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AGENDA

Planning Committee Meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 25 June 2018
at 6.00pm.

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Agenda

1. MEMBERSHIP

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Trent McCarthy

Cr. Lina Messina (Deputy Mayor)

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

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

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Recommendation

That the Minutes of the Planning Committee Meeting held on 14 May 2018 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/956/2017 12-16 Pellew Street, Reservoir

Author: Urban Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Ikonomidis Reid Pty Ltd	Arthur and Sofia Xourafis	Treespace Solutions Keystone Alliance Sustainability Solutions

SUMMARY

- The application proposes the development of seven double storey dwellings on the site, being 12 and 16 Pellew Street. All existing buildings on site are to be demolished.
- The dwellings will have a maximum height of 7.5 metres above natural ground level. All dwellings are designed in a traditional living format (i.e. living areas at the ground floor).
- Dwelling's 1, 2, 3, 4, 5, and 6 are two bedrooms and provided with a single garage and ground floor open space.
- Dwelling 7 is provided with ground floor Meals/Kitchen/Living areas and an open Study. At the first floor the dwelling features three bedrooms. Bathroom facilities are provided at the ground and first floor. The dwelling is provided with a single garage with tandem space. Private open space is provided at the ground floor.
- Vehicle access to the subject site will be provided via a proposed crossover central to the site and via the existing crossover servicing 12 Pellew Street. The existing crossover to 16 Pellew Street is to be removed. Dwellings 1-6 will gain access via the proposed central crossover, while Dwelling 7 will gain access via the retained crossover at 12 Pellew Street.
- The visitor car parking is proposed to be waived as part of the planning permit application.
- The site is zoned General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay (expired).
- The mandatory garden area requirement is 35%. The proposal achieves a garden area of 36.66%.
- There is a restrictive covenant on title, the proposed development will not breach the terms of the covenant.
- Seven objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme (the Scheme).
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via two signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Arboricultural Planning, Infrastructure and Capital Deliver, Property Management, and Transport Engineering and Strategy units. Council's ESD Officer also provided comment on the application.
- This application was not required to be referred to external authorities.

Recommendation

That Planning Permit Application on D/956/2017 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 TP04 – TP07, all Revision B, dated 8/02/2018, received by Council 16/03/2018, and prepared by Ikonomidis Reid) but modified to show:
 - a) Compliance with Standard B20 at Clause 55.04-4 (North-facing windows) of the Scheme. The first floor Bedroom 1 and ensuite walls of Dwelling 7 must be setback from the north facing habitable room windows at 10 Pellew Street.
 - b) 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.
 - c) 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 extend within 1 metre of a property boundary.
 - d) Window operation on all elevation plans. Window operation must not increase overlooking of secluded private open space and/ or habitable room windows.
 - e) Relocation of Dwelling 5 storage shed out of the primary area of secluded private open space (SPOS). Storage shed to be located in the south-east corner of the private open space, with the proposed clothesline relocated accordingly.
 - f) The first floor east facing Bedroom 2 window of Dwelling 6 provided with a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level.

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

- g) Removal of the external screening to the first floor east facing TV Room windows of Dwelling 4. The TV Room must be provided with a sill with a minimum height of 1.7 metres above finished floor level.
- h) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).
- i) A landscape plan in accordance with Condition No. 5 of this Permit.
- j) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 8 of this Permit.

- k) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 9 of this Permit).
- l) Annotations and modifications in accordance with the requirements of Condition No. 4 of this Permit.
- m) Annotations in accordance with the requirements of Condition No. 10 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) Dwelling 4 must remain a two (2) bedroom dwelling. The first floor TV room must remain open to the landing and not be rearranged to be a third bedroom.
 - (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) At least 2 suitable medium canopy trees and 8 suitable small canopy trees must be shown within the secluded private open space areas of each dwelling and within the front setback of the property.

Where further opportunity exists, an appropriate number and size of additional canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available.

All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must adhere to Darebin City Council's standards for canopy trees at maturity (Height x Width): small canopy (4-6m x 4m), medium canopy (6-8m x 6m), large canopy (8-12m x 10m).

- e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) Hard paved surfaces at all entry points to dwellings.
 - h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - i) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - j) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
 - m) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 7 of this Permit.
- (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 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).

<i>Tree (as defined in Preliminary Tree Assessment, dated 16/10/2017, received by Council 20/12/2017, and prepared by Treespace Solutions)</i>	<i>TPZ (radius from the base of the trunk)</i>
Trees 1 & 2 – Council Naturestrip trees (<i>Eucalyptus leucoxylon</i>)	2.0 metres
Tree 4 – Located within the subject site (<i>Phoenix canariensis</i>)	See below
Tree 8 – Located within the adjoining property to the South	3.0 metres
Tree 9 – Located within the adjoining property to the North (Hedge)	2.0 metres

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 nature strip tree, a TPZ is confined to the width of the nature strip.

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

To ensure the viability of Tree 4 the proposed POS should be constructed at or above existing grade within the TPZ.

To ensure the viability of Tree 8 the following impact mitigation measures must be adhered to:

- Removal of existing shed foundations within TPZ must be done by hand.
- Proposed POS within TPZ must be constructed at or above existing grade.

POS adjacent Tree 9 must be constructed at or above existing grade.

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.

- (9) The development must incorporate the sustainable design initiatives in accordance with the *Sustainable Design Assessment (SDA)* (identified as *SDA Report, dated March 2018, received by Council 16/03/2018, and prepared by Keystone Alliance*) to the satisfaction of the Responsible Authority.

Prior to the occupation of the development, a report from the author of the *SDA*, 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 *SDA* have been implemented in accordance with the approved Plan.

- (10) 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), 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.

If council waste services are proposed to be utilised, a plan is to be submitted illustrating the following:

- a) The length and width of the footpath/ nature strip directly abutting the site boundary.
- b) The location of any available on-street car parking, loading zones and/ or bus stops.
- c) The location of all street furniture, light/ electricity poles, driveways, street trees, bus shelters or similar obstructions.
- d) The location of the bins, with a minimum gap of 300mm between bins and other obstructions.

The plan may require bin sharing or that collection be undertaken by a private contractor if it cannot be demonstrated to the satisfaction of the Responsible Authority that the kerb-side collection of individual bins will not cause car parking and/ or amenity issues.

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.

- (11) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
- (12) All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
- (13) 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.

- (14) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- (15) The land must be drained 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) 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.
- (18) Provision must be made on the land for letter boxes and receptacles for newspapers 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; and
 - d) Drained 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.

- (20) 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.

NOTATIONS

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

- N1 Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2 Nothing in the grant of this permit should be construed as granting any permission other than planning permission for the purpose described. It is the duty of the permit holder to acquaint themselves, and comply, with all other relevant legal obligations (including any obligation in relation to restrictive covenants and easements affecting the site) and to obtain other required permits, consents or approvals.
- N3 The amendments specified in Condition 1 of this Permit and any additional modifications which are “necessary or consequential” are those that will be assessed by Council when plans are lodged to satisfy that condition. Any “necessary or consequential” amendments, in addition to those required by this condition, should be specifically brought to the attention of Council for assessment.
- If any other modifications are proposed, application must also be made for their approval under the relevant sections of the *Planning and Environment Act 1987*. They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.
- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- N5 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.

INTRODUCTION AND BACKGROUND

A search of Council's records does not reveal any previous planning permit history for the subject site.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The subject land is irregular in shape (with an extended northern and eastern boundary for 12 Pellew Street following the R.O.W to the rear of the site). 12 Pellew Street measures 37.49 metres in length along the southern boundary and 46.55 metres along the northern boundary. The site has a frontage width of 17.06 metres and a rear boundary width of approximately 20.052 metres. 16 Pellew Street measures 46.55 metres in length along the southern boundary and 46.78 metres along the northern boundary. The site has a frontage width of 12.49 metres. The overall subject land area is 1,279 square metres.
- The land is located within the General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay (expired).
- The land is located on the eastern side of Pellew Street, at the intersection with Locksley Avenue.
- The sites each contain detached single storey dwellings, one weatherboard and one brick. Each site is provided with a crossover to Pellew Street and feature car parking facilities within the front setback area. Private open space is provided to the front and rear of each lot.
- To the north is a single storey weatherboard dwelling with a hipped roof.
- To the south are two single storey attached dwellings (brick cottages with a shared party wall).
- To the east is a single storey brick dwelling with a hipped roof. This dwelling partly occupies the drainage easement immediately east of the subject land.
- To the west of the subject site across Pellew Street are a number of single storey brick dwellings. The land at 13 Pellew Street features a medium density development, with a double storey dwelling to the rear of the retained single storey brick dwelling.
- Pellew Street (and the majority of the surrounding residential streets) does not contain on street parking restrictions.
- The subject site is located 145 metres west of Spring Street and has access to public transport including the Route 553 Bus (West Preston via Reservoir). The subject site is approximately 590 metres north-west of Regent Train Station.
- The site is located 950 metres south of the nearest activity centre, being Reservoir Activity Centre.

Proposal

- The application proposes the development of seven double storey dwellings on the site, being 12 and 16 Pellew Street. All existing buildings on site are to be demolished.
- The dwellings will have a maximum height of 7.5 metres above natural ground level. All dwellings are designed in a traditional living format (i.e. living areas at the ground floor).
- Dwelling's 1, 2, 3, 4, 5, and 6 are two bedrooms and provided with a single garage and ground floor open space.

- Dwelling 7 is provided with ground floor Meals/Kitchen/Living areas and an open Study. At the first floor the dwelling features three bedrooms. Bathroom facilities are provided at the ground and first floor. The dwelling is provided with a single garage with tandem space. Private open space is provided at the ground floor.
- Vehicle access to the subject site will be provided via a proposed crossover central to the site and via the existing crossover servicing 12 Pellew Street. The existing crossover to 16 Pellew Street is to be removed. Dwellings 1-6 will gain access via the proposed central crossover, while Dwelling 7 will gain access via the retained crossover at 12 Pellew Street.
- The visitor car parking is proposed to be waived as part of the planning permit application.

Objections summarised

A total of seven (7) objections were received raising the following issues:

- Noise impacts from future residents.
- Visual bulk.
- Overdevelopment of the site.
- Overdevelopment of the area.
- Parking issues.
- Increased traffic congestion.
- Overlooking (privacy) impacts.
- Out of keeping with neighbourhood character.
- Reduced neighbourly relations and community safety.
- Poor health/Disability.

