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AGENDA

Planning Committee Meeting to be held at
Darebin Civic Centre,
350 High Street Preston
on Monday 13 February 2023 at 6.30pm.

This meeting will be a scheduled hybrid meeting, at which both councillors and members of the public may participate either in person or virtually. This meeting will also be livestreamed and may be accessed from Councils website www.darebin.vic.gov.au



ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and emerging.

Council pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



(2)

English

This is the Agenda for the Council Meeting. For assistance with any of the agenda items, please telephone 8470 8888.

Arabic

هذا هو جدول اعمال اجتماع المجلس. للحصول على المساعدة في أي من بنود جدول الاعمال، يرجى الاتصال بالهاتف 8888 8470.

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

Αυτή είναι η Ημερήσια Διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα της ημερήσιας διάταξης, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

यह काउंसिल की बैठक के लिए एजेंडा है। एजेंडा के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è l'ordine del giorno della riunione del Comune. Per assistenza con qualsiasi punto all'ordine del giorno, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Дневниот ред за состанокот на Општинскиот одбор. За помош во врска со која и да било точка од дневниот ред, ве молиме телефонирајте на 8470 8888.

Nepali

यो परिषद्को बैठकको एजेन्डा हो। एजेन्डाका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਵੈੱਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kani waa Ajandaha Kulanka Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriir 8470 8888.

Spanish

Este es el Orden del día de la Reunión del Concejo. Para recibir ayuda acerca de algún tema del orden del día, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل کی میٹنگ کا ایجنڈا ہے۔ ایجنڈے کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là Chương trình Nghị sự phiên họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong chương trình nghị sự, xin quý vị gọi điện thoại số 8470 8888.

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Agenda

1. MEMBERSHIP

Cr. Julie Williams (Mayor)
Cr. Susanne Newton (Deputy Mayor)
Cr. Emily Dimitriadis
Cr. Gaetano Greco
Cr. Lina Messina
Cr. Tim Laurence
Cr. Tom Hannan
Cr. Trent McCarthy
Cr. Susan Rennie

2. APOLOGIES

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 November 2022 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/1020/2016/A 20 Chingford Street, Fairfield

Author: Statutory Planner

Reviewed By: General Manager City Sustainability & Strategy

Applicant	Owner	Consultant
E. Ricciuti	Ela Rose Latin Dance Academy	Braemar Consulting RedSquare Traffic

EXECUTIVE SUMMARY

Property:	20 Chingford Street, Fairfield
Proposal:	<p>Amendment to an existing planning permit issued in April 2017 (D/1020/2016/A) which allows for buildings and works and the use of the land as a caretaker’s residence, recreation facility and warehouse.</p> <p>This amendment seeks to alter the hours of operation, increase the maximum patron numbers from 50 to 60 during the day and 50 to 100 in the evening and allow internal and external re-arrangements, including a new mezzanine floor and outdoor terrace.</p>
Car parking:	<p>Required to be to the satisfaction of the Responsibility Authority.</p> <p>Council’s Transport Engineering Team support the proposal subject to a reduction in the evening patron numbers to a maximum of 80.</p>
Zoning and Overlay/s:	<ul style="list-style-type: none"> • Industrial 3 Zone (IN3Z) • Development Contribution Plan Overlay (DCPO)
Is a Developer Contribution required?	The DCPO was gazetted on 25/01/23. Currently a technical assessment is being done as to whether an additional permit condition should be applied or not in relation to this Section S72 Amendment application. A clear view on this is expected before the date of decision and an update will be provided ahead of the Planning Committee meeting.
Consultation:	<ul style="list-style-type: none"> • A public notice sign to the front of the site. • Letters sent to surrounding owners and occupiers.
Objections:	<ul style="list-style-type: none"> • Seven (7) objections from seven properties, including a petition with forty-six (46) signatures • Key issues: <ul style="list-style-type: none"> ○ Traffic and car parking ○ Noise and amenity impacts ○ Late night amenity impacts ○ Ancillary uses occurring on site

<p>Key reasons for support:</p>	<ul style="list-style-type: none"> ○ No bicycle parking on site ● The use remains unchanged; this amendment allows for growth in the business and for it to remain in Darebin. ● The additional traffic and patron activity arising from the changes can be accommodated in this industrial / residential area and amenity impacts mitigated by permit conditions, including: <ul style="list-style-type: none"> ○ Maximum total patron numbers between 5pm and 10pm of 80 (as opposed to 100) ○ Provision of an Acoustic Report ○ Provision of a Green Travel Plan ○ Provision of an Access and Movement Management Plan ○ Provision of bicycle parking spaces. ● The additional studio space and increased patron capacity will contribute positively to economic, cultural and social activity.
<p>Recommendation:</p>	<p>Notice of Decision to Grant a Planning Permit</p>

Recommendation

THAT a Notice of Decision to grant an amended Permit No. D/1020/2016/A be issued for buildings and works and use of the land as a caretaker’s residence, recreation facility and warehouse at 20 Chingford Street, Fairfield, subject to the following conditions (new and altered conditions in bold):

1. Before the development approved by Amendment A to this permit commences, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as drawing reference TP.01 (B), TP.02 (B) received by the City of Darebin on 4 January 2022) but modified to show:
 - (a) The provision of a minimum of four (4) bicycle racks on the site.
 - (b) Relocation of the coffee cart and seating area from the loading bay to the Main Lobby/Amenity area and retention of the existing loading bay.
 - (c) Any annotations and modifications to the plans as a result of the Acoustic Report required by Condition 4.
 - (d) Any annotations and modifications required as a result of the approved Access and Movement Management Plan, required by Condition No. 20 of this Permit.
 - (e) Any annotations and modifications required as a result of the approved Green Travel Plan, required by Condition No. 21 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. The layout of the use(s) as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
4. Before plans are endorsed under Condition No. 1 of the Permit, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will then form part of this Permit. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must demonstrate how the use/development will

comply the relevant EPA noise controls, or outline any measures considered necessary to achieve compliance with relevant EPA noise controls.

The requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

The endorsed plans must be amended to implement the recommendations and requirements contained in the endorsed Acoustic Report to the satisfaction of the Responsible Authority.

5. 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.
6. Once commenced, the development must be continued and completed to the satisfaction of the Responsible Authority.
7. The caretaker's house shall not be separately subdivided from the property. It shall at all times be used and occupied in conjunction with the use by a supervisor of that building/use.
8. The dividing walls and floors to the dwelling must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
9. The recreation facility use may operate only between the hours of:
9.00am to 10.00pm Monday to Sunday
10. The number of patrons on the premises at any one time must not exceed:
9:00am to 5:00pm Monday to Sunday: 60 patrons
5:00pm to 10:00pm Monday to Sunday: 80 patrons
11. The terrace may only be used in conjunction with the caretaker's residence and must not to be used for commercial purposes.
12. Before the use starts a minimum of three (3) car parking spaces, must be provided on the land to the satisfaction of the Responsible Authority.
13. In the event that any buildings and works are carried out which would destroy or break up the existing flooring of the building, before any such work commences, a site assessment of the site, prepared by a member of the Australian Contaminated Land Consultants Association (Victoria) Inc. or other suitably qualified environmental professional, must be submitted to the Responsible Authority to its satisfaction.

The site assessment must include:

- An opinion on the level and nature of contamination (if any), how much is present and how it is distributed;

- Details of any clean up, construction, ongoing maintenance, monitoring or other measures in order to effectively manage contaminated soil (if any) that is present within the site (management measures); and
- Recommendation on whether the environmental condition of the land is suitable for the proposed use and whether an environmental audit of the land should be undertaken.

Should the consultant's opinion be that an environmental audit be undertaken, before the use commences, either:

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

In the event that the management measures are required or a statement is issued in accordance with Part IXD of the Environment Protection Act, before the use commences all management measures of the site assessment or conditions of the Statement of Environmental Audit must be complied with to the satisfaction of the Responsible Authority. Written confirmation of compliance with the management measures of the site assessment or the conditions of the Statement of Environmental Audit must be provided by a suitably qualified environmental professional.

If the management measures of the site assessment or the conditions of the Statement of Environmental Audit require ongoing maintenance or monitoring, before the use commences the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority. This agreement must be to the effect that except with the written consent of the Responsible Authority all management measures of the site assessment or conditions of the Statement of Environmental Audit issued in respect of the land will be complied with to the satisfaction of the Responsible Authority. Written confirmation of compliance with the management measures of the site assessment or the conditions of the Statement of Environmental Audit must be provided by a suitably qualified environmental professional.

A memorandum of the Agreement must be entered on the Title to the land and the owner must pay the costs of the preparation and execution of the Agreement and entry of the memorandum on Title.

14. 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.

15. The land must be drained to the satisfaction of the Responsible Authority.
16. No goods, equipment, packaging material, or any other material/object must be stored, or left exposed, outside a building so as to be visible from any public road or thoroughfare, to the satisfaction of the Responsible Authority.
17. Provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles, to the satisfaction of the Responsible Authority.

All bins and receptacles used for the storage and collection of garbage, bottles and other solid wastes must be kept in a storage area screened from view, to the satisfaction of the Responsible Authority.

All bins and receptacles must be maintained in a clean and tidy condition and free from offensive odour, to the satisfaction of the Responsible Authority.

18. The amenity of the area must not be adversely affected by the use or development as a result of the:
- (a) transport of materials, goods or commodities to or from the land; and/or
 - (b) appearance of any building, works, stored goods or materials; and/or
 - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/or

and/or in any other way, to the satisfaction of the Responsible Authority.

19. Noise from the premises must not exceed the relevant limits prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

20. Before plans are endorsed under Condition No. 1 of this Permit, an Access and Movement Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Access and Movement Management Plan will be endorsed and will then form part of this Permit. The Access and Movement Management Plan must include:

- (a) The location of all areas on-and/or off-site to be used for staff and patron bicycle and car parking.
- (b) The means by which the direction of traffic, bicycle and pedestrian flows to and from car parking areas will be controlled and made safe both on and off-site.
- (c) Measures to discourage patron car parking on the southern side of Chingford Street.
- (d) Staffing and other measures to ensure the orderly departure and arrival of patrons, especially any large groups departing at closing time.

The requirements of the endorsed Access and Movement Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority

21. Before plans are endorsed under Condition No. 1 of this Permit a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by, the Responsible Authority. The Green Travel Plan must be prepared by a suitably qualified professional and must provide detailed advice regarding how traffic movements and staff parking will be managed and how any alternative, non-private vehicle transport modes will be encouraged. The Green Travel Plan should also identify specific opportunities for the provision of more sustainable transport options and encouragement of their use. The Green Travel Plan must include, but not be limited to:

- (a) a requirement that tram, train and bus timetables be installed in prominent locations in common areas (on noticeboards, etc);
- (b) a requirement that bicycle parking areas be installed in well secured and prominent locations;
- (c) the installation of signs in prominent locations advising of the location of existing and proposed share car schemes, bicycle parking facilities, tram stops, taxi ranks, railway stations, bus stops and bicycle paths;
- (d) establishment of a car-pooling database for patrons;

- (e) specific targets to guide the plans ongoing implementation;
- (f) identification of persons responsible for the implementation of actions;
- (g) a plan for monitoring and review of the Green Travel Plan on an annual basis for at least three years.

The approved Green Travel Plan must be implemented to the satisfaction of the Responsible Authority.

- 22. All outdoor lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land to the satisfaction of the Responsible Authority.
- 23. All plant and equipment (including air conditioners and the like) are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
- 24. Before the use starts a waste storage/collection area must be provided on the subject land in a location to the satisfaction of the Responsible Authority.

The waste storage/collection area must have minimum dimensions of 2.4 metres by 1.8 metres. If located outside a building, the waste storage/collection area must be surrounded by a screen so that it is not visible from any public road or thoroughfare to the satisfaction of the Responsible Authority.

The waste storage/collection area must not be used for any other purpose and must be maintained in a clean and tidy condition, and free from offensive odour, to the satisfaction of the Responsible Authority.

- 25. No goods, equipment, packaging material, or any other material/object must be stored, or left exposed, outside a building so as to be visible from any public road or thoroughfare, to the satisfaction of the Responsible Authority.
- 26. The loading and unloading of goods from vehicles must only be carried out on the subject land and must be conducted in a manner which does not cause any interference with the circulation and parking of vehicles on the land or on abutting streets.
- 27. 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.
- 28. 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.
- 29. No intermittent or flashing light may be installed on the land without the prior written consent of the Responsible Authority.
- 30. Provision must be made on the land for letter boxes and receptacles for newspapers 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.

1. BACKGROUND

Subject site

The subject site is located at 20 Chingford Street, Fairfield. The site is located on the northern side of Chingford Street, approximately 80 metres west of the intersection with Perry Street.

The subject site has a frontage of 21.336 metres, a depth of 43.23 metres and an area of approximately 920 square metres. The building is constructed to the side and rear boundaries, with the front areas paved and used for parking and access. A loading area is located to the western common boundary and the site has two (2) crossovers to the street frontage.

There are no restrictive covenants indicated on the Certificate of Title.



Figure 1 – Street view of 20 Chingford Street, Fairfield (Google Maps, January 2019)

Surrounding area

The site is located in an area of industrial and warehouse uses, with a residential area opposite to the south. To the north of the site, is the rear of an industrial building fronting Montefiore Street, with the building constructed to the common boundary. To the south, on the opposite side of Chingford Street, is a residential area of single storey dwellings. To the east is an industrial building constructed to the front, rear and common boundaries. To the west of the site, is a single storey industrial building.

The Perry Street/Chingford Street bus stop (Route 609) is located approximately 60 metres to the south-west of the site.

Alphington Railway Station (Hurstbridge Line) is located approximately 1.2km to the south-east of the site.

A location plan forms **Attachment 1** and a zoning map form **Attachment 2**.

Proposal

The applicant seeks the following changes to the planning permit and endorsed plans:

- Amendment to Condition 8 and Condition 9 of the permit to:
 - Increase in the number of patrons from 50 to 60 from 9am to 5pm
 - Increase the number of patrons from 50 to 100 patrons from 5pm to 10pm
- Internal re-arrangements (including the construction of a mezzanine), resulting in an increase in studio space (studio 3) of 260sqm and a decrease in warehouse space of 22sqm
- Construction of a new front fence along the street:
 - Industrial style, black steel pickets to the height of 2.1 metres
- Construction of an open terrace area for the Caretaker's House on the northern side of the first-floor, concealed within the roof line
- Deletion of the loading bay area on the western side of the property in lieu of a takeaway food and drink area

The development plans and reports form **Attachment 3**.

Planning Permit History

- Council issued, Planning Permit D/327/2015 on 13/05/2016 for Use of the site for timber flooring storage (warehouse), ancillary office and showroom and reduction in car parking requirement.
- Council issued, Planning Permit D/1020/2016 on 21 April 2017 (21/04/2017) for Use of the land as a caretakers residence, recreation facility and warehouse in accordance with the endorsed plans.

Planning Enforcement History

On 30 March 2022, a complaint was received by Council about the operation of the business at this site. The matters raised can be summarised as follows:

- Excessive noise

- A fence has been erected on site
- No footpath on the industrial side
- Patrons smoke outside, no provision of ashtrays
- No bicycle parking
- Website indicates weddings are occurring which include serving alcohol

The Planning investigations team undertook an investigation that included:

- A review of the planning permit and relevant conditions that relate to the concerns raised.
- An inspection of the site on 4 April 2022, in conjunction with discussions with the operator of the business.
- Photographs of the site taken and the following observations made by Council’s Team Leader Planning Investigations:
 - *Generally, the land use and development comply with the permit issued.*
 - *Ample on street car parking available. No vehicles were observed illegally parked.*
 - *No litter emissions from the premises.*
 - *No consumption of alcohol on premises.*
 - *No noise emanating from the premises.*
 - *Overall, no amenity issues of concern.*

Council’s Planning investigations team found that *no planning offences were detected contrary to the permit issued.*

The operator of the business was sent a copy of the permit and endorsed plans. In addition, they were advised to take note of condition 8, 9, 16 & 17 to ensure a safe, connected and harmonious community.

The planning investigation concluded on 5 April 2022 and it was determined that no further action was required.

Statutory Controls – why is a planning permit required?

The application is an amendment to an existing planning permit. The planning permit triggers are outlined in the table below.

Control	Permit Requirement
Industrial 3 Zone	Clause 33.03-1: A permit is required for use as a recreation facility, caretakers residence and warehouse. Clause 33.03-4: A permit is required to construct a building or construct or carry out works.

The following Particular Provisions of the Darebin Planning Scheme are also relevant to the consideration of the proposal:

- Car Parking Clause 52.06

As an Indoor recreation Facility or Dance Studio are not uses specified in Table 1 of Clause 52.06-5, car parking spaces must be provided to the satisfaction of the responsible authority (Clause 52.06-6).

2. INTERNAL/EXTERNAL CONSULTATION

Public notification

Notification of the application has been undertaken pursuant to Section 52 of the Planning and Environment Act 1987 by:

- Sending notices to the owners and occupiers of adjoining and nearby land
- Placing a sign on the frontage of the site

Council has received seven objections from seven properties. A map identifying the location of objectors forms **Attachment 4**. One of the objections included a petition with forty-six (46) signatures.

The key issues raised in objections are:

- Traffic and car parking
- Noise and amenity impacts
- Characterisation of existing use
- No bicycle parking provided.

Internal/external referrals

The proposal did not require any external referrals.

The proposal was referred to the following internal branches/business units:

Internal Business Unit	Comments
Climate Emergency and Sustainable Transport Unit – Transport Engineering	<p>Supports the proposal subject to revising the patron numbers from 100 to 80 after 5pm.</p> <p>Estimated that 28-30 parking spaces are generally available on the industrial side of Chingford Street and Perry Street. The worst-case scenario indicates 21 spaces are available.</p> <p>While excess parking may be available in the street, one business should not utilise all the available on-street parking spaces and the maximum number should be reduced to 80 patrons to reflect this.</p> <p>A reduction in patrons combined with the mitigation strategies discussed in the Car Parking Demand Assessment (Movement and Access Management Plan, Bicycle parking, etc) will sufficiently resolve the concerns around parking demand. These will form conditions of the recommendation.</p>

3. PLANNING POLICY

Planning Policy Framework (PPF):

The following policies are of most relevance to this application:

- Settlement (Clause 11)
- Environmental Risks and Amenity (Clause 13)
 - Noise (Clause 13.05)
 - Amenity, human Health and Safety (Clause 13.07)
- Economic Development (Clause 17)
 - Industrial Land Supply (Clause 17.03)
- Economic Development (Clause 21.04)
 - Industry (Clause 21.04-2)
- Transport and Infrastructure (Clause 21.05)
 - Integrated and Sustainable Transport (Clause 21.05-2)
- Industrial and Commercial Activity (Clause 22.04)

Particular Provisions:

- Car Parking (Clause 52.06)

4. RESPONSE TO OBJECTOR CONCERNS

The following issues raised by objectors are addressed in section 4 of this report:

- Traffic Car parking
- Noise and amenity impacts
- Late night amenity impacts
- Ancillary Uses occurring on site
- Provision of bicycle spaces
- Use of the site for weddings and ceremonies.

The applicant has confirmed that the site is not being used for weddings or ceremonies. Reference to services offered on the website relates to dance practice services offered for upcoming ceremonies, weddings or events which are not held at the premises.

5. ASSESSMENT

Does the proposal have strategic policy support?

The primary amendments associated with the application include:

- The increase in hours of operation on a Sunday
- The increase in patrons
- Internal re-arrangements of the studio/warehouse space
- Introduction of an external concealed roof terrace for the care-takers residence

- Introduction of a take-away food and drink premises (coffee cart) within the loading bay
- A front fence

The use of the site (Dance studio) was assessed and approved by Council in the original permit application. There have been no significant policy changes since then.

