zone (RGZ2)

The site is located in the Residential Growth Zone – Schedule 2 where the purposes are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
- *To ensure residential development achieves design objectives specified in a schedule to this zone.*

- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Schedule 2 to the Residential Growth Zone applies to 'Garden Apartment Areas'. This Schedule also specifies altered requirements for Standards A3/B6, A5/B8, A6/B9, B13, A10/B17, A11/B18, A17/B28 and A20/B32 of Clause 54/55 of the Scheme. The Clause 55 assessment later in this report identifies standards which are varied by the Schedule.

The zoning provisions at Clause 32.07-8 state that a building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone. If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres. No building height is specified in the Schedule to the zone; therefore the maximum building height should not exceed 13.5 metres. The maximum building height appears to not exceed 13.3 metres but must be confirmed via the provision of levels to the top of the parapet walls at the fourth level.

The zoning provisions at Clause 32.07-9 state that any buildings or works constructed on a lot that abuts land, which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary. The subject land does not share a boundary with land in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone

Clause 3 of Schedule 2 (Application requirements) states that an application to construct more than two dwellings on a lot must include the following information, as appropriate, to the satisfaction of the responsible authority:

- *Landscape concept design.*

An appropriate landscape plan may be required by condition.

- *Urban design context report and design response.*

An appropriate urban design context report and design response has been provided.

- *Sustainability assessment.*

A Sustainability Management Plan may be required by condition.

- *Acoustic assessment for development sites that adjoin a Road Zone, Category 1 (RDZ1), land in Schedule 4 to the Public Use Zone (PUZ4) or land containing non-residential uses with the potential to cause amenity impacts as a result of noise*

The site abuts a Road Zone, Category 1 and an acoustic assessment may be required by condition.

- *Waste management plan.*

An appropriate waste management plan has been submitted with the application and may be approved subject to conditions (see assessment under Waste Management later in this report)

The decision guidelines at the Schedule to the zone include:

- *The potential and ability to consolidate lots to create larger development sites.*

The proposal allows for the consolidation of the lot and creates a larger development site. It is therefore considered to be appropriate

Clause 43-02 - Design and Development Overlay Schedule 19 (DDO19)

Design and Development Overlay Schedule 19 applies to sites within the Northland Urban Renewal Precinct. The design objectives encourage urban redevelopment that achieves higher densities in accordance with the objectives and vision of the Northland Residential Neighbourhood Precinct Structure Plan, 2014 and encourage high quality development. An appropriate transition in scale and design is required to surrounding areas planned for less intensive development outcomes in General Residential and Neighbourhood Residential zones, as well as adjoining lots with lesser development potential within the Residential Growth Zone. An activated high quality street edge is also supported.

Parking and access design objectives are to provide bicycle and vehicle parking and access and maximise the retention of existing on street car parking spaces and avoid proliferation of vehicle crossovers. To this end, the applicant has removed the visitor car parking spaces along the Newton Street frontage (via the S.57A Amendment) which required an excessively wide crossover for access and thereby reduced supply of on-street car parking in this location. Two (2) existing crossovers to Albert Street are also to be deleted and their removal is supported by VicRoads. Bicycle parking is located in the basement and is subject to condition relating to security and ease of access (see discussion later in this report).

Clause 2.3 this Overlay relies on the consolidation of lots to create parcels over 1,000 square metres as strategic sites for redevelopment of a taller built form, noting that such sites are better able to manage the negative off-site impacts and those at the sensitive interfaces. There are strong opportunities for lot consolidation within the precinct to achieve:

- *More efficient redevelopment parcels and apartment style built form;*
- *Encourage a more compact built urban form;*
- *Deliver a higher level of surrounding amenity at ground level;*
- *Improve pedestrian safety;*
- *Promote active modes of transport (walking and cycling); and*
- *Improve public/private interfaces to create high quality streetscapes.*

The subject site is a consolidated site, with an area of 1221.7 square metres. It is considered the proposal provides an appropriate built form and development to meet the objective of the DDO19.

The site is located in Precinct C, where:

The northern section of this corridor extends from Murray Road north approximately 1800 metres to a major intersection with Plenty Road and Bouldrewood Parade. It forms the western edge to the La Trobe National Employment Cluster. This road takes a high volume of traffic daily which will continue to grow as the greater sub-region population increases. The housing stock along Albert Road is characterised by single stand along dwellings with a front garden space. The changing role of this major arterial road is expected to lead to an increasing decline in amenity and individual site accessibility.

The low level of redevelopment on this corridor to date affords the opportunity for future consolidation of lots to create efficient development parcels and a compact urban form is encouraged within the precinct. It is likely that mixed uses such a small business servicing the local area will establish on consolidated and corner sites along this corridor.

The assessment against the built form outcomes under the DDO19 is as follows:

2.4 General Requirements:

- The development is considered to appropriately respond to the context (such as secluded private open spaces and habitable room windows) on adjoining sites, as can be seen in the assessment below against Clause 55.
- The pedestrian areas are legible and convenient.
- The development overlooks the public realm and although some screening to habitable rooms and private open spaces or balconies are required. These modifications are not expected to unreasonably affect on-site amenity.
- Rooms have direct access to daylight.
- The proposal has a contemporary domestic design approach, with an appropriate balance of solid and void elements as well as appropriate design detail.
- The use of materials and finishes can be improved to reflect a more domestic character and appropriately integrate into the existing residential fabric. This is to be achieved by a reduction in rendered walls and the use of earthier materials such as timber or timber-finish cladding and muted tones.
- There are no unreasonable blank walls. Fences along the Newton Street frontage to have not been detailed and will be requested via conditions, similar to the requirements for the front fences along the Albert Street frontage i.e. 1.5 metre high maximum and with height above 1.2 metres to be visually permeable. This fence should also extend to the eastern boundary to ensure that the emergency exit staircase from the basement is secured from the public realm.

2.5 Street Frontage

- The building mass is largely directed towards street frontage (with larger setbacks at the rear).
- The dwellings have access and address to street frontages.
- Pedestrian entries are clearly visible from the public domain and accessway.
- There is fencing to the street frontage of 1.85 metres. Fencing requirements are discussed under Clause 55 in later sections of this report.

2.6 Building Height and Setback Requirements

- The development is appropriately set back from the front boundary by 5 metres at the first two levels to create a two-storey street wall and an appropriate level of front yard for landscaping; and thereafter an additional 2 metres to provide a recessive third and fourth level. A four level apartment building is proposed in line with the objectives of the DDO (refer to figure 1 of Clause 2.6 of Schedule 19)
- The ground floor is set back a minimum of 3 metres from the rear boundary. The first floor level is set back a minimum of 5.5 metres from the rear boundary. The proposal is set back from rear (east) boundary in accordance with the requirements of the principles shown in Figures 1 and 2 within a 45 degree building envelope.

2.7 Strategic Sites

Not applicable

2.8 Access and Parking

- The site has access to a side street for vehicle access.

- The number of crossovers to the site is limited to one on the Newton Street frontage; there are no crossovers proposed to be retained or created on the Albert Street frontage. This is an appropriate design response.

3.0 Subdivision

- Not applicable.

Decision Guidelines

Clause 4 of the Schedule to the zone requires the Responsible Authority to consider a number of matters before deciding on an application. In looking at the decision guidelines, the following is noted:

- It is considered that the design objectives and buildings and works requirements of the schedule have been met.
- The development achieves the development outcomes encouraged through the Residential Built Form Design Guidelines, 2014.
- The relevant objectives and design guidelines of Clause 22.06 have been met (as appropriate).
- The development has had regard to the amenity of adjacent land.
- The proposal has an acceptable architectural quality.
- The design allows appropriate setbacks from the secluded private open space of adjoining properties.
- The siting allows provision of an appropriate level of landscaping.
- The internal amenity of the dwellings is an acceptable quality, with appropriate levels of daylight and ventilation.
- The streetscape design is appropriate and provides a high quality pedestrian environment, with appropriate setbacks, landing and design.
- The design and location of pedestrian and vehicular access and egress from the site is appropriate.
- The development proposal will have minimal impact of traffic and parking on the road network.

Northland Residential Neighbourhood Precinct Structure Plan

The Northland Residential Neighbourhood Precinct Structure Plan September 2014 is a reference document under the Design and Development Overlay 19. This places the site in Precinct C, which notes that the site is in a 'Garden Apartment' area with a preferred height of four (4) storeys maximum (Figure 5).

The proposal is four (4) storey and meets the preferred character, with appropriate setbacks and transition to the side and rear interfaces. The form is sensitive to the potential for overshadowing of the adjoining properties and appropriately manages visual massing.

Residential Built Form Guidelines

The Residential Built Form Guidelines, September 2014 is a reference document under the Design and Development Overlay 19. The proposal is considered to be generally in accordance with the design objectives of the Guidelines, subject to conditions as discussed throughout the report.

Clause 55 Assessment

It is noted that on 13/04/2017 Amendment VC136 introduced Clause 55.07 and Clause 58 provisions with which to assess apartment developments. Under Clause 32.07-5 of the Darebin Planning Scheme, Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to an application for a planning permit lodged before that date. The application was lodged on 16 February 2017 preceding the introduction of VC136. Therefore, Clause 55.07 does not apply to the proposal.

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

Standard B1 - Neighbourhood Character

The site is located in a Residential Growth Zone where the purpose is to provide increased densities up to and including four (4) storey buildings. The proposal for a four-storey residential development is considered to be appropriate in this context of the policy direction for housing growth in this area.

The consolidation of two-lots as preferred by policy objectives allows the site to accommodate an apartment development that does not rely on adjoining sites for amenity, protects the amenity of the three dwellings on the adjoining site to the east which is unlikely to be further developed in the near future and allows adjoining land to the north in the Residential Growth Zone to achieve similar efficiencies and outcomes.

Complies

Standard B5: Integration with the Street

The proposal provides adequate vehicle and pedestrian links with separate pedestrian entries to ground floor dwellings and the apartment building's main entrance on Albert Street, although a condition of any approval should seek an increase in the width of the entrance from 2.0 metres to 2.5 metres to improve access and street address.

The ground floor dwellings are provided individual entry points directly from the adjacent footpath, as well as internally via common hallways.

There is fencing to the street frontage of 1.85 metres. The fence height and detailing should be modified as discussed under the Front Fence assessment in later sections of the Clause 55 assessment.

Complies subject to conditions

Standard B6: Street Setback

The site is located in a **Residential Growth Zone – Schedule 2**, where the Schedule to the zone varies this standard, so that the front street setback is as follows

Front street setback

In accordance with B6 or 5 metres, (whichever is the lesser) plus an additional 2 metres for heights above 2 storeys (6.9 metres and above).

Side Street setback

None specified

The proposed front setback to Albert Street of 5 metres for the first 2-storeys and an additional 2 metres for the levels above providing a setback of 7 metres complies with the above.

The setback to Newton Street is greater than 3 metres (where the standard allows 2 metres for the side of a dwelling on a corner allotment).

CompliesStandard B7: Building Height

The zone allows a maximum height requirement of 13.5 metres.

The maximum building height appears to not exceed 13.3 metres but must be confirmed via the provision of levels to the top of the parapet walls at the fourth level.

It is noted that the lift overrun exceeds 13.5 metres. This is considered acceptable as the lift run would not be visible from the public realm and does not affect perceived height. Furthermore, the height of 13.5 metres is a recommended height rather than mandatory and may be varied where appropriate.

Complies subject to conditionsStandard B12: Safety

The entrances to the dwellings are adequately visible from the internal accessway and/or the street.

The development is designed to provide good lighting, visibility and surveillance of car parking and the internal accessway.

The private open space within the development is protected from inappropriate use as a public thoroughfare.

The secondary staircase from the Basement to the southern ground floor setback is not secured by a gate or door from the street and has the potential to compromise safety on site and to the general public due to the lower sections of the stairs being accessible and concealed from street level.

The provision of a fence (and gate as required) along the southern boundary of the site, with a return adjacent to the basement ramp is sufficient to address safety concerns. This can be requested via conditions.

Complies subject to conditions

Standard B13: Landscaping

It is noted that the site is located in a Residential Growth Zone – Schedule 2, where the Schedule to the zone states that:

On sites with a frontage greater than 22 metres, a minimum of two semi-mature canopy trees within both the front and rear setbacks.

Where a 3 metre side setback is required this must include an area for deep root planting.

A clear area of 4.5 metres x 4.5 metres is required to accommodate each semi-mature canopy tree. This may include land on an adjoining lot.

The site has a frontage of greater than 22 metres and is able to accommodate a minimum of two (2) semi-mature canopy trees within both the front and rear setbacks.

The required clear areas are available to establish canopy trees.

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

The open spaces and setbacks beyond the basement walls are generally large enough to provide deep root zones to establish meaningful landscaping.

A detailed landscape plan will be required as a condition of any approval.

Trees on adjoining sites are to be protected in accordance with the recommendations of the approved Arboricultural Assessment prepared by Treelogic dated 9 August 2017.

Complies subject to conditions

Standard B17: Side and Rear Setbacks

The site is located in a Residential Growth Zone – Schedule 2, where the Schedule to the zone varies the Standard in the following manner:

Side Setbacks

In accordance with B17 except for the first 25 metres of sites with a frontage wider than 22 metres (or 16 metres where rear or side vehicle access is possible), where the side setback is 0 metres, plus 3 metres for heights above 6.9 metres.

Rear Setbacks

Minimum 3 metres, plus 2.5 metres for height between 3.6 metres and 8.5 metres, plus 1 metre for every 1 metre of height over 8.5 metres; and

For sites with rear lane access, the setback is as above, but is measured from the opposite boundary (i.e. the setback may include the width of the laneway).

Side Setback

The proposal is constructed to the north common boundary up to a height of 6.9 metres with a 2.5 metres deep x 6.34 metre wide recess opposite the adjoining northern tree proposed to be protected. Above the 6.9 metre height, the development's third and fourth levels are set back 3 metres from the northern boundary. These setbacks accord with the requirement of Schedule 2 with the exception of the balcony of Unit 17 which is located within the 3 metre setback clearance. A condition of any approval will seek the relocation of the balcony to the western wall of Unit 17, with a minimum depth of 2 metres and a minimum area of 8 square metres.

Nevertheless, a condition of any approval must request the provision of a level to the two-storey parapet walls on the northern boundary to confirm that the maximum height of the walls do not exceed 6.9 metres as measured above NGL at the boundary.

Rear Setback

At ground level a setback of 5.5 metres is provided from the rear (eastern) boundary at ground floor; this exceeds the minimum requirement for 3 metres.

At first floor level a setback of 5.5 metres is also observed and is accordance with the requirement of Schedule 2.

The northern elevation illustrates that up to a height of 8.5 metres the required setback of 5.5 metres is maintained; thereafter a 45 degree setback envelope is shown (refer to North elevation). This illustrates compliance with the requirement of the schedule.

At and above 8.5 metres of height 5.5 metres and thereafter a set back of 1 metre for every 1 metre of height is expected. This translates to the following requirement for Unit 15 and 16 at Level 3; and Units 19 and 20 at the Level 4 which have walls and balconies along the eastern (rear) interface:

Dwelling	Proposed Setback	Maximum preferred height
Unit 15 & 16 Balcony	5.5 metres	8.5 metres
Unit 15 & 16 Bedrooms	7.39 metres	10.4 metres
Unit 15 & 16 Living	7.8 metres	10.92 metres
Unit 19 and 20 Balcony	8.08 metres	11.3 metres
Unit 19 & 20 Bedroom & Unit 19 Living	9.8 metres	13.5 metres*
Unit 19 & 20 Living wall off balcony	10.08 metres	13.5 metres*

*It is noted that whilst a setback of 10.08 metres would allow a height greater than 13.5 metres within the 45 degree envelope, the maximum preferred height is 13.5 metres.

Levels confirming the above maximum heights will be requested via conditions.

Complies subject to conditions

Standard 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.

The site is located in a Residential Growth Zone – Schedule 2, where the Schedule to the zone varies the Standard in the following manner:

On sites with a frontage greater than 22 metres (or 16 metres where rear or side vehicle access is possible), either:

Within the front 25 metres of the lot, 20 metres plus 25% of remaining length, or

Where there are existing or simultaneously constructed walls abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed wall that has been approved under these provisions;

Whichever is greater.

On sites with a frontage less than 22 metres (or 16 metres where rear or side vehicle access is possible), the above applies for a maximum of one side only. The maximum length of wall on boundary on the opposing side boundary is as per Standard B18.

Within the front 25 metres of the front boundary, the height of a new wall constructed on or within 200 millimetres of a side or rear boundary should not exceed 6.9 metres.

The height of any boundary wall beyond 25 metres of the lot frontage should accord with Standard B18.

The wall heights appear to be 6.9 metres. This must be confirmed by condition requiring the provision of a level to the northern parapets of Units 11 & 12.

Complies subject to condition

Standard B19: Daylight to Existing Windows

An area of at least 3.0 square metres with a minimum dimension of 1.0 metre clear to the sky is provided opposite all existing habitable room windows, which complies with the standard.

The upper floor walls should be set back at least half their height from neighbouring windows to the north and east. The first floor walls, second floor walls and third floor balcony balustrade are not set back at least half their height from neighbouring windows to the north.