Officer comment on summarised objections

Noise impacts from future residents

The proposed use is residential and will have noise impacts consistent with those normal to a residential zone. Speech, laughter, music etc. are noises associated with people living their lives and are all part of life in an urban area.

Visual bulk

The development provides a height of two storeys, which is appropriate in a suburban context. Issues surrounding the bulk and scale of the development are assessed below in the Clause 55 assessment and the Neighbourhood Character Study Assessment. Whilst the proposed dwellings are double storey, substantial and varied first floor setbacks are provided to the adjacent common boundaries, and along with the minimal overall double storey height and mix of materials limit the unreasonable presentation of bulk to neighbouring properties.

Overdevelopment of the site

Plan Melbourne sets targets for established areas of Melbourne to absorb a high proportion of Melbourne's expected growth. State and Local Planning Policy envisage an increase in housing density in well serviced areas such as this. While any increase in population density will likely increase the level of activity around the site and area, it is not envisioned that such an increase would be detrimental or substantially more intensive than what is currently experienced.

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

Overdevelopment of the area

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

Parking issues

Car parking has been provided on site in accordance with the provisions of Clause 52.06 of the Scheme. Any overflow parking resulting from the development would be within reasonable limits and will not negatively impact on the surrounding streets or lead to unreasonable parking congestion. It is noted the first floor TV room of Dwelling 4, while the dimensions of the room are already constrained (and thus would limit the ability for the space to be converted into a bedroom given limited space internally to the room), conditions on permit will restrict the conversion of the open room into a further bedroom for the dwelling (thus triggering a further requirement for car parking facilities).

Increased traffic congestion

It is considered that the increase in traffic movements in the abutting streets, arising from the additional dwellings will be incremental and would not unreasonably affect local traffic conditions.

Overlooking (privacy) impacts

Unreasonable overlooking of adjoining properties may be addressed by appropriate screening in accordance with the requirements of Standard B22. An assessment against overlooking impacts is provided below.

Out of keeping with neighbourhood character

State and Local Planning Policies encourage increased densities in established areas that have access to facilities and services. Therefore, over time the character of established areas is likely to change.

The test of neighbourhood character under the Scheme is for development to respect the existing character or to contribute to a preferred future character. This is considered having regard to the relevant policies within the Scheme (including Clause 22.02) relative to the physical context of the site itself.

The relevant Neighbourhood character elements and design objectives are addressed within the assessment section of this report below.

Reduced neighbourly relations and community safety

It is noted that neighbourly relations and general community safety, are not relevant considerations in assessing medium density development under the provisions of the *Planning and Environment Act 1987* (the Act) and the Scheme.

Poor health/Disability

The health concerns of individuals are beyond the scope of the assessment being undertaken, as required under the Act and the Scheme.

PLANNING ASSESSMENT

Minimum Garden Area Requirement

In accordance with Clause 32.08-4 (General Residential Zone) of the Darebin Planning Scheme there is a mandatory minimum garden area requirement for construction or extension of a dwelling or residential building on a lot.

Lot Size	Minimum percentage of a lot set aside as garden area	Garden area provided
Above 650 square metres	35%	(36.66%)

Clause 32.08-14 (Clause 32.09-14) provides the transitional provisions, which indicates that the minimum garden area requirement of Clause 32.08-4 and the maximum building height/number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to: a planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110 (27 March 2017). The proposal was submitted on 20 December 2017, so the above provisions apply.

Complies

Maximum Building Height Requirement for a Dwelling or Residential Building

The proposal comprises a maximum of two (2) storeys and a maximum height of 7.5 metres.

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 identified as an area of incremental change in the Strategic Housing Framework Plan and is defined as:

"Residential and commercial areas that have the capacity to accommodate a moderate level of residential development over time. It is expected that the general character of Incremental Change Areas will evolve over time as new modest types of development are accommodated." (Clause 21.03)

Housing (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 Incremental Change Areas generally display one or more of the following characteristics:

- *A diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character. Typically areas include some medium density and small apartment development, but the predominant dwelling stock is single to double storey dwellings.*
- *Have some stand-alone or small clusters of heritage sites, including along strategic corridors, however are generally unaffected by extensive heritage recognition.*
- *Are located:*
 - *Within an 800 metre walkable catchment of an activity centre*
 - *Generally within an 800 metre walkable catchment of train, tram or SmartBus services.*

The proposed development of seven double storey dwellings across two sites (a total land area of 1279 square metres) is considered to be an acceptable type of development envisaged in this context. The scale and form of proposal is characteristic of the local area and is not considered to be a substantial change for the site and surrounding area. This level of change is supported under Clause 21.03 of the Scheme. Furthermore, the site is located in an established area and is proximate to services and facilities. Were these application considered in isolation, i.e. split across the two sites, it is likely that a similar yield would be achieved.

Neighbourhood Character Precinct Guideline Assessment - Precinct F9 (Post-war)Vegetation

Objective

- *To maintain and strengthen the garden setting of the dwellings.*
- *To integrate garden settings with creek-side environs.*

Comment

- There is no significant vegetation on the site and trees on the site may be removed without planning permission.
- There is no accompanying landscape concept plan (to be required as a condition on any approval); however, the proposal is appropriately sited and designed to incorporate space for the planting of vegetation, such as canopy trees and maintain the garden setting of the dwellings.
- While providing two vehicle crossovers at the frontage, adequate area exists for the provision of landscaping within the front setback area.
- The subject site is not proximate to creek-side environs.

CompliesSiting

Objective

- *To provide space for front gardens.*

- *To ensure new development retains substantial space for landscaping.*
- *To maintain and reinforce the side boundary setback pattern and the existing rhythm of spacing between dwellings.*
- *To minimise the loss of front garden space and the dominance of car parking structures.*

Comment

- The front garden areas are large enough for planting of sufficient vegetation, to enable the continuation of the garden setting in this area.
- The proposal allows adequate garden space to the side and rear for landscaping.
- The front dwellings are sufficiently set back from the side boundaries at the interface of the site with the street, providing separation in building forms to the street. The design response is therefore considered to be acceptable, in that it does not impact unreasonably on rhythm of dwelling spacing.
- While there is to be two crossovers to the street, with the exception of Dwelling 7, all garages are to be located behind the front dwellings (i.e. hidden from the streetscape). Parking areas are therefore not considered to dominate the front façade. Dwelling 7's garage is sufficiently setback from the front wall of the dwelling. There is ample space to plant in the front garden and there are no significant areas of paving at the site frontage.

Complies

Height and building form

Objective

- *To ensure that buildings and extensions respect the predominant height and form of buildings in the streetscape.*

Comment

- Dwellings in the area are mostly single storey; however, there are some double storey dwellings nearby.
- The dwellings are double storey and the proposed upper floors (particularly for Dwellings 1 and 7) are not set back the distance of one room from the ground level façades (as sought under the relevant neighbourhood character precinct design guidelines). Nevertheless, the upper floors are considered to be adequately articulated and not unreasonably higher than adjoining dwellings. The proposal presents an appropriate transition to the adjoining single storey dwellings, it is not out of scale, nor does it dominate the streetscape.

Complies

Materials and design detail

Objective

- *To encourage buildings that contribute positively to the streetscape through the use of innovative architectural responses and by presenting visually interesting facades to the street.*
- *To use materials and finishes that harmonise with the Edgars Creek setting for dwellings within close proximity of the creek.*

Comment

- The proposal presents an appropriate architectural response with a visually interesting facade. Articulation in the façade is achieved through the use of materials and colours to the walls, as well as fenestration. The use of brick, weatherboard and render to the walls appropriately respect the character dwellings in the area.
- The design and materials appropriately respect the character dwellings in the area

CompliesFront boundary treatment

Objective

- *To maintain the openness of the streetscape and views to established gardens and dwellings.*

Comment

- There is to be a low front boundary fence, 1.0 metre in height, which will allow adequate views from the street to the front setback area.

Complies**Clause 22.12 (Environmentally Sustainable Design) Assessment**

The applicant has provided a Sustainable Design Assessment (SDA) with the application. The proposed dwellings have been designed in accordance with the recommendations of this SDA. Council's ESD Officer has reviewed the submitted SDA and development plans and has not objected to the proposal, subject to conditions (included in recommendation above).

Complies subject to condition**Clause 55 Assessment**

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

Clause 55.03-5 B10 Energy Efficiency

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

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

A condition on permit will require confirmation of the provision of shading devices to the east/west and north facing habitable room windows/doors.

A condition on permit will require confirmation of window operation and a reduction in the use of awning windows to habitable rooms.

Complies subject to condition

Clause 55.04-4 B20 North-facing windows

There are existing north-facing habitable room windows within 3.0m of the common boundary.

The standard requires that the proposed development adopt a minimum setback of 1.0 metre from the common boundary at ground level and a minimum setback of 2.44 metres at the first floor. A minimum setback of 1.0 metre at ground level and 2.02 metres at the first floor is proposed. As such, a condition will require compliance with the Standard.

Subject to condition, the development is considered to allow adequate solar access to the neighbouring north facing habitable room windows.

Complies subject to condition

Clause 55.04-6 B22 Overlooking

The development is designed to limit views into neighbouring secluded private open space and habitable room windows.

The proposed dwellings are double storey. At the ground floor the dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary. Existing and proposed fences at 1.8 metre high or more on the relevant side and rear boundaries will sufficiently limit overlooking at the ground floor.

It is unclear from the submitted plans if the east facing first floor window of Dwelling 6 (Bedroom 2) is provided with screening measures. A condition on permit will therefore require confirmation of screening measures.

Complies subject to condition

Clause 55.05-4 B28 Private Open Space

The development provides adequate private open space (POS) for the reasonable recreation and service needs of residents.

This is achieved through the provision of 40 square metres of private open space, with a minimum area of 25 square metres of secluded private open space with a minimum dimension of 3 metres and convenient access from a living room at the side or rear of the dwelling.