Clause 13.07-1S Land Use Compatibility directs the responsible authority to consider compatibility of uses and explore methods of minimising adverse off-site impacts. The Industrial 3 Zone (INZ3) is generally intended to provide a buffer between industrial and residential zones. It is intended to accommodate uses that are sufficiently compatible with a residential interface to reduce adverse impacts from heavier industrial uses.

The dance studio is an appropriately sensitive use at this residential interface, as opposed to pure industrial uses which can generate construction/production noise emissions, odour and hazardous waste. The amendment allows the use to remain and grow, ensuring a compatible use is retained at this location.

Clause 21.04-2 Industry seeks to manage interfaces with surrounding residential neighbourhoods to provide adequate protection to the industrial and commercial activities. The use of the site as a dance studio provides a buffer between the northern industrial uses and the southern residential uses. The increase in patrons/hours will not have a substantial impact on amenity of the area as discussed in the sections below.

State and Local Policy (specifically Clause 21.05 and Clause 18.01) support the proposed parking waiver where the following factors are considered:

- Availability of public transport opportunities
- Existing car parking demand levels and demonstrable on-street parking capacity
- Travel Plans/Venue Management Plans

As discussed further below, these three criteria are responded to favourably in this instance.

On balance, the existing use and proposed amendments have strategic policy support.

Is the proposal acceptable with respect to parking provision?

Clause 18.01-3S Sustainable and Safe Transport seeks to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing. The policy supports the promotion of walking, cycling and the use of public transport and the minimisation of car dependency.

Cause 21.05-2 Integrated and Sustainable Transport seeks to manage the provision of car parking and congestion of car parking in Darebin and encourage use of sustainable transport modes to reduce car parking demand. The policy directs the responsible authority to:

- Consider existing public transport opportunities when assessing applications to waive or reduce car parking
- Take into consideration existing car parking demand levels when considering applications to waive car parking and ensure there is demonstrated on-street capacity before waiving an on-site car parking requirement, particularly in locations outside of activity centres and
- Consider requiring Travel Plans as a condition of approval for new uses and developments where there is a substantial reduction in car parking from Clause 52.06 requirements.

In accordance with this, any approval will include a condition requiring that a Green Travel Plan be prepared and submitted for approval, to the satisfaction of the responsible authority.

Parking provision is generally calculated via Table 1 of Clause 52.06 (car parking). Where a use of land is not specified in Table 1, car parking spaces must be provided to the satisfaction of the responsible authority.

The approved use (Recreation facility) does not have a defined parking rate within Clause 52.06 (Car Parking). The 0.4 parking spaces per patron has been calculated utilising the rate of a similar, defined use (Place of Assembly) and given the site’s location immediately adjacent the Principle Public Transport Network (PPTN). The PPTN refers to areas which are well serviced by public transport and therefore require fewer parking spaces. The parking rate of 0.4 spaces per patron has been accepted by the Climate Emergency and Sustainable Transport Team.

A maximum reduction of twenty (20) parking spaces is estimated for an increase in maximum patrons to 100.

As per the approved car parking rate (0.4) from the Transport Team, the additional parking demand generated is as per the below:

Car Parking Rate						
Use	Hours	Rate	Max Patron Increase	Spaces required	Parking provided	Reduction/Surplus
Recreation Facility	9am to 5pm	0.4 parking spaces per patron	10	4	3 (utilised for existing 50 patrons)	-4
Recreation Facility	5pm to 10pm	0.4 parking spaces per patron	50	20	3 (utilised for existing 50 patrons)	- 20

The applicant has provided a Traffic and Parking Assessment¹ (**Attachment 5**). The assessment surveyed the street to establish general parking occupancy rates, included case studies and involved an analysis of the area to determine the parking rate and anticipating parking availability. The Traffic and Parking Assessment concluded that the 20 parking spaces can be accommodated on the street between 5pm and 10pm, utilising only the industrially zoned on-street parking spaces.

The Traffic and Parking assessment also included a number of mitigation measures (specifically regrading traffic concerns) including:

- Installation of bicycle hoops
- Encourage all staff members to utilise on-site parking, to cater for their long-stay parking demands
- Staff of the Dance Studio to ensure all patrons avoid parking on the residential side of Chingford Street where practical. This information should be conveyed to patrons via brochures and/or custom signage treatments and are to be displayed on the premises.

The street is comprised of industrial uses (on the north side of Chingford Street) which generally operate during business hours, and residential uses (on the south side of Chingford

¹ Traffic and Parking Assessment, prepared by RedSquare Traffic, issued on 14 September 2022.

Street) which are typically provided with their own off-street parking. It is noted that typically industrial uses primarily operate during business hours (i.e. 9am to 5pm). Given that approximately 50% of the street is comprised of industrial uses which do not typically operate between 5pm and 10pm, it follows that there would be an excess in parking available.

The increase of ten (10) patrons during business hours is considered a minor and acceptable increase. The Climate Emergency and Sustainable Transport team have no objection to the increase as an additional demand of four (4) spaces can be easily and equitably accommodated on the street.

The increase of fifty (50) patrons will result in a parking demand of twenty (20) parking spaces. The Climate Emergency and Sustainable Transport team have recommended that this maximum be reduced by 20 patrons to a maximum increase in thirty (30) patrons, resulting in a parking demand of twelve (12) spaces. This alteration ensures equitable availability of on-street parking for all adjacent uses.

On balance, the car parking waiver is supportable subject to the following conditions:

- The maximum patron numbers permitted after 5pm are reduced from 100 to 80
- An Access and Movement Management Plan is provided as a condition to the permit
- A Green Travel Plan is provided as a condition to the permit
- Bicycle spaces are accommodated on site.

Is the proposal acceptable with respect to traffic impacts?

Clause 65 of the Darebin Planning Scheme requires consideration of the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

The applicant has requested that the loading bay be utilised for seating for patrons who purchase food and drink from a coffee cart at the premises. It is considered that the loading bay should be retained and that such seating can be accommodated internally. A condition of the permit will require the plans be amended to show the relocation of the coffee cart and seating area from the loading bay to the Main Lobby/Amenity area and retention of the existing loading bay.

Are the Ancillary Uses operating as part of the primary use acceptable?

The existing planning permit allows the site to be used as an indoor recreation facility. The primary use being operated at the site is that of a dance studio, which sits within the categorisation of use permitted (indoor recreation facility) as per land use definitions of the planning scheme.

The below table defines each land use category applying to the site, as per Clause 73.03 – Land Use Terms:

Use	Description
Indoor recreation facility	A building used for indoor leisure, recreation, or sport.
Dance studio	No definition provided in 73.03 Land Use Terms. <i>“A dance studio is a place where people pay to learn how to dance” *</i>

Ancillary uses are common across the municipality and can occur within businesses and homes alike. For example, use of one’s home for birthday parties for family members

throughout the year does not transform the use of the home into an event space. Similarly, for businesses different uses may occur at a site which are ancillary to the primary use. An ancillary use is categorised as a use which is subordinate to the primary and dominant use of the land.

The applicant has confirmed that the ancillary activities that may occur at the site on an infrequent basis include wedding photo shoots, end of school dance performances, rental of studio spaces for rehearsal or use of the space for creative workshops. Such uses do not disqualify the established primary use from being characterised as a dance studio. Those other uses are ancillary to the dominant use for the following reasons:

- The primary and substantial use of the site is use as an indoor recreation facility (dance studio).
- The ancillary uses are associated but secondary to the primary use and would not occur without the primary use in place.
- The ancillary uses are infrequent, low intensity compared to the primary use.

In summary, while the use contains activities which are not strictly categorised as a “dance studio”, they are considered subservient to the main use and would not be operating if the dominant use was not occurring. It is therefore acceptable that the site be utilised for ancillary activities which do not strictly fall within a “dance studio”.

Are the hours of operation appropriate?

The amendment proposes to increase the hours of operation on Sunday from 10:00am to 5:00pm to 9:00am to 10:00pm. The suitability of the increase in hours of operation can be considered with reference to potential amenity impacts such as noise emissions (amenity) and parking demand.

It is noted that the Environmental Protection Agency does not specify time restrictions for the operation of indoor entertainment venues. Instead, stricter noise limits apply during the night compared to the day and evening. The night period begins at 10pm on Sundays. The increase in hours to 10pm on a Sunday is therefore a reasonable and responsible proposition by the applicant.

Conditions on the permit which regulate noise will continue to operate and require noise emissions to remain under the BCA requirements. In addition, it is recommended that a new condition be included on the permit which requires the applicant to submit an Acoustic Report prepared by a suitably qualified acoustic engineer. Such a report must demonstrate how the use/development will comply the relevant EPA noise controls, and outline any measures considered necessary to achieve compliance with relevant EPA noise controls.

Parking availability on a Sunday in the industrial zone is higher than usual given the typical hours of operation for businesses. The increase in hours on a Sunday will not consequentially impact parking demand compared to any other (approved) day.

The increase in hours is therefore appropriate and reasonable if amenity impacts (e.g. of noise and parking) are sufficiently managed. The increase aligns with hours defined by the EPA as being within the evening period, as opposed to the more sensitive night time period and will not have a substantial or consequential impact in the amenity of the area.

Will the proposal result in negative amenity impacts?

The amendment includes a minor increase in hours of operation, as well as an increase in patron numbers. The key amenity impact is considered to be noise emissions and such disturbance arising from same.

Following the internal re-arrangements proposed as part of this permit, the additional patrons will primarily occupy the proposed Studio 3 located on the northernmost section of the site which is the furthest from the residential properties.

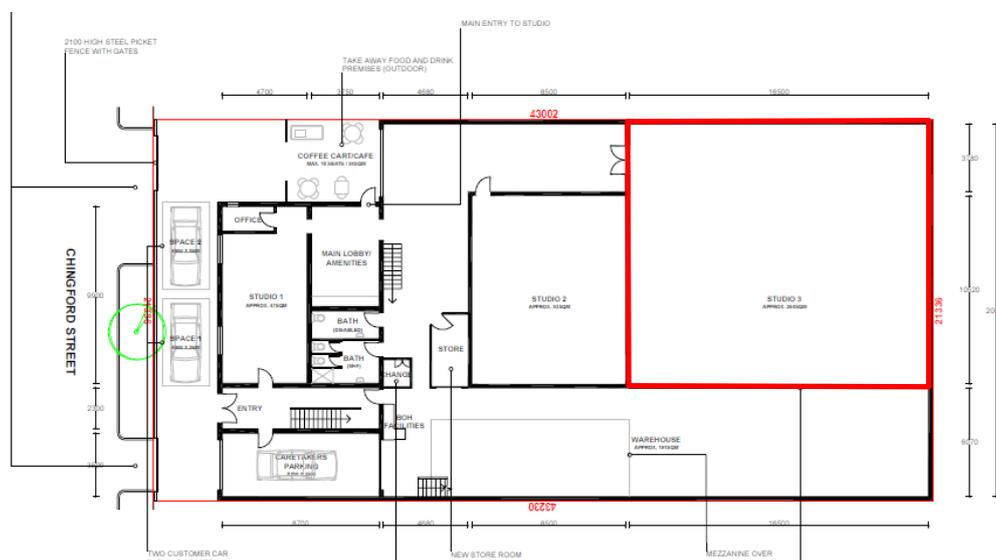


Figure 2 – Ground floor plan with new studio space outlined in red

Notwithstanding the location to the rear, the increase in patrons may result in an increase in overall noise emissions within the building and at the site. Existing conditions on the permit, Conditions 16 and 17, regulate noise requirements for the premises, specifically restricting noise which exceeds regulatory levels or imposes an unreasonable amenity impact. As discussed above, an additional measure proposed through this amendment application is to include the requirement for an acoustic report to be undertaken and submitted to Council for approval. Additional measures which may arise from such a report may include: the ongoing use of a sound limiter, additional acoustic attenuation within the building and/or management of patrons as they enter and exit the property. Any additional mitigation measures arising from the acoustic report will be incorporated into the approved documentation before the increased patronage can commence.

The proposal will result in acceptable amenity outcomes in this context.

Are the internal and external alterations acceptable?

The internal re-arrangements are minor and will not have a consequential impact outside of the site. The built form will primarily maintain the same envelope. No amendments to elements visible from the public realm are proposed. The increase in the studio space will accommodate the increase in patrons.

The terrace is completely separated from the indoor recreation facility and warehouse areas and is only accessible from the caretaker’s house. The terrace is setback from the street and within the roofline. The terrace is a minor addition which will contribute to the amenity of the caretaker’s residence. A condition will be included restricting the use of the terrace for use by residents of the caretaker’s residence only and that it must not to be used for commercial purposes.

The inclusion of a front fence is acceptable and typical for such sites in this zone. It is noted that the front fence is exempt from permit requirements and is not considered to be a substantial change.

6. POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

Nil

Other

Nil

7. FINANCIAL AND RESOURCE IMPLICATIONS

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

8. FUTURE ACTIONS

Nil

9. RELATED DOCUMENTS

- *Planning and Environment Act 1987*
- Darebin Planning Scheme

ATTACHMENTS

- Location Plan (**Appendix A**)
- Zoning Map (**Appendix B**)
- Development Plans and Report (**Appendix C**)
- Objector Map (**Appendix D**)
- Traffic and Parking Assessment (**Appendix E**)

10. DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.

Attachment 1 – 20 Chingford Street, Fairfield – D/1020/2016/A

Location Plan

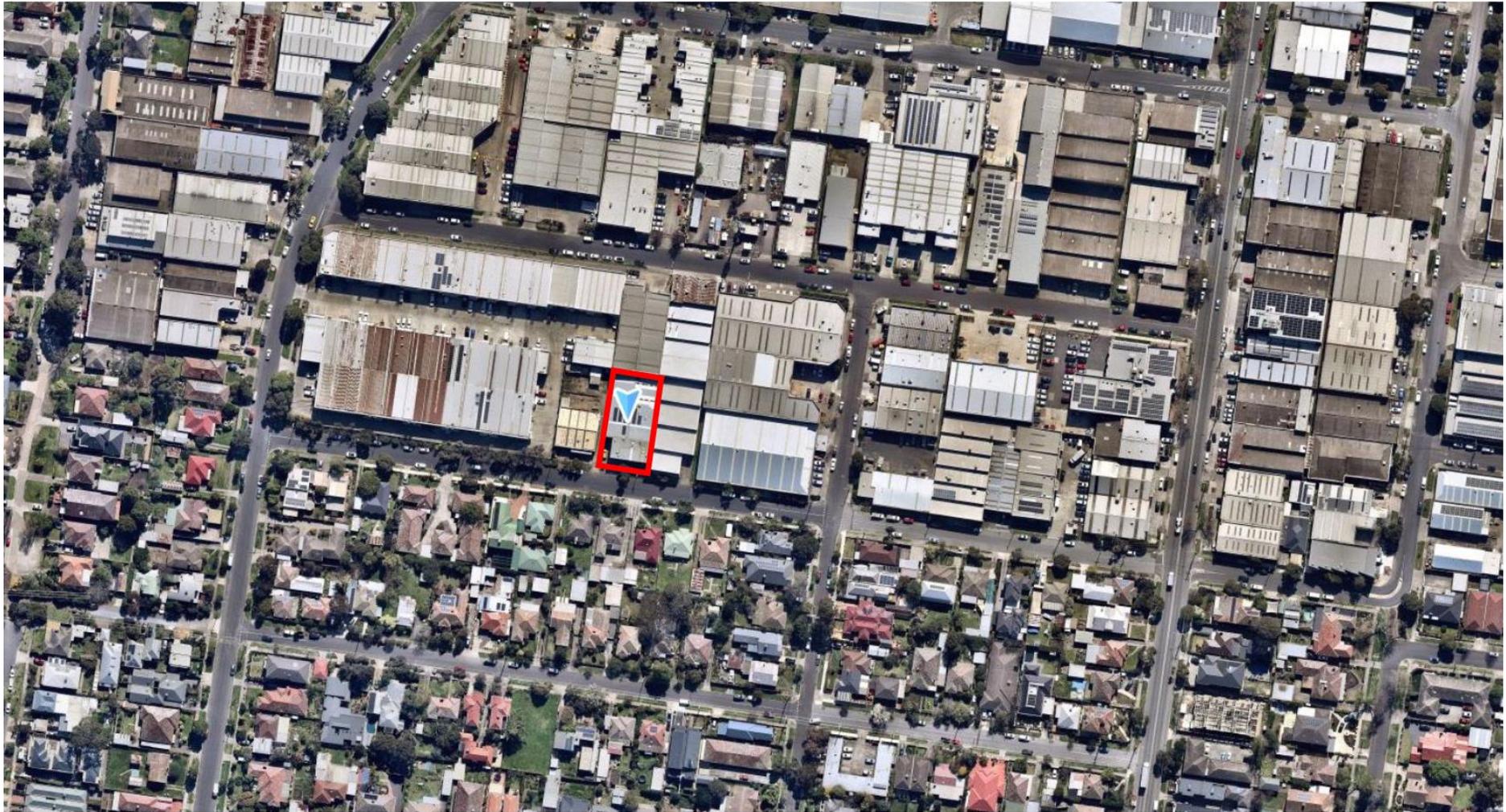


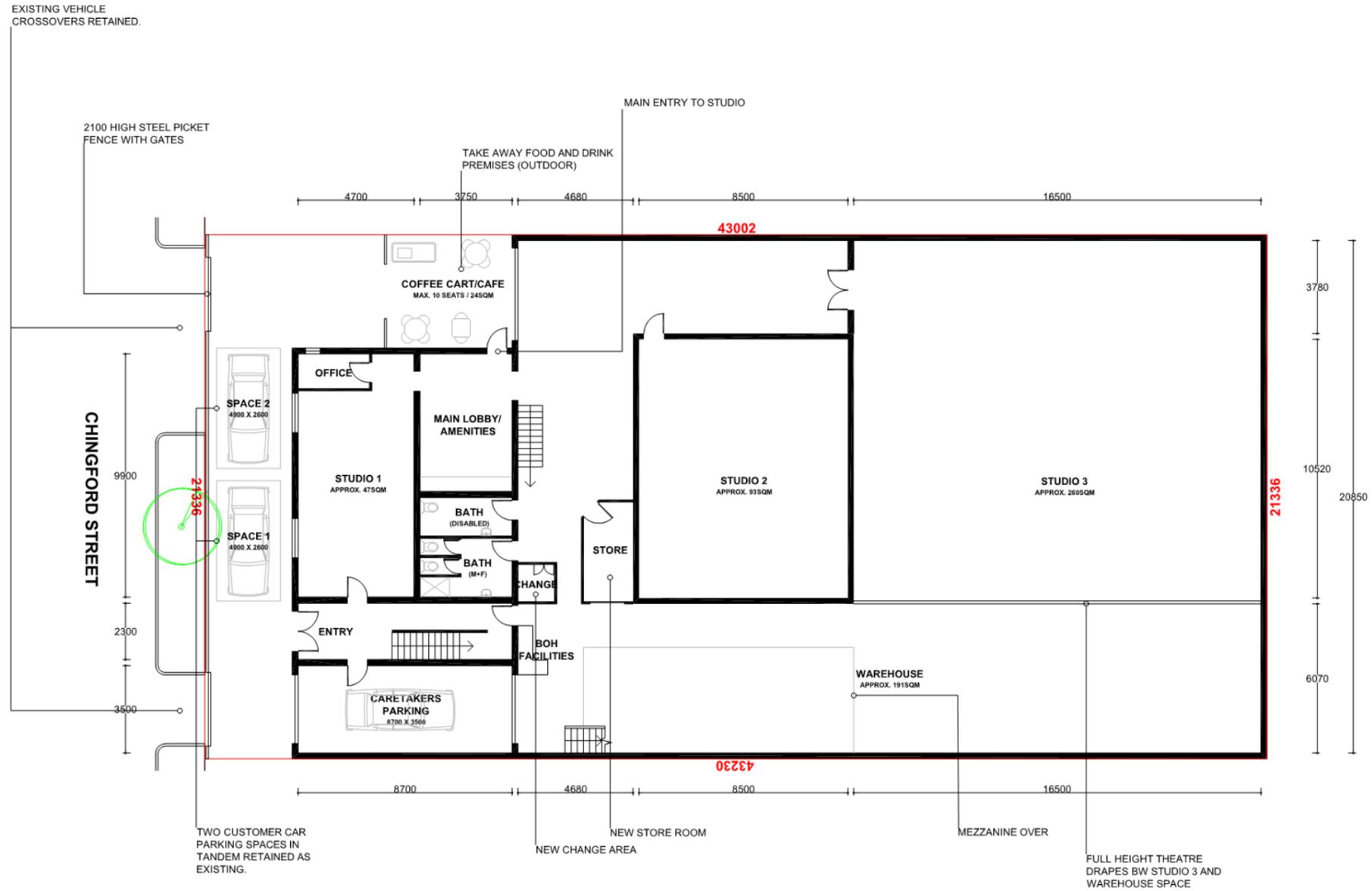
Figure 1 – Aerial view of subject site (Near Maps, September 2022)