Nevertheless, Clause 55 states:

- *If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.*

The Schedule to the RGZ specifies preference for two-storey (6.9 metre high) walls to be constructed on the side boundary of an RGZ site. This indirectly conflicts with the protection of any existing habitable room windows on an adjoining dwelling. The northern affected property is also in the RGZ and a similar level of development is anticipated by policy on this site. Therefore amenity impacts on existing windows are taken to be transient and a reasonable consequence of implementing the purpose of the RGZ.

Nevertheless, the balcony of Unit 17 can be relocated to the west side to improve daylight outcomes for the adjoining windows. See also discussion under Standard B28 later in this report.

Complies with objective

Standard B21: Overshadowing

Overshadowing of adjoining open space meets the standard and objective.

Overshadowing of neighbouring properties to the east 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.

CompliesStandard B22: Overlooking

There is potential for overlooking to the northern and eastern adjoining properties.

The ground floor level of the proposed dwellings have finished floor levels greater than 0.8m above natural ground level at the boundary.

To the east, Unit 4's SPOS area has a fence to a height of 1.8 metres around the perimeter of the balcony/terrace area; this will sufficiently limit overlooking.

Unit 5 and Unit 6 SPOS areas are bounded by existing boundary fences to a height of 2.0 metres on the eastern boundary and 1.85 metres on the northern boundary. These fences should be increased in height to at least 1.7 metres above the FFL of these dwellings. This can be addressed via conditions.

The following windows will be required to be screened to limit views in to adjoining residential properties:

- Dwelling 10: east-facing balcony and windows to bedrooms must be confirmed to have fixed obscure glass to 1,700mm.
- Dwelling 11: east-facing balcony and windows to bedrooms and north-facing windows to bedrooms must be confirmed to have fixed obscure glass to 1,700mm. The north-facing balcony to be shown with minimum 1,700mm screen.
- Dwelling 12: north-facing window to the bedroom and the east-facing kitchen window must be confirmed to have fixed obscure glass to 1,700mm.
- Dwelling 16: north-facing windows to the bedroom and living area must be confirmed to have fixed obscure glass to 1,700mm. The north-facing balcony to be shown with minimum 1,700mm screen.
- Dwelling 17: north-facing window to the bedroom must be confirmed to have fixed obscure glass to 1,700mm. The eastern edge of the balcony to be shown with minimum 1,700mm screen.
- Dwelling 20: north-facing windows to the kitchen and bedrooms must be confirmed to have fixed obscure glass to 1,700mm.
- Dwelling 19 & 20 east-facing bedroom and living windows are located more than 9 metres from the eastern boundary and are not required to be screened.

Complies subject to conditionsStandard B26: Dwelling Entry

The entries are visible and easily identifiable. A sense of address and shelter is also provided. The dwelling entry (main) is to be increased in width to 2.5 metres to provide a more pronounced and functional entry area.

The ground floor dwellings which are provided direct entries from the street have not been provided with a clear and identifiable sense of address and weather protection. This can be requested via conditions.

Complies subject to conditions

Standard B28: Private Open Space

The site is located in a Residential Growth Zone – Schedule 2, where the Schedule to the zone varies this standard to the following:

An area of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room, or

A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or

	Total POS	Secluded POS	Minimum dimension of secluded POS
Dwelling 1	<u>22 square metres</u>	<u>22 square metres</u>	3.5 metres
Dwelling 2	38 square metres	38 square metres	3.5 metres
Dwelling 3	<u>20 square metres</u>	<u>12 square metres</u>	3.3 metres
Dwelling 4	52 square metres	52 square metres	3.6 metres
Dwelling 5	124 square metres	88 square metres	5.5 metres
Dwelling 6	30 square metres	30 square metres	3.5 metres
Dwelling 7	8.0 square metres (balcony)		2.25 metres
Dwelling 8	9.4 square metres (balcony)		2.25 metres
Dwelling 9	9.6 square metres (balcony)		2.4 metres
Dwelling 10	8.3 square metres (balcony)		1.7 metres
Dwelling 11	10.0 square metres (balcony)		1.7 metres
Dwelling 12	8.3 square metres (balcony)		1.9 metres
Dwelling 13	10.7 square metres (balcony)		1.6 metres
Dwelling 14	8.9 square metres (balcony)		2.1 metres
Dwelling 15	24.2 square metres (balcony)		1.86 metres
Dwelling 16	21.3 square metres (balcony)		1.86 metres
Dwelling 17	20.0 square metres (balcony)		1.7 metres
Dwelling 18	10.7 square metres (balcony)		1.6 metres
Dwelling 19	13.4 square metres (balcony)		2.0 metres
Dwelling 20	11.8 square metres (balcony)		2.0 metres

Although some areas of private open space at ground level do not achieve a minimum area of 25 square metres, these dwellings will have adequate private open space for the recreational needs of the occupants, given that they are small dwellings and will have greater area and landscaping than the dwellings to the upper floors. Furthermore, the reduced SPOS areas allow for the inclusion of landscaping between the footpath and the front fences thereby improving visual as well as privacy outcomes between the public-private interface of the site.

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

The 1.6 metre width of balconies of Units 13 and 18 must be increased to 2.0 metres via condition of any approval to ensure that dwellings have functional balcony areas.

Unit 17's balcony is largely to the north side opposite the habitable room windows of the adjoining dwelling, and would therefore require high privacy screen. In addition, this balcony detrimentally affects daylight access to the adjoining windows and can be relocated to the west side to improve daylight outcomes to the adjoining northern dwelling. A minimum area of 8sqm would need to be maintained to comply with the standard. This can be addressed via conditions.

Complies with objective

Standard B29: Solar Access to Open Space

Although Dwellings 3, 9 and 14 will have south facing secluded private open space areas, the proposal provides an appropriate design response in that:

- In an apartment development, solar access to the secluded private open space areas of all dwellings is difficult to achieve, given the site orientation.
- The dwellings will have ample amenity, with an open outlook to the south across the street.
- These dwellings are in the minority, with three (3) dwellings with south-facing secluded private open space.
- The remaining dwellings will have solar access from the north, east and west.

It is considered that adequate solar access is provided into the secluded private open space of the new dwellings.

Complies with objective

Standard B32: Front Fences

The site is located in a Residential Growth Zone – Schedule 2, where the Schedule to the zone varies this standard to the following:

A maximum of 1.5 metres with at least 25% visual transparency above 1.2 metres.

Fences within the western and southern setbacks of the site will need to conform with the preferred fence design outlined above.

Complies subject to conditions

Standard B34: Site Services

Sufficient area is provided to allow for the installation and the maintenance of site services.

Waste Management Assessment

The applicant has proposed to provide waste collection areas at the Basement Level adjacent to the entry ramp.

It is noted that whilst it would be Council’s preference that waste chutes are provided, it is not compulsory and lift access to the basement would provide convenient access to the waste storage area.

The waste area set aside includes:

- 1 x 1100L bin and 1 x 660L bin for garbage
- 5 x 1100L bins for recycling
- 2.5m² for recycling

For the 1,100L bins to be collected internally the collection vehicle requires 2.45m clearance. The cross-section provided shows a clearance height of 2.4 metres and must be increased via conditions to the minimum specified by the applicant’s waste consultant.

Council requires the following allocation for weekly waste:

Unit Size	Garbage Capacity/week	Recycling Capacity/week
1 Bedroom	80L	80L
2 Bedroom	80L	120L
3+ Bedroom	80L	120L

Based on the above, the development would generate the following waste (in litres):

- 1-bedroom x 6 = 480L/wk garbage and 480L/wk recyclable
- 2-bedroom x 13 = 1040L/wk garbage and 1560L/wk recyclable
- 3-bedroom x 1 = 80L/wk garbage and 120L/wk recyclable

Total Garbage Capacity required if once a week collection = 1600 L

Total Recyclable Capacity required if once a week collection = 2160L

The application proposes:

Total Garbage Capacity = 1760 litres (requires once a week collection)

Total Recyclable Capacity = 5500 litres (requires fortnightly collection)

The number and capacity of bins provided meets Council’s waste standards. However this is to be confirmed via a Waste Management Plan and the Basement Plan will need to show waste bins to scale with appropriate access aisles.

Size of waste collection vehicle must be able to enter and exit the site in a forwards direction. This will be specified via conditions.

The entrance lobby is required to locate letter boxes which are not shown on the plans and can be requested via conditions.

Complies subject to conditions

Clause 52.06 - Car Parking Assessment

Number of Parking Spaces Required

The required provision of car parking is set out in Table 1 of *Clause 52.06-5* of the Planning Scheme. If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Use	Rate	Number	Requirement
Dwelling	1 to each 1&2 bedroom dwelling	19	19
	2 to each 3+ bedroom dwelling	1	2
Dwelling Visitor	1 space to each 5 dwellings	20	4
Total Requirement			25

The applicant has proposed to provide 21 car parking spaces, and is therefore seeking a total waiver of four (4) visitor parking space. As per Clause 52.06-6 of the Planning Scheme, the applicant has submitted an assessment of the car parking demand and concludes that the proposed provision of car parking is satisfactory based on the following:

- The impact of requiring 4 visitor’s cars to be parked off-site can be accommodated off-site at all times. Parking surveys show a minimum of 19 spaces available within the survey area during weekday daytime and evening hours.

On consideration of the above and the decision guidelines contained within Clause 52.06-6 of the Planning Scheme, the proposed car parking waiver is considered satisfactory in this instance, noting the following:

- Visitor parking demands associated with the development will typically peak during weekday evenings and during the afternoon to evening period on weekends, with very small demands anticipated during the day on weekdays. Any visitor parking demands generated by the proposal (up to four spaces) is able to be readily accommodated within the nearby on- and off-street parking areas and would not be considered to represent any adverse impact upon the amenity of the surrounding residential area.

Design Standards for Car parking

As per Design Standard 2, where parking spaces are provided in tandem (one space behind the other), an additional 500mm in length has been provided between each space. This requirement has been achieved between parking space 13 & 14.

A review of the turning circles for the B85 design vehicle demonstrates adequate access to and from the car parking spaces. In some instances a corrective movement may be required however this is acceptable for User Class 1A (residential, domestic and employee).

A cross-section should be provided which demonstrates sufficient vehicle height clearance above the ramp into the basement level.

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Columns associated with "standard" car parking bays have been located in accordance with this design standard.

The blind parking aisles have been extended 1.0m beyond the last parking space as per 2.4.2(c) of AS2890.1:2004.

All parking bays have been widened by 300mm where they are bounded by a wall as per 2.4.2(c) of AS2890.1:2004.

The proposed basement ramp grade is proposed with a grade of 1:10 for the first five metres, transitional grade of 1:4.44, a main section of ramp at 1:4, and a transition into the basement level of 1:8.

The proposed ramp grades comply with the requirements of the Planning Scheme. Notwithstanding, concerns have been previously raised with the Tribunal regarding 1:4 ramp grades incorporating a 1:8 transition of 2.0m. The applicant must either increase the bottom transition to 2.6m or provide a ground clearance assessment to the satisfaction of the Responsible Authority. This can be requested via conditions.

A notation must be added to the Development plans stating that any vegetation or obstructions within the visibility splay must be less than 900mm in height. This can be requested via conditions.

Complies subject to conditions

Clause 52.29 – Land adjacent to a road zone, category 1 or a public acquisition overlay for a category 1 road.

Clause 52.29 requires a permit to create or alter access to a road in a Road Zone, Category 1. Pursuant to this clause and also clause 66, an application to create or alter access to a road declared as a freeway or arterial road under the Road Management Act 2004, must be referred to the Roads Corporation (i.e. VicRoads) under Section 55 of the *Planning and Environment Act 1987*.

The proposal is to remove existing accessways, which will improve access to the site for cars and larger vehicles, which is appropriate. Therefore, VicRoads has not objected to the proposal.

VicRoads conditions will be included in any approval given.

Clause 52.34 - Bicycle Facilities Assessment

The required provision of bicycle parking is set out in Clause 52.34-3 – Required bicycle facilities of the Planning Scheme.

If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.

Use	Rate		Resident Requirement	Visitor Requirement
	Resident	Visitor		
Dwelling (four or more storeys)	1 resident space to each 5 dwellings	1 visitor space to each 10 dwellings	4	2
Total Requirement			4	2

- Any bicycle parking required by Council as part of an assessment of the appropriateness of the car parking provision must be provided in addition to the Statutory Bicycle Parking required for the site.

The applicant proposed to provide 12 ‘Ned Kelly’ wall-mounted bicycle parking racks within the alcove on basement car park level. The bicycle racks have been dimensioned 400mm ‘centre to centre’ as per Bicycle Network guidelines. It is recommended that this be increased to 500mm to accord with AS2890.1:2015. The bicycle parking spaces must allow 1,200mm envelope for the bicycle to extend out from the wall, plus a 1,500mm wide aisle for access.

In addition to the vertical rails the applicant also proposes three ground mounted rails in accordance with Australian Standard 2890.3:2015. There is some concern with the design of these rails. Parking nose to tail must conform to Figure 2.3 of AS2890.3:2015.

The resident bicycle parking spaces will be located within the basement floor level. As the basement ramp incorporates a grade of 1:4 this is beyond the cycling capacity for most riders and consequently most will utilise the elevator to access the ground level. The doorway located on ground level must have a minimum width of 1500mm and be easy to open, and stay open to allow riders to move through the door with a bicycle. The elevator doors must have this minimum doorway width.

The above would require some modifications to the basement footprint through potentially an increased bike-parking area toward the south to accommodate a bicycle parking area for residents with adequate dimensions.

The applicant also proposes three (3) visitor parking rails which are proposed to be located adjacent to the basement ramp at Ground Floor. It is recommended that two (2) spaces as required by Clause 52.34-3 be located closer to the main pedestrian entrance off Albert Street. The bicycle rails must be dimensioned at 1,000mm centres. If there is insufficient area at the main entrance to accommodate visitor parking spaces, a contribution to cycling infrastructure in lieu may be requested via conditions.

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see assessment in the body of this report.	Y	Y
55.02-2	B2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		The development includes at least one three bedroom and a mix of one and two bedroom dwellings.	Y	Y

Clause	Std		Compliance	
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development.	Y	Y
55.02-5	B5	Integration with the street		
		Please see assessment in the body of this report.	Y	Y
55.03-1	B6	Street setback		
		Please see assessment in the body of this report.	Y	Y
55.03-2	B7	Building height		
		Please see assessment in the body of this report.	Y	Y
55.03-3	B8	Site coverage		
		The allowable site coverage is 80%; the proposed site coverage is 51%.	Y	Y
55.03-4	B9	Permeability		
		The required site permeability is 15%; the proposed site permeability is 22.08%.	Y	Y
55.03-5	B10	Energy efficiency		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties.	Y	Y
55.03-6	B11	Open space		
		N/A as the site does not abut public open space.	N/A	N/A
55.03-7	B12	Safety		
		Please see assessment in the body of this report.	Y	Y
55.03-8	B13	Landscaping		
		Please see assessment in the body of this report.	Y	Y
55.03-9	B14	Access		
		Access is sufficient and respects the character of the area.	Y	Y
55.03-10	B15	Parking location		
		Parking facilities are proximate to the dwellings they serve, the access is observable, habitable room windows are sufficiently set back from accessways or can be attenuated as necessary. Refer to condition relating to the provision of an acoustic 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		
		Please see assessment in the body of this report.	N	Y
55.04-4	B20	North-facing windows		
		Development is set back in accordance with the standard.	Y	Y

Clause	Std		Compliance	
55.04-5	B21	Overshadowing open space		
		Shadow cast by the development is within the parameters set out by the standard.	Y	Y
55.04-6	B22	Overlooking		
		Please see assessment in the body of this report.	Y	Y
55.04-7	B23	Internal views		
		Internal views are addressed and managed through measures outlined under Standard B22.	Y	Y
55.04-8	B24	Noise impacts		
		Noise impacts are to be addressed through the provision of an acoustic report.	Y	Y
55.05-1	B25	Accessibility		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
55.05-2	B26	Dwelling entry		
		Please see assessment in the body of this report.	Y	Y
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.	N	Y
55.05-5	B29	Solar access to open space		
		Please see assessment in the body of this report.	N	Y
55.05-6	B30	Storage		
		Sufficient storage areas are provided.	Y	Y
55.06-1	B31	Design detail		
		Design detail of dwellings is appropriate in the neighbourhood setting.	Y	Y
55.06-2	B32	Front fences		
		Please see assessment in the body of this report.	Y	Y
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Please see assessment in the body of this report.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
Capital Delivery Unit	No objection, subject to condition included in recommendation.
Transport Engineering and Strategy	No objection, subject to condition included in recommendation: <ul style="list-style-type: none"> • Bicycle parking to comply with AS2890.1:2015 • Ground Floor entry door to be at least 1.5 metres wide

	<ul style="list-style-type: none"> • Relocate visitor bicycle parking to the main entry area • Provide pedestrian visibility splays near crossovers • Provide an increase in the bottom transition of the vehicle access ramp to 2.6 metres or provide a ground clearance assessment. • Remove all redundant crossovers.
Arboricultural Planning Unit	<p>No objection, subject to condition included in recommendation.</p> <ul style="list-style-type: none"> • Protection of adjoining vegetation Trees 15-20 as identified in the Arboricultural Assessment prepared by Treelogic dated 9 August 2017.
ESD Officer	<p>No objection, subject to condition included in recommendation.</p> <ul style="list-style-type: none"> • Provide a Sustainable Management Plan • Provide details on how 100% will be achieved in the Melbourne Water STORM tool • Install solar electricity panels for common area energy • Provide shading devices to western and northern windows • Secure the bike parking area • Further details of waste management required
Urban Design	<p>No objection, subject to condition included in recommendation.</p> <ul style="list-style-type: none"> • Increase the main entrance width • Secure the emergency staircase from the basement to the southern setback of the site. • Increase the width of the common circulation corridors • Full details of glazing to the central light well. • Balcony widths of 1.6 metres increased to provide improved functionality • Balcony of Unit 17 oriented to the street.
VicRoads	<p>No objection, subject to conditions and notations included in recommendation.</p>

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.07-4 (Residential Growth Zone Schedule 2) – construction of two or more dwellings on a lot.
- Clause 43.02 (Design and Development Overlay - Schedule 19) a permit is required to construct buildings and works.
- Clause 52.29 (Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road) requires a permit to create or alter access to a road in a Road Zone, Category 1.
- Clause 52.06 (Car Parking) – A permit is required to reduce the car parking requirements in the Table to Clause 52.06-5.