	Total POS	Secluded POS	Minimum dimension of Secluded POS
Dwelling 1	113.14 square metres	26.8 square metres	3.1 metres
Dwelling 2	40 square metres	40 square metres	3.0 metres
Dwelling 3	40 square metres	40 square metres	3.59 metres
Dwelling 4	46.573 square metres	34 square metres	3.59 metres
Dwelling 5	60.94 square metres	27.08 square metres	3.0 metres

	Total POS	Secluded POS	Minimum dimension of Secluded POS
Dwelling 6	40 square metres	40 square metres	3.0 metres
Dwelling 7	127.16 square metres	30 square metres	3.0 metres

Complies

Clause 55.05-5 B29 Solar access to open space

With the exception of Dwelling 5, all remaining dwellings within the development are provided with sufficient depth to allow for adequate solar access to secluded private open space areas.

Twenty square metres of Dwelling 5’s SPOS area (minimum dimension of 3.0 metres) receives adequate solar access. While not complying with the requirements of the Standard (30 square meters with a minimum dimension of 3.0 metres), it is considered that this is an acceptable outcome, on the proviso that the storage shed is relocated out of the primary SPOS area. This will be achieved via condition.

Complies subject to condition

Clause 52.06 Car Parking

Number of Parking Spaces Required

One car parking space is provided for each of the one and two bedroom dwellings.

Two car parking spaces are provided for each of the three bedroom dwellings with one space under cover.

Visitor Parking is not provided as part of the development and the applicant has sought a waiver of these requirements as part of the planning permit application. Council’s Transport Engineering and Strategy unit have reviewed the proposal and have not objected to this waiver of visitor car parking. As such, it is considered to be acceptable.

Design Standards for Car parking

The car parking spaces, the garaging, and the accessways have appropriate dimension to enable efficient use and management.

The car parking facilities are designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.

The first floor study for Dwelling 1 is minimal in size and could not reasonably be used as a bedroom. While the dimensions of Dwelling 4’s first floor TV room are similarly restrictive in terms of its potential use as a third bedroom, conditions on any planning permit issued will require the space not be converted for such a use at a later date.

Garage dimensions of 6.0 metres length x 3.5 metres width comply with the minimum requirements of the standard.

Access dimensions to the car spaces comply with the standard.

Visibility splays are required at the accessway interface with the footpath to protect pedestrians. This has been requested as a condition of approval.

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		
		N/A as development contains less than 10 dwellings.	Y	Y
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development.	Y	Y
55.02-5	B5	Integration with the street		
		Dwelling's 1 and 7 appropriately integrates with the Street.	Y	Y
55.03-1	B6	Street setback		
		The required setback is 7.3 metres (7.0 and 7.6 metre setbacks to the north and south), the dwellings are set back 7.5 metres from the street frontage.	Y	Y
55.03-2	B7	Building height		
		7.5 metres	Y	Y
55.03-3	B8	Site coverage		
		43.71%	Y	Y
55.03-4	B9	Permeability		
		36.66%	Y	Y
55.03-5	B10	Energy efficiency		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties. Conditions on permit will ensure appropriate shading and window operation.	Y	Y
55.03-6	B11	Open space		
		N/A as the site does not about public open space.	Y	Y
55.03-7	B12	Safety		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
55.03-8	B13	Landscaping		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
55.03-9	B14	Access		
		Access is sufficient and respects the character of the area.	Y	Y

Clause	Std		Compliance	
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.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Dwellings are set back in accordance with the requirements of this standard.	Y	Y
55.04-2	B18	Walls on boundaries		
		Length: 0.574 metres (minimal portion of the eastern boundary) Height: 3.6 metres Walls on boundaries comply with the requirements of this standard.	Y	Y
55.04-3	B19	Daylight to existing windows		
		Sufficient setbacks exist to allow adequate daylight.w	Y	Y
55.04-4	B20	North-facing windows		
		Subject to conditions, the development will be set back in accordance with the standard.	Y	Y
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		
		The dwellings are designed to limit views into the SPOS and habitable room windows of other dwellings within the development.	Y	Y
55.04-8	B24	Noise impacts		
		Noise impacts are consistent with those in a residential zone.	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		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	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.	Y	Y
55.05-5	B29	Solar access to open space		
		Sufficient depth in accordance with the requirements of the Standard is provided for adequate solar access to all Dwellings, with the exception of	N	Y

Clause	Std		Compliance	
		Dwelling 5 – refer to assessment in the body of this report.		
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		
		A 1.0 metre high front fence is proposed which is appropriate in the neighbourhood context.	Y	Y
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Sufficient areas for site services are provided. A condition on permit will require confirmation of site service location and appropriate screening.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
Infrastructure and Capital Delivery	No objection, subject to condition included in recommendation.
Transport Engineering and Strategy	No objection – revisions made to the plans following RFI comments. No further conditions required.
Arboricultural Planning	No objection, subject to condition included in recommendation.
Property Management	No objection or conditions.
Environmentally Sustainable Development officer	No objection, subject to condition included in recommendation.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08-4 (General Residential Zone) – construction of two or more dwellings on a lot.
- Clause 52.06 (Car Parking) – reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 (visitor car parking space).

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1
LPPF	21.05-1, 21.05-2, 21.05-3, 22.04

Section of Scheme	Relevant Clauses
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 55
General provisions	65.01
Neighbourhood Character Precinct	F9

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

Nil

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.

Attachments

- Planning Committee - - 25 June 2018 - D-956-2017 - 12-16 Pellew Street Reservoir - Aerial Map (**Appendix A**) [↓](#)
- Planning Committee - - 25 June 2018 - D-956-2017 - 12-16 Pellew Street Reservoir - Advertised Plans (**Appendix B**) [↓](#)

12-16 Pellew Street, Reservoir D/956/2017
Darebin City Council



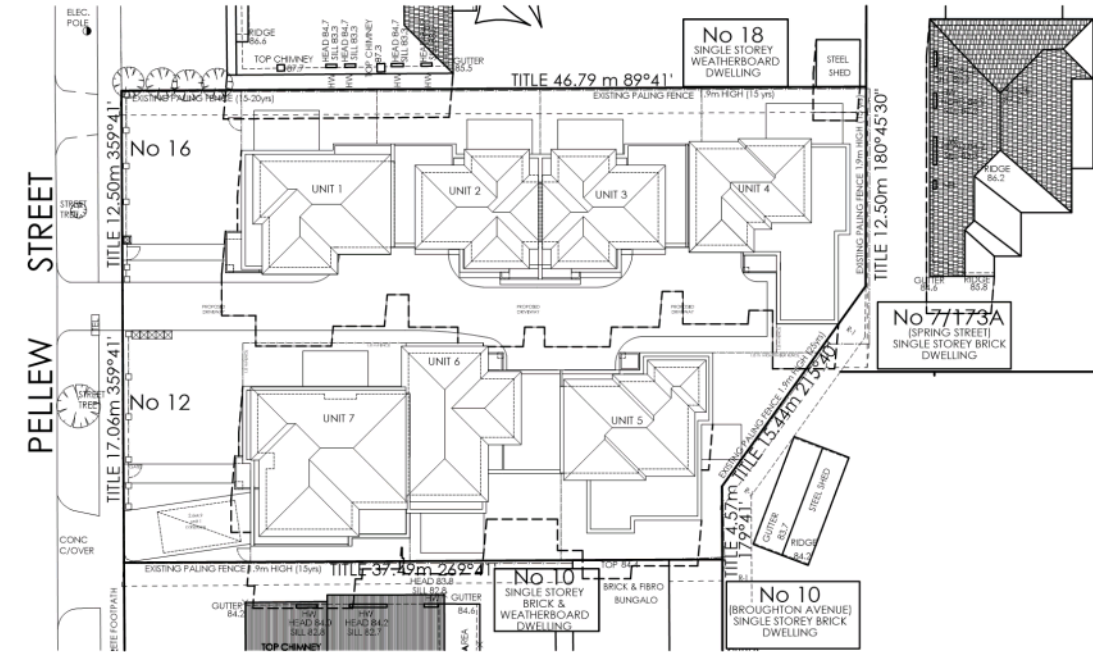
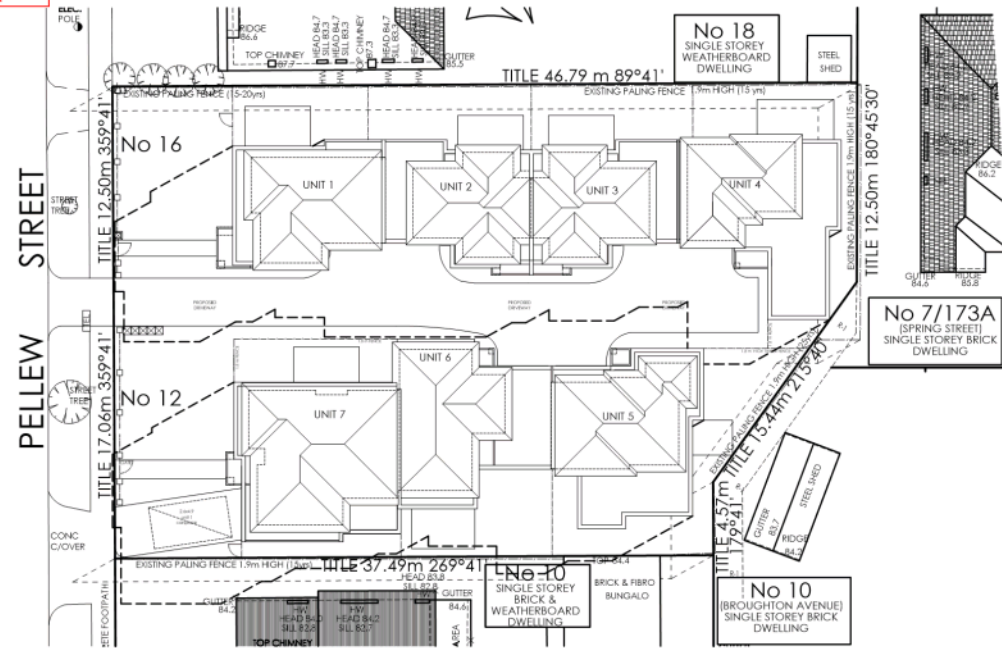
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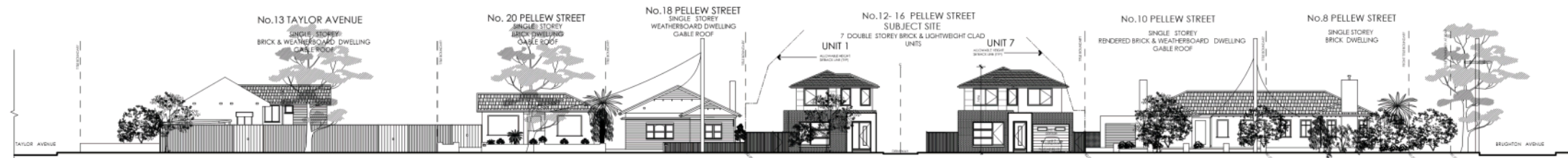