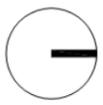
Attachment 2 – 20 Chingford Street, Fairfield – D/1020/2016/A

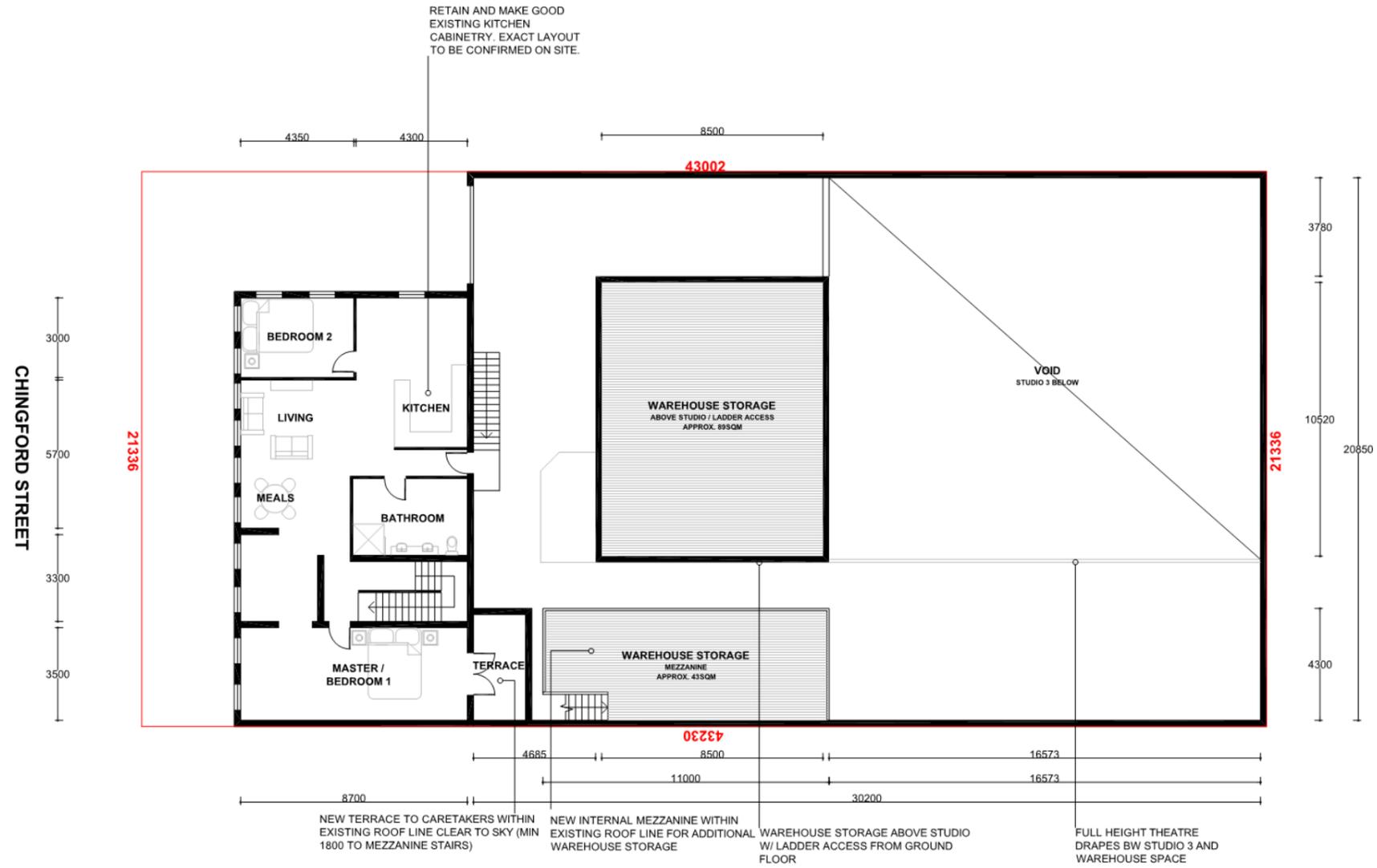
Zoning Map



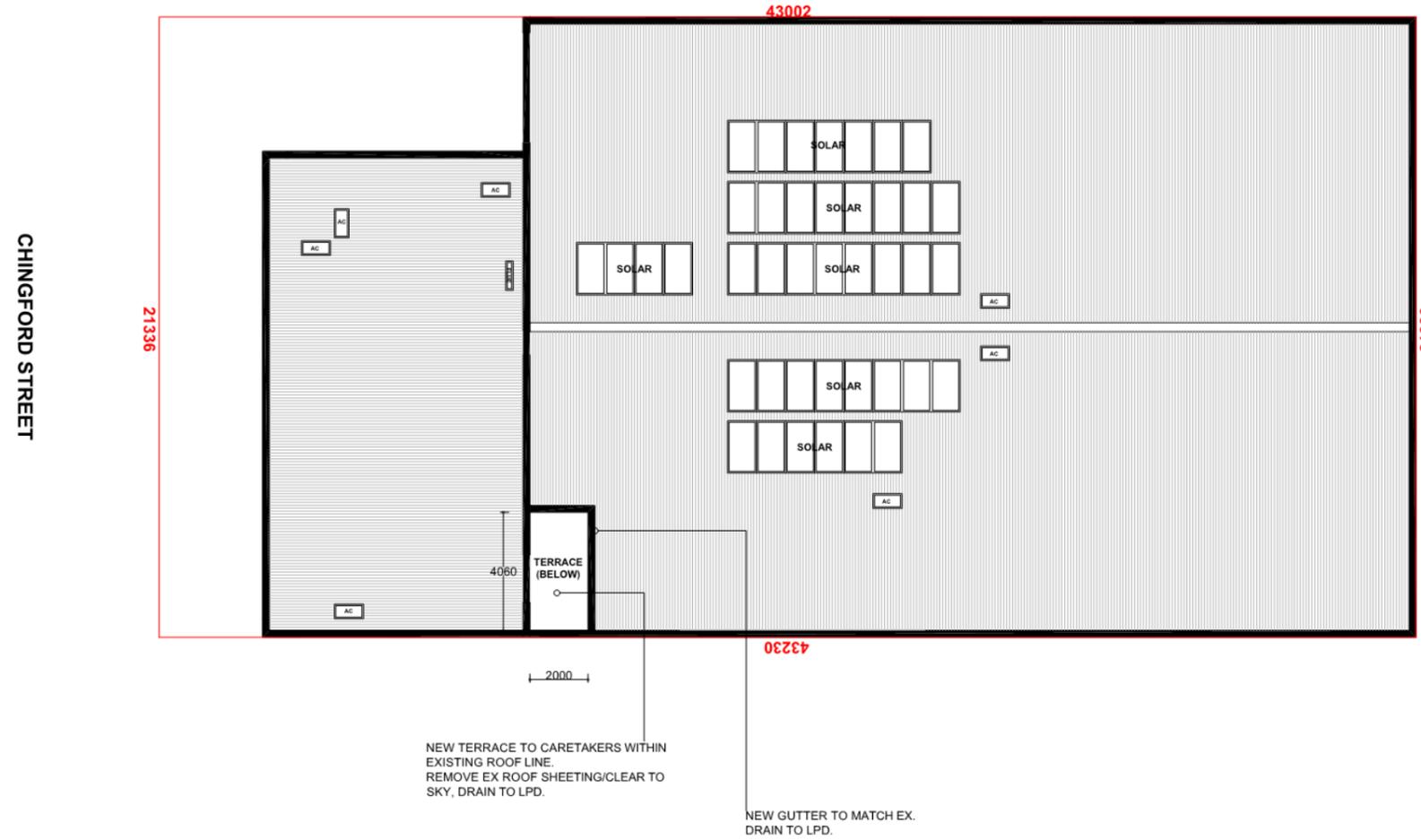
Figure 1 – Zoning Map of subject site (Intramaps, January 2023)



ADDRESS 20 CHINGFORD STREET, FAIRFIELD		SCALE 1:200 (@A3)	
PROJECT ELA ROSE STUDIO	PLAN PR. GROUND FLOOR	DWG NO. TP.01 (C)	



ADDRESS 20 CHINGFORD STREET, FAIRFIELD		SCALE 1:200 (@A3)	
PROJECT ELA ROSE STUDIO	PLAN PR. FIRST FLOOR	DWG NO. TP.02 (C)	



ADDRESS 20 CHINGFORD STREET, FAIRFIELD		SCALE 1:200 (@A3)	
PROJECT ELA ROSE STUDIO	PLAN PR. ROOF	DWG NO. TP.03 (C)	



Town Planning Report

20 Chingford Avenue, Fairfield

December 2021

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20 Chingford Avenue, Fairfield

1. Introduction

1.1. Summary

Ela Rose Latin Dance Academy Pty. Ltd. ('Applicant') seeks to amend Planning Permit D/1016/2016 ('Permit') issued by the Darebin City Council ('Council').

The Permit relates to the land at 20 Chingford Street, Fairfield ('Subject Site') and allows the use of the Subject Site for a Caretaker's House, Indoor Recreation Facility and Warehouse.

The amendments sought generally relate to a modest expansion of the use as a result of the successful operations of the studio in the intervening years. Some minor buildings and works within the existing building are also proposed.

1.2. Supporting Documentation

This report sets out and assesses the town planning merits of the application and is to be read in conjunction with the following materials:

→ Amended Ground and First Floor Plans (Rev. C).

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2. Site and Surrounds

2.1. Subject Site

The Subject Site is located on the northern side of Chingford Street between Perry Street (to the east) and Sparks Avenue (to the west).

Key characteristics of the Subject Site are:

- Generally rectangular in shape;
- Frontage of 21.33 metres to Chingford Street with a maximum depth of 43.23 metres;
- Total site area of 922 square metres;
- Occupied by a concrete industrial/warehouse-style building with a flat roof;
- The building contains a double storey component at the front and double-height single storey space to the rear. The ground floor comprises two studio spaces, kitchen area and warehousing. The first floor contains a Caretaker's House;
- Vehicle access is gained via a series of crossovers to Chingford Street which occupy a large proportion of the frontage;
- Car parking is provided within the front setback of the Subject Site and a garage on the eastern side of the building;
- An accessway and (unused) loading area is located on the western side of the building;
- There is no constructed footpath on the northern side of Chingford Street and a street tree is located within the small nature strip area; and
- The land is not encumbered by any easements nor burdened by any registered restrictive covenants.

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Figure 1. Aerial – Subject Site

2.2.

Surrounding Area

The Subject Site is located at the southern extent of the Fairfield Industrial Estate, at the interface of the residential area.

East

To the east of the site at 18 Chingford Street is a single storey brick warehouse building. This building is constructed to the front property boundary and vehicle access is gained via a vehicle crossover on the eastern side of the property.

South

To the south of the site (across Chingford Street) are a series of single storey detached dwellings, with interspersed examples of modest medium density in-fill development. These properties are located in the General Residential Zone – Schedule 1.

West

To the west of the site at 22 Chingford Street is a single storey brick warehouse / office building. The building is setback from the front property boundary to provide informal car parking with access gained via two (2) separate vehicle crossovers to Chingford Street.

North

To the north of the site at 9 Montefiore Street is a single storey concrete warehouse building. The building is constructed to the rear boundary which abuts the rear of the building on the subject site.

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Broader Area

The immediate area presents a juxtaposition of industrial properties on the northern side of Chingford Street and residential properties to the south. Indeed, the subject site forms the immediate interface between the two zones.

The industrial component of the area is both active and functional with a range of both light industrial uses and 'intermittent' or transitional uses (e.g. personal training studios and the like) between.

The residential area is relatively intact with only modest in-fill development seen. This, and the areas somewhat distant location from shop and public transport is consistent with the General Residential Zone – Schedule 1 that applies to the land.

2.3. Locational Context

The Subject Site is located at the southern periphery of the Fairfield Industrial Precinct. The Darebin Economic Land Use Strategy (2014) identifies the precinct as a core industrial area within the Darebin municipality and provides the following description:

The Fairfield Core Industrial Area comprises 35.16 hectares of industrial land in the Industrial 3 Zone. The 2012 Census of Land and Employment recorded employment within the area of 2,055 persons of which 900 are engaged in manufacturing and 474 in wholesale trade.

The Fairfield Core Industrial Area presents as a compact and relatively vibrant industrial precinct with a strong focus on wholesale and retail trade enterprises particularly along Grange Road and Darebin Road.

Locationally, it is the industrial area that enjoys closest proximity to the Melbourne CBD and its environs and is also well positioned to provide services to a relatively affluent area both within Darebin and further afield. As already noted, the presence of 'direct to the public' retail establishments operating as wholesale trade facilities appears to be particularly prominent in the Fairfield Core Industrial Area.

While there is the potential for interface issues with neighbouring residential areas, both industrial and residential uses are well established. The current Industrial 3 Zone is reflective of current land uses. Given the well-established nature of the precinct no zoning changes are contemplated and the areas ongoing use as a core industrial area within Darebin is supported.

The existing zoning structure of the precinct is consistent with both the prevailing and future use and development pattern.

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3. Statutory Planning Framework

3.1. Planning Policy Framework

The following provisions of the Planning Policy Framework are relevant to the application:

- Clause 17: Economic Development;
- Clause 21.01: Introduction;
- Clause 21.04: Economic Development; and
- Clause 22.04: Industrial and Commercial Activity.

Clause 17 provides State level guidance for use and development which contributes to economic growth and prosperity. The purpose of the provision states:

Planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity.

Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.

Clause 21.01 states the following with respect to the economic structural shift within the Darebin municipality (extracted as relevant):

Darebin's economy is transitioning from a 'traditional' labour intensive manufacturing industrial base to a more mixed economy, with growth in modern retail and services sectors.

Local employment in manufacturing and other traditional industries is being replaced by jobs in retail and services. The departure or scaling down of traditional industrial (due to factors such as high land costs, preference for smaller premises and conflicts with sensitive uses such as housing) has created pockets of vacant underutilised industrial land across the City.

Growth in 'lifestyle' businesses, particularly in hospitality, arts and entertainment, in activity centres and retail strips reflect the socio-economic uplift of Darebin's neighbourhoods.

Clause 21.04-2 continues by providing the following Strategies (as relevant) for the core industrial precincts within Darebin:

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Manage interfaces with surrounding residential neighbourhoods to provide adequate protection to the industrial and commercial activities.

Encourage land uses that diversify local employment opportunities in core and secondary industrial areas. Encourage the ongoing development of Darebin’s service industry sector.

Ensure caretakers’ dwellings in industrial zones are properly planned and appropriately located for their supervisory role to associated industrial or commercial activity.

Ensure they are not developed for general residential purposes, and are sized and proportioned to clearly demonstrate they are a secondary activity to the primary commercial or industrial land use.

The Darebin Economic Land Use Strategy (2014) is a Reference Document to Clause 21.04-2 and provides the following Strategy with respect to the established industrial precincts:

To encourage the transition of non-viable single use industrial sites and small industrial clusters to alternative uses. Where appropriate alternative uses should include other forms of economic activity.

Clause 22.04 provides policy guidance for industrial and commercial activity within the Darebin municipality. It sets out the following objectives:

To ensure a high standard of urban design is achieved to improve the visual character, functioning and layout in industrial and commercial areas.

To require the provision of suitable landscaping to improve the appearance of industrial and commercial areas.

To minimise the impact on the amenity of surrounding residential areas from traffic, noise and emissions resulting from industrial land uses.

To reduce and minimise conflict between industrial and non-industrial land uses.

Much of the policy relates to the construction of buildings and works however some of the objectives are applicable to the use of land. These matters are set out in the assessment at Section 5 of this report.

3.2.

Zone

The Subject Site is located within the Industrial 3 Zone ('IN3Z') which relevantly seeks the following purpose:

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To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

The relevant land use table is set out at sub-clause 1 of the IN3Z.

The relevant decision guidelines relating to the use of land are set out at sub-clause 2 of the IN3Z.

The relevant decision guidelines relating to the construction of buildings and work are set out at sub-clause 4 of the IN3Z.



Figure 2. Zoning Map

3.3.

Overlay(s)

The Development Contributions Plan Overlay is the only Overlay that applies to the Subject Site.

It is understood that the relevant contributions plan referred to by the overlay has expired.

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3.4. Particular Provision(s)

The following Particular Provisions are relevant to the application:

→ Clause 52.06: Car Parking

3.5. General Provision(s)

The following General Provisions are relevant to the application:

→ Clause 65: Decision Guidelines

4. Proposal

4.1. Proposed Amendments

The key features of the amendments sought are:

- Amendment of the permit preamble to include reference to the construction of buildings and works in reference to the internal reconfiguration of the building which increases the gross floor area (refer below);
- Amendment of Condition 8 to increase of the maximum number of patrons on the premises to 60 (9.00am-5.00pm) and 100 (5.00pm-10.00pm);
- Internal reconfiguration of the ground floor of the building to provide for a third studio space at the rear;
- Internal buildings and works to allow for reconfiguration of the warehousing space (including a mezzanine). The total floor area dedicated to warehousing will be 323 square metres in lieu of 345 square metres;
- Construction of a terrace area to the Caretaker's House contained within the existing roof line;
- Construction of a fence (no permit required);
- Deletion of the loading bay area on the western side of the property;
- Introduction of a Take-Away Food Premises totalling 24 square metres (no permit required); and
- A variety of "housekeeping" amendments and corrections to the structure of the permit.

Each of these matters are discussed in section 5 of this report.

4.2. Planning Scheme Requirements

The following provisions of the Scheme are relevant to the amendments sought:

- Clause 33.01-1: Use of the land for a Caretaker's House, Indoor Recreation Centre and Warehouse (modification of existing approved uses);
- Clause 33.03-4: Construction of a building or the construction or carrying out of works (internal reconfiguration).

There is no increase to the statutory demand of car parking associated with the amendments; rather car parking is to be provided solely to the satisfaction of the responsible authority. Car parking matters are discussed in section 5 of this report.

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5. Assessment

The Applicant has successfully operated the Subject Site as a performing arts studio space with associated warehousing and caretaker's house since the permit was granted in 2017. Save for interruptions throughout 2020/1 due to Covid-19 restrictions, the studio has proved highly popular and integrated without issue into the surrounding area.

The amendments sought seek to capitalise on opportunities that have become apparent across the studio's offering to the community and implement a series of refinements to the operations.

The existing approval and operation of the studio is highly relevant. The grant of the permit confers that the Council is entirely comfortable with the strategic support for such a use in this location, compliance with local policy requirements and the appropriateness of the use operating at the residential interface. The considerations therefore are confined to the amendments sought which, in general terms, go to the scale/intensity of the use.

The planning merits of the various amendments sought are set out below.