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, 22.02, 22.06, 22.12
Zone	32.07
Overlay	43.02, 45.06
Particular provisions	52.06, 52.29, 52.34, 55
General provisions	65.01
Neighbourhood Character Precinct	F5

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

RELATED DOCUMENTS

- *Planning and Environment Act 1987*

Attachments

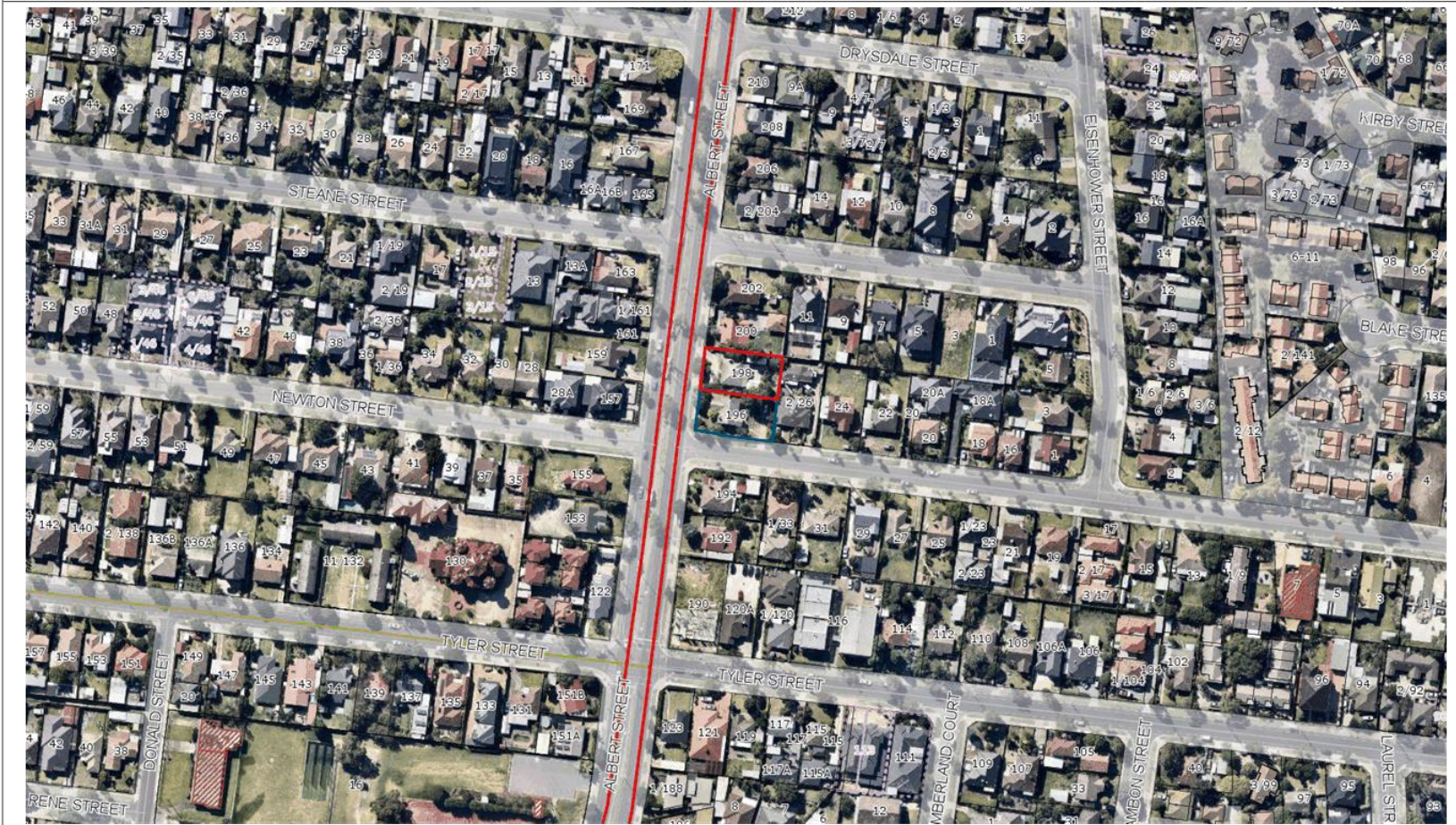
- Aerial Photograph (**Appendix A**) [↓](#)
- Advertised Plans (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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

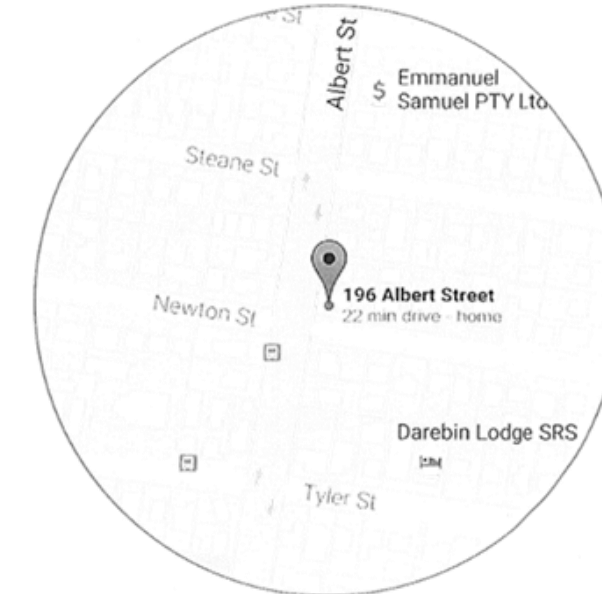
196-198 Albert Street Reservoir D/80/2017 – Aerial Photograph



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AMENDED PLAN
 Section 57A Amended Plan

**PROJECT:
 20 UNIT APARTMENT
 DEVELOPMENT**

**AT:
 196-198 ALBERT STREET
 RESERVOIR**

**FOR:
 MR. SARWAT SHENOUDA**

**GEMANO[®]
 ARCHITECTS**

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AMENDED PLAN

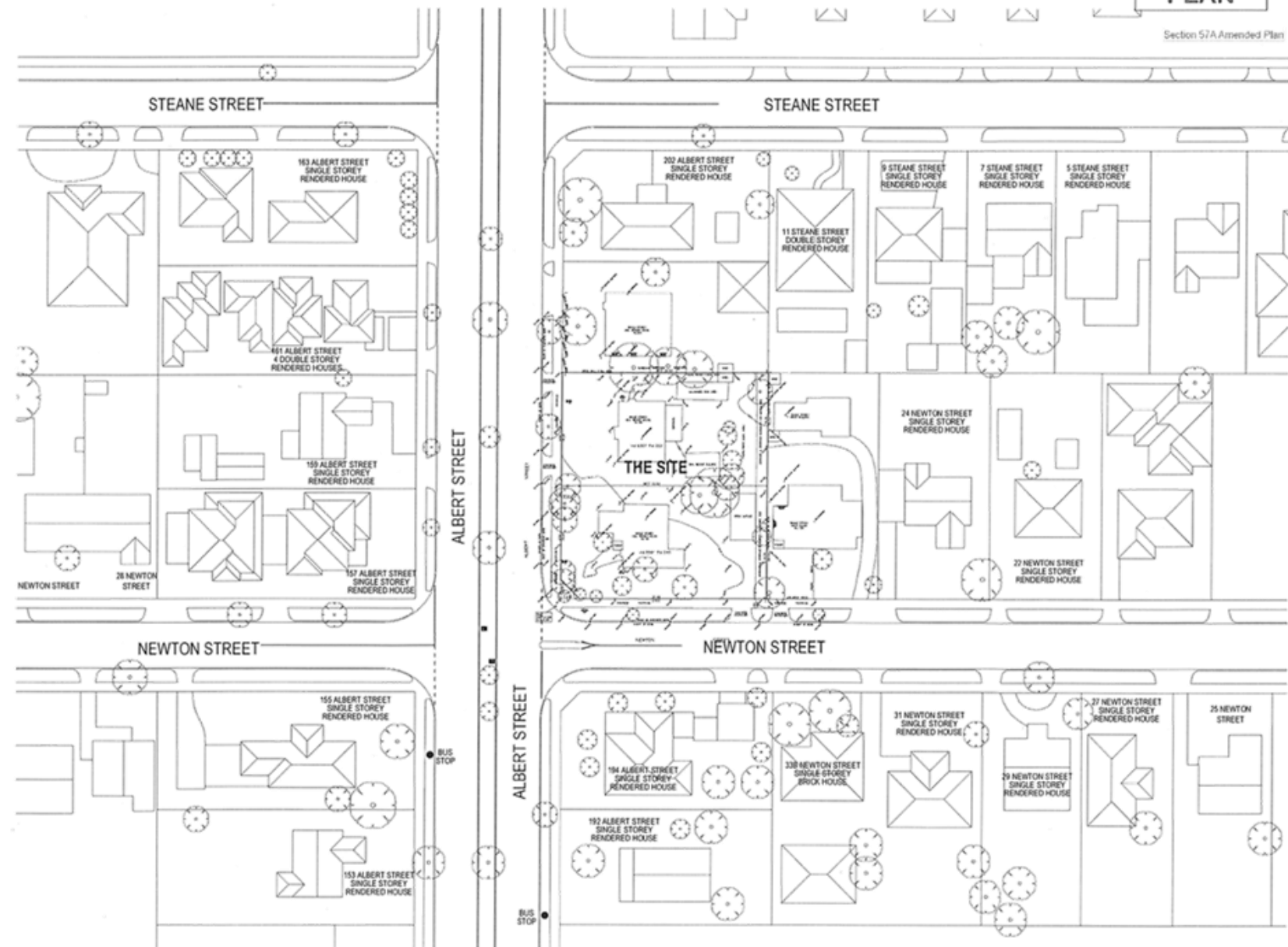
Section 57A Amended Plan

NEIGHBOURHOOD INFRASTRUCTURE

#	LOCATION	DISTANCE (M)	DIREC. TOOK
1	21st CENTURY HOLDING ENGINEERING	1000	↔
2	AWCONDA	1000	↔
3	ARCHBISHOP RESERVE	1000	↑
4	AURORA	1000	↔
5	BARBQUES GALORE	1000	↔
6	BESSIE NORTHLAND	1000	↔
7	BELL STREET	1000	↓
8	BUNNINGS	1000	↔
9	CH SULLIVAN MEMORIAL PARK	1000	→
10	CHEMIST WORKHOUSE	2000	↔
11	CT BANKING RESERVE	1100	↔
12	CH HIRWOOD RESERVE	1000	↑
13	DAREBIN CITY COUNCIL	2000	↔
14	DAREBIN COMMUNITY SPORTS STADIUM	1000	↔
15	DAREBIN CREEK FOREST PARK	1100	↔
16	DEPARTMENT OF HUMAN SERVICES	1000	↔
17	FANTASTIC FURNITURE	1000	↔
18	FOCUS ON FURNITURE	1000	↔
19	FORRY BIKES	1000	↔
20	FREEDOM FURNITURE	1000	↔
21	DE ROBINSON PARK	1000	↔
22	WARREY NORRIS	1000	↔
23	HIGH STREET	1000	↔
24	HET OULTON PARK	2000	↓
25	HUNGRY JACK'S	1000	↔
26	JENNY HOME SUPERSTORE	1000	↔
27	KFC	1000	↓
28	KIA ORA PRIVATE NURSING HOME	1000	↔
29	KINGSBURY PRIMARY SCHOOL	2000	↔
30	KP HARDWARE RESERVE	1000	↔
31	LA TROBE UIN HOCKEY CLUB	1000	↔
32	LA TROBE UNIVERSITY	2000	↔
33	LATROBE GOLF PARK	1000	↔
34	MALAWING RESERVE	2000	↔
35	MARTEKS	1000	↔
36	MAK KIRMIN WALZA	1000	↓
37	MCCOMBS STREET RESERVE	300	↔
38	MCDONALDS	1000	↔

NEIGHBOURHOOD INFRASTRUCTURE

#	LOCATION	DISTANCE (M)	DIREC. TOOK
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40	NORTHLAND	800	↔
41	OFFICEWORKS	1000	↔
42	OLYMPIC HOTEL	1700	↓
43	OLYMPIC PARK	1000	↔
44	PLENTY ROAD	700	↑
45	PLENTY ROAD	900	↔
46	PLUSH	1200	↔
47	PRESTON CEMETARY	1900	↔
48	PRESTON HISSAN	1000	↔
49	PRESTON TOYOTA	1000	↔
50	PRESTON DRIVE IN FLOWERS	1900	↔
51	RALPH D'SILVA HOLDEN	1000	↔
52	RAY'S OUTDOORS	1900	↓
53	REGENT BAPTIST CHURCH	1000	↔
54	REGENT TRAIN STATION	2000	↔
55	RESERVOIR EAST PRIMARY SCHOOL	1300	↑
56	RESERVOIR HIGH SCHOOL	100	↔
57	SLEEPING GIANTS	1200	↔
58	SPOTLIGHT	1200	↔
59	ST APHREM SYRIAN ORTHODOX CHURCH	1100	↔
60	ST STEPHEN'S PRIMARY SCHOOL	2300	↔
61	SUMMERHILL RESIDENTIAL PARK	800	↔
62	SUMMERHILL SHOPPING CENTRE	700	↑
63	SUPER AMART	1900	↓
64	THE CHRISTMAS ELVES	1200	↔
65	THE GOOD GUYS	1200	↔
66	TW BLAKE PARK	300	↔
67	W RUTHVEN VC RESERVE	270	↔