SHADOW DIAGRAM
22 SEP - 9.AM

SCALE 1:200
EXTENT OF SHADOW CAST BY PROPOSED DWELLINGS
EXTENT OF SHADOW CAST BY EXISTING FENCE

SHADOW DIAGRAM
22 SEP - 12.PM

SCALE 1:200
EXTENT OF SHADOW CAST BY PROPOSED DWELLINGS
EXTENT OF SHADOW CAST BY EXISTING FENCE



STREETSCAPE ELEVATION PELLEW STREET
SCALE 1:200

MASS, ARTICULATION AND ROOF SHAPE SIMILAR TO ADJACENT DWELLINGS
STREETSCAPE RHYTHM NOT BE AFFECTED BY THE PROPOSED UNITS
MATERIALS AND FINISHES COMPLEMENTARY TO STREETSCAPE
LOW SCALE RESIDENTIAL BUILDING

PROPOSED MULTI UNIT DEVELOPMENT
12 - 16 PELLEW STREET
RESERVOIR

TP03 B JOB NO. SCALE, DRAWN, DATE.
012881 1:200 5/4 NOV 17

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SHADOW DIAGRAMS
& STREETSCAPE

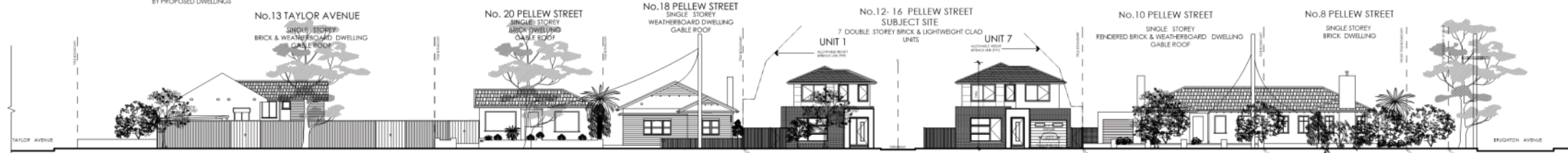
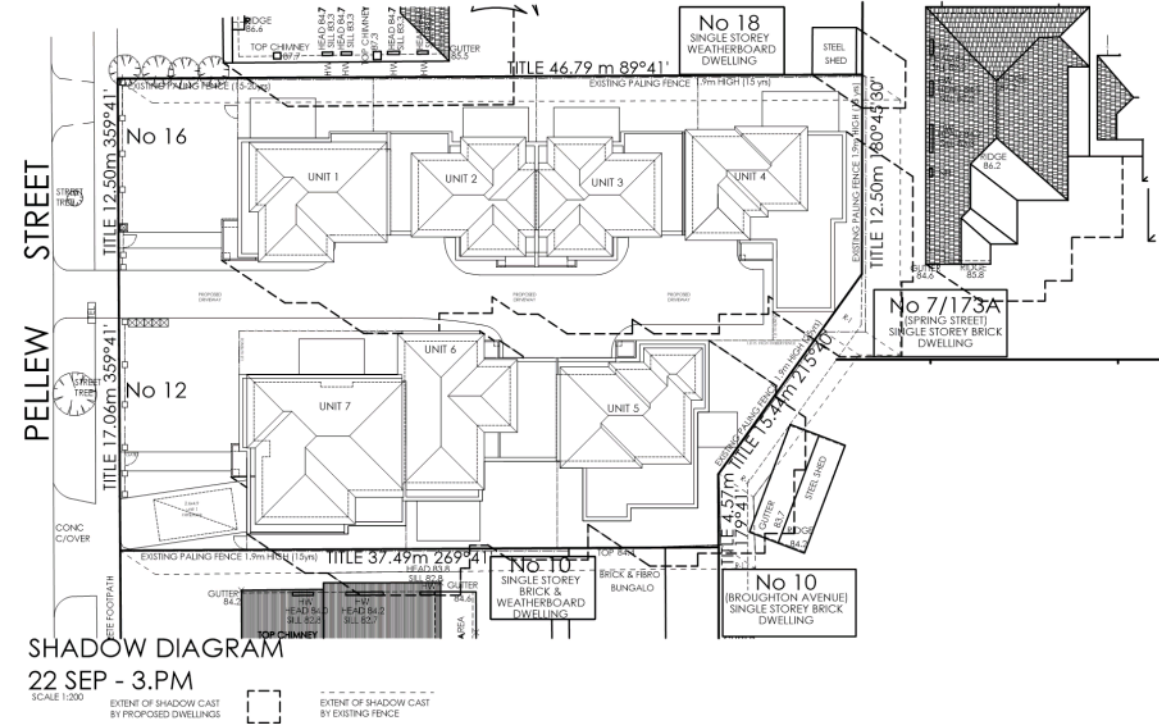
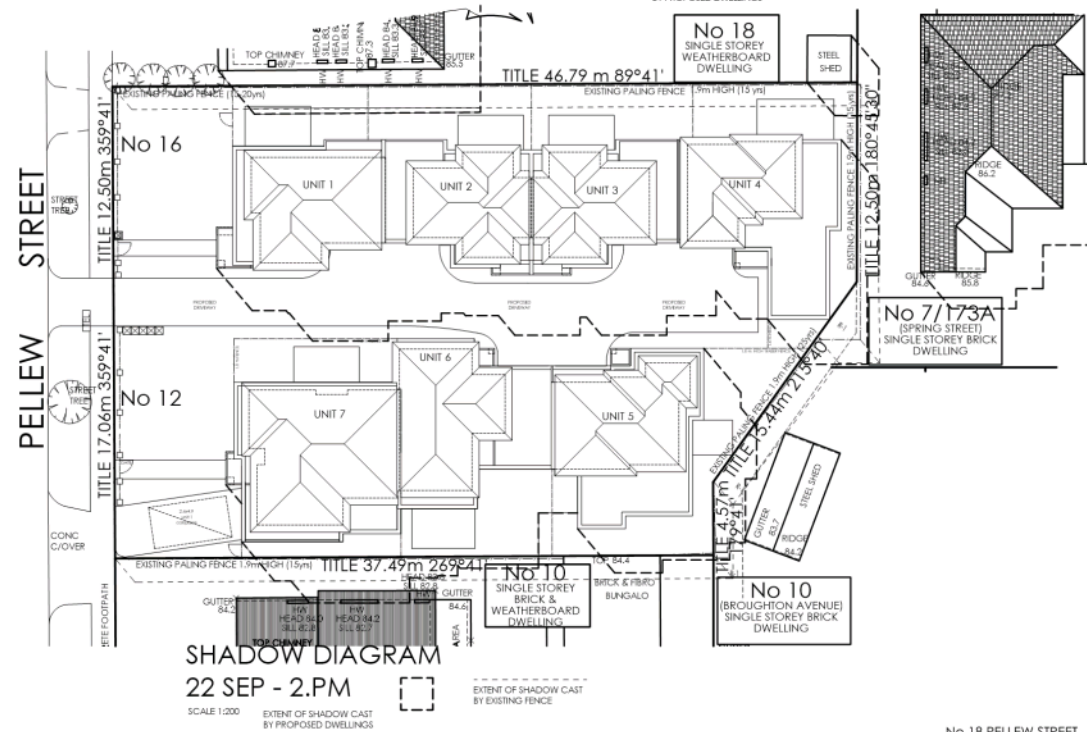
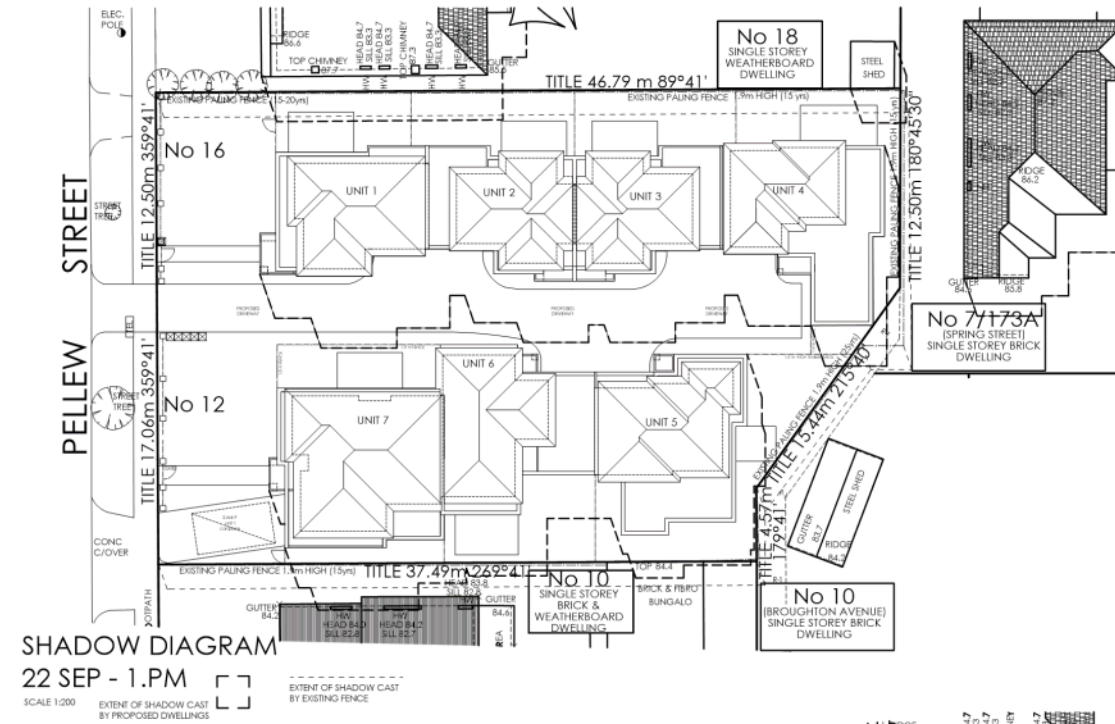




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- MASS, ARTICULATION AND ROOF SHAPE SIMILAR TO ADJACENT DWELLINGS
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RESERVOIR

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SHADOW DIAGRAMS & STREETSCAPE



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LEGEND

225 mm Ø CONCRETE MAIN SEWER PIPE - AVERAGE DEPTH 2.22 m, BRANCH LENGTH 1.83 m.