5.1. Patron Numbers (Indoor Recreation Facility)

The application seeks an increase to the maximum number of patrons permitted on the land at any one time in relation to the Indoor Recreation Facility as follows:

- Not more than 60 patrons between 9.00am – 5.00pm (Monday – Sunday); and
- Not more than 100 patrons between 5.00pm – 10.00pm (Monday – Sunday).

The increased capacity of the facility is a direct result of the internal rearrangement of the building (described in Section 5.3 below) which facilitates a third studio space within the existing building.

As noted above, many of the considerations called up by the IN3Z regarding the land use are not relevant to the current application. The land uses have been approved – crystallised by the existing permit which the Applicant is already operating under. The question for the current application is solely one of scale and intensity.

To this end, the following is provided in support of the increased patron numbers:

- The application quite deliberately seeks a nominal increase of 10 patrons during core business hours to

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avoid any adverse impact on the ongoing operation and viability of nearby industrial uses;

- The larger patron increase, albeit still modest in the context of the overall site, only occurs after 5pm when industrial activity in the area has generally ceased;
- The additional patron numbers are a direct product of the additional studio space which has been created by the internal rearrangement of the building. The new studio space is located at the rear of the existing building adjacent to other industrial properties rather than at the front of the properties at the residential interface;
- The increased patronage does not introduce any new activities or operations to the land. Accordingly, many of the amenity impacts identified in the IN3Z do not, and will not occur. The additional patrons will not result in additional loading requirements, not impose an unreasonably load on services and utilities in the area;
- With respect to noise, the measures and construction techniques used and accepted by Council in Studio 2 will be employed for the new studio, and amenity impacts will be regulated by the existing conditions of the permit;
- Car parking matters attributed to the additional patrons will be acceptable and are discussed in Section 5.6 below.

On the basis of the above, the additional patrons sought by the amendment is modest, responds to and respects the core industrial function of the area and will not unreasonably impact the amenity of the surrounding area including the residential properties opposite.

5.2.

Layout Reconfiguration

The application seeks to do a variety of internal layout changes to the existing building. In summary these are:

- Construction of a new internal mezzanine level on the eastern side of the building;
- Construction of a new warehouse storage space on the roof of the approved Studio 2 area;
- Construction of a series of additional storage room partitions;
- Construction of a new studio space at the rear of the building (Studio 3);
- Construction of a terrace to the existing Caretaker's House;
- Construction of a front fence; and

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- Modifications to existing amenities and the like to comply with the relevant building legislation.

Mezzanine and New Studio

Council will be aware that Clause 62.02 of the Scheme exempts internal rearrangement of a building which (inter alia.) does not increase the gross floor area does not require a permit. Accordingly, the only buildings and works under this amendment application which require approval are the mezzanine level and the warehouse storage above Studio 2.

As illustrated on the proposed amended plans, the buildings and works proposed are contained entirely within the existing structure. The double height former warehouse space means that the mezzanine and area above Studio 2 can accommodate the additional floor area proposed within the existing floor-to-ceiling height. Accordingly, the internal rearrangement will be entirely indiscernible to the public realm and adjoining properties. It follows that this additional floor area, while requiring a permit is entirely acceptable when having regard to the guidance provided by Clause 22.04 and Clause 33.03-4 of the Scheme.

With respect to the new Warehouse floor area, the existing approval was granted on the basis of 345 square metres of gross floor area. This included area which was 'surplus to need' as it also comprised space which was remaining after the then two (2) studios and Caretaker's House were provided for.

The space to be provided above Studio 2 is, in many respects existing by virtue that the studio has a constructed roof and the extent of framing and materials required for acoustic purposes has meant it is structurally sound above so as to be used for storage purposes.

Under the current amendment, the Warehouse floor area will be 323 square metres. The Warehouse component will continue to be used in an identical manner to what was proposed and approved in the original application. For completeness, these are extracted as relevant below (noting they also relate to the Caretaker's House):

The Warehouse is linked to the other proposed uses of the site whereby it will be used for the storage of props, costumes and staging equipment. These items are used both in dance classes provided by the Indoor Recreation Facility, and for live performances/shows which occur at various off-site venues...

[...]

The Warehouse does not generate any additional staffing demand being managed and operated by the Director of Ela Rose Latin Dance Academy;

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The location of the amended Warehouse floor space will continue to have direct internal access to the proposed loading area on the eastern side of the building.

The new Studio 3 space will utilise the area at the rear of the building that was previously used for Warehousing (albeit in practice was only partially used). The new studio space will be setup in a similar manner to the other studios with similar materials and acoustic treatments to be employed.

Terrace

It is proposed to construct a new terrace space on the northern side of the first floor Caretaker's House providing an outdoor secluded private open space offering not currently existing for the occupants.

The northern extent of the first floor Caretaker's House abuts the double height clear span warehouse space. Accordingly, the new terrace area will sit within the existing roof space and the only external change required to the building is the removal of existing roof sheeting to provide a clear to sky area.

Given the area will be flanked by existing walls on all sides and invisible to any adjacent site or the public realm, it is submitted that the inclusion of a new terrace space will improve the amenity of the existing Caretaker's House with no off-site impacts.

Fence

A new front fence is proposed to be constructed along the street alignment. The fence is exempt from requiring a permit by operation of Clause 62.02-2, thus us to be shown on the revised plans solely for completeness.

The fence will be of a typical industrial style being transparent black steel pickets to the height of 2.1 metres as can be seen in other parts of the estate, including further west of the subject site.

5.3.

Loading Bay

The loading bay area shown on the endorsed plans to the western side of the property is to be deleted.

The Council will be aware that the particular provision formerly at Clause 52.07 of the Scheme which required this loading bay in the form that it is shown was removed by gazettal of Amendment VC148.

In practice, this loading bay was rarely used and rather formed the main patron entry to the two studio spaces.

While loading remains a consideration under the more general guidance of Clause 65, the Council will take comfort that the Applicant undertakes loading/unloading within the garage and

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adjacent uncovered area on the eastern side of the property. The Applicant resides on the Subject Site within the approved Caretaker's house, and given this garage area connects to the warehousing space within the building, loading/unloading occurs with a B99 vehicle within this space.

Given the removal of the statutory requirement for a loading bay on the Subject Site and the availability of a suitable loading area in any event, this aspect of the amendment ought to be uncontroversial.

5.4.**Take Away Food Premises**

As a result of removing the redundant loading bay from the endorsed plans, there is now an opportunity to introduce a modest Take Away Food Premises on the western side of the property utilising the existing ground floor kitchen space and nominal adjacent outdoor area.

In practice this space will comprise a basic kitchen configuration, coffee machine and nominal patron area. While not exclusively, primarily this will service patrons of the studio before or after classes where organic conversations and catch-ups can occur. While some mingling is likely to occur, food and drinks will be deliberately prepared for consumption 'on the go'.

Critically, this component of the studio will conform with the land use definition within Clause 73.03 of the Scheme, and is an as of right use in the IN3Z. Any seating offered will not exceed 10, and the modest area of 24 square metres means no statutory car parking requirement is generated (refer to section 5.6 below).

Given no permission is required for this aspect of the amendment under the provisions of the Scheme, it simply represents an amendment to the endorsed plans rather than one requiring forensic assessment on the merits.

5.5.**Car Parking**

The amendments sought in this application call for a reconsideration of the car parking demand. The statutory demand generated by the various uses is outlined in the table below.

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Use	Rate	Area / No.	Required
Indoor Recreation Facility	N/A – required to Council satisfaction (see below).		
Warehouse	2 spaces, plus 1.5 spaces per 100 square metres	323 square metres	6 spaces
Caretaker’s House	1 space to each one or two-bedroom dwelling; 2 spaces to each three or more bedroom dwelling	2-bedrooms	1 space
Take Away Food Premises	4 spaces per 100 square metres	24 square metres	0 spaces
Total			7 spaces

Figure 3. Car Parking Demand Table

The reconfiguration of the Warehouse area within the building has resulted in net reduction of the statutory car parking demand to 6 spaces in lieu of 7 spaces. While this benefit is gained having regard to the provisions of the Scheme, in practice there is no change to the parking demand which was and will continue to be one vehicle. That is, all of the loading/unloading operations for the Warehouse is undertaken on site by the Applicant who occupies the first floor Caretaker’s House. Accordingly, the demand generated by the Warehouse floor area is, and will continue to be significantly lower than the statutory calculation.

For completeness, we confirm that there is no change to the Caretaker’s House configuration, thus the statutory car parking demand remains the same as originally assessed.

The introduction of a modest Take Away Food Premises totalling 24 square metres will not generate any statutory car parking requirement. Pursuant to Clause 52.06-5, the floor area used for the premises equates to 0.96 spaces, thus rounds down to zero spaces. This also coincides with a common-sense assessment of how the premises will operate, being geared primarily to patrons of the Indoor Recreation Facility.

Turning to the additional patrons of the Indoor Recreation Centre, as noted in the original application no statutory car parking rate is provided in the Scheme, thus pursuant to Clause 52.06-5A it is to be provided to the satisfaction of the responsible authority.

There are in turn two considerations:

- The additional 10 patrons during business hours (total of 60); and
- The additional 50 patrons during evening hours (total of 100).

In support of each increase sought, the following is provided:

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- The existing allowance of 50 patrons was offered up in the original application rather than a limit imposed by Council. This coincided with the two (2) studio spaces proposed at the time; however as detailed above there is a key change of circumstances whereby a third studio space is available;
- The site historically operated with a significant shortfall of car parking (13 spaces) when it was used for the warehousing of timber flooring products. This shortfall was easily accommodated within the local on-street supply as acknowledged in the officer's report;
- The additional 10 patrons during business hours will result in an indiscernible increase of car parking demand. The modest increase during business hours is a conscious decision of the Applicant given the typical operations of the broader industrial area extending to the north when car parking is more often used. Such a modest increase during this period still allows for a reasonable sharing of public spaces;
- The more significant increase of patrons is to occur after 5pm when, as noted above, nearby industrial uses have typically ceased. Car parking supply in the area (particularly along Chingford Street, Sparks Avenue and Perry Street) is markedly reduced whereby any additional patrons demand from the Subject Site can be easily accommodated;
- The Subject Site is located at the periphery of the industrial precinct with a direct residential interface across the road. While challenging from an amenity perspective, this allows for a greater harnessing of the local community who can walk or ride to the Subject Site. A high proportion of the existing patrons already live in the Fairfield/Alphington area;
- The public transport offering in the area is relatively good and this was acknowledged in the original officer's report which assessed the application; and
- Given the Subject Site contains an existing building, the provision of car parking on the land is largely fixed. It would be inappropriate and inefficient to require further parking to be provided on site.

On the basis of the above, the increased patrons numbers sought for the Indoor Recreation Facility are modest and can comfortably be accommodated in the surrounding area. This is particularly the case when assessed in the staged/staggered manner proposed.

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5.6.

Permit Preamble/Conditions

Consistent with the above assessment, the changes proposed to the Permit are detailed below. We note that these amendments include a series of housekeeping/correction type changes where errors or inconsistencies have been identified.

The Permit preamble is to be amended to read:

Use of the land as a Caretaker's house, Indoor Recreation Facility and Warehouse, and the construction of buildings and works (internal rearrangement / mezzanine) in accordance with the endorsed plans.

Condition 1 is to be amended to reference the amended plans submitted with this application as follows:

The plans to be endorsed and which will then form part of the Permit are those submitted with the amendment application (identified as Drawing Nos. TP.01(C) and TP.02(C) dated August 2021).

Condition 9 is to be amended to read:

The maximum number of patrons (associated with the Indoor Recreation Facility) on the premises at any one time must not exceed:

- a) 9.00am – 5.00pm (Monday – Sunday): 60; and
- b) 5.00pm – 10.00pm (Monday – Sunday): 100.

The Permit issued date should also be corrected to be 21 April 2017 (in lieu of 2014).

6.**Conclusion**

Having regard to the above, the proposed amendments to the Permit:

- Continues to be aligned with the strategic intent of the area and relevant local polies as originally assessed;
- Represent a modest increase to the scale and intensity of the existing use which provides a valuable offering to the broader Darebin community;
- Any off-site amenity impacts can and will be managed in the way they are for the existing use which are already enshrined in the conditions of the Permit;
- Any additional car parking demand can be easily accommodated in the surrounding area; and
- Will make more efficient use of the site through internal rearrangement of the building, removal of on-site services no longer required and align the operating hours with what occurs on the ground.

It follows that the amendments sought should be approved.

Attachment 4 – 20 Chingford Street, Fairfield – D/1020/2016/A

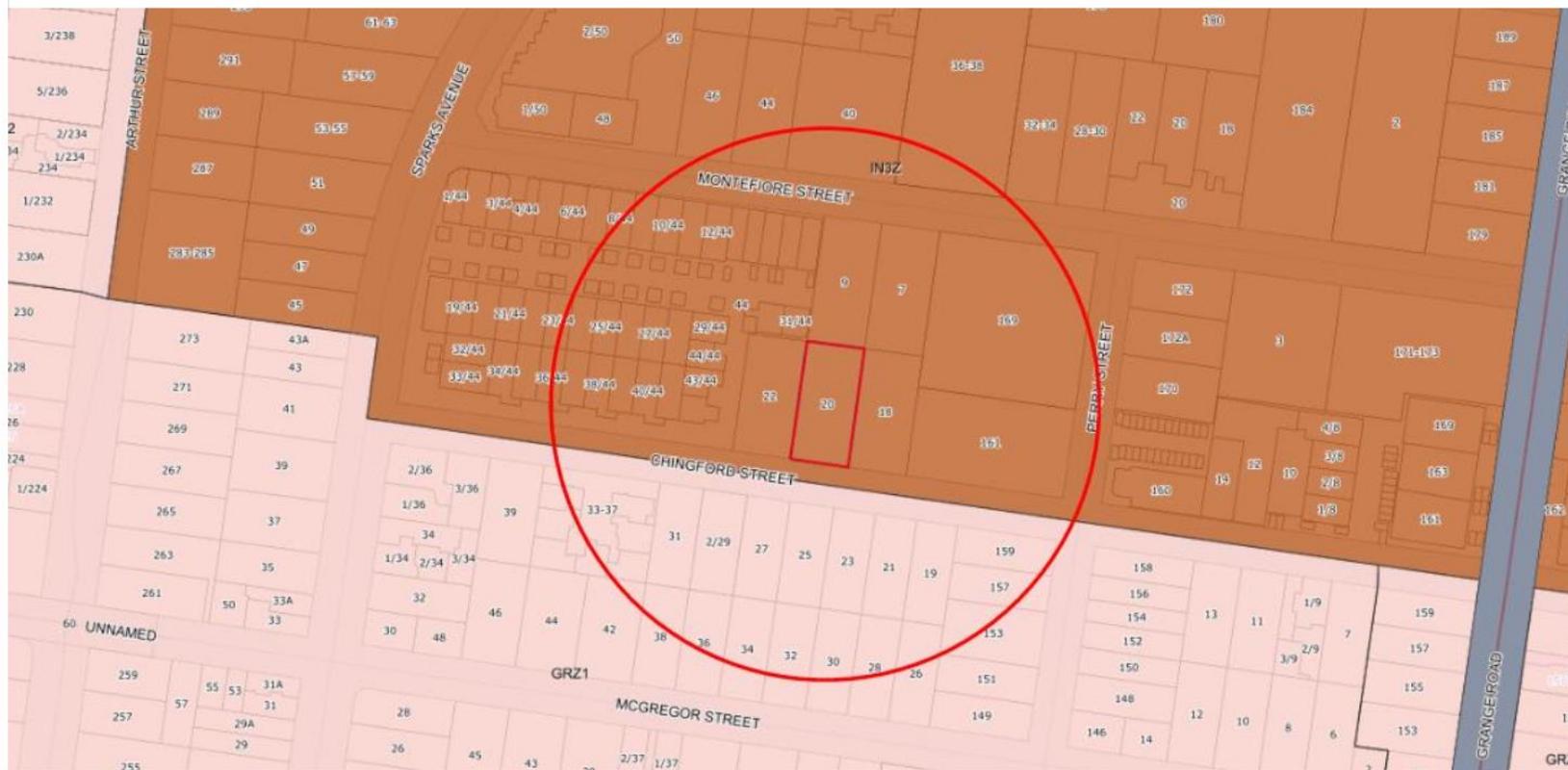
Objector Map

Objector Map – 20 Chingford Street, Fairfield

Seven (7) total objections.

Six (6) objections received within 100 metres of the subject site (demonstrated by red circle)

One (1) objection received outside of 100 metre radius.





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Traffic

Creativity in Transport Engineering

20 Chingford Street, Fairfield Traffic and Parking Assessment



Prepared for Ela Rose Studios

14 September 2022

Reference J129O187/722

20 Chingford Street, Fairfield

Traffic and Parking Assessment

REVISION HISTORY

REVISION NO.	DATE	PREPARED BY	REVIEWED BY	APPROVED FOR ISSUE BY
1.0	14/09/2022	Sachini H.	Dane W.	Dane W.

REDSQUARE TRAFFIC

PLATFORM	CONTACT DETAILS
Website	http://www.redsquaretraffic.com.au
Telephone	03 7036 6734 0437 644 054
Email	mail@redsquaretraffic.com.au
LinkedIn	https://www.linkedin.com/company/redsquare-traffic
Facebook	http://www.facebook.com/RedSquareTraffic
Instagram	http://www.instagram.com/redsquaretraffic
Twitter	http://www.twitter.com/redsquaretr
Blog	https://www.redsquaretraffic.com.au/redsquareblog
ABN	70 656 924 757
ACN	656 924 757

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CLIENT	DATE ISSUED
Ela Rose Studios	14 September 2022
Emilio Ela Rose	14 September 2022

The information presented in this document shall remain the property of: **Ela Rose Studios** only.

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mail@redsquaretraffic.com.au

03 7036 6734 | Suite 36/11, Wilson Street, South Yarra

www.redsquaretraffic.com.au



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1 INTRODUCTION

RedSquare Traffic has been engaged by [Ela Rose Studios](#) to provide traffic engineering consulting services in relation to the proposed increase of patron numbers of *Ela Rose Studios* (Dance Studio – Indoor Recreation Centre) located at *20 Chingford Street, Fairfield* ('Subject Site', 'Site').



FIGURE 1: SUBJECT SITE

This report addresses car parking related matters as well as:

- A summary of objections received by nearby residents;
- A summary of issues & concerns raised by Transport Department of Darebin City Council;
- Details of existing uses within the surrounding area;
- Details of car parking provisions in front of the site and surrounding areas;
- An assessment against the requirements of Clause 52.06 of the Planning Scheme;



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- Parking surveys to determine on-street car parking availability;
- A traffic impact assessment to analyse impacts on surrounding road network;
- Empirical evidence assessment; and
- A list of mitigation measures required to resolve traffic and parking matters.

1.1 REFERENCES

The following documents have been reviewed and referred to in this report:

- City of Darebin Planning Scheme – Clause 52.06 (Parking).

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2 EXISTING CONDITIONS

2.1 SUBJECT SITE

The Subject Site is located at 20 Chingford Street, Fairfield an area under the jurisdiction of City of Darebin. The Site is positioned on the northern side of Chingford Street between Sparks Avenue and Perry Street as demonstrated below.



FIGURE 2: AERIAL VIEW OF SUBJECT SITE

The property is placed within an *Industrial 3 Zone (IN3Z)* and is surrounded by further properties in the same *Industrial 3 Zone (IN3Z)* and residential properties of a *General Residential Zone (GRZ1)* to the south of it. No parking overlays are applicable to this land.





FIGURE 3: PLANNING SCHEME ZONES

The Subject Site forms part of a stretch of industrial properties found in this block between Sparks Avenue and Perry Street.

It is noted with importance, a collection of residential properties are located to the immediate south of these industrial properties, and the boundary between Industrial and Residential zones is found along Chingford Street (Figure 3).

As per the planning zones, the eastbound kerbside parking stretch *belongs* to the Industrial 3 Zone while the westbound kerbside parking stretch *belongs* to the General Residential Zone (GRZ1).