NEIGHBOURHOOD CHARACTER
 SCALE 1:400

GEMANO ARCHITECTS 315 LISBETH AVENUE, DONVALE VIC 3111 GEMANO.T@GEMANO.COM	PROPOSED: 20 UNIT APARTMENT DEVELOPMENT ADDRESS: 196-198 ALBERT STREET RESERVOIR
	CLIENT: MR. SARWAT SHENOUDA DRAWING: NEIGHBORHOOD AND SITE DESCRIPTION PLAN
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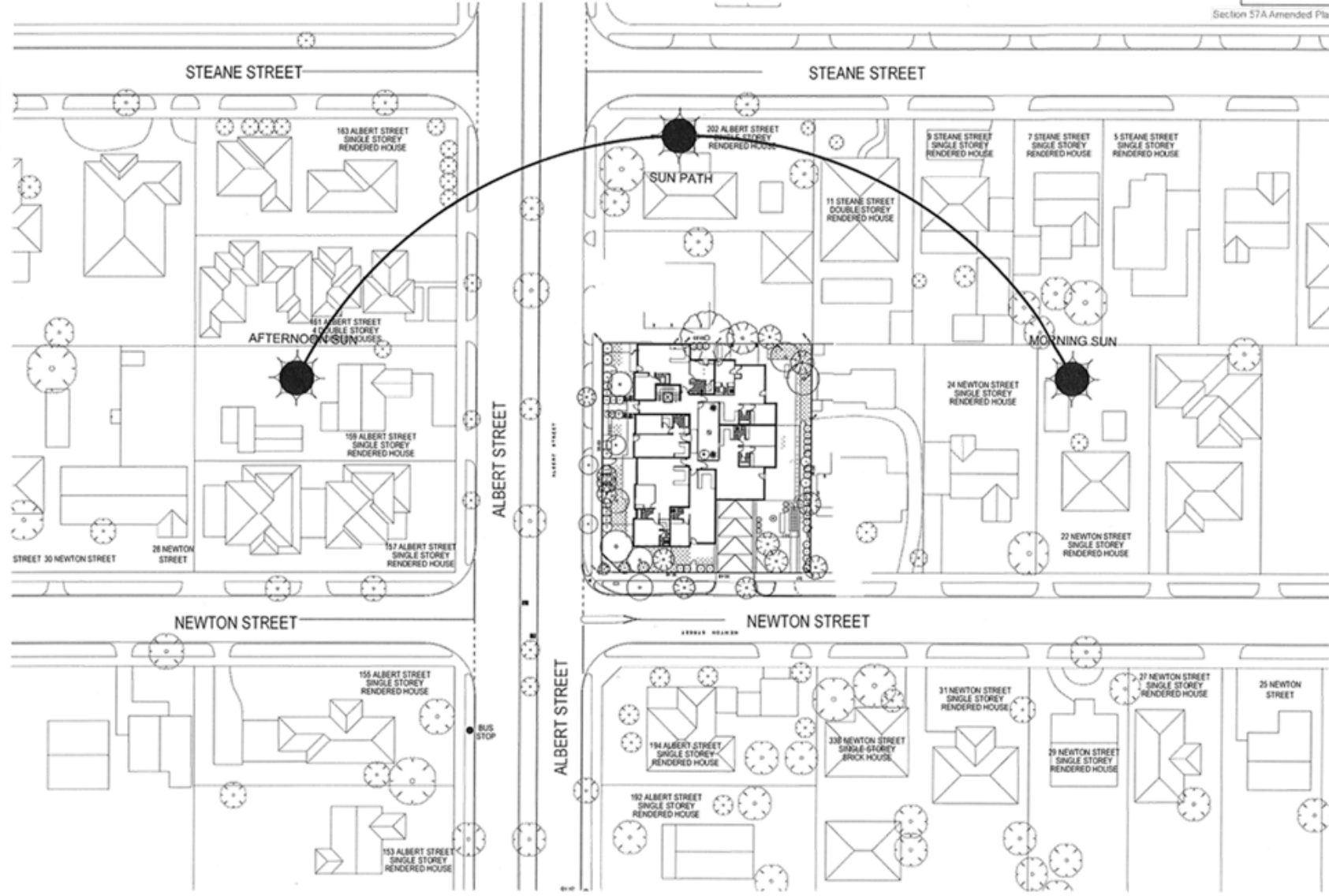
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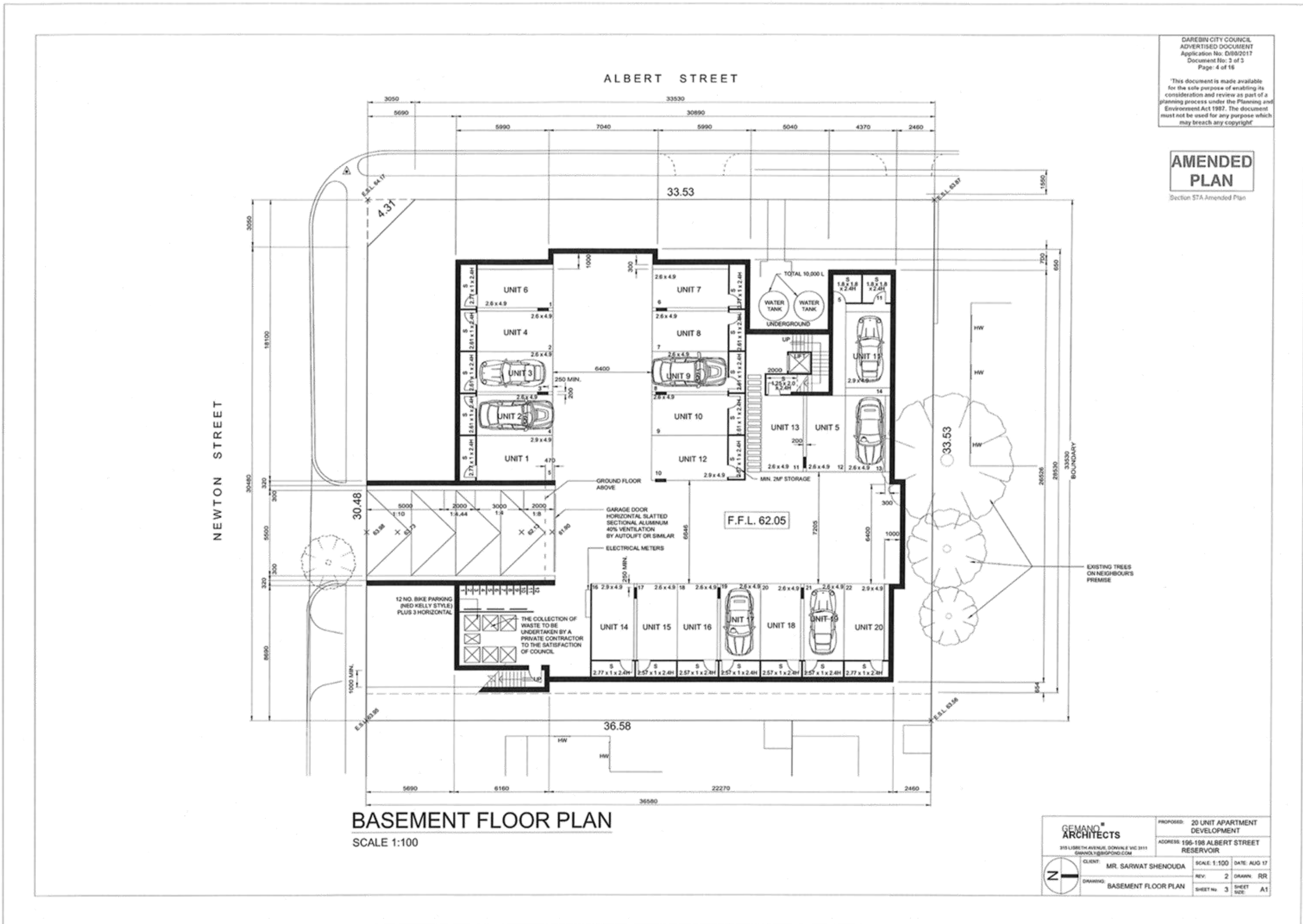
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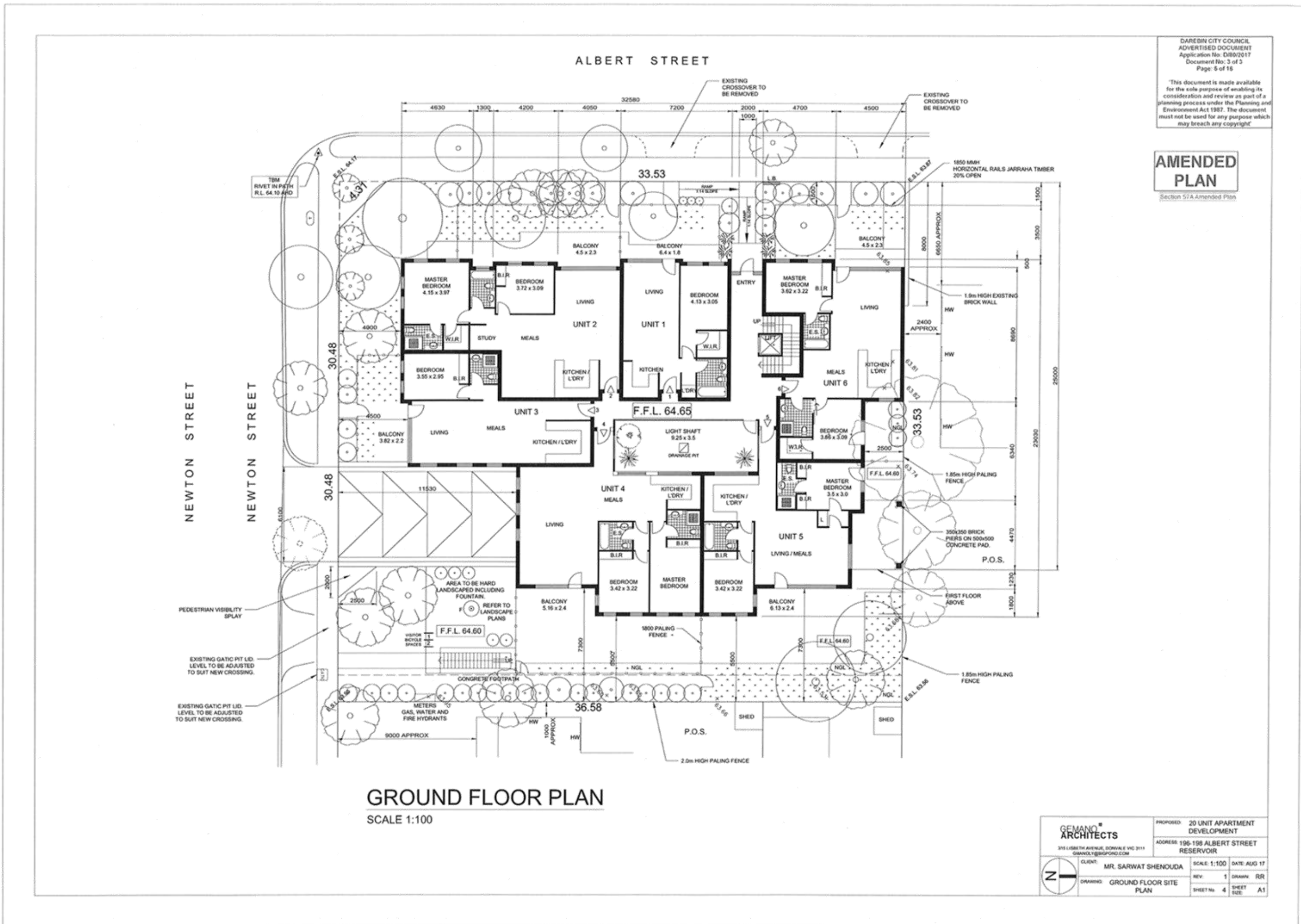
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4	AUTODOMY	1200	↘				
5	BARBQUES GALORE	1200	↘				
6	BEDDERS NORTHLAND	1200	↘				
7	BILL STREET	1800	↓				
8	BUNNINGS	1400	↘				
9	DR BULLIVANT MEMORIAL PARK	1800	→				
10	DREHST WAREHOUSE	2000	↘				
11	GT BARLING RESERVE	1100	↘				
12	DR KIRKWOOD RESERVE	1800	↑				
13	DAREBIN CITY COUNCIL	2000	↘				
14	DAREBIN COMMUNITY SPORTS STADIUM	1200	↘				
15	DAREBIN CREEK FORD ST PARK	1100	↘				
16	DEPARTMENT OF HUMAN SERVICES	1800	←				
17	FANTASTIC FURNITURE	1200	↘				
18	FOCUS ON FURNITURE	1200	↘				
19	FORTY WINKS	1200	↘				
20	FREEDOM FURNITURE	1200	↘				
21	GE ROBINSON PARK	1900	↘				
22	HARVEY NORMAN	1900	↘				
23	HIGH STREET	1800	←				
24	HIL DULTON PARK	2000	↓				
25	HUNGRY JACKS	1800	←				
26	J&H HOME SUPERSTORE	1900	↓				
27	KFC	1800	↓				
28	KARLOA PRIVATE HURDING HOME	1800	←				
29	KINGSBURY PRIMARY SCHOOL	2000	↘				
30	KP MACBRANN RESERVE	1200	↘				
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33	LATROBE GOLF PARK	1800	↘				
34	MILKWAYS RESERVE	2000	↘				
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51	RALPH D SILVA HOLDEN	1800	↘				
52	RAY'S OUTDOORS	1900	↓				
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65	THE GOOD GUYS	1200	↘				
66	TW BLAKE PARK	900	↘				
67	W RUTHVEN VC RESERVE	270	↘				



DESIGN RESPONSE
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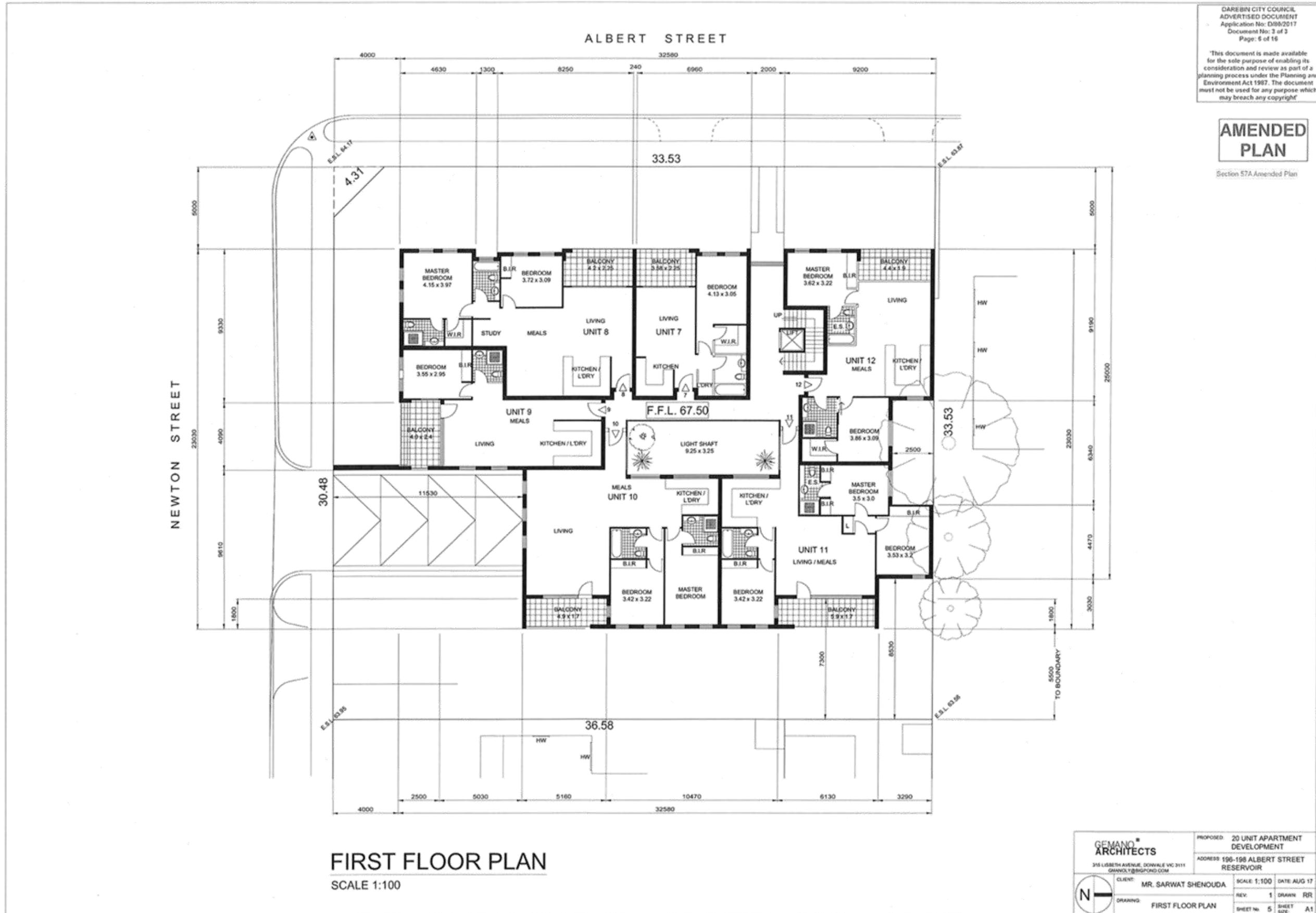
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GROUND FLOOR PLAN
 SCALE 1:100