400mm Ø UNDERGROUND DRAIN, DEPTH AND OFFSET UNKNOWN - CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION.

LEGAL POINT OF DISCHARGE - THE STORMWATER FROM THE PROPERTY TO BE CONNECTED TO THE EXISTING 400 mm UNDERGROUND DRAIN IN THE EASEMENT OF THE PROPERTY AT REAR TO COUNCIL. REQUIREMENTS WITH DISCHARGE FROM THE WHOLE SITE BEING LIMITED VIA ON SITE DETENTION SYSTEM TO COUNCIL. REQUIREMENTS DISCHARGE VIA GRAVITY ONLY AND PUMP SYSTEMS PERMITTED.

ACCURATE INFORMATION ABOUT THE DRAIN TO BE CONFIRMED ON SITE.

EXISTING SPOT LEVELS

NOTE: ALL LEVELS ARE TO A.H.D.

EXISTING TREES

PROPOSED TREES

C/C - CONCRETE CROSSING
S/P - SIDE ENTRY PIT
S/V - STOP VALVE
S/PIT - SENSER PIT
G/PIT - GRATED PIT
TEL - TELEPHONE PIT
E/O - ELECTRICITY POLE & OVERHEAD WIRES
W/M - WATER METER
G/M - GAS METER
GATE
F/H - FIRE HYDRANT
S/B - SOUP
P - PORCH
NH - NON-HABITABLE WINDOW
HW - HABITABLE WINDOW

TP1 - TREE PROTECTION ZONE REFER TO ARBORIST REPORT BY TREE SPACE - 14/10/2017
SR2 - STRUCTURAL ROOT ZONE REFER TO ARBORIST REPORT BY TREE SPACE - 14/10/2017

DWELLING, GARAGE & VEGETATION TO BE DEMOLISHED SHOWN DASHED

FACE BRICKWORK

OVERHEAD POWERLINES

FENCE

PROPOSED 1.8 HIGH PALING FENCE

GATE

PROPOSED 1.8 HIGH GATE TO MATCH PALING FENCE

PERMEABLE SURFACE

PEDESTRIAN VISIBILITY SPREAD NOTE
PEDESTRIAN VISIBILITY SPREADS MEASURING 2.0m (WIDTH ACROSS THE PROJECTIONS) BY 2.0m (DEPTH) INFO. SET TO THE EXISTING CROSSOVER TO PELLEW STREET - WHERE WITHIN THE SUBJECT SITE. ANY STRUCTURES OR VEGETATION WITHIN THESE SPREADS MUST NOT BE MORE THAN 0.9 m IN HEIGHT.
NOTE: FIRST FLOOR DIMENSIONS TAKEN TO EXTERNAL FACE OF STUD & EXCLUDING LIGHT WEIGHT CLADDING

EXTERNAL FINISHES SCHEDULE

ROOFING	CONCRETE ROOF TILES
WALLS	FACE BRICKWORK
	RENDERED BRICKWORK
	LIGHT WEIGHT CLADDING
GLUTTERS & DOWNPIPES	COLORBOND
WINDOWS & DOORS	POWDERCOATED ALUMINIUM

DEVELOPMENT SUMMARY

SITE AREA	1276.00 m ²	BUILDING SITE COVERAGE	359.11 m ² (43.71%)
DENSITY	1:182.71	SITE PERMEABILITY	448.97 m ² (36.46%)
NO OF DWELLINGS	7	GARDEN AREA	448.97 m ² (36.46%)
CAR-PARKING	5 TOTAL	PRIVATE OPEN SPACE	
UNIT 1	1	UNIT 1	SPOS 27.36 m ² + FRARD TOTAL POS 1101.44 m ²
UNIT 2	1	UNIT 2	POS = 4020m ²
UNIT 3	1	UNIT 3	POS = 4020m ²
UNIT 4	1	UNIT 4	SPOS = 3420m ² + FRARD=4320m ²
UNIT 5	1	UNIT 5	SPOS = 32.00m ² FRARD=4320m ²
UNIT 6	1	UNIT 6	POS = 4020m ²
UNIT 7	2	UNIT 7	SPOS 303.33m ² + FRARD TOTAL POS =1030.00 m ²

GROSS BUILDING AREA / UNIT:

	UNIT 1	UNIT 2	UNIT 3	UNIT 4
GROUND	43.41 m ²	39.75m ²	39.75m ²	41.48m ²
FIRST	48.88 m ²	38.57 m ²	38.57 m ²	33.33m ²
GARAGE	23.77 m ²	23.77 m ²	23.77 m ²	23.77 m ²
PORCH	1.8 m ²	1.2 m ²	1.2 m ²	2.0 m ²
TOTAL	116.86 m ² (12.71 SQ)	103.29 m ² (11.11 SQ)	103.29 m ² (11.11 SQ)	122.58 m ² (13.19SQ)
	UNIT 5	UNIT 6	UNIT 7	
GROUND	64.10 m ²	57.78 m ²	75.65 m ²	
FIRST	47.46 m ²	48.05 m ²	70.49m ²	
GARAGE	23.77 m ²	23.77 m ²	23.77 m ²	
PORCH	2.3 m ²	1.5m ²	0.5m ²	
TOTAL	137.63 m ² (14.81 SQ)	131.11 m ² (14.11 SQ)	170.41 m ² (18.34SQ)	

CONSTRUCTION

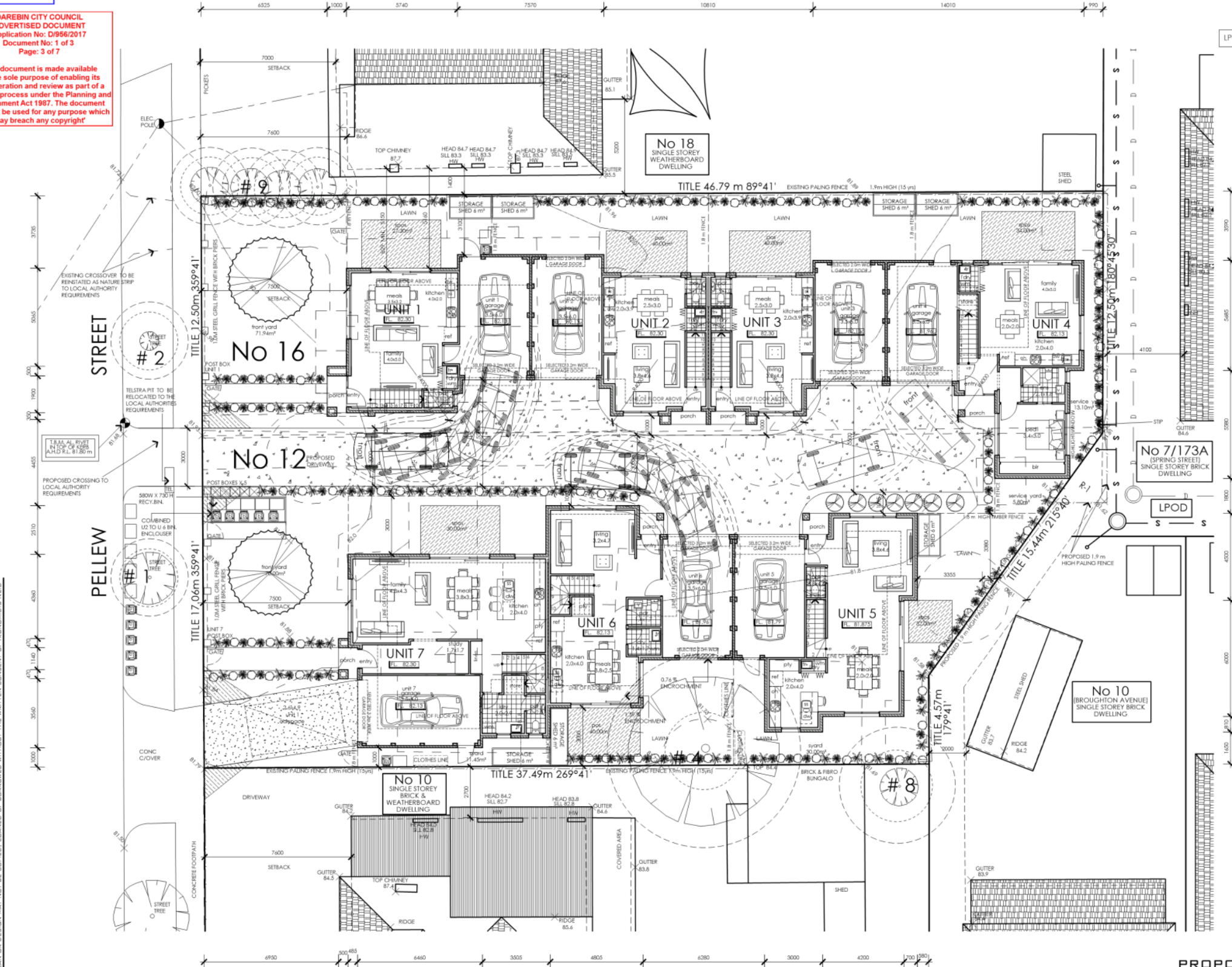
INTERNAL WALLS - 90mm THICK TIMBER STUD CONSTRUCTION
EXTERNAL WALLS - GROUND FLOOR - 240mm THICK BRICK VENEER CONSTRUCTION
FIRST FLOOR - 90mm THICK TIMBER STUD AND LIGHT WEIGHT CLADDING

LANDSCAPING

FOR DETAILS OF LANDSCAPING PLEASE REFER TO SEPARATE LANDSCAPE PLAN - TO BE SUBMITTED AT A LATER DATE

STORMWATER

ALL STORMWATER INCLUDING ROOF AND PAVEMENT TO BE COLLECTED VIA ON SITE SYSTEM AND CONNECTED TO LEGAL POINT OF DISCHARGE. DETAILS TO BE SUBMITTED AS PART OF BUILDING PERMIT.