Minimal car parking management solutions such as permit zone systems, time restrictions were observed in this critical Industrial/Residential boundary.

The existing building on the site collectively has a floor area of approximately 808m² and also has provisions for 3 cars to park on site.

Figure 4 shows the location of the Subject Site within the wider road network.





FIGURE 4: SITE CONTEXT PLAN

2.2 ROAD NETWORK

Chingford Street is a municipal road (City of Darebin) which is oriented in an east-west alignment with an approximate trafficable width of 9m that accommodates bi-directional vehicular movements. No linemarking is available on this road but permits unrestricted kerbside parking on both sides of the road.

A default speed limit of 50km/h applies to Chingford Street. Figure 5 shows the typical configuration of Chingford Street near the Subject Site.



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FIGURE 5: CHINGFORD STREET

Presented below is an image of Chingford Street and its typical kerbside car parking areas.

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FIGURE 6: KERBSIDE PARKING OF CHINGFORD STREET

2.3 PARKING PROVISIONS

As specified above, multiple kerbside parking spaces are available on Chingford Street and surrounding streets within the *Industrial 3 Zone*. Within just a 200m radius of the Subject Site, a total of 52 car parking provisions were found to be available for the use of public associated with the *Industrial 3 Zone*.

SPECIAL NOTE: REDSQUARE HAVE DELIBERATELY AVOIDED THE AREAS THAT BELONG TO THE GENERAL RESIDENTIAL ZONE (GR1Z) IN THE PARKING SURVEYS.





FIGURE 7: NEARBY PARKING PROVISIONS

These 52 car spaces were subjected to RedSquare’s car parking surveys on two typical weekdays, 9 August 2022 and 10 August 2022. On the basis of the general themes of the concerns and objections raised by Darebin City Council and nearby residents, the parking surveys were conducted after 12 noon until 10:00pm.

Detailed results sheets of these car parking surveys are presented in Appendix A. A summary of the results is provided below.



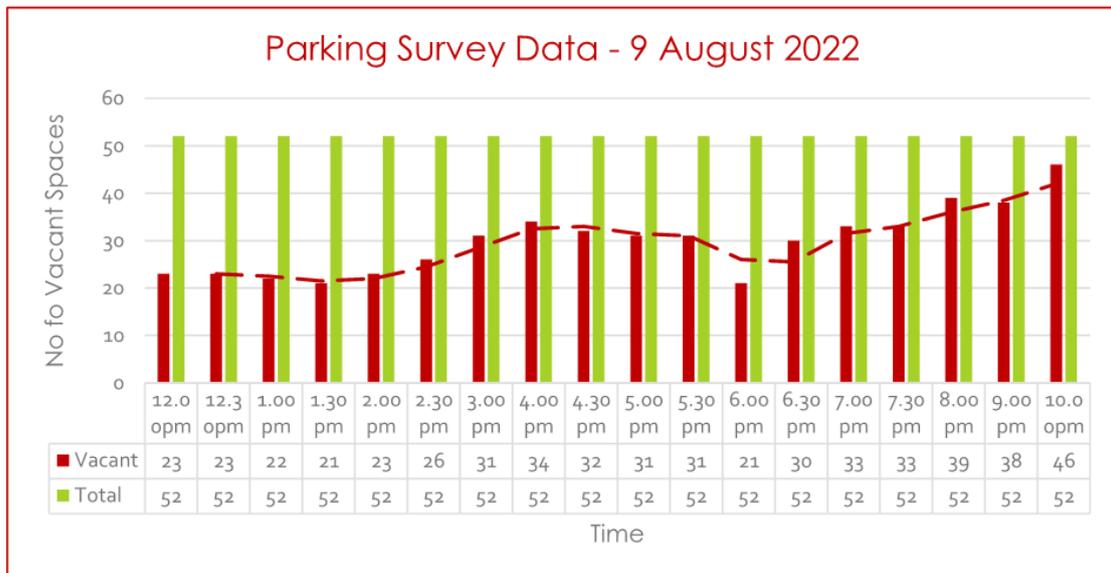


FIGURE 8: PARKING SURVEY DATA (9 AUGUST 2022)

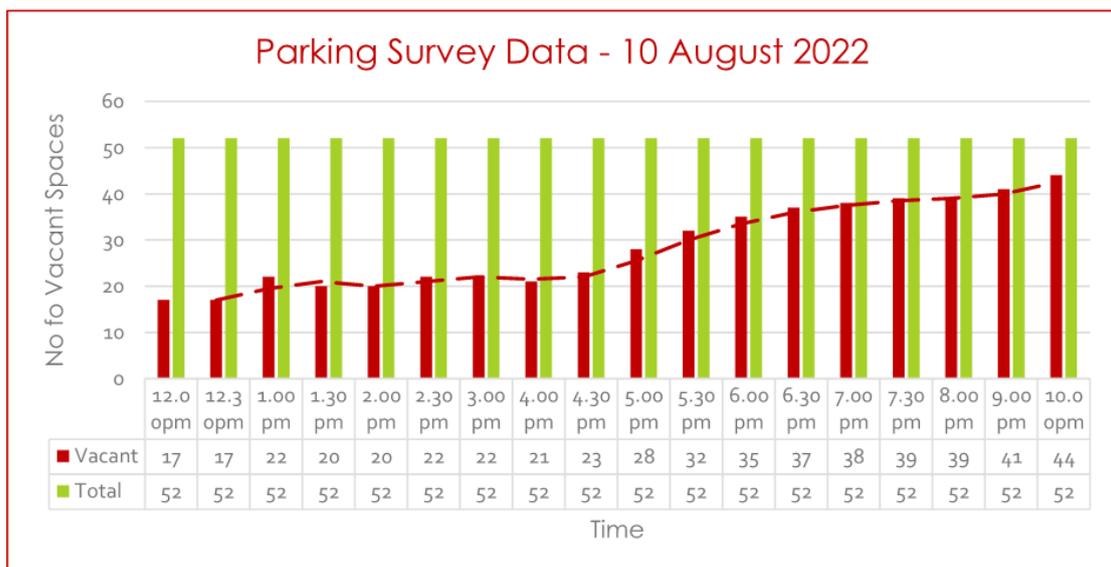


FIGURE 9: PARKING SURVEY DATA (10 AUGUST 2022)



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These parking surveys were conducted to cover the time periods that align with the proposed patronage increase and the times that residents thought the major concerns would be expected at.

The period between 9:00am to 12noon was *not* covered by the surveys. The proposed patronage increase during this period is 10 patrons (*same as what is proposed until 5pm*) which is understood to be generally supported by all parties including Darebin City Council.

Following important information was gathered from the surveys:

- At least 17 spaces were observed to be vacant at any given time during the surveyed period.
- There is a general rising trend in the number of vacant spaces after 5pm, which is generally when the parking demands of the Industrial Zone are expected to reduce.
- Although there were times with as low as 17 vacant spaces, after 5:00pm, at least 21 spaces were observed to be vacant.

SPECIAL NOTE: It is also noted with importance, images captured during the night time provided evidence that vehicles were observed to be parked on both Industrial and Residential sides of the road. However, it was unable to understand whether these vehicle demands were generated by the Subject Site or visitor/excess car parking demands of residential properties.

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FIGURE 10: CARS OCCUPYING CHINGFORD STREET AT NIGHT

2.4 PUBLIC TRANSPORT

Public transport provisions were found to be excellent in the immediate vicinity of the Subject Site. The closest available bus stop is located on Chingford Street, 50m away, which equates to a walking distance of 1 minute. This bus stop facilitates access to Route 609 bus services that operate between Hawthorn and Fairfield, via Kew.

Furthermore, route 508 bus service operates on Separation Street, and the nearest bus stop is located 750m away from Subject Site (9-min walk). Route 508 buses operate between Alphington and Moonee Ponds via Northcote & Brunswick.



Route 567 buses are accessible from the bus stop at Separation Street/Station Street which is located approximately 600m away (8-min walk). Route 567 bus operates between Northcote and Regent via Northland Shopping Centre.

Additionally, Route 350 buses operate along Grange Road and travels between City and La Trobe University, which is also located 500m away from Subject Site (6-min walk).

Presented below is a map of all public transport options located near the Subject Site.



FIGURE 11: NEARBY PUBLIC TRANSPORT OPTIONS

2.5 ACTIVE TRANSPORT

Footpath provisions are available on the south side of Chingford Street with appropriate crossing facilities at either ends of the street.



3 PROPOSAL

As specified above, the proposal seeks to increase the number of patrons in this existing Dance Studio by varying amounts as follows.

- Between 9:00am to 5:00pm, increase the number of patrons from 50 to 60.
- Between 5:00pm to 10:00pm, increase the number of patrons from 50 to 100.

The Subject Site contains a storage facility which is what is proposed to be converted into another area that can be used by the additional number of patrons.

It is understood, the maximum number of patrons, 100 patrons are only expected at irregular times and typically a number between 50 and 100 patrons are expected on typical busy days.

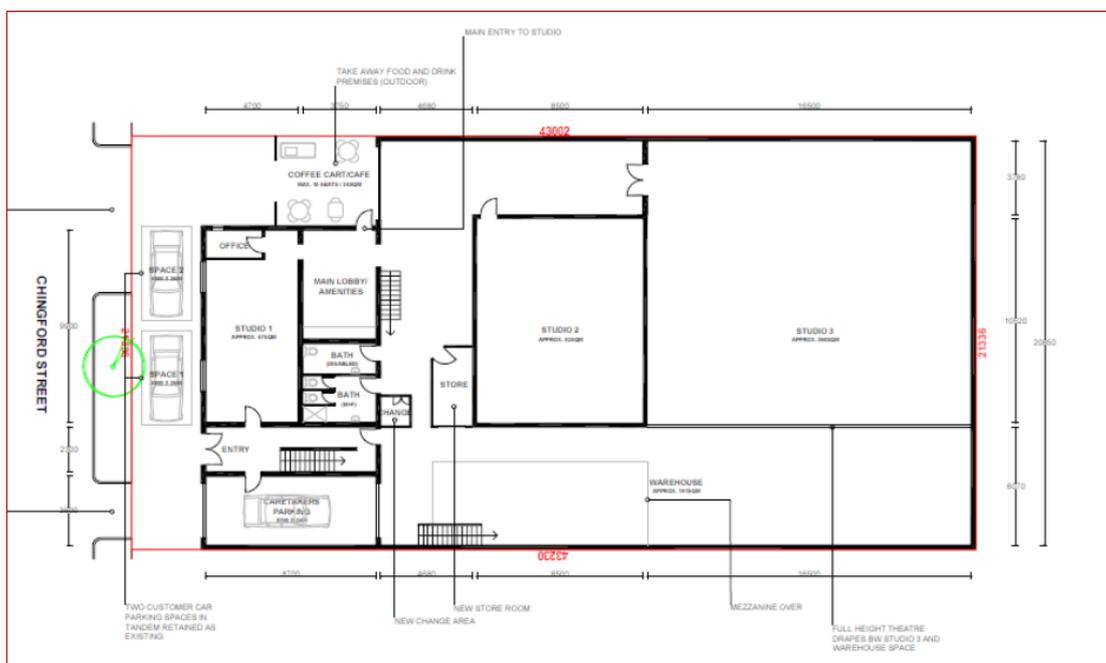


FIGURE 12: LAYOUT PLAN



4 SUMMARY OF OBJECTIONS

It is understood, upon lodgement of this application, several complaints & objections have been raised by nearby residents. RedSquare have reviewed in detail, the objection notices provided by Client and general themes of these objections are summarised below.

- *"Increased noise coming from classes due to loud music and when people are leaving the premise".*
- *"Excess rubbish causing detrimental impacts to residents".*
- *"Issues associated with ceremonies and weddings".*
- *"Visitor & resident car parking issues".*
- *"Absence of footpaths on both sides of the road and safety of young children using the Dance Studio".*
- *"Inability to move in and out of residential properties due to parked cars".*
- *"Risk of accidents".*
- *"Lack of parking in Subject Site".*
- *"Issues associated with people smoking outside the Dance Studio".*
- *"Absence of bicycle racks or encourage of cycling as a form of transport for the patrons of Subject Site".*
- *"Motorbikes being parked on footpath".*
- *"Issues associated with serving alcohol".*
- *"Absence of sufficient public transport options".*
- *"Health related issues associated with increase vehicle movements".*
- *"Operating till late at night, although a finishing time at 8pm is said to be acceptable".*

It is further understood, Darebin City Council have raised concerns under the following themes.

- *"Absence of a statutory car parking rate for Dance Studios".*



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- *“Chingford Street is expected to operate as a residential zone outside business hours”.*
- *“Noise related issues”.*
- *“Absence of sufficient car parking options for residents and visitors”.*
- *“A single business dominating all public parking provisions is not acceptable”.*

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5 PARKING

5.1 STATUTORY REQUIREMENTS

5.1.1 Car Parking Requirements

The relevant Statutory Car Parking Requirements for this development site are outlined under *Clause 52.06* of the City of Darebin Planning Scheme. The aims of *Clause 52.06* are:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

According to *Clause 52.06-1*,

- Clause 52.06 applies to an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 74 defines Indoor Recreation Facility as *a building used for indoor leisure, recreation, or sport*. Ela Rose Dance Studio thus falls under the category of Indoor Recreation Facility.

However, Clause 52.06 does not directly specify a specific parking rate applicable for indoor recreation facilities. Therefore, this car parking demand assessment has been conducted by considering various factors related to the operations.

APPROPRIATE CAR PARKING RATE

A rate factor of *0.4 parking spaces per patron* can be considered as an appropriate parking rate for this facility. This is because considering that Places of Assembly such as cinemas, function centres, libraries, exhibition centres or nightclubs are allocated a rate of only 0.4 per patron in the Planning Scheme, a rate of 0.4 spaces per patron can be regarded as a



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significantly conservative rate. It is also evident that the location of a certain facility must play a role in determining its appropriate parking rate. The Subject Site is located in close proximity to a number of public transport options.

It is further noted, this car parking rate was formally approved by City of Darebin's Transport Engineering team in writing, in accordance with Clause 52.06-6.

Given the proposed increase in patron numbers is 50 patrons, the additional car parking demand is 20 car parking spaces.

It is emphasised, the parking surveys were conducted during two typical days, when the Subject Site was in operation with a patron capacity of 50. Therefore, any vacant spaces observed is a representation of the conditions expected during a typical day of operations of this Dance Studio. Thus, the report only focuses on the additional patron numbers sought through this planning application.

Accordingly, the development must provide a minimum of 20 additional (new) parking spaces to the satisfaction of the road authority.

As the facility is unable to provide further 20 spaces, the Client is seeking a reduction of 20 car parking spaces, according to the requirements of the Planning Scheme.

5.2 CAR PARKING DEMAND ASSESSMENT

According to the requirements specified above, 20 additional car parking spaces are required to satisfy the demand generated from the proposed increase in patron numbers and the shortfall is calculated as 20 car parking spaces.

Nevertheless, with the provision of short-term stays, excellent access to public transport modes, variation of car parking demand and several other factors, the car parking demand associated with the Subject Site is reduced.

A Car Parking Demand Assessment requires the assessment of car parking demand likely to be generated by the proposed expansion and must address the following to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.

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- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

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20 Chingford Street, Fairfield

Traffic and Parking Assessment

A discussion of the relevant items from above lists are provided as follows.

TABLE 1: CAR PARKING DEMAND ASSESSMENT

No.	Factor	Response
1	The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.	The proposed dance studio is located within an industrial area and also near a set of residential properties. Thus, multi-purpose trips are unlikely to be combined with a trip to the land in connection with the proposed use. A multi-purpose trip is only expected if one of the residents and/or a staff member of the nearby industrial properties attends the dance studio, which is assumed to be a rare occurrence.
2	The variation of car parking demand likely to be generated by the proposed use over time.	Proposed facility intends to operate between 9:00am to 10:00pm. However, the patron numbers will vary during a typical day, as follows. <ul style="list-style-type: none"> • Between 9:00am to 5:00pm, maximum number of patrons 60. • Between 5:00pm to 10:00pm, maximum number of patrons 100. Therefore, a strong variation is expected to be created during a typical day by the varying patron numbers. Outside these hours, car parking demand of the Subject Site will revert back to zero. In the long run, no changes are expected in the parking demand as a limit on the number of patrons will continue to apply through planning permit conditions.
3	The short-stay and long-stay car parking demand likely to be generated by the proposed use.	All trips generated by customers of this dance studio are expected to be short-stay trips in the order of 1-2 hours as patrons would be expected to leave at the conclusion of their classes. Relatively long-stay car parking demand is only expected to be generated from staff members.



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		Therefore, a significant percentage of short-stay car parking ensures the car parks are able to provide vacant spaces on a regular basis as patrons enter and exit the facility.
4	The availability of public transport in the locality of the land.	<p>Public transport provisions were found to be excellent in the immediate vicinity of the Subject Site. The closest available bus stop is located on Chingford Street, 50m away, which equates to a walking distance of 1 minute. This bus stop facilitates access to Route 609 bus services that operate between Hawthorn and Fairfield, via Kew.</p> <p>Furthermore, route 508 bus service operates on Separation Street, and the nearest bus stop is located 750m away from Subject Site (9-min walk). Route 508 buses operate between Alphington and Moonee Ponds via Northcote & Brunswick.</p> <p>Route 567 buses are accessible from the bus stop at Separation Street/Station Street which is located approximately 600m away (8-min walk). Route 567 bus operates between Northcote and Regent via Northland Shopping Centre.</p> <p>Additionally, Route 350 buses operate along Grange Road and travels between City and La Trobe University, which is also located 500m away from Subject Site (6-min walk).</p>
5	The convenience of pedestrian and cyclist access to the land.	Footpath provisions are available on the south side of Chingford Street with appropriate crossing facilities at either ends of the street.
6	The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.	<p>No bicycle parking or end of trip facilities were found in the locality of the land.</p> <p>Nevertheless, RedSquare Traffic recommends that bicycle hoops are installed at the property to further promote the use of cycling as a form of transport.</p>
7	The anticipated car ownership rates of likely or proposed visitors to or	Analysis of car ownership according to 2016 ABS Census data, indicates 38% of households in City of Darebin had access to



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Traffic and Parking Assessment

occupants (residents or employees) of the land. two or more motor vehicles, compared to 51% in Greater Melbourne.
Employees/users of the facility are expected to be primarily people living in this local government area and are less likely to be car-dependent as observed by these numbers.

Boxing Gymnasium | Restricted Recreation Facility

56 Taunton Drive, Cheltenham

A previous project by RedSquare Traffic, assisted the applicant in gaining approval for a parking waiver 20 spaces for a gymnasium with a maximum patron capacity of 25. The site was located within an Industrial 1 Zone (IN1Z).

Pilates Studio | Restricted Recreation Facility

854 Nepean Highway, Hampton East

This case study, also a previous project by RedSquare Traffic assisted the applicant in obtaining approval for a parking waiver of 15 car parking spaces. This site had a maximum patron capacity of 37 patrons excluding 4 practitioners.

8 Any empirical assessment or case study.

Fitness Studio | Restricted Recreation Facility

236-238 Bridge Road, Richmond

A previously completed Traffic Impact Assessment by RedSquare Traffic, successfully achieved a car parking waiver of 32 spaces for a patron capacity of 40.

Dance Studio | Restricted Recreation Facility

933 Whitehorse Road, Box Hill

A previously completed Car Parking Demand Assessment by RedSquare Traffic, successfully achieved a car parking waiver of 20 spaces.

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5.3 SUPPORTING INFORMATION FOR PERMIT APPLICATION

Clause 52.06-7 states that before granting a permit to reduce the numbers of spaces, the responsible authority must consider a range of specified matters. These matters include:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
 - Efficiencies gained from the consolidation of shared car parking spaces.
 - Public car parks intended to serve the land.
 - On street parking in non-residential zones.
 - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional, and attractive parking areas. Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.