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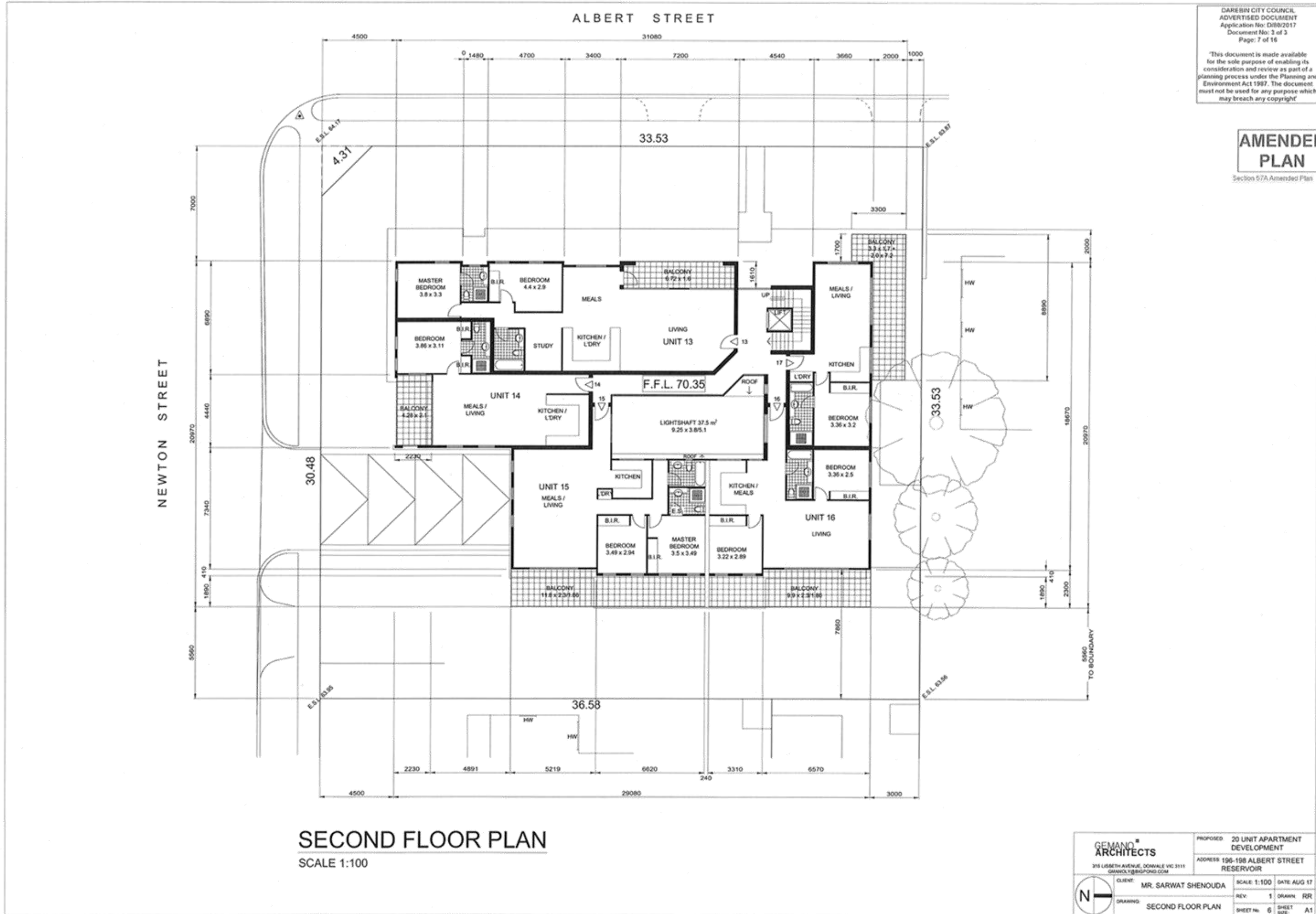
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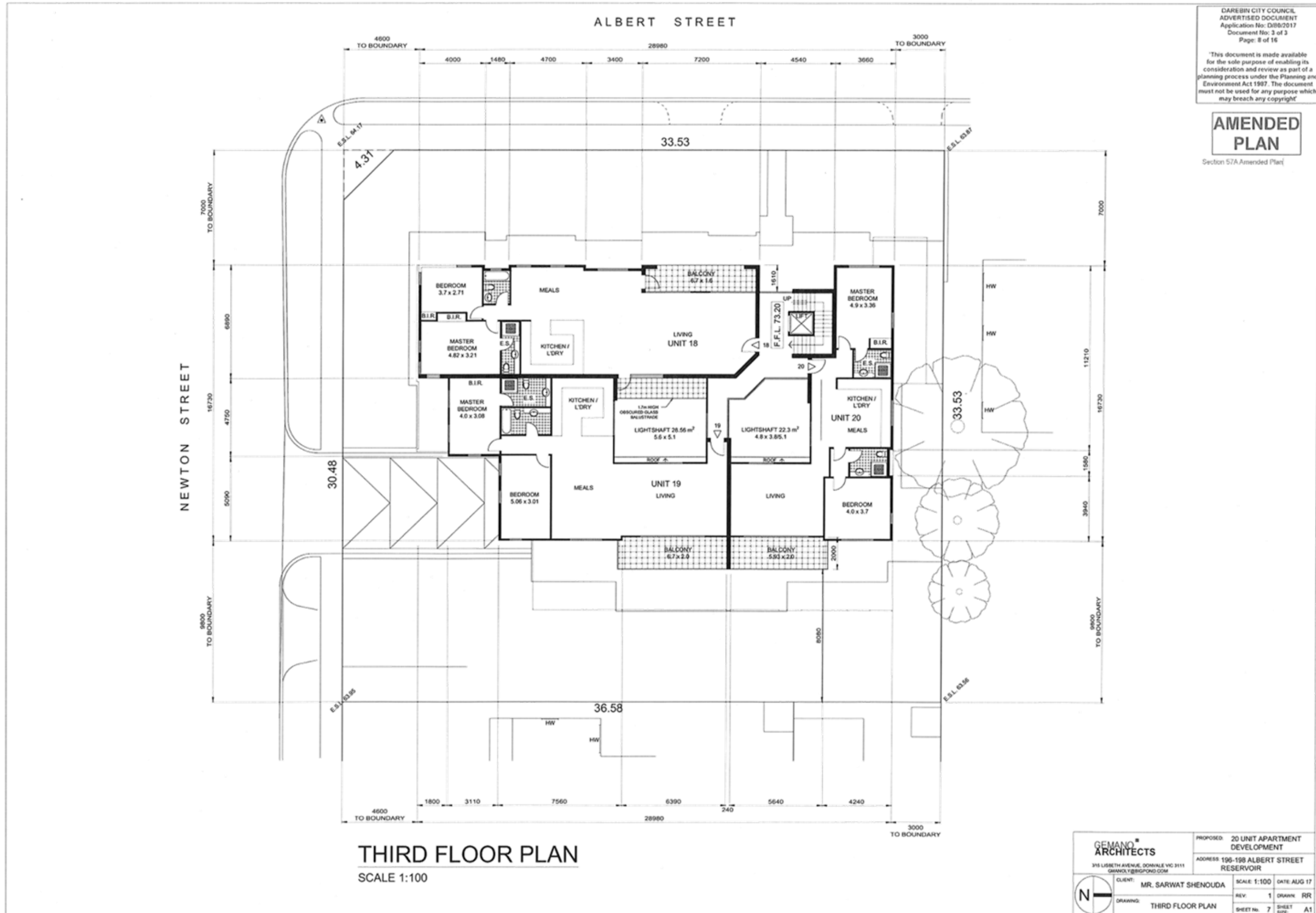
AMENDED PLAN

Section 57A Amended Plan

FIRST FLOOR PLAN
 SCALE 1:100

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DRAWING: FIRST FLOOR PLAN	REV: 1 DRAWN: RR
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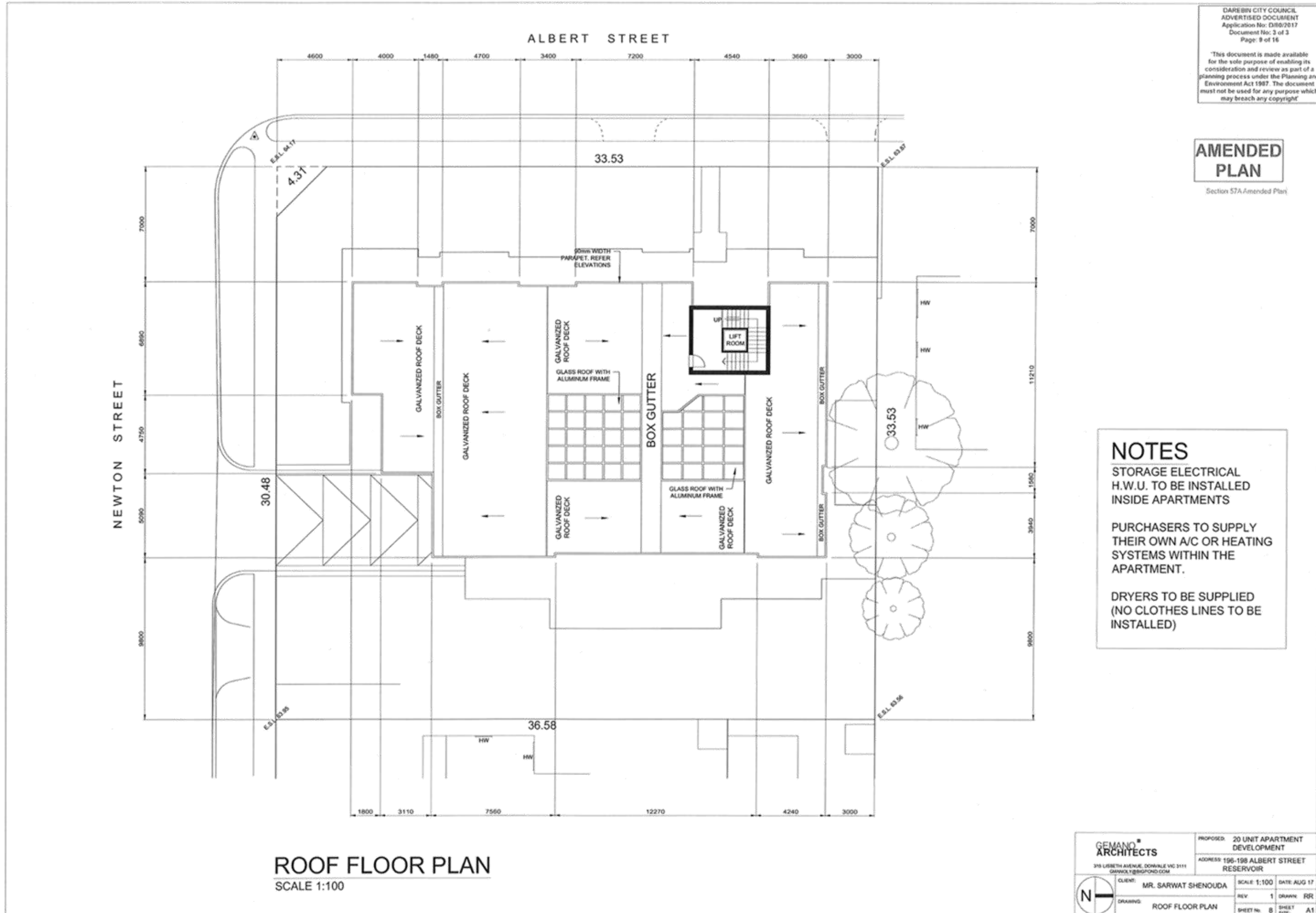
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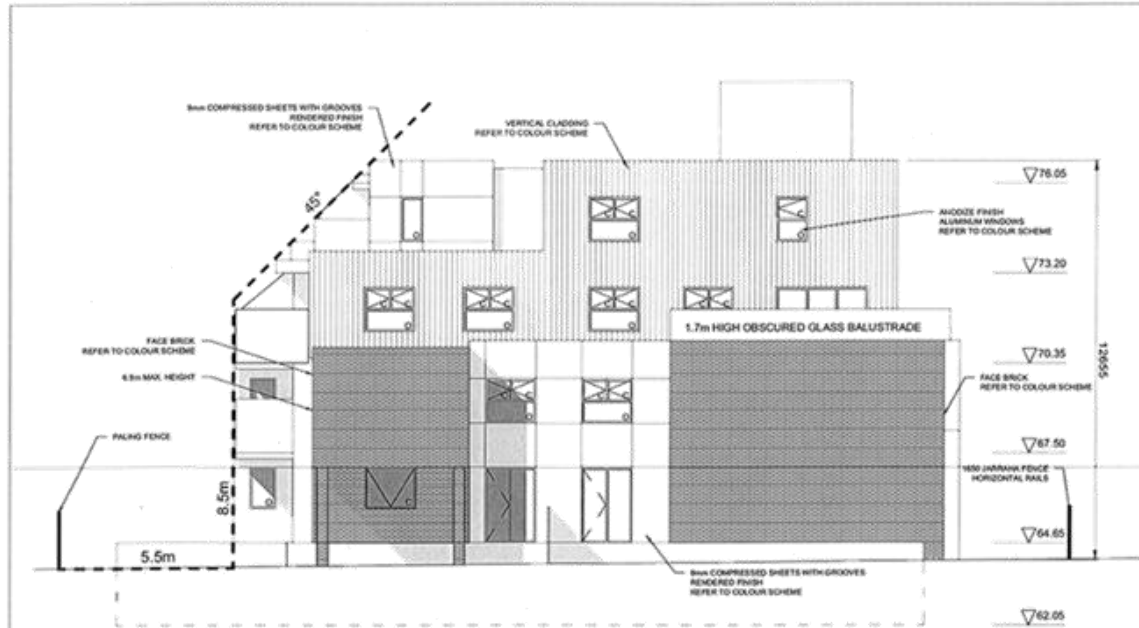
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AMENDED PLAN

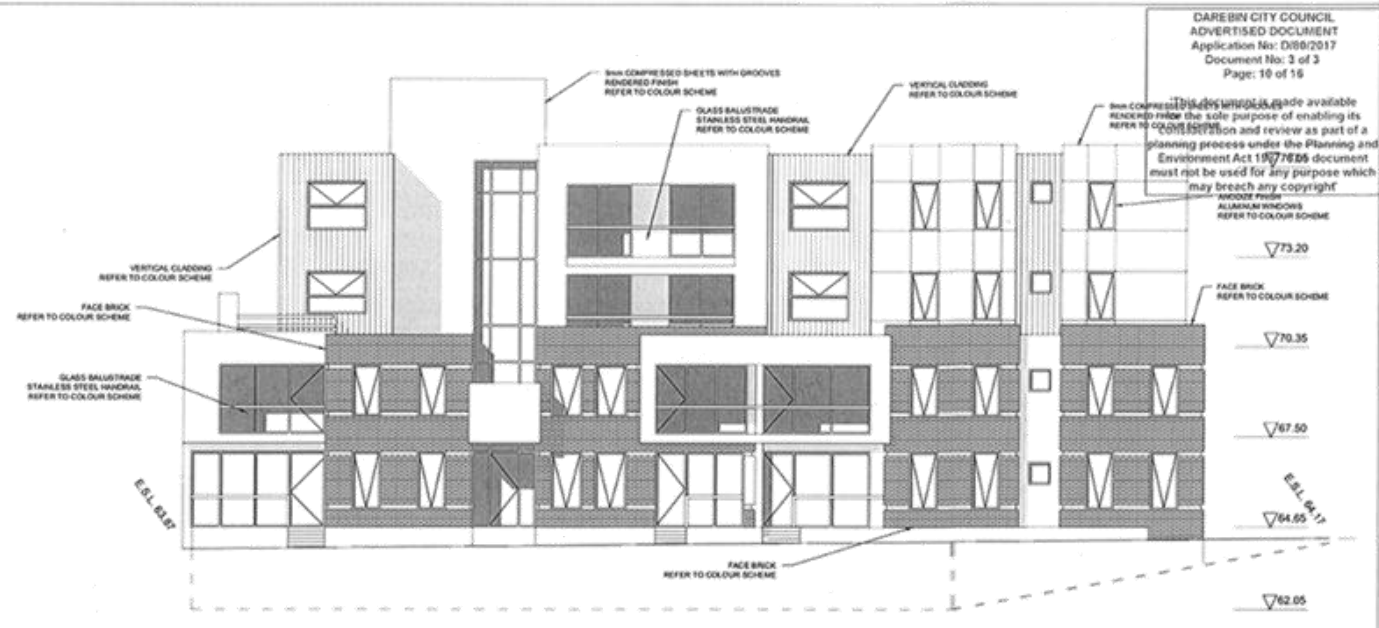
Section 57A Amended Plan

GEMANO ARCHITECTS <small>315 LISBETH AVENUE, DONVALE VIC 3111 GEMANO.T@GSPOND.COM</small>	PROPOSED: 20 UNIT APARTMENT DEVELOPMENT ADDRESS: 196-198 ALBERT STREET RESERVOIR
	CLIENT: MR. SARWAT SHENOUDA SCALE: 1:100 DATE: AUG 17
DRAWING: THIRD FLOOR PLAN	REV: 1 DRAWN: RR SHEET No: 7 SHEET SIZE: A1