PROPOSED MULTI UNIT DEVELOPMENT
12 - 16 PELLEW STREET
RESERVOIR

TP04 B JOB NO. SCALE, DRAWN, DATE, 01/2001 1:11/00 84 NOV 17

GROUND FLOOR PLAN

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PH: 94782836 FX: 94782034

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LEGEND

225 mm Ø CONCRETE MAIN SEWER PIPE - AVERAGE DEPTH 2.62 m.
BRANCH LENGTH 1.83 m.

400mm Ø UNDERGROUND DRAIN.
DEPTH AND OFFSET UNKNOWN - CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION.

LEGAL POINT OF DISCHARGE -
THE STORMWATER FROM THE PROPERTY TO BE CONNECTED TO THE EXISTING 400 mm
UNDERGROUND DRAIN IN THE EASEMENT OF THE PROPERTY AT REAR TO COUNCIL.
REQUIREMENTS WITH DISCHARGE FROM THE WHOLE SITE BEING LIMITED VIA ON SITE DETENTION
SYSTEM TO COUNCIL. REQUIREMENTS DISCHARGE VIA GRAVITY ONLY AND PUMP SYSTEMS
PERMITTED.

ACCURATE INFORMATION ABOUT THE DRAIN TO BE CONFIRMED ON SITE.

EXISTING SPOT LEVELS
PROPOSED TREES

NOTE: ALL LEVELS
ARE TO A.H.D.

- CONCRETE CROSSING
- SEE OVER PAGE
- STOP VALVE
- SEWER FIT
- GRADED PIT
- TELEPHONE FIT
- ELECTRICITY POLE & OVERHEAD WIRE
- WATER METER
- GAS METER
- GATE
- FIRE HYDRANT
- SOA
- POUCH
- NON-HABITABLE WINDOW
- HABITABLE WINDOW

DWELLING, GARAGE & VEGETATION TO
BE DEMOLISHED SHOWN DASHED

OVERHEAD POWER LINES
FENCE
PROPOSED 1.8 HIGH PALING FENCE
GATE
PROPOSED 1.8 HIGH GATE TO MATCH PALING FENCE

PEDESTRIAN VISIBILITY SPAY NOTE
PEDESTRIAN VISIBILITY SPAYS MEASURING 2.0m (WIDTH) ACROSS THE
FRONTAGE BY 2.5m (DEPTH) INTO SITE, TO THE EXISTING CROSSOVER TO
PELLEW STREET WHERE WITHIN THE SUBJECT SITE, ANY STRUCTURES OR
VEGETATION WITHIN THESE SPAYS MUST NOT BE MORE THAN 0.9m IN
HEIGHT.
NOTE:
FIRST FLOOR DIMENSIONS TAKEN TO EXTERNAL
FACE OF STUD & EXCLUDING LIGHT WEIGHT CLADDING

EXTERNAL FINISHES SCHEDULE

ROOFING	CONCRETE ROOF TILES
WALLS	FACE BRICKWORK
	RENDERED BRICKWORK
	LIGHT WEIGHT CLADDING
GUTTERS & DOWNPIPES	COLORBOND
WINDOWS & DOORS	POWDERCOATED ALUMINIUM

DEVELOPMENT SUMMARY

SITE AREA	1279.00 m ²	BUILDING SITE COVERAGE	561.63 m ² (43.97%)
DENSITY	1:182.71	SITE PERMEABILITY	468.97 m ² (36.66%)
NO OF DWELLINGS	7	GARDEN AREA	468.97 m ² (36.66%)
CAR-PARKING	5 TOTAL	PRIVATE OPEN SPACE	
UNIT 1	1	UNIT 1	SPOS = 27.36 m ² + PVARD TOTAL POS = 101.44 m ²
UNIT 2	1	UNIT 2	POS = 40.00 m ²
UNIT 3	1	UNIT 3	POS = 40.00 m ²
UNIT 4	1	UNIT 4	SPOS = 34.00 m ² + PVARD = 43.00 m ²
UNIT 5	1	UNIT 5	SPOS = 32.00 m ² + PVARD = 43.00 m ²
UNIT 6	1	UNIT 6	POS = 40.00 m ²
UNIT 7	2	UNIT 7	SPOS = 30.00 m ² + PVARD TOTAL POS = 103.00 m ²

GROSS BUILDING AREA / UNIT:

	UNIT 1	UNIT 2	UNIT 3	UNIT 4
GROUND	43.41 m ²	39.73 m ²	39.73 m ²	41.48 m ²
FIRST	48.88 m ²	38.57 m ²	38.57 m ²	33.33 m ²
GARAGE	23.77 m ²	23.77 m ²	23.77 m ²	23.77 m ²
PORCH	1.9 m ²	1.2 m ²	1.2 m ²	2.0 m ²
TOTAL	118.03 m ² (12.71 SQ)	103.29 m ² (11.11 SQ)	103.29 m ² (11.11 SQ)	122.58 m ² (13.19 SQ)

	UNIT 5	UNIT 6	UNIT 7
GROUND	64.10 m ²	57.78 m ²	75.65 m ²
FIRST	47.46 m ²	48.05 m ²	70.49 m ²
GARAGE	23.77 m ²	23.77 m ²	23.77 m ²
PORCH	2.3 m ²	1.5 m ²	0.5 m ²
TOTAL	137.63 m ² (14.81 SQ)	131.11 m ² (14.11 SQ)	170.41 m ² (18.34 SQ)

CONSTRUCTION

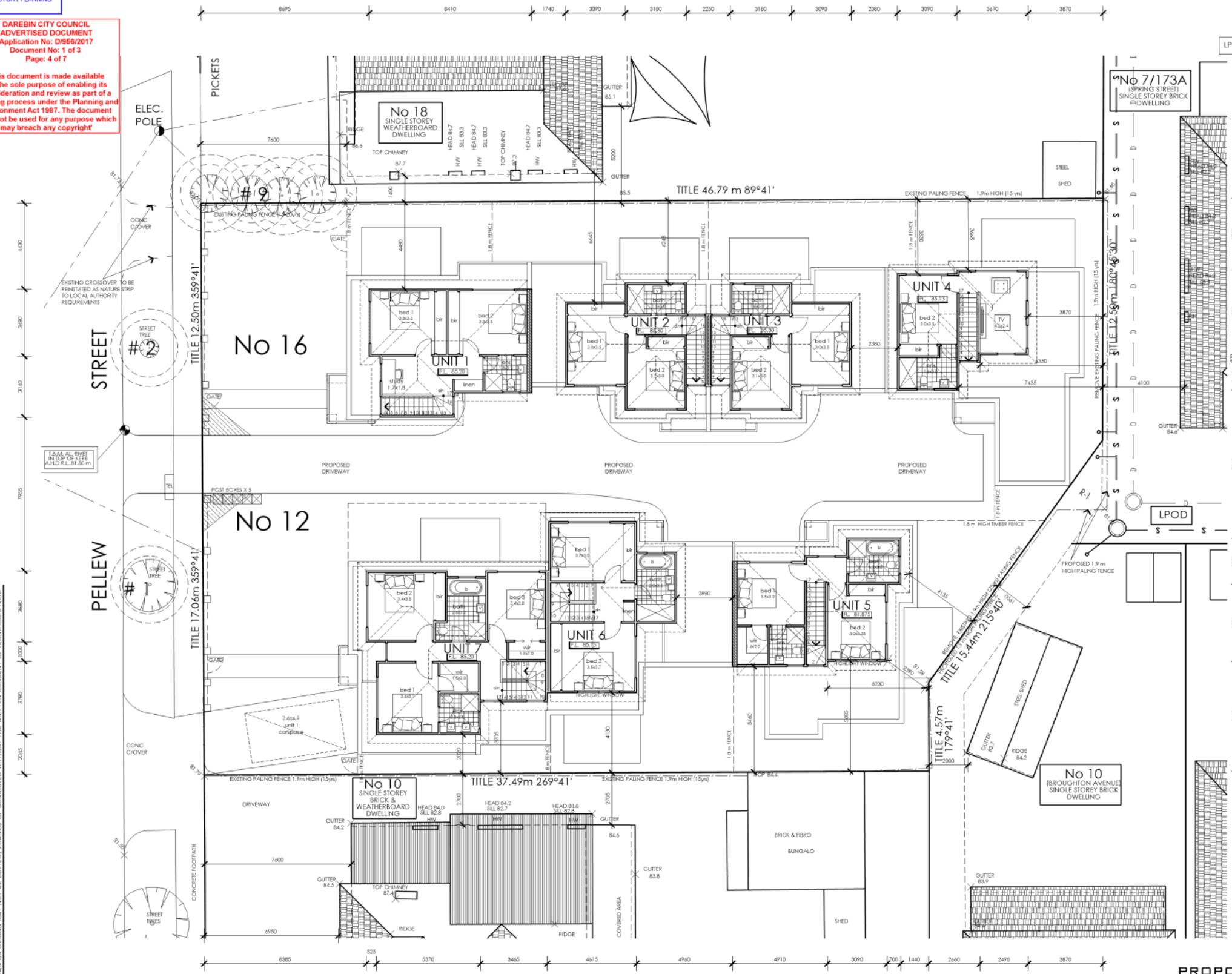
INTERNAL WALLS -
90mm THICK TIMBER STUD CONSTRUCTION
EXTERNAL WALLS -
GROUND FLOOR - 240mm THICK BRICK VENEER CONSTRUCTION
FIRST FLOOR - 90mm THICK TIMBER STUD AND LIGHT WEIGHT CLADDING

LANDSCAPING

FOR DETAILS OF LANDSCAPING PLEASE REFER TO SEPARATE LANDSCAPE PLAN - TO
BE SUBMITTED AT A LATER DATE

STORMWATER

ALL STORMWATER INCLUDING ROOF AND PAVEMENT TO BE COLLECTED VIA ON
SITE SYSTEM AND CONNECTED TO LEGAL POINT OF DISCHARGE DETAILS TO BE
SUBMITTED AS PART OF BUILDING PERMIT.