Provided below is a table discussing relevant items from the above list.



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Traffic and Parking Assessment

TABLE 2: SUPPORTING INFORMATION

No.	Factor	Response
1	Car Parking Demand Assessment	Provided in Section 5.2.
2	Any relevant local planning policy or incorporate plan.	<p data-bbox="879 546 1305 573">Darebin Walking Strategy 2018-2028</p> <p data-bbox="879 595 1345 846">The objective of this Walking Strategy is to set the foundation for future investment which will: Provide the infrastructure, amenity, and education to support and encourage walking as a safe and attractive mode of transport for all.</p> <p data-bbox="879 869 1318 896">Darebin Transport Strategy 2007-2027</p> <p data-bbox="879 918 1345 985">This strategy implemented by the Darebin City Council aims:</p> <ul data-bbox="922 1008 1345 1585" style="list-style-type: none"> <li data-bbox="922 1008 1326 1034">• To improve community safety. <li data-bbox="922 1057 1345 1160">• To integrate quality urban design, economic development, and access. <li data-bbox="922 1182 1345 1249">• To improve health and environmental outcomes. <li data-bbox="922 1272 1345 1339">• To increase social inclusion for residents. <li data-bbox="922 1361 1345 1451">• To engage stakeholders through effective communication. <li data-bbox="922 1473 1345 1541">• To improve local and metropolitan accessibility. <li data-bbox="922 1563 1345 1585">• To increase the role of sustainable transport modes.



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- To build new developments that reduce transport demands.

Darebin Travel Smart Map

To provide a convenient sustainable transport guide with standard Melway references.

This map indicates walking paths, on-road bike lanes, informal bike routes and tram routes with stops that are safe and functional in the streets surrounding the Subject Site.

The availability of alternative car parking in the locality of the land, including:

- Efficiencies gained from the consolidation of shared car parking spaces.
- Public car parks intended to serve the land.
- On street parking in non-residential zones.
- Streets in residential zones specifically managed for non-residential parking.

In the unlikely event where parking is not available in the surveyed locations, there are further parking opportunities in the surrounding area, including the kerbside parking of Montefiore Street and Perry Street.

However, this is only expected to be relied upon in an extremely rare occurrence.

Although the southern side of Chingford Street is generally for the purpose of residential use, these are not specifically managed as such by Darebin City Council.

On street parking in residential zones in the locality of the land that is intended to be for residential use.

Kerbside parking provisions on the southern side of Chingford Street are intended to be for residential use.

However, special care has been taken to make sure these residential parking spaces were not regarded as usable

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	<p>parking provisions in the conducted parking surveys. Additionally, mitigation measures recommends that specific instructions are conveyed to the patrons to not park in these residential areas.</p>
<p>5 The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.</p>	<p>As per the town planning drawings, the Subject Site currently is able to cater for 3 vehicles on-site. Two of these three spaces will be allocated for customers, whilst the remaining space will be for the purpose of the caretaker (long-stay parking).</p> <p>At this stage, the application is <i>not</i> seeking to introduce any further car parking spaces on-site, as it will require modifications to the proposed conditions. However, if deemed necessary, there is scope to add additional car parking spaces on-site.</p>
<p>6 Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.</p>	<p>A parking shortfall is <i>not</i> expected to create any adverse economic impact to any nearby activity centres.</p> <p>The nearest activity centres are located further away from the Subject Site on High Street & Grange Road, and parking demands are extremely unlikely to reach levels that will affect the operations of these activity centres.</p>
<p>7 The future growth and development of any nearby activity centre.</p>	<p>No known future growth and development of nearby activity centre was identified.</p>



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<p>8 Any car parking deficiency associated with the existing use of the land.</p>	<p>The existing dance studio is operating with a maximum patron capacity of 50. The dance studio is operating with a car parking deficiency of 17 spaces based on the approved car parking rate of 0.4 spaces per patron.</p>
<p>9 Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment</p>	<p>No parking spaces are provided on common land nor via a Special Charge Scheme. Therefore, not applicable.</p>
<p>10 Local traffic management in the locality of the land</p>	<p>Surrounding areas contain appropriate intersection control signs, pedestrian crossing points, linemarking treatments as well as speed limit signage.</p> <p>There aren't any safety or convenience related issues that prevent the users from accessing car parking spaces in the area.</p>
<p>11 The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.</p>	<p>No negative impacts are expected as a result, particularly on pedestrian amenity. Footpaths are located between the property boundary line and nature strips and are not affected from any parking related issues.</p> <p>In addition, the pedestrian volumes were observed to be low in the area.</p>
<p>12 The need to create safe, functional, and attractive parking areas.</p>	<p>Safe, functional, and attractive parking areas are available within the car parking areas near the Subject Site.</p>



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		There is <i>no</i> opportunity to decrease the number of spaces to allow for other features such as better landscaping or pedestrian access.
13	Access to or provision of alternative transport modes to and from land.	Excellent access to public transport modes is available at the locality of the land, and appropriate active transport modes are provided, as explained in earlier sections of this report.
14	The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.	No known historic contributions are associated with the existing businesses.
15	The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.	No specific negative or positive impacts are anticipated. However, any discouragement of reliance on private cars is encouraged as City of Darebin are moving towards reduced private car usage.
16	Any other matter specified in a schedule to the Parking Overlay.	No known parking overlays were identified to be associated with the Subject Site.
17	Any other relevant consideration.	<p>Parking surveys clearly indicated that there is excess capacity throughout operating periods of the Subject Site and that acquiring 20 additional car parking spaces is <i>not</i> considered to be a hassle.</p> <p>This statement is made with the understanding, parking on the residential side of the street was <i>not</i> taken into account during parking surveys.</p>

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5.4 TRAFFIC ENGINEER'S EXPERT OPINION ON PARKING PROVISIONS

Considering the information presented above, RedSquare Traffic deems that the sought parking dispensation is considered appropriate. However, the validity of this statement is dependent on the successful implementation of the mitigation measures listed in *Section 6 – Mitigation Measures*.

This above claim is also backed by the following important observations:

- Abundance of street parking in the area with a sufficient number of vacant spaces particularly during the expected opening hours of the dance studio.
- High probability of short-term stay parking demands with only staff members expected to remain on-site for relatively longer durations.
- Being located within a short walking distance of several public transport services.
- Provision of appropriate facilities for active transport modes as expected from an industrial area.
- After 5:00pm, on average, approximately 28-30 vacant car parking spaces were observed just on the Industrial side of Chingford Street and on Perry Street. However, there was a scenario observed with only 21 vacant spaces. Based on the 21 vacant spaces (worst-case scenario), the sought dispensation of 20 spaces is considered appropriate.

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6 MITIGATION MEASURES

Based on the analysis conducted by RedSquare, the following recommendations are set out for the successful operation of this facility.

- Installation of several bicycle hoops within the Subject Site to promote the use of cycling as a form of transport and provide appropriate end of trip facilities patrons wishing to ride bicycles to the Subject Site (showers, lockers etc.)
- Devise a comprehensive waste management strategy and to ensure appropriate measures are taken to avoid any negative impacts on the environment.
- Ensure all noise that is expected to be emitted from this Dance Studio is within allowable limits and is certified by appropriately qualified professional.
- Strictly limit the number of patrons to 100. Concurrent operation of dance/theatre workshops should *not* take place which will create a scenario that excess the 100-patron limit.
- Take appropriate measures to ensure 3 cars are able to park on site and encourage all staff members to utilise on-site parking, to cater for their long-stay parking demands.
- Special care should be taken by the staff of this Dance Studio to ensure all patrons of this dance facility avoids parking on the residential side of Chingford Street where practical. This information should be conveyed to patrons via brochures and/or custom signage treatments and are to be displayed on the premises. This should be a condition prior to the increase in patron numbers.
- RedSquare recommends that Darebin City Council issues resident permits to residents of Chingford Street and restricts the southern side of Chingford Street to resident use only. As a minimum, residents should be provided with a timeline on when a parking management strategy of this nature will be implemented. Provided that the location is a critical location being a boundary between Industrial and Residential Zones, this measure is critical for long term successful operation of Chingford Street.
- Provision of alcohol should *not* be associated within the premises unless necessary approvals are sought for.
- Ensure City of Darebin performs periodical compliance checks of any restrictions imposed via the planning permit and request any changes from Ela Rose Dance Studios, if necessary.



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Traffic and Parking Assessment

7 SUMMARY & CONCLUSIONS

The Applicant is proposing to increase the patron numbers of this dance studio, from 50 to 60 and 50 to 100, between 9:00am to 5:00pm & 5:00pm to 10:00pm, respectively.

Based on the approved car parking rate of 0.4 spaces per patron, 20 additional car parking spaces were identified as the amount needing to satisfy the parking demands of this increase of patron numbers.

Car parking surveys were conducted on two typical weekdays, for 10 hours on each day; and across the two days, the worst-case scenario was observed when only 21 vacant spaces were found in the surveyed locations. It is noted with importance, the surveys did *not* take into account, the parking spaces located on the residential side of Chingford Street.

Based on these numbers, RedSquare is satisfied the sought parking dispensation is appropriate, but have included several mitigation measures in Section 06. These mitigation measures were also intended at addressing the general themes of the concerns raised by objectors.

Aside from parking issues, the level of traffic generation via this proposal is also low and is not expected to create any noteworthy impact to the surrounding road network of the Subject Site.

Having undertaken all tasks necessary to adequately assess the traffic engineering impacts of the proposed increase to patron numbers, I am satisfied that the proposed development is satisfactory, subject to successful implementation of all mitigation measures.

RedSquare Traffic Pty Ltd

Dinith (Dane) Wanninayake

Senior Consultant, Traffic Engineering

DoT Accredited Senior Road Safety Auditor

DoT Recommended Safe System Assessor

14 September 2022

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8 APPENDICES

8.1 APPENDIX A – PARKING SURVEYS

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RedSquare Traffic - Parking Surveys

Date	10-Aug-22	Survey Staff	DV	Project	20 Chingford Street, Fairfield				Totals
Location	Area A - Chingford Avenue Eastbound between Sparks Avenue and Perry Street	Area B - Perry Street Northbound between Chingford Street and Montefiore Street	Area C - Perry Street Southbound between Chingford Street and Montefiore Street	Area D - Chingford Avenue Eastbound between Perry Street and Grange Road					
Parking Restrictions									
12.00pm									
Occupied	16	6	3	10					35
Total	25	11	6	10					52
Vacant	9	5	3	0					17
12.30pm									
Occupied	17	6	2	10					35
Total	25	11	6	10					52
Vacant	8	5	4	0					17
1.00pm									
Occupied	14	4	3	9					30
Total	25	11	6	10					52
Vacant	11	7	3	1					22
1.30pm									
Occupied	14	5	3	10					32
Total	25	11	6	10					52
Vacant	11	6	3	0					20
2.00pm									
Occupied	15	5	2	10					32
Total	25	11	6	10					52
Vacant	10	6	4	0					20
2.30pm									
Occupied	14	4	3	9					30
Total	25	11	6	10					52
Vacant	11	7	3	1					22
3.00pm									
Occupied	13	5	3	9					30
Total	25	11	6	10					52
Vacant	12	6	3	1					22
4.00pm									
Occupied	16	4	3	8					31
Total	25	11	6	10					52
Vacant	9	7	3	2					21
4.30pm									
Occupied	8	6	7	8					29
Total	25	11	6	10					52
Vacant	17	5	1	2					23
5.00pm									
Occupied	11	3	2	8					24
Total	25	11	6	10					52
Vacant	14	8	4	2					28
5.30pm									
Occupied	10	3	2	5					20
Total	25	11	6	10					52
Vacant	15	8	4	5					32
6.00pm									
Occupied	8	3	2	4					17
Total	25	11	6	10					52
Vacant	17	8	4	6					35
6.30pm									
Occupied	7	3	1	4					15
Total	25	11	6	10					52
Vacant	18	8	5	6					37
7.00pm									
Occupied	7	2	1	4					14
Total	25	11	6	10					52
Vacant	18	9	5	6					38
7.30pm									
Occupied	6	2	1	4					13
Total	25	11	6	10					52
Vacant	19	9	5	6					39
8.00pm									
Occupied	6	2	0	5					13
Total	25	11	6	10					52
Vacant	19	9	6	5					39
9.00pm									
Occupied	5	2	0	4					11
Total	25	11	6	10					52
Vacant	20	9	6	6					41
10.00pm									
Occupied	3	2	0	3					8
Total	25	11	6	10					52
Vacant	22	9	6	7					44
AVERAGES									
Average Occupied	23.31578947								
Average Vacant	28.72222222								



RedSquare Traffic - Parking Surveys

Date	9-Aug-22				20 Chingford Street, Fairfield				Totals
Location	Area A - Chingford Avenue Eastbound between Sparks Avenue and Perry Street	Area B - Perry Street Northbound between Chingford Street and Montefiore Street	Area C - Perry Street Southbound between Chingford Street and Montefiore Street	Area D - Chingford Avenue Eastbound between Perry Street and Grange Road					
Parking Restrictions									
12.00pm									
Occupied	14	6	4	5					29
Total	25	11	6	10					52
Vacant	11	5	2	5					23
12.30pm									
Occupied	14	6	4	5					29
Total	25	11	6	10					52
Vacant	11	5	2	5					23
1.00pm									
Occupied	13	5	4	8					30
Total	25	11	6	10					52
Vacant	12	6	2	2					22
1.30pm									
Occupied	15	5	3	8					31
Total	25	11	6	10					52
Vacant	10	6	3	2					21
2.00pm									
Occupied	12	7	3	7					29
Total	25	11	6	10					52
Vacant	13	4	3	3					23
2.30pm									
Occupied	12	3	4	7					26
Total	25	11	6	10					52
Vacant	13	8	2	3					26
3.00pm									
Occupied	10	3	2	6					21
Total	25	11	6	10					52
Vacant	15	8	4	4					31
4.00pm									
Occupied	9	3	2	4					18
Total	25	11	6	10					52
Vacant	16	8	4	6					34
4.30pm									
Occupied	9	6	1	4					20
Total	25	11	6	10					52
Vacant	16	5	5	6					32
5.00pm									
Occupied	8	5	3	5					21
Total	25	11	6	10					52
Vacant	17	6	3	5					31
5.30pm									
Occupied	10	5	1	5					21
Total	25	11	6	10					52
Vacant	15	6	5	5					31
6.00pm									
Occupied	14	4	5	8					31
Total	25	11	6	10					52
Vacant	11	7	1	2					21
6.30pm									
Occupied	9	4	4	5					22
Total	25	11	6	10					52
Vacant	16	7	2	5					30
7.00pm									
Occupied	9	4	2	4					19
Total	25	11	6	10					52
Vacant	16	7	4	6					33
7.30pm									
Occupied	10	5	2	2					19
Total	25	11	6	10					52
Vacant	15	6	4	8					33
8.00pm									
Occupied	8	2	1	2					13
Total	25	11	6	10					52
Vacant	17	9	5	8					39
9.00pm									
Occupied	10	1	2	1					14
Total	25	11	6	10					52
Vacant	15	10	4	9					38
10.00pm									
Occupied	4	1	1	0					6
Total	25	11	6	10					52
Vacant	21	10	5	10					46
AVERAGES									
Average Occupied	22.10526316								
Average Vacant	29.83333333								



5.2 MINISTERIAL INTERVENTION

30 St Georges Road, 32 & 36 Oakover Road and 47-49 Showers Street, Preston

Author: Principal Planner

Reviewed By: General Manager City Sustainability & Strategy

Applicant	Owner	Consultants
Assemble Communities	St Georges Road Management Pty Ltd	JCB Architects Planning Property Partners Traffix Group Tree Logic Frater Glas Urban WSP Acoustic Logic Vipac

EXECUTIVE SUMMMARY

Property:	30 St Georges Road, 32 & 36 Oakover Road and 47-49 Showers Street, Preston
References:	DTP Reference: Amendment C211dare and planning permit PA2201860 Council Reference: PIR/267/2022.
Proposal:	<ul style="list-style-type: none"> Rezone land at 47 & 49 Showers Street, Preston from Residential Growth Zone to Mixed Use Zone. Issue a planning permit that allows the development of the land for a mixed-use development across four buildings comprising of 480 Dwellings, Supermarket, Retail Space, Office Space, Food and Drink premises, alteration to access to a road in Transport Zone 2 and reduction to the onsite car parking requirement
Application Type:	<p>The Minister for Planning is considering preparing an amendment to the Darebin Planning Scheme (draft Amendment C211dare) under section 96A of the Planning and Environment Act 1987 to make herself the responsible authority for the site and draft planning permit PA2201860. If the Minister decides to prepare, adopt, and approve draft Amendment C211dare, this would allow for the granting of planning permit PA2201860 and part rezoning of the land.</p> <p>The proposal has been recommended by the State Government for accelerated assessment and determination by the Development Facilitation Program (DFP).</p>

	<p>To inform the Minister’s decision about whether to prepare, adopt, and approve draft Amendment C211dare and grant planning permit PA2201860, DTP are consulting with Council under section 20(5) of the Act to seek its views about the draft amendment and draft planning permit.</p>
<p>Zoning and Overlay/s:</p>	<ul style="list-style-type: none"> • The Mixed-Use Zone (Schedule 1) applies to 30-32 St Georges Road and 32-42 Oakover Road • The Residential Growth Zone (Schedule 1) applies to 47-49 Showers Street • A Development Plan Overlay (Schedule 11) applies to the entire site • An Environmental Audit Overlay applies to 30-32 St Georges Road and 32-42 Oakover Road • A Development Contributions Plan Overlay applies to the land • A Transport Zone 2 applies to St Georges Road
<p>Development Contribution</p>	<ul style="list-style-type: none"> • Not required as the DPT are the Responsible Authority.
<p>Consultation:</p>	<p>The developer has undertaken their own engagement detailed in Appendix H.</p> <p>DTP have sent letters to adjoining owners and occupiers shown on the below map provided from the DTP, with site identified in red:</p> 
<p>Submissions:</p>	<p>Eleven (11) submissions have been made to DTP with the key issues relating to:</p> <ul style="list-style-type: none"> • Insufficient car parking, traffic flow and road safety • Overshadowing • The rezoning of 47 and 49 Showers Street • Overall bulk and height of the proposal

<p>Community Outcomes:</p>	<p>The application provides for:</p> <ul style="list-style-type: none"> • 20 per cent of dwellings dedicated as social housing for a 15-year period, to be managed by Housing Choices Australia (HCA) and linked to the title via a Section 173 Agreement • A further 35 per cent of dwellings allocated for affordable, low to moderate income households (essential workers) in accordance with the definition parameters as outlined within the <i>Planning and Environment Act 1987</i> • Approximately five (5) per cent of housing designated for Specialist Disability Accommodation • A large amount of open space (the ‘green heart’ component) available to occupiers and the general public • ‘Assemble’ (community) spaces available to the occupiers of the proposal and the general public
<p>Key aspects of recommendation:</p>	<p>That Council oppose the granting of the combined planning scheme amendment and planning permit because the Ministerial intervention process is not required in this instance, does not follow due process and does not reflect proper and orderly planning.</p> <p>Notwithstanding this, officers have undertaken a detailed assessment of the development and are pleased to see that numerous improvements have been made to the design of the development in response to issues raised by Council. Officers have recommended a series of conditions that should be included in any permit should the Minister determine to approve the proposal.</p>

Recommendation

RECOMMENDATION PART A:

That Council delegates the Manager City Development to write to the Minister for Planning and advise them that Council:

1. Does not support the draft Amendment C211dare and planning permit PA2201860 at 30 St Georges Road, 32 & 36 Oakover Road and 47-49 Showers Street, Preston on the following key grounds:
 - a) The Ministerial intervention process is not required in this instance, does not follow due process and does not reflect proper and orderly planning because:
 - i. Council has put significant resources into preparing appropriate planning controls for this area to transform the former industrial precinct, including through Amendment C136, and into its subsequent consideration of the Development Plan for this site.
 - ii. No Development Plan has been endorsed for the site, contrary to the requirements of the Development Plan Overlay 11.
 - iii. This process is an attempt to circumvent the finalisation of a Development Plan which was prepared and submitted to Council but the issues raised and further information requested by Council were never responded to.