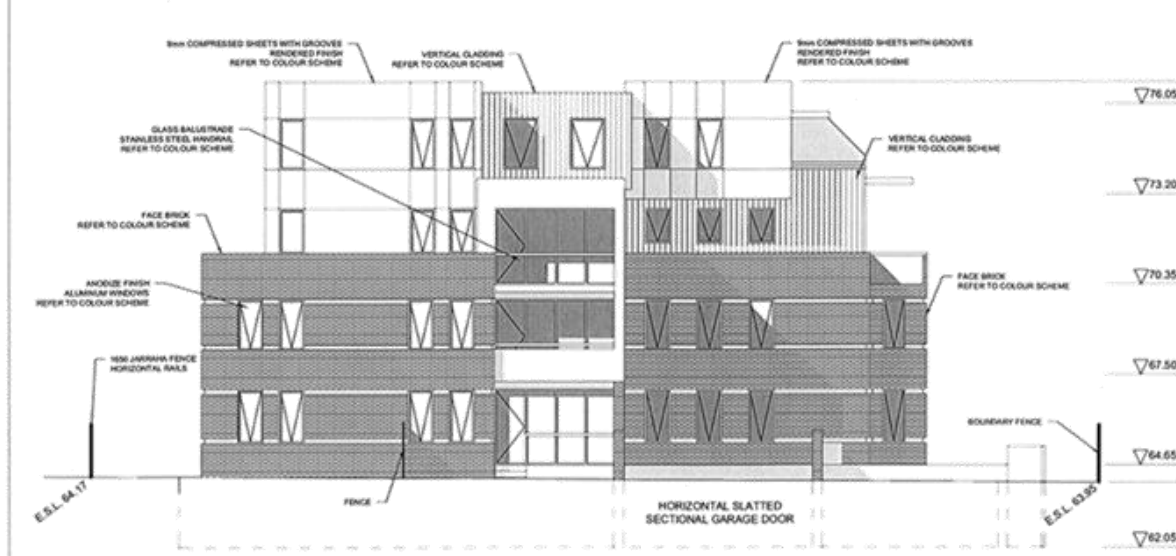


NORTHERN ELEVATION
SCALE 1:100

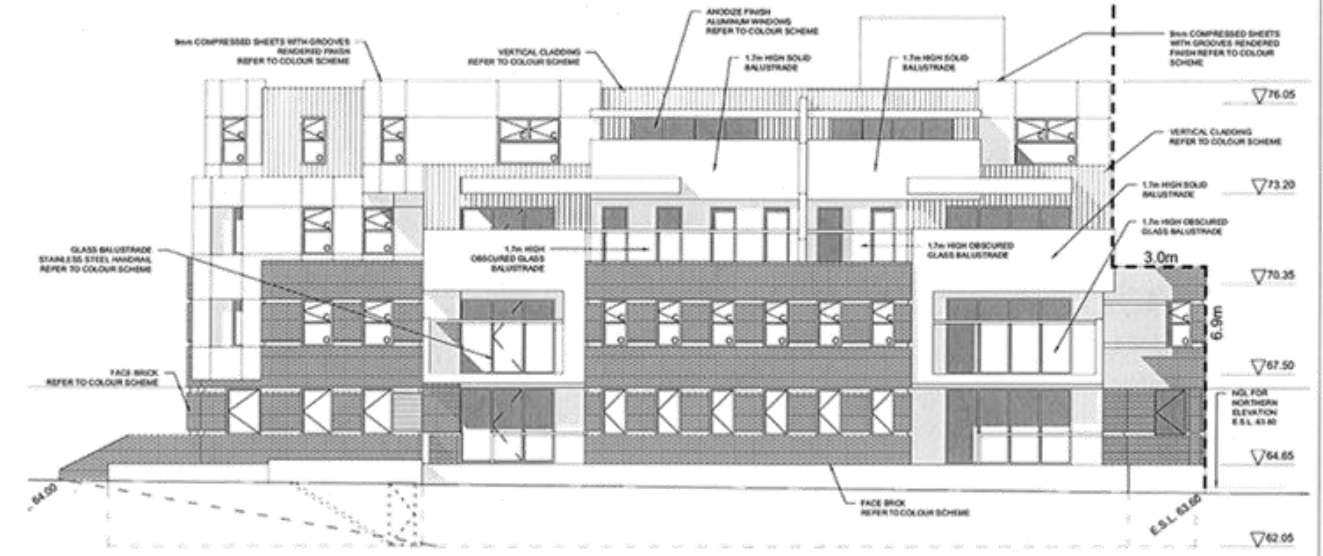


ALBERT STREET (WESTERN) ELEVATION
SCALE 1:100

AMENDED PLAN
Section 57A Amended Plan



NEWTON STREET (SOUTHERN) ELEVATION
SCALE 1:100



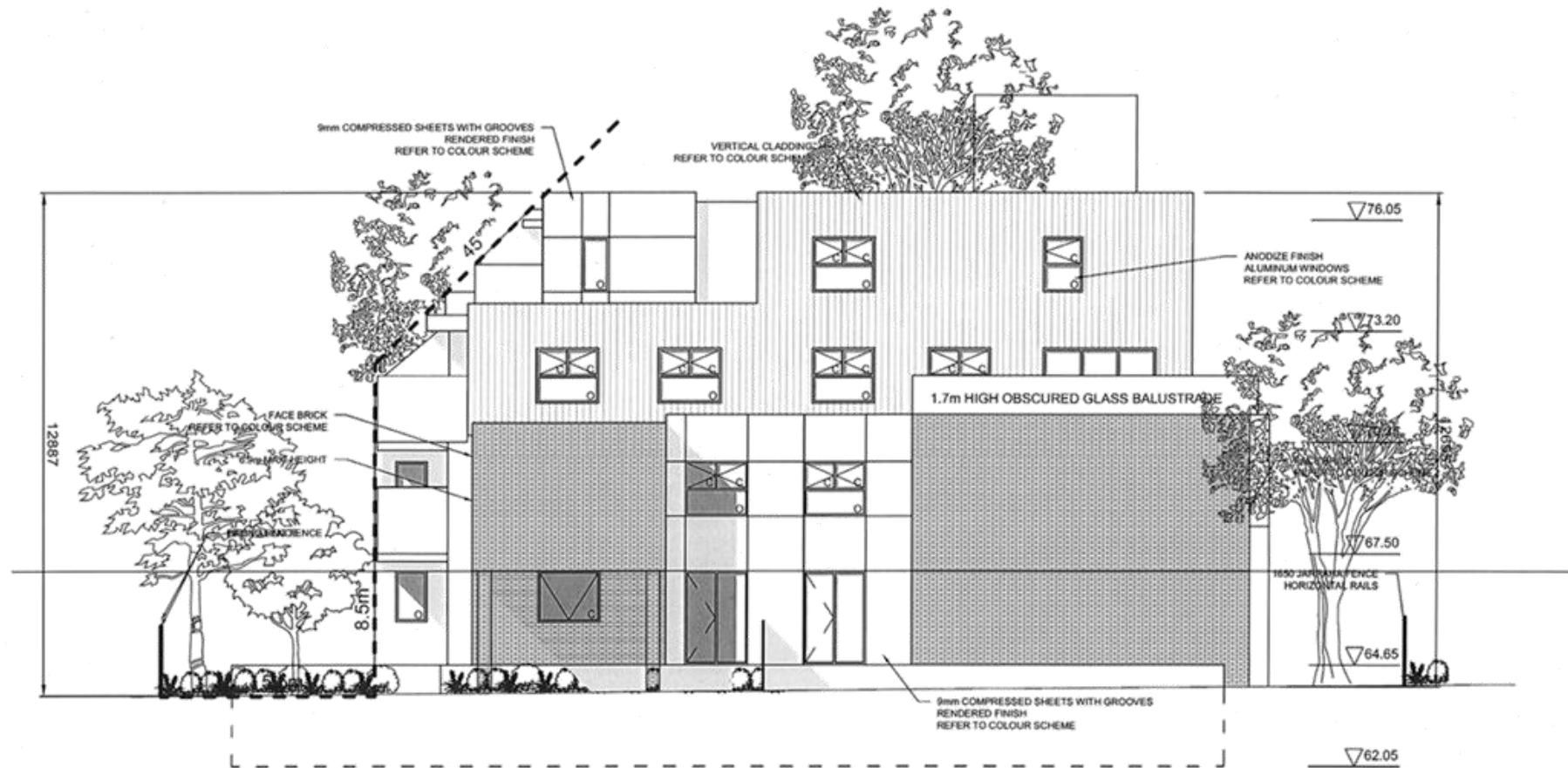
EASTERN ELEVATION
SCALE 1:100

GEMANO ARCHITECTS		PROPOSED 20 UNIT APARTMENT DEVELOPMENT	
315 LESLIE AVENUE, DONMERE VIC 3111 GEMANO@BIGPOND.COM		ADDRESS 196-198 ALBERT STREET RESERVOIR	
CLIENT	MR. SARWAT SHENOUDA	SCALE	1:100
DATE	AUG 17	REV.	1
DRAWN	RR	DRAWN	RR
DRAWING	ELEVATIONS	SHEET No.	9
		SHEET SIZE	A1

DAREBIN CITY COUNCIL
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 Application No: D/80/2017
 Document No: 3 of 3
 Page: 11 of 16

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AMENDED PLAN
 SECTION 57A Amended Plan



NORTHERN ELEVATION

SCALE 1:100

GEMANOTM ARCHITECTS <small>3/15 LISBETH AVENUE, DONVALE VIC 3111 GMANOLY@BIGPOND.COM</small>	PROPOSED: 20 UNIT APARTMENT DEVELOPMENT	
	ADDRESS: 196-198 ALBERT STREET RESERVOIR	
CLIENT: MR. SARWAT SHENOUDA	SCALE: 1:100	DATE: AUG 17
DRAWING: NORTHERN PRESENTATION ELEVATION	REV: 1	DRAWN: RR
	SHEET No. 10	SHEET SIZE: A2

DAREBIN CITY COUNCIL
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AMENDED PLAN

Section 57A Amended Plan



EASTERN ELEVATION

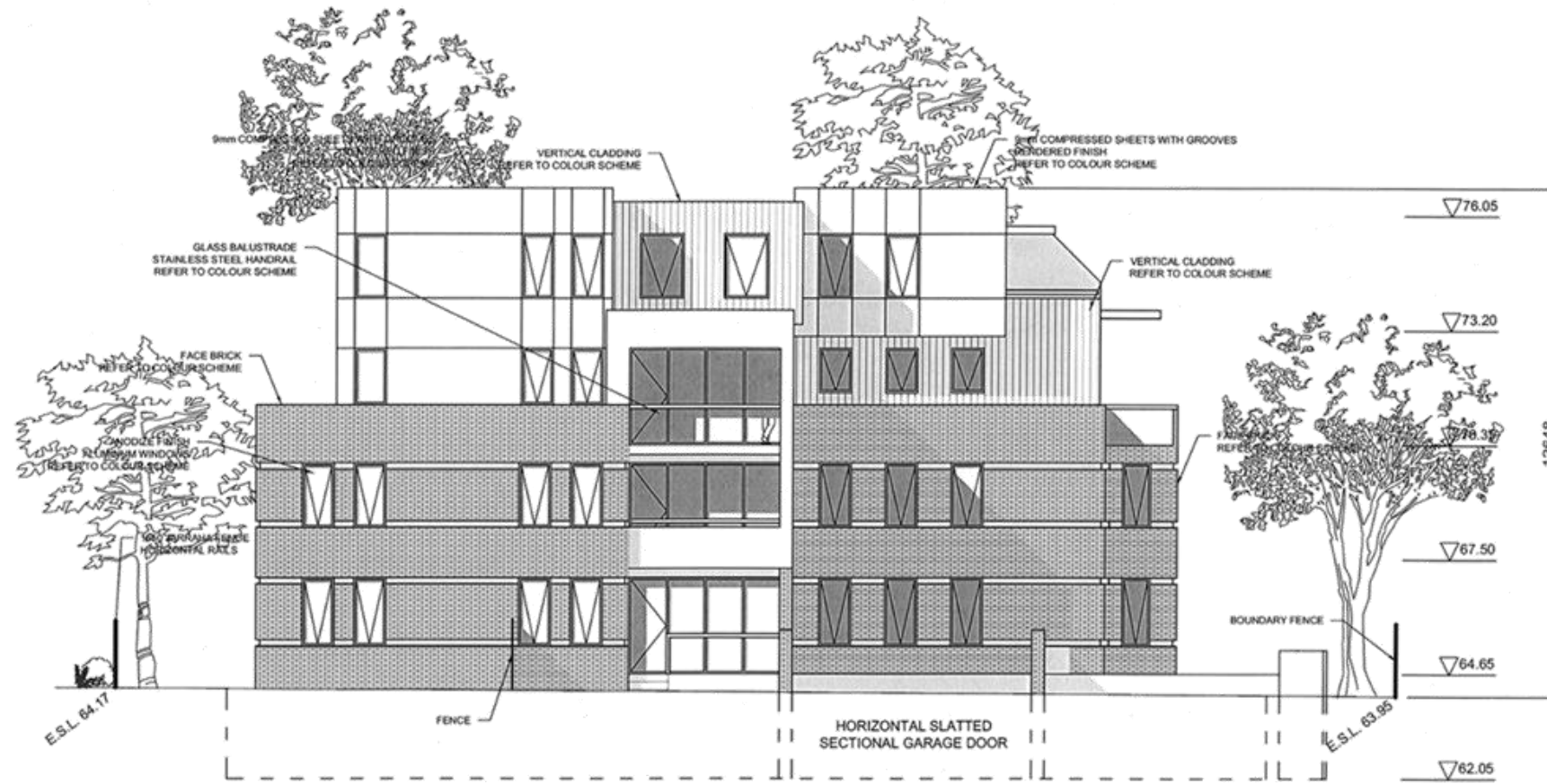
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GEMANO ARCHITECTS 3/15 LISBETH AVENUE, DONVALE VIC 3111 GMANOLY@BIGPOND.COM	PROPOSED: 20 UNIT APARTMENT DEVELOPMENT	
	ADDRESS: 196-198 ALBERT STREET RESERVOIR	
CLIENT: MR. SARWAT SHENOUDA	SCALE: 1:100	DATE: AUG 17
DRAWING: EASTERN PRESENTATION ELEVATION	REV: 1	DRAWN: RR
	SHEET No. 11	SHEET SIZE: A2

DAREBIN CITY COUNCIL
 ADVERTISED DOCUMENT
 Application No: D/80/2017
 Document No: 3 of 3
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AMENDED PLAN
 Section 57A Amended Plan



NEWTON STREET (SOUTHERN) ELEVATION

SCALE 1:100

GEMANO ARCHITECTS 3/15 LISBETH AVENUE, DONVALE VIC 3111 GMANOLY@BIGPOND.COM	PROPOSED: 20 UNIT APARTMENT DEVELOPMENT	
	ADDRESS: 196-198 ALBERT STREET RESERVOIR	
CLIENT: MR. SARWAT SHENOUDA	SCALE: 1:100	DATE: AUG 17
DRAWING: NEWTON STREET PRESENTATION ELEVATION	REV: 1	DRAWN: RR
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DAREBIN CITY COUNCIL
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 Application No: D/80/2017
 Document No: 3 of 3
 Page: 14 of 16

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AMENDED PLAN
 Section 57A Amended Plan



ALBERT STREET (WESTERN) ELEVATION
 SCALE 1:100

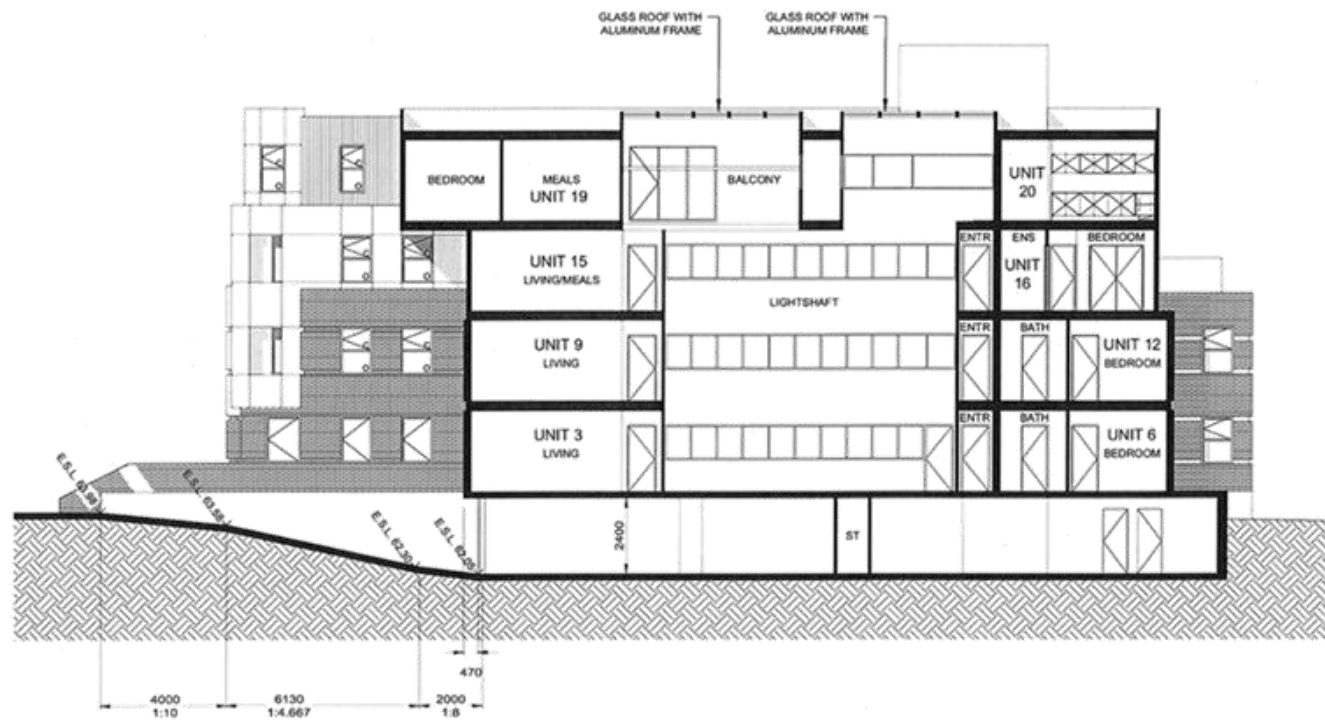
GEMANO[®] ARCHITECTS 3/15 LISBETH AVENUE, DONVALE VIC 3111 GMANOLY@BIGPOND.COM	PROPOSED: 20 UNIT APARTMENT DEVELOPMENT	
	ADDRESS: 196-198 ALBERT STREET RESERVOIR	
CLIENT: MR. SARWAT SHENOUDA	SCALE: 1:100	DATE: AUG 17
DRAWING: ALBERT STREET PRESENTATION ELEVATION	REV: 1	DRAWN: RR
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DAREBIN CITY COUNCIL
 ADVERTISED DOCUMENT
 Application No: D199/2017
 Document No: 3 of 3
 Page: 15 of 16