PROPOSED MULTI UNIT DEVELOPMENT
12 - 16 PELLEW STREET
RESERVOIR

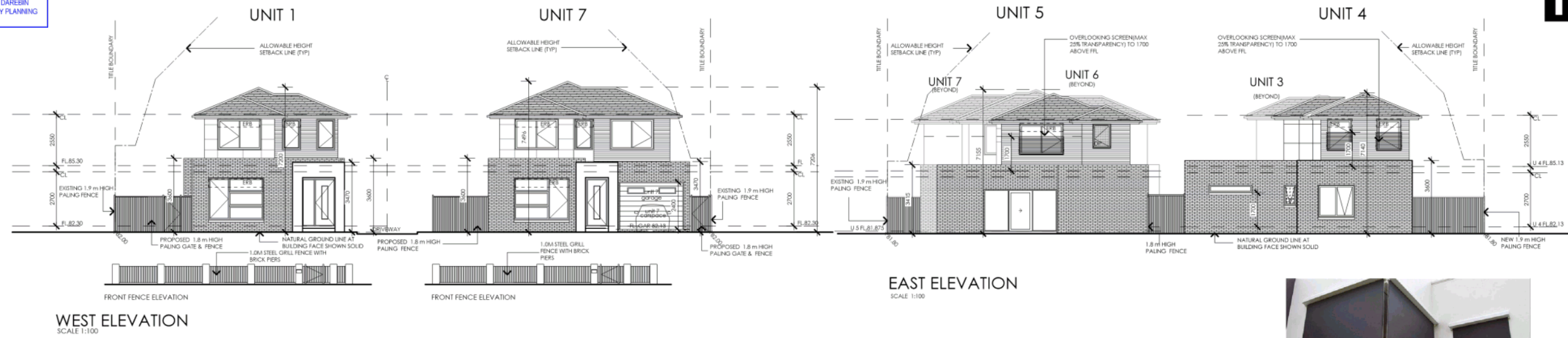
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PH. 94782836 FX. 94782034

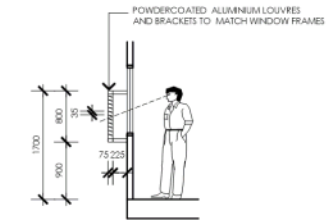
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B	06.02.18	RH- ISSUE	A	22.11.16	TP- ISSUE	P1	14.11.17	PRE-LOADING ISSUE

FIRST FLOOR PLAN

RECEIVED ON
16/03/2018
CITY OF DAREBIN
STATUTORY PLANNING



EXTERNAL ROLLER BLIND (ERB) DETAILS
ERB EXTERNAL ADJUSTABLE ROLLER BLINDS (MANUAL CRANK OPERATION) TO ALL NORTH, EAST AND WEST FACING HABITABLE ROOM WINDOWS/GLAZED DOORS



aluminium louvre screen detail
N.T.S.

LEGEND

- FACE BRICKWORK
- CONCRETE ROOF TILE
- JAMES HARDIE SYCRON MATRIX CLADDING
- CEMENT RENDER FINISH 1
- SELECTED HORIZONTAL CLADDING
- RENDER FINISH 2
- OR RESTRICTED JANNING 125mm OBTAINED GLAZING TO 1700H ABOVE FFL 20% TRANSPARENT
- OR OPAQUE GLAZING
- ALUMINIUM WINDOWS & DOORS @ 2.1M HEAD HEIGHT
- ERB SELECTED EXTERNAL RETRACTABLE SHADES

PROPOSED MULTI UNIT DEVELOPMENT
12 - 16 PELLEW STREET
RESERVOIR

TP06 B JOB NO. SCALE, DRAWN, DATE, 01/2018 1:100 6/4 NOV 17

ELEVATIONS
1 OF 2

DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT
Application No: D/966/2017
Document No: 1 of 3
Page: 5 of 7

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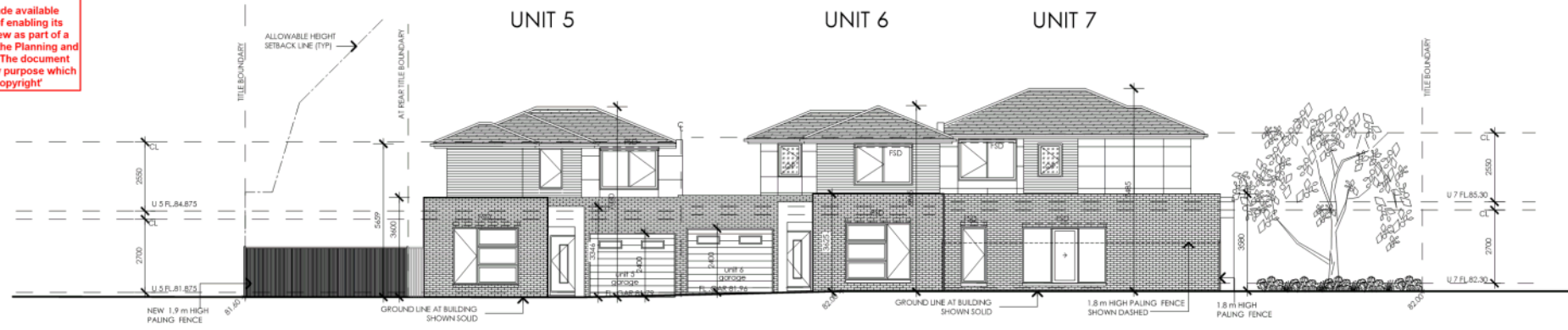
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B	06.02.18	RF-ISSUE	A	22.11.16	TP-ISSUE	PI	14.11.17	PRE-LOOKING ISSUE			



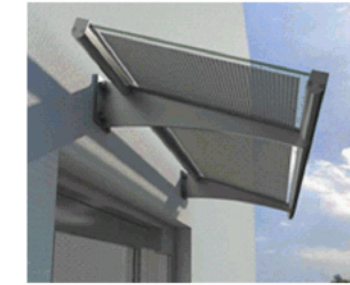
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DAREBIN CITY COUNCIL
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Application No: D1956/2017
Document No: 1 of 3
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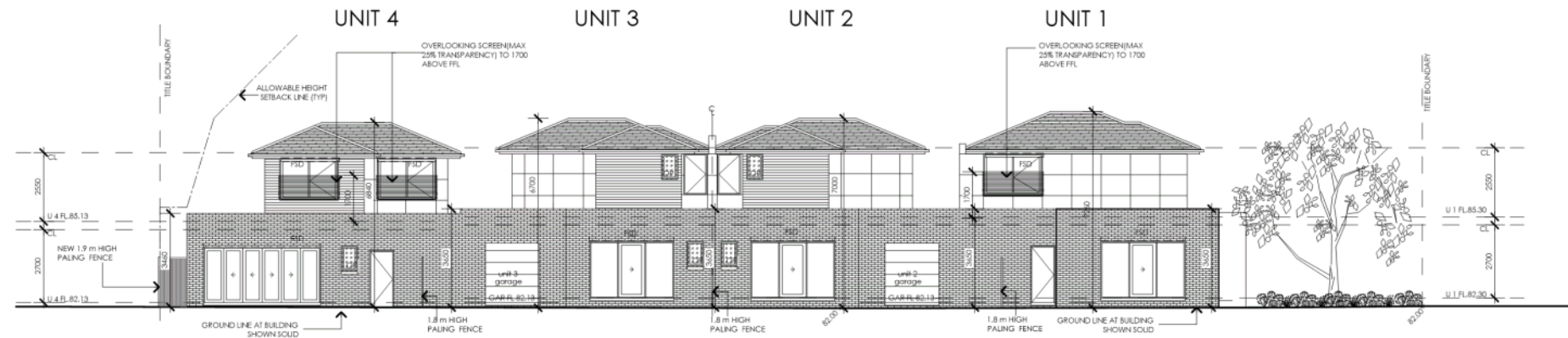


NORTH ELEVATION
SCALE 1:100 (INTERNAL)

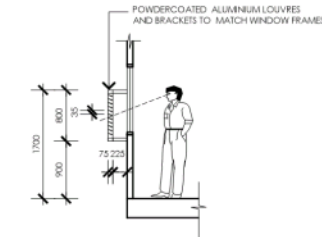


SELECTED FIXED SHADING DEVICE (FSD) DETAILS

*FSD
EXTERNAL FIXED DEVICE AS PER OWNER SELECTION.



NORTH ELEVATION
SCALE 1:100



aluminium louvre screen detail
N.T.S.

LEGEND

- FACE BRICKWORK
- CONCRETE ROOF TILE
- JAMES HARDIE SCYON MATRIX CLADDING
- SELECTED HORIZONTAL CLADDING
- RENDER FINISH 2
- OB RESTRICTED AWNING 125mm OBSCURED GLAZING TO 1700H ABOVE FFL 25% TRANSPARENT
- OP OPAQUE GLAZING
- ALUMINIUM WINDOWS & DOORS @ 2.1M HEAD HEIGHT
- FSD SELECTED FIXED SHADING DEVICE

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REV DATE ISSUE

B 06.02.18 RP-ISSUE

A 22.11.16 TP-ISSUE

P1 14.11.17 PRE-LOOKING ISSUE

PROPOSED MULTI UNIT DEVELOPMENT
12 - 16 PELLEW STREET
RESERVOIR

TP07 B

JOB NO. SCALE. DRAWN. DATE.
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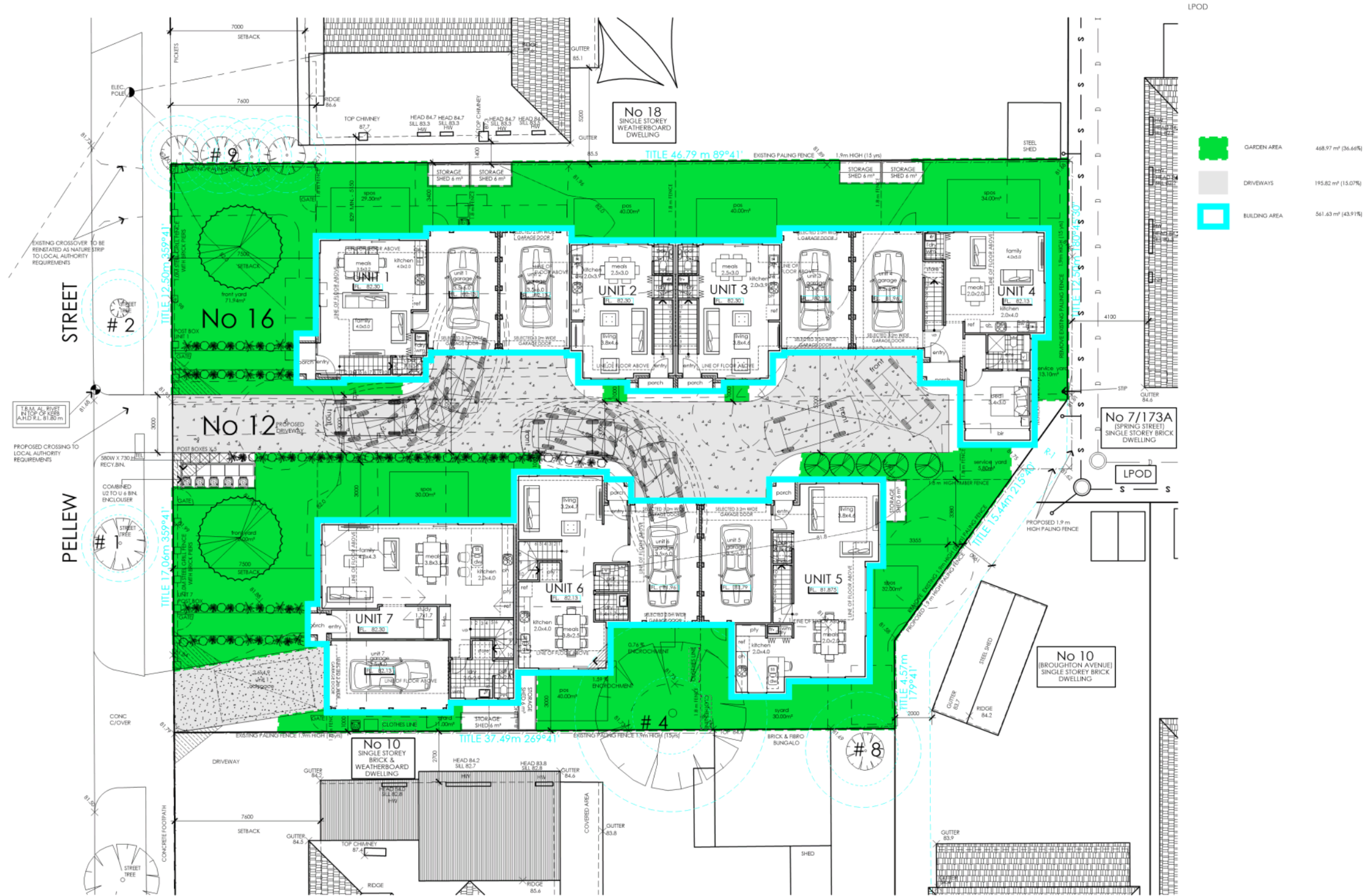
ELEVATIONS
2 OF 2



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DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT
Application No: D/956/2017
Document No: 1 of 3
Page: 7 of 7

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LPD

■	GARDEN AREA	468.97 m ² (36.66%)
■	DRIVEWAYS	193.82 m ² (15.07%)
■	BUILDING AREA	561.63 m ² (43.91%)

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REV	DATE	ISSUE
B	06.02.18	R#-ISSUE
A	22.11.16	T#-ISSUE
P1	13.11.17	PRE-LODGING ISSUE

PROPOSED MULTI UNIT DEVELOPMENT
12 - 16 PELLEW STREET
RESERVOIR

TP08 B JOB NO. SCALE. DRAWN. DATE, 01/28/11 1:11:00 8/2 NOV 17

AREAS CALCULATIONS



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.				

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.				

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.				

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.				

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.				

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 constrained, sensitive interfaces on 3 sides to the subject site. All in all, it was not considered a site sensitive response.				

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.				

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.				

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.				

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.				

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.				

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	Council's decision varied – permit granted
Result	The Tribunal considered that the proposal was an acceptable response to the criticisms of previous decision of the Tribunal which refused a permit for this site. Nevertheless, the Tribunal varied the proposal to reduce its form at the rear of the site where the objector's land was located.				
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.				

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				

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	Council's decision affirmed – no permit granted
Result	The Tribunal considered that while the site's main road location meant a more robust design response could be accommodated, it nevertheless considered the design response too much in terms of double storey form deep into the site with only a 1.8m break in the upper floor. In addition, due to the requirement for every upper habitable room to be screened, the Tribunal considered the proposal lacked acceptable internal amenity and was fatal to the application.				
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.				

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	Decision pending
Result					

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					

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					
Urgently listed for prompt final hearing – 16/05/2018	D/309/2016	111 and 113 Royal Parade Reservoir La Trobe	Buildings and works associated with a multi storey building, use of the land for dwellings and reduction in the statutory car parking requirements	Application to Amend a Permit / Application for a Declaration	
Result					

JUNE 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/06/2018	D/250/2017	14 Pender Street, Thornbury Rucker	Construction of a three (3) storey building (plus basement) comprising 11 dwellings	Refusal – Applicant appeal	
Result					
5/06/2018	D/1075/2015	853 Plenty Road, Reservoir La Trobe	Construction of a five (5) storey building (including partial basement level) comprising 15 dwellings, a reduction in the car parking requirement and alteration of access to a Road Zone - Category 1	Refusal – Applicant appeal	
Result					
6/06/2018	D/914/2016	4 Sturdee Street, Reservoir	Variation of Restrictive Covenant contained in Instrument No. 1205724 Volume 5015 Folio 832 by deleting the following words contained in Part (c) "...not more than one dwelling house shall be erected on any one Lot"... and replacing with the words "not more than 04 Town Houses may be erected on the Lot No.96"	Refusal – Applicant appeal	
Result					

JUNE 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/06/2018	D/137/2017	7 Highland Street, Kingsbury La Trobe	A medium density housing development comprising the construction of four (4) double storey dwelling	Conditions appeal	
Result					
8/06/2018	D/791/2012/B	3 Cain Avenue, Northcote Cazaly	Proposed medium density development comprising the construction of three (3) double storey dwellings in a SBO and a reduction in the standard car parking rate	Refusal – Applicant appeal	
Result					
8/06/2018	D/332/2017	141 Roberts Street, Northcote Cazaly	Proposed medium density development comprising the construction of three (3) double storey dwellings in a SBO and a reduction in the standard car parking rate	Refusal – Applicant appeal	
Result					

JUNE 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
12/06/2018	EOT/125/2017	2-6 Isaacs Street, Preston Cazaly	Extension of Time	Refusal – Applicant appeal	
Result					
12/06/2018	D/315/2017	24 Clements Grove, Reservoir La Trobe	Buildings and works comprising the construction of two (2) side-by-side double storey dwellings	Refusal – Applicant appeal	
Result					
19/06/2018 Compulsory Conference	D/402/2017	4-8 Browning Street	Construction of four (4) three (3) storey (plus basement) residential buildings (student accommodation) and a reduction in the car parking requirement	Refusal – Applicant appeal	
Result					

JUNE 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
21/06/2018	D/676/2017	27 Percival Street, Preston Cazaly	Proposed three double storey terraces with associated car parking	Refusal – Applicant appeal	
Result					
21/06/2018	D/111/2017	255 Wood Street, Preston Cazaly	Proposed construction of two double storey three bedroom dwellings	Refusal – Applicant appeal	
Result					

JULY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/07/2018 Compulsory Conference	D/1084/2016	629, 631 and 631A Plenty Road, Preston Cazaly	Use and development of the land for a six (6) storey building comprising 27 dwellings and two (2) shops over basement car parking, a reduction of car parking requirements and waiver of loading/unloading requirements	Refusal – Applicant appeal	
Result					
6/07/2018 Compulsory Conference	D/787/2017	469-471 Gilbert Road, Preston Cazaly	Construction of a medium density development comprising 10 dwellings and a reduction in the car parking requirement	Refusal – Applicant appeal	
Result					
10/07/2018	D/523/2017	7 Ellesmere Street, Northcote Rucker	A medium density housing development comprised of the construction of two (2) attached double-storey dwellings; a reduction in the car parking requirement	Refusal – Applicant appeal	
Result					

JULY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/07/2018	D/201/2017	36 MacLagan Crescent, Reservoir La Trobe	A medium density housing development comprised of the construction of nine (9) dwellings and a reduction in the visitor car parking requirement	Refusal – Applicant appeal	
Result					
18/07/2018	D/339/2017	1 Wild Street, Reservoir Cazaly	Construction of one (1) double storey dwelling and one (1) double storey outbuilding	Conditions appeal	
Result					
20/07/2018	D/814/2014 – SEC/1/2018	2-6 McCutcheon Street, Northcote Rucker	Construction of a four storey building containing not more than 29 dwellings with basement car parking and reduction in visitor parking	Review of deemed refusal to endorse plans	
Result					
24/07/2018	D/582/2017	227 Wood Street	A medium density housing development comprising the construction of four (4) double storey dwellings	Refusal – Applicant appeal	
Result					

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.				

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.				

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.				

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.				

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.				

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.				

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					

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	Council's decision affirmed – no permit granted
Result	The Tribunal refused the application on the basis of a very poor response to neighbourhood character, visitor car parking and resident parking. As part of its refusal, the Tribunal also commented that certain aspects of the proposal would need to be revisited as part of any future application – for instance it considered there to be insufficient space for landscaping, lack of articulation to the building, lack of surveillance of pedestrian entryways and visual bulk to the adjoining apartment building.				

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.				

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	Council's decision set aside – permit granted
Result	Notwithstanding the attached format of the dwellings, the Tribunal considered the proposal reasonably articulated and set back from boundaries so as to be an acceptable response to the preferred character of the area. The Tribunal did not consider the proposal an overdevelopment of the site notwithstanding the lack of a visitor space.				

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					

JUNE 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 June 2018					

JULY 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/07/2018 Compulsory Conference	Not Applicable	700-718 Heidelberg Road, Alphington Located in City of Yarra adjoining City of Darebin	Buildings and works associated with a multi storey building, use of the land for dwellings and reduction in the statutory parking requirements		
Result					

Matters completed and to be heard to 31/07/2018

7. URGENT BUSINESS

8. CLOSE OF MEETING