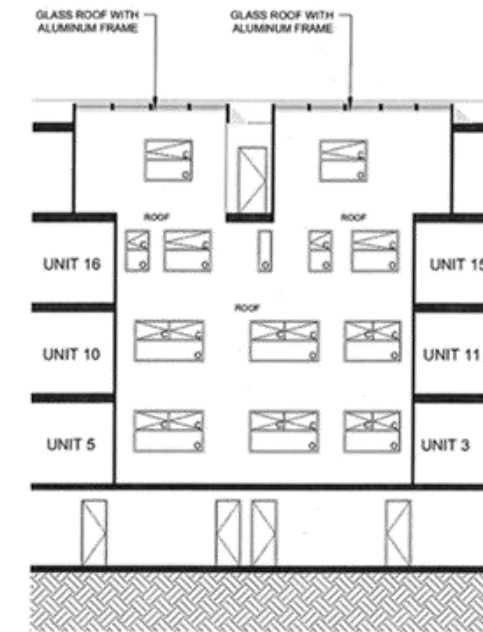
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AMENDED PLAN

Section 57A Amended Plan



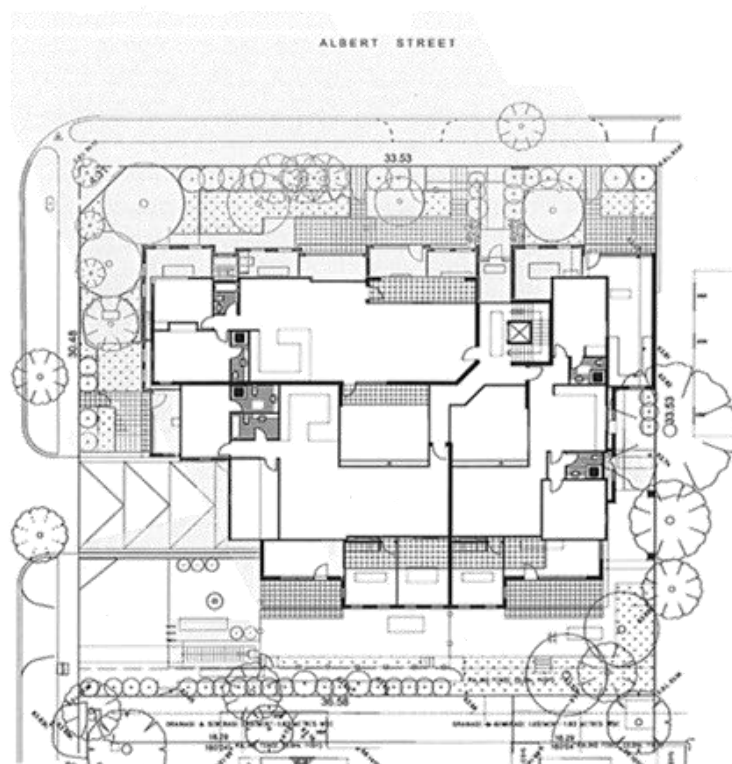
CROSS SECTION (EASTERN)
 SCALE 1:100



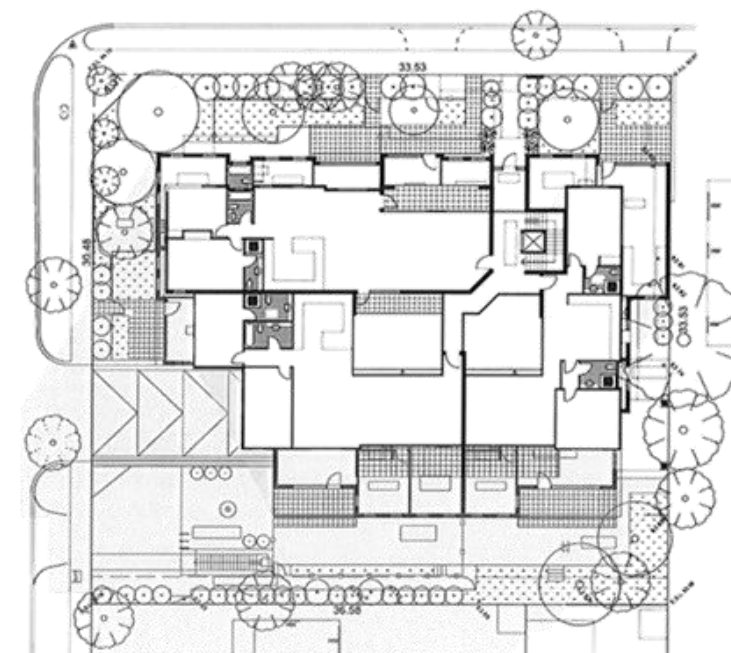
CROSS SECTION (WESTERN)
 SCALE 1:100

GEMANO ARCHITECTS <small>315 LISBETH AVENUE, DONVALLE VIC 3111 GEMANO.T@BIGPOND.COM</small>	PROPOSED: 20 UNIT APARTMENT DEVELOPMENT ADDRESS: 196-198 ALBERT STREET RESERVOIR
	CLIENT: MR. SARWAT SHENOUDA SCALE: 1:100 DATE: AUG 17 REV: 2 DRAWN: RRR DRAWING: CROSS SECTION SHEET No. 14 SHEET SIZE: A1

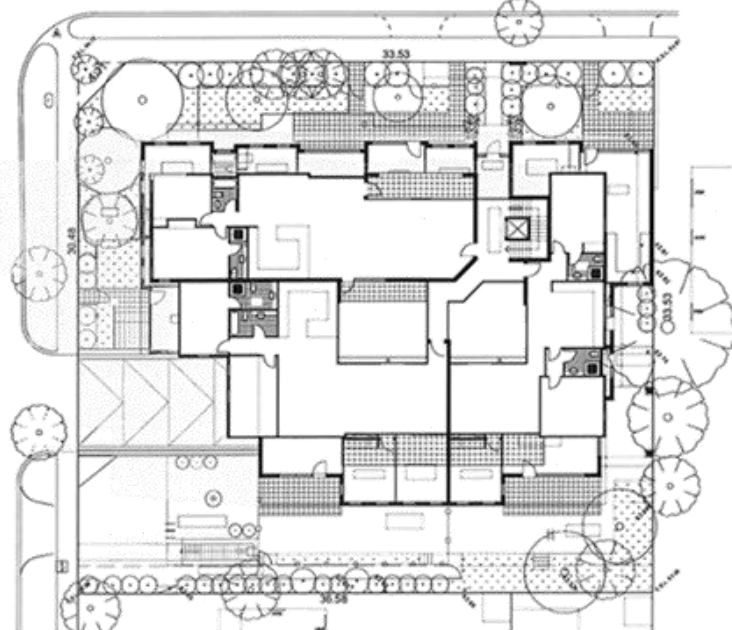
ALBERT STREET



9:00 AM



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12:00 PM

DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT
Application No: D480/2017
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Page: 16 of 16

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AMENDED PLAN

Section 57A Amended Plan

GEMANO ARCHITECTS
315 LISBETH AVENUE, DONVALE VIC 3111
GEMANO1@GIPOND.COM

PROPOSED: 20 UNIT APARTMENT DEVELOPMENT
ADDRESS: 195-198 ALBERT STREET RESERVOIR

CLIENT: MR. SARWAT SHENOUDA	SCALE: 1:100	DATE: AUG 17
DRAWING: CROSS SECTION	REV: 1	DRAWN: RR
	SHEET No: 15	SHEET SIZE: A1

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

- General Planning Information (**Appendix A**) [↓](#)

Delegate Decisions before VCAT

OCTOBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
5/10/2017	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	Council's Decision Set Aside (by consent) – Permit granted
Result	Following extensive negotiations with the permit applicant (which resulted in numerous plan revisions), the parties were finally in a position to have Council's original refusal set aside by consent.				
9/10/2017	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	Council's Decision Set Aside (by consent) – Permit granted
Result	[See 7 October Compulsory Conference Comments First] Subsequent to notice, no new parties sought to join the proceedings. Accordingly, a permit was able to issue by consent.				
9/10/2017	D/133/2017	27 Murphy Grove, Preston Cazaly	Construction of a medium density development consisting of eight (8) double storey dwellings and basement carpark and a reduction in the carparking requirement	Refusal – Applicant Appeal	Council's Decision Set Aside – Permit Granted
Result	Notwithstanding this was a repeat appeal where a previous proposal had been refused, the current Tribunal could not give much weight to that decision as the reasons provided by that Tribunal were inadequate. Accordingly, the Tribunal considered the merits of the present proposal and was satisfied, subject to additional conditions, grant a permit.				

PLANNING COMMITTEE MEETING

14 MAY 2018

OCTOBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
16/10/2017	D/566/2016	345-349 Bell Street, Preston	A six (6) storey building comprising 30 apartments, two (2) commercial tenancies and a reduction to the car parking requirement	Failure Appeal – Subsequently taken position of Opposition	Council's deemed refusal affirmed – No permit granted
Result	The critical issue for the Tribunal in this case was the polarised policy expectations that the site and its sensitive residential interface have. In particular, while the Tribunal considered a robust design was acceptable to Bell Street, a tempered, sensitive response was required to abutting residential properties. The Tribunal did not consider the design as proposed provided this sensitive transition.				
23/10/2017	D/992/2016	98 Albert Street, Preston	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	No longer required – Settled at Compulsory Conference
Result					
31/10/2017	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)	Section 87A Application	Request Allowed – Permit Amended
Result	Written reasons have been requested from the Tribunal.				

PLANNING COMMITTEE MEETING

14 MAY 2018

NOVEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
15/11/2017 (Compulsory Conference)	D/201/2017	771-777 Gilbert Road, Reservoir La Trobe	Development of a three storey building comprising 15 apartments, two (2) food and drink premises, a medical centre and a reduction to the car parking requirement	Refusal – Applicant Appeal	No agreement
Result					
23/11/2017	D/331/2011	28 Gellibrand Crescent, Reservoir La Trobe	Amend permit D/331/2011 for a medium density housing development comprising the construction of a double storey dwelling to the rear of the existing dwelling	Refusal – Applicant Appeal	Council's decision affirmed – No permit granted
Result	The Tribunal considered that the area of the site and surrounds was of open, landscaped front gardens. The changes proposed in the amendment (introduction of vehicle hard stand) were found to be contrary to this identified character. The Tribunal was also not satisfied about the reduction of one car space given the proposal required two.				
23/11/2017	D/189/2017	38 Compton Street, Reservoir La Trobe	A medium density housing development comprising the construction of three (3) double storey dwellings	Refusal – Applicant Appeal	Council's decision affirmed – No permit granted
Result	The Tribunal considered that while 3 townhouses per se was not controversial, the design of these townhouses the Tribunal considered was "too muscular", and had unacceptable impacts on neighbourhood character and the amenity of nearby properties.				

PLANNING COMMITTEE MEETING

14 MAY 2018

DECEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/12/2017	D/167/2017	4 Delaware Street, Reservoir La Trobe	A medium density housing development comprising the construction of four (4) double storey dwellings	Refusal - Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered the proposal an acceptable response to neighbourhood character with no unreasonable amenity impacts on adjoining properties.				
1/12/2017	D/188/2017	12 Delaware Street, Reservoir La Trobe	A medium density housing development comprising the construction of four (4) double storey dwellings	Refusal - Applicant Appeal	Council's decision set aside – Permit granted
Result	While the Tribunal considered the proposal an acceptable response to neighbourhood character, it did have concerns with the siting of the first floor to dwelling 4 given the open back yards it adjoined. In granting a permit, the Tribunal required the deletion of the first floor to dwelling 4.				
12/12/2017	D/1082/2016	7 Broughton Avenue, Reservoir Cazaly	Proposed medium density housing development comprising the construction of three double storey dwellings	Refusal - Applicant Appeal	Council's decision affirmed – No permit granted
Result	While the Tribunal considered the proposal an acceptable response in terms of neighbourhood character, the proposal's poor internal amenity and off site amenity impacts were fatal to the proposal.				

PLANNING COMMITTEE MEETING

14 MAY 2018

DECEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/12/2017	D/1078/2016	30 Pearl Street, Northcote Rucker	Construct a medium density housing development comprised of five (5) three (3) storey dwellings, reduce the car parking requirements	Refusal - Applicant Appeal	Council's decision set aside – Permit granted
Result	While the Tribunal acknowledged some of the built form had little setback off Pearl and Roberts Street, it considered the design of the proposal successfully transitioned it into the emerging character of the area, which includes 3 storey buildings approved in proximity to the site.				
13/12/2017	D/19/2017	10 Lookout Rise, Macleod La Trobe	The use of the land for the purpose of a home occupation (cake decorating) allowing up to two (2) employees not residing in the dwelling to work in the home occupation	Notice of Decision / Failure Appeal ***	Council's decision varied – Permit granted
Result	The Tribunal considered the proposal acceptable as did Council, the main issue being discussion of conditions.				
14/12/2017	D/829/2016	48 Harrow Street, Preston Cazaly	Construct a medium density development comprising six (6) double storey dwellings and a reduction of the standard car parking requirement (1 visitor space)	Refusal - Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal did not provide detailed written reasons, however it granted the permit on the basis of agreed further changes to the amended plans which addressed significantly Council's concerns.				

PLANNING COMMITTEE MEETING

14 MAY 2018

DECEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
15/12/2017 – Practice Day Hearing Only	D/453/2017	779-785 Heidelberg Road, Alphington	Use and development of the land for the purpose of a nine (9) storey (plus four (4) basement levels) mixed use development comprised of a Food and Drink premises at Ground Floor and 39 dwellings above; use and development within a Public Acquisition Overlay (PAO1)	Alleged Failure Appeal	Application is premature and ought to be struck out as it is misconceived
Result	The failure appeal was lodged prematurely and as such was struck out.				
20/12/2017	D/897/2016	74 Arundel Avenue, Reservoir La Trobe	Construction of a medium density housing development comprising the construction of two (2) double storey dwellings to the rear of the existing dwelling	Conditions Appeal	Council's decision varied – Permit granted
Result	The Tribunal deleted the condition under review (which sought a greater setback from a boundary of 3m) however it considered a new condition was required that partially picked up on the intent of Council's condition restricting adverse amenity impacts – as such it required a 2m setback.				
20/12/2017	D/990/2016	128 McMahon Road, Reservoir La Trobe	A medium density housing development comprising the construction of three (3) double storey dwellings	Refusal - Applicant Appeal	Council's decision affirmed – No permit granted
Result	Notwithstanding the unashamedly contemporary design of the proposal, the Tribunal considered this acceptable given the area of McMahon Street the proposal was located in was already undergoing change. What was fatal to the proposal was its off site amenity impacts by way of overshadowing on contrained, sensitive interfaces on 3 sides to the subject site. All in all, it was not considered a site sensitive response.				

PLANNING COMMITTEE MEETING

14 MAY 2018

JANUARY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
12/01/2018	D/133/2016	57 Arthurton Road, Northcote Rucker	A medium density development comprised of the construction of two (2) double storey dwellings on land affected by a Heritage Overlay and Special Building Overlay	Conditions appeal	Council's decision varied – Permit granted
Result	The Tribunal altered the conditions on the permit on the basis Melbourne Water was not a determining referral authority for the entire site. The Tribunal also deleted two Council conditions relating to fence heights and setbacks on the basis they were not necessary.				
15/01/2018	D/176/2017	69A Collins Street, Thornbury Rucker	Construction of a new dwelling to the rear of the existing dwelling	Notice of Decision – Objector appeal	Council's decision affirmed – Permit granted
Result	The Tribunal was satisfied that with the conditions already proposed by Council, objector concerns were adequately addressed. As such, Council's decision was affirmed.				
16/01/2018	D/201/2017	771-777 Gilbert Road, Reservoir La Trobe	Development of a three storey building comprising 15 apartments, two (2) food and drink premises, a medical centre and a reduction to the car parking requirement	Refusal – Applicant appeal	Council's decision set aside – Permit granted
Result	Notwithstanding the policy setting of the site seeking less intensive developments, the Tribunal could not look past the site's existing physical condition – namely a 2 storey commercial building. When this was compared to the proposal, the Tribunal considered that the proposal was a well design response to the site's physical context on a prominent corner site.				

PLANNING COMMITTEE MEETING

14 MAY 2018

JANUARY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
24/01/2018	D/1047/2016	22 Derby Street, Northcote Rucker	Construction of a medium density housing development comprising the construction of one (1) double storey dwelling to the rear of the existing dwelling and a reduction in the statutory car parking requirement	Section 149A Declaration Application and Applicant appeal against refusal	Matters Withdrawn by the Applicant
Result	As a result of confidential terms, the applications were withdrawn by the Permit Applicant.				
29/01/2018	D/452/2016	102 Albert Street, Preston Cazaly	Proposed construction of seven (7) dwellings, alterations to existing crossover and waiver of visitor car parking	Refusal – Applicant appeal	Matter remitted to Council for re-consideration
Result	The parties were able to enter into consent orders which resolved their concerns. The Tribunal however did not give effect to the consent orders, rather, it remitted the matter back to Council for it to re-determine. Council subsequently determined the matter in accordance with the consent orders.				
30/01/2018	D/140/2017	152 Grange Road, Alphington Rucker	Construction of a medium density housing development comprising (5) dwellings and a reduction in the statutory car parking requirement associated with visitor car parking and alteration of access to a Road Zone Category 1	Refusal – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered that the proposal's response to its physical and strategic context was acceptable, noting the variety of built forms in the area (including older sheer walk up developments and industrial developments). The Tribunal did however require some minor changes to materials and required additional lighting to the proposal to make it acceptable.				

PLANNING COMMITTEE MEETING

14 MAY 2018

FEBRUARY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
5/02/2018	VS/22/2017	20 Broomfield Avenue, Alphington Rucker	A front fence and crossover	Refusal – Applicant appeal	Council's decision affirmed – No permit granted
Result	While the Tribunal was not persuaded about adverse impacts on the street tree proximate the subject site, the Tribunal considered the introduction of a crossover would further diminish the intactness of the heritage precinct, noted by its bluestone kerbs and channels.				
7/02/2018	D/46/2017	8 Morgan Street, Preston Cazaly	Construction of one (1) double storey dwelling to the rear of existing dwelling	Refusal – Applicant appeal	Council's decision set aside – permit granted
Result	The Tribunal was not troubled by the presence of car parking within the front setback to the proposal – even though views to the proposal may be obscured, the proposal retains the existing dwelling, which it did not consider a valued element in the streetscape. With further conditions, the amount of hardstand in the front setback could be reduced and landscaping increased. Subject to a number of other conditions addressing amenity impacts, the Tribunal considered the approval of the proposal would result in net community benefit.				
9/02/2018	D/433/2007	7 Elizabeth Street, Northcote Rucker	Extension of Time 96/2017	Refusal – Applicant appeal	Council's decision set aside (by consent) – Extension granted
Result	The parties entered into consent orders which the Tribunal was satisfied to give effect to.				

PLANNING COMMITTEE MEETING

14 MAY 2018

FEBRUARY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
16/02/2018	D/16/2017	1/97 Regent Street, Preston Cazaly	Construction of an extension to an existing dwelling (outbuilding) on a lot less than 300 square metre	Refusal - Applicant Appeal	Interim Decision Final decision: Council's decision set aside (by consent) – Permit granted
Result	<p>The Tribunal was not persuaded the garage was an acceptable outcome as lodged (4.8m deep). Nevertheless, the Tribunal has allowed the Permit Applicant the opportunity to amend their plans in response to identified concerns.</p> <p>The Permit Applicant subsequently took the Tribunal's opportunity to amend their plans to show a garage 5.5m deep, which Council considered acceptable. Accordingly, the parties were in a position to resolve the matter on the papers without the need for a second hearing.</p>				
19/02/2018	D/416/2017	250 Clarke Street, Northcote Rucker	Single storey extension to the rear of the existing dwelling	Notice of Decision - Objector Appeal	Council's decision varied – Permit granted
Result	The Tribunal considered the proposal an acceptable neighbourhood character outcome with no unreasonable off site amenity impacts.				
26/02/2018	D/655/2011	4B Showers Street, Preston Cazaly	To demolish a house within a heritage overlay and construct two dwellings on a lot	Refusal - Applicant Appeal	Adjourned for Administrative Reasons
Result					
26/02/2018	D/238/2017	15 Gourock Street, Reservoir La Trobe	Construct a medium density development comprising three dwellings	Refusal - Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered the critical issue for determination was the proposal's response to neighbourhood character. Through its design response, the Tribunal considered the grant of a permit would result in an acceptable outcome.				

PLANNING COMMITTEE MEETING

14 MAY 2018

MARCH 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/03/2018	D/678/2016	11 Cornwall Street, Northcote Rucker	Partial rear demolition and buildings and works to construct a double storey rear extension to a Dwelling in a Heritage Overlay	Notice of Decision - Objector Appeal	Decision Pending
Result					
6/03/2018	D/1065/2016	5 Willoughby Street, Reservoir	A medium density housing development comprised of the construction of four (4) double storey dwellings	Notice of Decision - Objector Appeal	Council's decision affirmed – Permit granted
Result	The objector applicant for review failed to appear at the hearing despite being warned by the Tribunal if she did not attend, either in person or through a representative, would result in a permit being issued. They did not attend the hearing.				
7/03/2018	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	Council's decision set aside – Permit granted
Result	Notwithstanding the Tribunal accepted Council's criticisms of the permit applicant's evidence, it was nevertheless satisfied that when regard was had to the likely demand generated by the proposal viz a viz available on street capacity, the grant of a permit was an acceptable outcome.				

PLANNING COMMITTEE MEETING

14 MAY 2018

MARCH 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
15/03/2018	D/107/2017	12-14 Sheffield Street, Preston Cazaly	Development of eight (8) double storey dwellings and a reduction to the car parking requirement	Notice of Decision - Objector Appeal	Decision Pending
Result					
19/03/2018	D/1064/2016	193-195 Gilbert Road, Preston Cazaly	A medium density residential development comprising the construction of one (1) double storey dwelling to the rear of the existing dwelling	Refusal - Applicant Appeal	Council's decision set aside – Permit Granted
Result	The Tribunal did not provide detailed written reasons for its decision.				
20/03/2018	D/1070/2016	109 Union Street, Northcote Rucker	Conversion of one (1) dwelling into two (2) dwellings and buildings and works in a Heritage Overlay	Conditions Appeal	Council's decision varied – Permit granted
Result	Through without prejudice discussions, there were only a limited number of conditions remaining in dispute. These conditions related to the presentation of the proposal to the street in respect of surveillance as well as a condition in respect of amenity impacts at the rear. The Tribunal endorsed the consent position of the parties, and varied Council's decision in respect of the balance conditions.				

PLANNING COMMITTEE MEETING

14 MAY 2018

MARCH 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
20/03/2018	D/297/2017	2 Gordon Grove, Northcote Rucker	Demolition of an existing single storey dwelling and the construction of two (2) double storey dwellings on land affected by a Heritage Overlay (HO163)	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 prior to the hearing. As a result, the parties were in a position to resolve the matter by consent without the need for a hearing.				
22/03/2018	D/1036/2016	786 High Street, Thornbury Rucker	Demolition of the existing building (facade to be retained) and construction of a three (3) storey mixed-use building on land affected by a Heritage Overlay (HO309), a reduction in the car parking requirement associated with use as a shop and dwellings and a waiver of loading/unloading requirements as shown on the plans accompanying the application.	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 prior to the hearing. As a result, the parties were in a position to resolve the matter by consent without the need for a hearing.				
27/03/2018 (compulsory conference)	D/377/2016	387-393 High Street, Northcote Rucker	Mixed use development comprising the construction of a 10 storey (plus (3) levels of basement) building consisting of 80 dwellings and two (2) retail units, a reduction in the car parking requirement and a waiver of loading/unloading requirements	Refusal - Applicant Appeal	Matter did not settle.
Result	Matter now proceeds to hearing on 14 May 2018				

PLANNING COMMITTEE MEETING

14 MAY 2018

APRIL 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/04/2018	D/968/2016	531 Murray Road, Preston Cazaly	Construct a medium density housing development comprising the six (6) dwellings and alter access to a road in a Road Zone, Category 1	Refusal - Applicant Appeal	Decision Pending
Result					
17/04/2018 (Compulsory Conference)	D/555/2017	15 Osborne Grove, Preston Cazaly	Construction of a medium density development consisting of six (6) dwellings with basement, and waiver of the visitor car parking requirement	Failure Appeal	Council's deemed refusal set aside – Permit granted (by consent)
Result	At the Compulsory Conference, the Permit Applicant was willing to make changes to address Council concerns – accordingly the parties were in a consent position allowing Council's original decision to be set aside and a permit issue.				
19/04/2018	D/655/2011/B	4B Showers Street, Preston Cazaly	Amendment to permit which allows: To demolish a house within a heritage overlay and construct two dwellings on a lot – in particular a 3m high garage door and a 1.8m front fence	Refusal - Applicant Appeal	Council's decision set aside – Permit Granted
Result	The Tribunal refused to grant a permit for the proposed garage door of 3m in height on the boundary of the site with Esther Street - it considered such a design totally inappropriate and refused to sign off on it. As to the front fence, the Tribunal was not satisfied with the front fence as designed, and accordingly approved it with changes by way of condition.				

PLANNING COMMITTEE MEETING

14 MAY 2018

APRIL 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
30/04/2018	D/145/2017	36 Showers Street, Preston Cazaly	Construct a medium density housing development comprised of the construction of five (5) triple storey dwellings and one (1) double storey dwelling and reduce the visitor car parking requirements	Refusal - Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

14 MAY 2018

MAY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
14/05/2018	D/377/2016	387-393 High Street, Northcote Rucker	Mixed use development comprising the construction of a 10 storey (plus (3) levels of basement) building consisting of 80 dwellings and two (2) retail units, a reduction in the car parking requirement and a waiver of loading/unloading requirements	Refusal - Applicant Appeal	
Result					
24/05/2018	D/5/2017	103 Raglan Street, Preston Cazaly	A medium density residential development comprising construction of two (2) triple storey dwellings (including basements)	Refusal - Applicant Appeal	
Result					
29/05/2018	D/343/2017	96 Christmas Street, Northcote Rucker	A medium density housing development comprised of the construction of two (2) attached double-storey dwellings	Refusal - Applicant Appeal	
Result					
23/05/2018	D/523/2017	7 Ellesmere Street, Northcote Rucker	A medium density housing development comprised of the construction of two (2) attached double-story dwellings, a reduction in the car parking requirement	Refusal - Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

14 MAY 2018

MAY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
30/05/2018	D/555/2017	15 Osborne Grove, Preston Cazaly	Construction of a medium density development consisting of six (6) dwellings with basement, and waiver of the visitor car parking requirement	Failure Appeal	No longer required – Settled at compulsory conference
Result					
30/05/2018	D/558/2017	145 Albert Street, Preston Cazaly	Construction of a medium density development consisting of two (2) double storey dwellings and two (2) three storey dwellings	Refusal - Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

14 MAY 2018

Planning Committee Decisions before VCAT

OCTOBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/10/2017 (Directions Hearing)	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 (Committee in line with Officer Recommendation) – Applicant Appeal	Interim Decision – Directions Hearing is to Consider Changes to the law applicable to the Application
Result	The ultimate fate of this matter will be determined on the papers without the need for a formal hearing following receipt of submissions from the parties responding to the Tribunal's Interim Order.				
2/10/2017 (Compulsory Conference)	D/630/2016	25 Kenilworth Street, Reservoir La Trobe	Medium density development comprising the construction of seven (7) double storey dwellings and a reduction in the standard car parking requirements (1 visitor space)	Failure appeal – (Council subsequently resolved to oppose in line with Officer Recommendation)	Council's decision set aside by consent – Permit Granted
Result	Further compulsory conference set down to see if new parties arising from notice (directed by the Tribunal) Following notice, no further parties sought to join, as such the existing parties were in agreement a permit could issue.				
9/10/2017 & 20/10/2017	D/459/2016	32-40 Station Street, Fairfield Rucker	Demolition (including relocation of building outside of heritage overlay) and the construction of building works including a four storey plus basement apartment building with 59 dwellings, use of the land as a child care centre, display of business identification signage, reduction of car parking requirements and alterations to an access road in a Road Zone Category 1	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	In principle settlement reached – Returning to VCAT on 20 October 2017 Council's decision set aside by consent – Permit granted
Result	The Permit Applicant was willing to make changes that addressed Council and resident objector concerns, as such all parties were in agreement a permit could issue.				

PLANNING COMMITTEE MEETING

14 MAY 2018

OCTOBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
Not Required	D/630/2016	25 Kenilworth Street, Reservoir La Trobe	Medium density development comprising the construction of seven (7) double storey dwellings and a reduction in the standard car parking requirements (1 visitor space)	Failure appeal – (Council subsequently resolved to oppose in line with Officer Recommendation)	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant lodged amended plans (which substantially redesigned the proposal) following a Compulsory Conference which addressed Council's concerns. As such, the parties were in agreement a permit could issue.				

PLANNING COMMITTEE MEETING

14 MAY 2018

NOVEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
8/11/2017	D/501/2016	2 Borrie Street, Reservoir La Trobe	A medium density housing development comprised of the construction of three (3) double storey dwellings	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal was satisfied the proposal was an acceptable policy response that had a high level of compliance with ResCode and neighbourhood character policy. As such, the Tribunal was satisfied a permit could issue.				
8/11/2017	D/489/2016	39 Calbourne Street, Preston Cazaly	A medium density housing development comprising construction of four (4) dwellings within a triple storey (including basement garage) building	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to amend their proposal to address Council concerns. As such, the parties were in agreement that a permit could issue.				
13/11/2017	D/513/2016	92-94 Clarendon Street, Thornbury Rucker	A medium density housing development comprised of the construction of seven (7) double storey 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 Tribunal considered the proposal an acceptable response to its physical and policy context, with no unreasonable impacts on its neighbours. The Tribunal also considered vehicle access and the absence of a visitor car space acceptable.				

PLANNING COMMITTEE MEETING

14 MAY 2018

NOVEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/11/2017	D/184/2017	74-76 Cramer Street, Preston Cazaly	Development of 16 three (3) storey dwellings and a reduction to the car parking requirement	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to amend their proposal to address Council concerns. As such, the parties were in agreement that a permit could issue.				
16/11/2017	D/321/2016	22 Ross Street, Northcote Rucker	A three (3) storey building (plus basement) comprising nine (9) dwellings	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered that the proposal was an acceptable response to neighbourhood character with no unreasonable off site amenity impacts. While the Tribunal acknowledged internal amenity could be improved with a condition requiring changes to screening, the Tribunal was satisfied the proposal was acceptable and that traffic and parking concerns were acceptable.				

PLANNING COMMITTEE MEETING

14 MAY 2018

NOVEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
24/11/2017	D/707/2016	610 Gilbert Road, Reservoir Cazaly	Proposed medium density development comprising four (4) double storey dwellings on the lot	Failure Appeal (Council subsequently resolved to oppose in line with Officer Recommendation)	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 a permit could issue.				

PLANNING COMMITTEE MEETING

14 MAY 2018

DECEMBER 2017					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/12/2017	D/884/2016	140 Regent Street, Preston Cazaly	Development of the land with a four (4) storey building comprising 12 dwellings and an office, use of the land for the purpose of accommodation, a reduction in the car parking requirement	Failure Appeal (Subsequently resolved to oppose)	Council's decision set aside – Permit granted
Result	This proposal is the second attempt by the permit applicant to gain planning approval for a 4 storey building on the site. In the earlier Tribunal decision, the critical failing of the proposal was car parking. In this proposal, the permit applicant had provided enough car parking on site for the Tribunal to be persuaded it was an acceptable outcome. As to the issue of internal amenity of the bedsit dwellings, the Tribunal was satisfied that subject to a furniture pack condition, it was acceptable.				
21/12/2017	D/808/2016	19 Raleigh Street, Thornbury Rucker	Construct a medium density housing development comprising five (5) double storey dwellings and waiver of the visitor car parking requirement	Refusal (contrary to Officer Recommendation) - Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered the approval of the proposal was consistent with state and local policy, would have no unreasonable off site amenity impacts, and with conditions, have acceptable internal amenity. It did not consider the reverse living arrangement inappropriate – rather, such an arrangement would provide diversity to the existing dwelling stock in Raleigh Street.				

PLANNING COMMITTEE MEETING

14 MAY 2018

JANUARY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
No matters determined by the Committee are presently scheduled to be heard in January 2018					

PLANNING COMMITTEE MEETING

14 MAY 2018

FEBRUARY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
21/02/2018	D/147/2017	3 Harold Street, Preston Cazaly	A medium density housing development, comprised of the construction of four (4) three-storey dwellings and one (1) double storey dwelling	Failure Appeal – Council subsequently formed position to oppose	Decision Pending
Result					

PLANNING COMMITTEE MEETING

14 MAY 2018

MARCH 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
19/03/2018	D/987/2016	71-73 Station Street, Fairfield Rucker	Development of a four (4) storey building (plus basement) comprising 17 apartments, alterations to access to the road access and a reduction to the car parking requirement	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 address Council concerns. As such, the parties were in a position to resolve the matter without the need for a contested hearing.				

PLANNING COMMITTEE MEETING

14 MAY 2018

APRIL 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/04/2018	D/907/2016	6 Thackeray Road, Reservoir La Trobe	Construct a medium density housing development comprised of three (3) double storey dwellings	Notice of Decision (in line with Officer Recommendation) - Objector Appeal	Council's decision varied – permit granted
Result	The Tribunal was satisfied the grant of a planning permit was an acceptable outcome, however it differed with Council as to preferred access arrangements – While Council wished for vehicle access to be via the rear ROW, the Tribunal did not consider this was necessary and retained access from Thackeray Road.				
16/04/2018	D/132/2016	63 O'Connor Street, Reservoir La Trobe	Construct a medium density housing development comprising the construction of eight (8) double storey dwellings; Reduce the visitor car parking requirements associated with the dwelling	"Failure Appeal" (failure lodged before refusal issued) – Council subsequently resolved to Oppose	Decision pending
Result					

PLANNING COMMITTEE MEETING

14 MAY 2018

MAY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
No matters determined by the Committee are presently scheduled to be heard in May 2018					

Matters completed and to be heard to 31/05/2018

7. URGENT BUSINESS

8. CLOSE OF MEETING