- iv. Should a Development Plan be endorsed, Council would be in a position to consider the planning permit application and amendment request for the rezoning, i.e. there is no planning reason why a call-in is required for this matter.
 - v. Council previously considered that because of the potential to realise significant community benefits on the site, that it may have been in a position to support the call-in process subject to certain contingencies being met. These contingencies sought consistency with the requirements of the DPO11 as well as a fair process for the community and Council and sharing of fees to assist cover Council's costs in assessing the proposal. However no response to these contingencies was received from DTP, including to either letter sent by Council. In addition, not all the contingencies set out by Council were met, specifically the requests about community notice and for Council to receive a share of the application fee to assist cover its costs.
 - vi. Insufficient notice has been given to all potentially affected community members, including a failure by DTP to notify all property owners and residents of Showers Street and other surrounding areas that would be affected directly by the redevelopment
- b) Notwithstanding the above, Council:
- i. Have undertaken a detailed assessment of the development and are pleased to see that a number of improvements have been made to the design of the development in response to issues raised by Council.
 - ii. Have recommended a series of conditions (set out below) that should be included in any permit should the Minister determine to approve the proposal.
 - iii. Request that the Department of Transport and Planning (DTP) refer the proposal to Melbourne Water prior to any final recommendation being made.
 - iv. Request to be kept informed of this matter and given the opportunity to participate in any further consultation and/ or independent advisory committee review of the application.

Conditions for inclusion in any planning permit granted

Amended plans required

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with advertised plans identified as TP1-101, TP1-108, TP1-109, TP1-110, TP1-111, TP1-112, TP1-113, TP1-114, TP1-115, TP1-116, TP1-117, TP1-118, TP1-119, TP1-120, TP1-121, TP1-122, TP1-123, TP1-124, TP1-125, TP1-130, TP1-131, TP1-132, TP1-133, TP1-134, TP1-135, TP1-136, TP1-201, TP1-202, TP1-203, TP1-204, TP1-205, TP1-206, TP2-101, TP2-102, TP2-103, TP2-104, TP2-105, TP2-106, TP2-107, TP2-108, TP9-101 prepared by Jackson Clements Burrows Architects, Job No. CKA 21-031 dated 28 March 2022 and L01A, L02A and L03A prepared by Infinity Landscape Architects, Project Number 21-042, Revision 3, dated 26 August 2022 but modified to show:

- (a) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
 - (i) co-located where possible;
 - (ii) located or screened to be minimally visible from the public realm;
 - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
 - (iv) integrated into the design of the building.
- (b) Retractable bollards located within the site to prevent thru vehicle access.
- (c) A plan showing the location of all proposed areas that would allow for unrestricted public access.
- (d) Greater than 20% of the bike parking spaces being horizontal rails at ground level, some with access to charging points, and spaced appropriately to allow for larger cargo bikes.
- (e) The bicycle parking facility servicing the supermarket having direct access into the supermarket providing convenient access for people on bikes.
- (f) All visitor and employee bicycle spaces complying with the clearance and access-way requirements of AS2890.3.
- (g) A 'Bicycles Excepted' sign included at the north of the internal laneway, allowing North-South bike movements so people on bikes can access the supermarket and associated bike parking from Showers St and further north.
- (h) Layout details of the fifteen (15) Motorcycle parking arrangements, demonstrating compliance with the requirements of AS2890.1:2004.
- (i) All vehicles being able to enter and exit the site in a forward motion.
- (j) Any modifications required as a result of the approved Landscape Plan required by Condition No.3 of this Permit.
- (k) Any modifications required as a result of the approved Sustainability Management Plan (SMP) required by Condition No. 4 of this Permit.
- (l) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 5 of this Permit.
- (m) The provision of a Site Management Plan (SMP) in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 6 of this Permit.
- (n) Any modifications required as a result of the approved Wind Impacts Assessment or statement required by Condition No. 13 of this Permit.
- (o) Any modifications required as a result of Condition No. 20 of this Permit with regards to Council's traffic engineering and infrastructure requirements.
- (p) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Conditions 21 and 22 of this Permit.

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

Development in accordance with endorsed plans

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Landscape Plan

3. Before plans are endorsed under Condition No. 1 of this Permit, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The amended Landscape Plan must be modified to show:
 - (a) Any modifications relating to landscaping required as a result of the amended SMP required by Condition No. 6 of this Permit.
 - (b) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit.
 - (c) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - (d) A diversity of plant species and forms.
 - (e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting and raised planter beds.
 - (f) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
 - (g) Landscape specification notes including general establishment and maintenance requirements.
 - (h) 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.

The requirements of the endorsed Landscape Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

The development must not be occupied, unless otherwise approved by the Responsible Authority in writing, until the landscaping works shown on the endorsed Landscape Plan are completed to the satisfaction of the Responsible Authority.

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.

The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority, including by replacing any dead, diseased, dying or damaged plants to the satisfaction of the Responsible Authority.

All landscaped areas must be provided with an appropriate irrigation system to the satisfaction of the Responsible Authority.

Sustainability Management Plan

4. Before plans are endorsed under Condition No. 1 of this Permit, an amended Sustainability Management Plan (SMP) and set of plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the amended SMP will be endorsed and will then form part of this Permit. The amended SMP and set of plans must be modified to show:
 - (a) A 5-star Green Star Building rating.
 - (b) A development-wide Zero Emissions Action Plan.

- (c) Adjustable sun shading devices to the north and west facing apartments to prevent glare and overheating.
- (d) A 20 per cent improvement on NCC energy efficiency requirements.
- (e) Greater consideration to reduce potable water use.
- (f) Provisions for e-bike charging in the bicycle parking facilities, as well as electrical provisions for future owners to maintain the option of installing an Electric Vehicle charging point.
- (g) The separation of general waste, co-mingled recycling and food/garden waste.
- (h) The use of materials with low embodied energy and sustainable manufacturing practices.

The requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority.

Stormwater Management System Report

5. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
- (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
 - (i) An assessment using an industry recognised stormwater tool;
 - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
 - (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
 - (iv) A plan illustrating where all impervious surfaces will be treated and drained;
 - (v) A construction and maintenance schedule;
 - (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
 - (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements.

The requirements of the endorsed Stormwater Management System Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Site Management Plan

6. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
- (a) Erosion and sediment.

- (b) Stormwater.
- (c) Litter, concrete and other construction wastes.
- (d) Chemical contamination.

The requirements of the endorsed Site Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Land Surveyor Report

7. At the completion of the constructed ground floor level(s), and before the starting of the building frame or walls, a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority, confirming the ground floor level(s). The report must be submitted to the Responsible Authority no later than 7 days from the date of the inspection.

The development must not be occupied until a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority is submitted to the Responsible Authority, confirming the floor level(s).

External Lighting System

8. Before the use starts, an automatic external lighting system capable of illuminating the rear ROW 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 located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.

Drainage and services

9. The land must be drained to the satisfaction of the Responsible Authority.
10. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
- (a) concealed in service ducts or otherwise hidden from view; or
 - (b) located and designed to integrate with the development,
- to the satisfaction of the Responsible Authority.
11. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the buildings without the prior written consent of the Responsible Authority.

Construction Management Plan

12. Before the development starts a Construction Management Plan (CMP) must be submitted to the satisfaction of the Responsible Authority and approved by the Responsible Authority. When approved, the Construction Management Plan will be endorsed and will then form part of this Permit. The Construction Management Plan must address, without limitation, the following:
- Contact details for key construction site staff including after-hours contact numbers.
 - Hours for the construction activity.
 - Measures to control the escape of noise, dust, litter, water and sediment laden runoff from the site.
 - Measures to control mud, crushed rock or other debris being carried onto public roads or footpaths from the site.

- The protection measures for site features to be retained (e.g. vegetation, retaining walls, buildings, other structures and pathways, etc).
- On site facilities for vehicle washing.
- Delivery and unloading points and expected frequency.
- The location of parking areas for construction vehicles and construction workers vehicles, to ensure that vehicles associated with demolition and/or construction activity cause minimal disruption to surrounding land uses and traffic flows.
- Any traffic management plans and measures that will be required to allow vehicles to safely access the site and to safely undertake deliveries/works.
- Management of laneway access during construction.
- An outline of requests to occupy public footpaths, bicycle paths or roads, and anticipated disruptions to public transport services.
- The processes to be adopted for the separation, re-use and recycling of demolition materials.
- The measures for prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the site, whether by air, water or other means.
- The measures to minimise the amount of waste construction materials; the provision for the recycling of demolition and waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling).
- Any requirements of the Statement of Environmental Audit Report and/ or Preliminary Site Assessment, including the ongoing management measures as relevant to the construction phase of the development.
- Any other relevant matters.

Wind Impact Assessment

13. Before plans are endorsed under Condition No. 1 of this Permit, an amended Wind Impacts Assessment must be submitted to and approved by the Responsible Authority. The Wind Impacts Assessment must be modified to show:
- Further investigations through wind tunnel testing is recommended to confirm wind effects.

The requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

14. The Waste Management Plan (WMP) to be endorsed and which will then form part of this Permit is the WMP submitted with the application prepared by WSP dated May 2022.

The requirements and management procedures as set out in the approved Waste Management Plan must be implemented to the satisfaction of the Responsible Authority.

If collection occurs offsite, bins will be removed from the street or public road promptly after collection.

The waste storage areas must be screened from public view at all times through approved screening measures, as shown on the endorsed plans.

The waste storage and collection area must not be used for any other purpose and must be maintained in a clean and tidy condition, and free from offensive odour, to the satisfaction of the responsible Authority.

15. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.

Acoustic Report

16. The Acoustic Report to be endorsed and will then form part of this Permit is the Acoustic Report submitted with the application prepared by Acoustic Logic dated 23 May 2022.

The requirements and management procedures as set out in the approved Acoustic Report must be implemented and adhered to at all times to the satisfaction of the Responsible Authority.

17. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
18. Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat;
 - (d) drained;to the satisfaction of the Responsible Authority.
19. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

Public Infrastructure Plan

20. Before plans are endorsed under Condition No. 1 of this Permit, a Public Infrastructure Plan must be submitted to and approved by the Responsible Authority. The Public Infrastructure Plan must incorporate the following engineering and public infrastructure requirements to the satisfaction of the Responsible Authority:
 - (a) An east-bound on-road protected bike lane installed along the length of the section of Oakover Road between St Georges Road and Railway Place West.
 - (b) Lanterns and head starts (east and west bound) at the Oakover / St Georges Rd intersection.
 - (c) All new public footpaths, including the one on the north side of Oakover Road, having a minimum width of 1.8 metres.
 - (d) Traffic signals at the St Georges Road intersection upgraded to include bicycle lanterns and bicycle head starts in both east and west bound directions.
 - (e) A detailed design of the road works associated with the right turn lane works, bicycle infrastructure, and pedestrian linkages or access via the footpath on Showers Street.
 - (f) The layout and dimensions for the new or existing vehicle crossings.

Service relocation

21. Any service relocation associated with the works must be approved by the Service Authorities and at the owner’s cost.

Tree Protection Measures

22. Before the development (including demolition) starts, tree protection fencing (TPF) must be erected in accordance with the following requirements to provide a Tree Protection Zone (TPZ):

Tree*	Location	TPZ (radius from the base of the tree trunk)
*As defined in the Arboricultural Assessment and Report prepared by Tree Logic dated 14 June 2022		
Tree 15 - <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Showers Street	4.6 metres
Tree 16 – <i>Acmena smithii</i> (Lilly Pilly)	Showers Street	3.4 metres
Tree 17 - <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Showers Street	2.0 metres
Tree 18 – <i>Syzigium austral</i> (Scrub Cherry)	Showers Street	4.7 metres
Tree 19 - <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Showers Street	2.0 metres
Tree 20 – <i>Corymbia ficifolia</i> (Red-flowering Gum)	Showers Street	2.0 metres
Tree 21 - <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Showers Street	4.6 metres
Tree 22 - <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Showers Street	4.9 metres
Tree 23 - <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Showers Street	2.0 metres
Tree 24 – <i>Acmena smithii</i> (Lilly Pilly)	Showers Street	3.1 metres
Tree 25 – <i>Pyrus calleryana’s</i> Pear (Callery’s Pear)	Showers Street	4.3 metres
Tree 26 - <i>Callistemon viminalis</i> (Weeping Bottlebrush)	Showers Street	2.0 metres

23. The following tree protection measures must be implemented for trees identified in the table to Condition No. 21 of this Permit:

- (a) Tree protection measures must be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.
 - (b) Tree protection fencing must be constructed to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed or unless otherwise agreed by the Responsible Authority in writing.
 - (c) 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 Tree Protection Zone (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.
 - (d) Except with the written consent of the Responsible Authority:
 - (i) The area within the TPZ and Tree Protection Fencing (TPF) must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.
 - (ii) The area within the TPZ must be provided with 100mm layer of coarse mulch.
 - (iii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (iv) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
 - (e) 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.
 - (f) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
 - (g) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
 - (h) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
24. All works (including bulk excavation) within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed TPP and supervised by a suitably qualified arborist where identified in the report, except with the further written consent of Darebin City Council.
25. If a construction management plan or traffic management plan change any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed TPP, a revised TPP must be submitted to and approved by Darebin City Council.

Green Travel Plan

26. Before plans are endorsed under Condition No. 1 of this Permit, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by, the Responsible Authority. The Green Travel Plan must be prepared by a suitably qualified professional and must provide detailed advice regarding how traffic movements and staff parking will be managed and how any alternative, non-private vehicle transport modes will be encouraged. The Green Travel Plan should also identify specific opportunities for the provision of more sustainable transport options and encouragement of their use. The Green Travel Plan must include, but not be limited to:
- a) A requirement that tram, train and bus timetables be installed in prominent locations in common areas (on noticeboards, etc);
 - b) A requirement that bicycle parking areas be installed in well secured and prominent locations;
 - c) The installation of signs in prominent locations advising of the location of existing and proposed share car schemes, bicycle parking facilities, tram stops, taxi ranks, railway stations, bus stops and bicycle paths;
 - d) Establishment of a car-pooling database for patrons;
 - e) Specific targets to guide the plan's ongoing implementation;
 - f) Identification of persons responsible for the implementation of actions;
 - g) A plan for monitoring and review of the Green Travel Plan on an annual basis for at least three years.

The approved Green Travel Plan must be implemented to the satisfaction of the Responsible Authority.

Legal agreement for Social and Affordable housing and Specialist Disability Accommodation

27. Prior to the commencement of the development, excluding bulk excavation and site remediation, the owner of the land must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must be registered on the title to the land and provide for the following:

The owner of the land will enter into a binding agreement with a registered housing agency to the satisfaction of the Responsible Authority, requiring:

- (a) Twenty (20) per cent of the dwellings to be nominated for the purpose of social housing, for a period of time as agreed to with the registered housing agency, but not less than fifteen (15) years post issuing of occupancy permit.
- (b) Thirty-five (35) per cent of the dwellings to be nominated for the purpose of affordable housing.
- (c) Five (5) per cent of the dwellings no be nominated for the purpose of Specialist Disability Accommodation.

The owner of the land must pay all of the Responsible Authority's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title

Legal agreement for Public Access

28. Prior to the occupation of the development, the owner of the land must enter into a legal agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority the agreement must provide the following:

- (a) Give rights of unrestricted public pedestrian access 24 hours a day, 7 days a week to the proposed 'green heart' section of the development as well as all north-south, east-west access lanes to St Georges Road, Oakover Road, Showers Street and the adjacent property development located at 18-30 Oakover Road.
- (b) The use of retractable bollards and installation of signage to prevent the general public having through vehicle access over the north-south connection between St Georges Road and Showers Street, so that thru access is only provided to commercial operators within the development. The bollards must be in use at all times, apart from where commercial operators require access within the development.
- (c) The owner must, at its cost, maintain the internal streets/laneways/public ways to the same standards as is required by the Darebin City Council for the adjoining roads, as well as maintaining the corresponding public liability insurance.

The owner of the land must pay all of the Darebin City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Materials and Finishes

29. Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, a schedule and samples of all external materials, colours and finishes including a colour rendered and notated plans/elevations must be submitted to and approved by the Responsible Authority in consultation with Darebin City Council.

Façade Strategy

30. Before each stage of the development starts, excluding demolition, bulk excavation and site preparation works, a facade strategy must be submitted to and approved by the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Façade Strategy must be generally in accordance with the development plans and must address the following matters:
 - a) A concise description by the architect(s) of the building design concept and how the façades works to achieve this.
 - b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints to show the materials and finishes linking them to a physical sample board with clear coding.
 - c) Elevation details generally at a scale of 1:20 or 1:50 illustrating typical entries, doors, windows, balconies, utilities, façade details and any special features which are important to the buildings' presentation. The drawings must demonstrate:
 - d) The finished floor levels and ceiling levels.
 - e) Further evolution and detail of the façade design to ensure the delivery of high quality, modulated forms with depth and texture as viewed from key vantage points in the surrounding area.
 - f) Detailed information, including but not limited to, external materials, finishes and colours, glazing, canopies, services, security doors and lighting at the ground level.
 - g) Cross section or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or materials.

- h) Information about how the façade will be accessed, maintained and cleaned.
- i) Example prototypes and/or precedents that demonstrate the intended design outcome indicated on plans and perspective images to produce a high-quality built form outcome in accordance with the design concept.

Architect to be retained

- 31. Except with the consent of the Responsible Authority, Jackson Clements Burrows Architects must be retained to complete and provide architectural oversight during construction of the detailed design, as shown in the endorsed plans and endorsed schedule of materials to the satisfaction of Responsible Authority.

Glare

- 32. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.

Construction of vehicle crossings

- 33. Before the occupation of the development all vehicular crossings 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, nature strip and kerb and channel to the satisfaction of the Responsible Authority.

Environmental Audit Overlay requirements

- 34. Before the use commences (or the certification or issue of a statement of compliance under the *Subdivision Act 1988*); or before the construction or carrying out of buildings and works in association with the use commences, with the exception of buildings or works required to facilitate the undertaking of the PRSA or Audit process:
 - (a) A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
 - (b) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
 - (c) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
 - (d) A statement of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970* stating that the environmental conditions of the land are suitable for the use or proposed use.

If an Environmental Audit Statement is issued:

- (a) The Environmental Audit Statement including the Environmental Audit Report, must be submitted to the responsible authority within 5 business days of issue, as set out in s 210 of the *Environment Protection Act 2017*.
- (b) All the recommendations of the environmental audit statement must be complied with to the satisfaction of the responsible authority, prior to commencement of use of the site.

- (c) Written confirmation of compliance must be provided by a suitably qualified environmental consultant or other suitable person acceptable to the Responsible Authority.
- (d) Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works.

In the absence of a site management order and where there are recommendations on an environmental audit statement require ongoing maintenance and/or monitoring, before the use starts the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. This agreement must be to the effect that except with the written consent of the Responsible Authority all management measures of the site assessment or conditions of the Statement of Environmental Audit issued in respect of the land will be complied with.

Before use starts (or the certification or issue of a statement of compliance under the *Subdivision Act 1988*), application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act.

The owner must pay the costs of the preparation, execution and registration of the section 173 agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

Permit expiry

35. This Permit will expire if either:

- (a) The development does not start within three (3) years from the date of this Permit; or
- (b) 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:

- (a) Before this Permit expires;
- (b) Within six (6) months after the expiry date; or
- (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

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 planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.

- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the plans, they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the development allowed by this planning permit starts.
- N5. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N6. This planning permit is to be attached to the "statement of matters affecting land being sold", under Section 32 of the Sale of *Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.
- N7. An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application. Any service relocations are to the approval of the Service Authority and at the owner's cost.

RECOMMENDATION PART B:

That Council delegates the Manager City Development to instruct Officers and/ or Solicitors in appearing for Council at any independent advisory committee and/ or in further discussions/ consultation with parties.

1. BACKGROUND

1.1 Overview of the subject site and surrounding area

The site comprises 30-32 St Georges Road, 40-42 Oakover Road and 47-49 Shower Street, Preston indicated in **Figure 1** below.

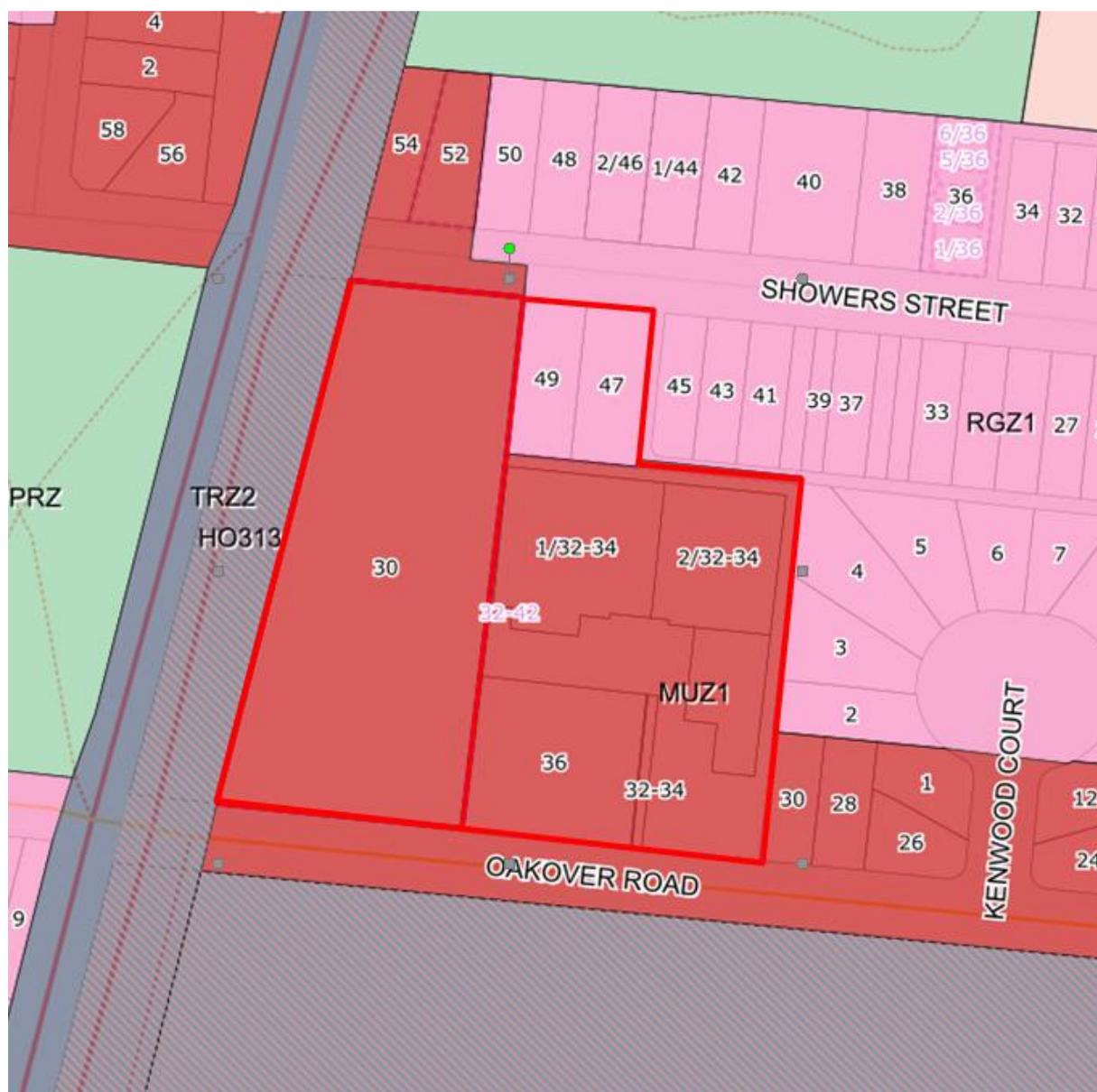


Figure 1 – Intramaps detail of the subject site (multiple sites).

The site is irregular in shape and incorporates an overall area of 13,425 square metres. The site maintains frontage to St Georges Road for approximately 127 metres, a frontage to Oakover Road of approximately 127 metres and a frontage to Showers Street of 71 metres.

An 'L shaped' laneway bounds the north-eastern corner of the site and continues to the rear of a number of residential allotments fronting Showers Street and Oakover Road to the east.

The land falls from the north and east to the south-west corner by approximately 1.5 metres. The site is occupied by large industrial buildings and hard stand areas and two (2) single-storey weatherboard dwellings fronting Showers Street, to the north-east of the site.

1.2 Site history

The former industrial area north of Oakover Road, Preston was originally rezoned from industrial to residential and mixed use through Amendment C10 Part 3 in 4 May 2006. Amendment C136, gazetted 15 September 2016, subsequently refined the controls that applied to the land, including by inserting a Development Plan Overlay on the land.

For some properties within the precinct, the Minister for Planning became the Responsible Authority for either the issuing of the planning permit or for the approval of a development plan under Amendment C194 on 29 October 2020.

However, the subject site has remained with Council being the Responsible Authority for both the Development plan approval and issuing of planning permits.

POD/2/2019 - Development Plan in accordance with Schedule 11 to the Development Plan Overlay of the Darebin Planning Scheme

The site was the subject of a Development Plan approval application to Council from the same owner in 2019. Council requested further information and raised issues relating to the Development Plan application on 16 January 2020.

Following the receipt of Council's request for further information, the applicant/owner began to engage with the State Government to seek a fast track approval through the Building Victoria Recovery Taskforce program. The proposal did not qualify for that program.

No decision has been made on application POD/2/2019 and the issues raised in the request for further information remain outstanding.

1.3 State Government Involvement

This is an application submitted to the Development Facilitation Program (DFP) within the Department of Transport and Planning (DTP – formally the Department of Environment, Land, Water and Planning, DELWP). Council is considered to be a key stakeholder and have been requested to provide advice to assist the Department's assessment.

The Minister is considering preparing an amendment to the Darebin Planning Scheme (draft Amendment C211dare) under section 96A of the *Planning and Environment Act 1987* to make them the responsible authority for the site and draft planning permit PA2201860. If the Minister decides to prepare, adopt, and approve draft Amendment C211dare, this would allow for the granting of planning permit PA2201860 and part rezoning of the land. The Minister is considering these matters under Part 4 Division 5 of the Act, which allows for a combined permit and amendment process.

Following this consultation period, the Minister may decide to refer this matter to the Priority Projects Standing Advisory Committee for advice and recommendations.

The DFP's recommendation for accelerated assessment and determination does not mean that the proposed development has been approved. The Minister has not yet decided whether to prepare, adopt or approve the planning scheme amendment or grant the planning permit.

This is the third time that the DTP have requested Council's comments on the proposal.

1.4 Council's review in March 2022

The application was first referred to Council for preliminary comment in December 2021. Officers presented a confidential report and recommendation to Council at the 15 March 2022 Planning Committee Meeting. This recommended that the application and call-in not be supported. At the meeting, Council determined to oppose the State Government calling in the application and identified the following key issues with the proposal (refer to **Appendix I** for the full submission):

- Not shovel ready, due to the varied and significant unresolved design and amenity issues and therefore does not meet the State Government's Development Facilitation Pathway eligibility criteria
- The approach taken does not reflect orderly or proper planning
- More broadly, Council wants the State's efforts to support economic recovery to focus on supporting councils to fast track assessments and decisions, rather than by taking over local decisions or cutting out community consultation. In addition, Council is concerned about the current process because of the significant resource implications for Council of undertaking assessments, but in a process that does not recover any of Council's costs
- In respect of the design, the development:
 - Lacked the necessary detailed master planning for a development of this scale (which would otherwise be achieved through the Development Plan Approval process)
 - Excessive height of up to 15 storeys, exacerbated by lack of spacing between buildings, with a poor interface to dwellings on Showers Street
 - Lacked sufficient detail about proposed affordable and social housing quota
 - Extended commercial zoning into Showers Street (a residential street)
 - Contained a north south vehicle link between Oakover Road and Showers Street
 - Had a poorly conceived interface and connection to St Georges Road and Newman Reserve
 - Had inactive building frontages to Oakover Road, dominated by multi-deck car parking.

Subsequently, significant changes were made to the proposal, many directly in response to concerns raised by Council. These include the incorporation of a significant component of social and affordable housing, as well as changes made to yield, height and design.

1.5 Council's review in August 2022

The application was referred to Council a second time on 21 June 2022. Officer-level comments on the proposal were provided to DTP on 13 July 2022, and Council officers attended meetings (with DTP and the proponents, Assemble Communities), on 26 July and 1 August 2022.

Officers presented a confidential report and recommendation to Council at the 8 August 2022 Planning Committee Meeting. The assessment undertaken by Council Officers at that time revealed that the amended proposal had the potential to deliver a net community benefit that achieves the vision of the Development Plan Overlay Schedule 11 and other relevant outcomes sought under the Darebin Planning Scheme. However this was subject to the resolution of a number of outstanding matters. Accordingly, Council Officers formed an amended position on the proposal: that Council would be in a position to support the Minister for Planning calling-in the proposed development subject to DTP and the applicant agreeing to a number of key matter:

- i. A genuine undertaking from DTP to work with Council as a partner throughout the process up to and including decision and endorsement of documents etc (should a permit issue). This includes but is not necessarily limited to including Council as a party to key negotiations, Council being heard in any panel or review process and being provided with the opportunity to undertake detailed assessments throughout, including drafting of conditions
- ii. A genuine undertaking from DTP and Assemble to continue to proactively work with Council to work through and resolve the key outstanding matters identified in Council's 13 July 2022 letter (Attachment B), to the satisfaction of all parties (as well as to continue working through the other detailed matters listed above, and any other matters that may arise)
- iii. An agreement from DTP that the same third-party involvement as currently enshrined under Schedule 11 to the Development Plan Overlay (DPO11) be retained prior to the making of any decision on the application. Essentially this is the display of the plan for 14-28 days, with notices to adjoining land owners and occupiers
- iv. That Council will have the opportunity to consider the application again during the application process once public submissions have been received
- v. That DTP provide Council with a share in the application fee or be afforded equivalent reimbursement, as agreed, to assist in covering Council's costs in assessing the proposal

Refer **Appendix I** for the full submission.

1.6 Revised proposal submitted to DTP in September

The proponent subsequently submitted an amended proposal to DTP and provided a written response in relation to a number of remaining concerns and comments which were made by both Council and DTP, respectively. The revised submission broadly addressed many of the shared concerns raised, including but not limited to:

- An improved built form transition to the Showers Street frontage, with a reduction in the building height of Building A4 to contain a four (4) storey element at the eastern edge.
- The introduction of residential uses at ground level at the north-east corner of the site which assists in creating a transition, from a land use perspective, to the residential properties fronting Showers Street.
- All commercial floorspace has been allocated to various defined uses (Office / Food and Drink Premises etc.).

- There is a reduction in shadowing to the proposed “Green Heart”, by virtue of the reduction in height of Building A4.
- Improved internal amenity outcomes for one-bedroom apartments.

The application was subsequently considered at an internal DTP Development Facilitation Program Standing Advisory Committee on 16 September 2022. The committee determined to endorse the project for priority assessment. This meant that the application transitioned from the Development Facilitation Department to the Priority Projects Department within DTP.

Following this, DTP officers contacted Council for assistance in providing notice of the application to surrounding land owners and occupiers. However DTP did not notify the full extent of properties identified by Council Officers. Council Officers had identified an extent consistent with previous notifications of similar developments in the area. Consequently, Council and DTP officers disagree on the extent of notice which has been provided for the proposal. This is discussed further in this report.

2. CURRENT PROPOSAL

2.1 Details of the Current Proposal

The application requests the Minister for Planning prepare an amendment to the Darebin Planning Scheme to make the Minister for Planning the Responsible Authority for the site, rezone No. 47 and 49 Showers Street, Preston, and facilitate an associated planning permit process pursuant to Section 96A of the Planning and Environment Act 1987.

The application seeks to rezone land at 47 & 49 Showers Street, Preston from Residential Growth Zone to Mixed Use Zone and development of the land for a mixed-use development across four buildings comprising of 480 Dwellings, Supermarket, Retail Space, Office Space, Food and Drink premises, alteration to access to a road in Transport Zone 2 and reduction to the onsite car parking requirement. The development plans are contained at **Appendix A**.

The design incorporates an integrated development of four (4) buildings, ranging in height from 1 – 15 storeys and comprising a variety of land uses, including commercial tenancies, retail premises, resident spaces, a supermarket tenancy and 480 dwellings of varying sizes, layouts and bedroom typologies.

The non-residential uses are primarily found within the ground floor levels of all of the four (4) buildings, with residential dwellings located above. The buildings also incorporate ‘Assemble’ (community) spaces, as well as a central ‘green heart’ public open space area located in the centre of the proposed development. Please refer to **Appendix B** detailing the specifications of each of the buildings, as well as the associated proposed street activation.



Figure 2 – Proposed site plan by Jackson Clements Burrows Architects (dated 26 August 2022).

2.2 Key changes made from the original proposal

Key changes made from the original proposal include:

- Overall reduction in yield in terms of the number of dwellings;
- Detailed commitment to social and affordable housing as well as the provision of designated Specialist Disability Accommodation, being:
 - 20 per cent of dwellings dedicated as social housing for a 15-year period, to be managed by Housing Choices Australia (HCA) and linked to the title via a Section 173 Agreement.
 - A further 35 per cent of dwellings allocated for affordable, low to moderate income households (essential workers) in accordance with the definition parameters as outlined within the *Planning and Environment Act 1987*
 - Approximately five (5) per cent of housing designated for Specialist Disability Accommodation.
- A reduction in overall height including:
 - Buildings A1 and A2 reduced from 13 storeys to 11 storeys (to comply with the DPO11).
 - Building A4 reduced from eight (8) storeys to six (6) storeys, including four (4) storeys at its eastern edge, transitioning to the existing dwellings fronting the southern side of Showers Street.
- An updated building layout and design including:

- ‘Mobility hub’ in Building C replaced with a mixed-use building
- The introduction of residential uses at ground level at the north-east corner of the site also assists in creating a transition, from a land use perspective, to the residential properties fronting Showers Street.
- All commercial floorspace has been allocated to various defined uses (Office / Food and Drink Premises etc.) on the updated architectural plans.
- A reduction in shadowing to the proposed “Green Heart”, by virtue of the reduction in height of Building A4.
- Building separation between Buildings A and D increased from 6.3 metres to 16.1 metres providing better connection and views between the ‘Green Heart’ of the development with St Georges Road and Newman Reserve.
- Increase setbacks from the east boundary improving interface with adjoining dwellings.
- Introduction of ground floor residential uses within Building A4 to Showers Street.
- Improved internal pedestrian linkages and practical usability.

2.3 Key changes made from the version of the proposal reported to Council in August 2022

- An improved built form transition to the Showers Street frontage, with a reduction in building height of Building A4 to contain a four storey element at the eastern edge.
- The introduction of residential uses at ground level at the north-east corner of the site also assists in creating a transition, from a land use perspective, to the residential properties fronting Showers Street.
- All commercial floorspace has been allocated to various defined uses (Office / Food and Drink Premises etc.) on the updated architectural plans.
- A reduction in shadowing to the proposed “Green Heart”, by virtue of the reduction in height of Building A4.
- Improved internal amenity outcomes for one-bedroom apartments.

2.4 Statutory Controls – why is a planning permit required?

The application is for the use and development of the land for a mixed-use development across four (4) buildings comprising of 480 Dwellings, social and affordable housing, specialist disability accommodation, supermarket, retail space, office space, food and drink premises, alteration to access to a road in Transport Zone 2 and reduction to the onsite car parking requirement.

Control	Permit Requirement
Mixed-Use Zone – Schedule 1 (MUZ1)	<p>Clause 32.04 – a permit is required to construct a building and to carry out works (two or more dwellings on a lot).</p> <p>Clause 32.04 – a permit is required for the use and development of an office, retail premises and shop.</p>
Residential Growth Zone – Schedule 1 (RGZ1)	<p>Clause 32.04 – a permit is required to construct a building and to carry out works (two or more dwellings on a lot).</p> <p>Clause 32.04 – a permit is required for the use and development of an office, retail premises and shop.</p>

Control	Permit Requirement
Car Parking	Clause 52.06 – A permit is required to reduce the number of car parking spaces required.
Land Adjacent to the Principal Road Network	Clause 52.29 – A permit is required to create or alter access to a Transport Zone 2.

3. CONSULTATION

DTP undertook public notice by way of letters to the owners and occupiers of adjoining properties immediately adjoining and opposite the site (which included the west side of St Georges Road). No sign was placed on site.

Council advised DTP that public notice should be distributed to a significantly larger catchment, consistent with the extent of notice Council has given for other developments of similar scale in this area. DTP have chosen not to take Council’s advice in this regard, contrary to one of the contingencies set out by Council in August 2022.

Eleven (11) submissions were submitted to DTP. The key issues raised are:

- Insufficient car parking, traffic flow and road safety.
- Overshadowing.
- The rezoning of 47 and 49 Showers Street.
- Overall bulk and height of the proposal.

In addition to formal consultation, the proponent undertook independent stakeholder engagement which is detailed in **Appendix H**.

4. REFERRALS

Council has not been provided with copies of referral advice from external authorities by DTP.

The proposal was referred to the following internal branches/business units (for more detailed comments please refer to **Appendix E**):

Internal Business Unit	Comments
Infrastructure and Capital Delivery	<p>Council’s Infrastructure and Capital Delivery Unit advise that the application is satisfactory subject to the submission of required approvals in relation to Individual Legal Points of Discharge, stormwater drainage and computations and retention design plans. It has been advised that it would be preferable to consider each individual stage of the development on a case by case basis.</p> <p>Although not in an overlay, the land is identified as being within a 1 in 100year flood underground drain area, which typically would be referred to Melbourne Water for comment. It is recommended that DTP refer the proposal to Melbourne Water for advice.</p>
Sustainable Transport Unit	Council’s Climate Emergency and Sustainable Transport Unit have outlined their support for the proposed car parking reduction

Internal Business Unit	Comments
	due to the significant of bicycle parking spaces (795) and motorcycle spaces (15), as well as car share spaces (4) which will be provided in conjunction with the proposal. Concerns have been raised in relation to the proposed widths of new footpaths and associated traffic impacts from the development. However these concerns would be mitigated through permit conditions relating specifically to minimum footpath width requirements and associated infrastructure upgrades. These proposed upgrades have been recommended directly from Council's Climate Emergency and Sustainable Transport Unit.
City Designer	Each of the iterations of the proposal have been referred to Council's City Designer for comment. Additionally, Council's City Designer has attended all meetings with the proponent in relation to overall design matters. Council's City Designer confirms that the majority of their concerns and comments made throughout the consultation with Council have been addressed in this iteration of the development, and any remaining minor outstanding items were not a necessity to support the overall design outcome.
City Design Unit	Council's City Design Unit raised concerns regarding the extent of overshadowing of the proposed 'green heart' aspect of the proposal. Amendments have since been made in order to reduce the amount of overshadowing. Standard conditions are recommended to be included on any Permit issued.
ESD Officer	Council's ESD Officer has recommended updates through conditions to the approval.
Property Management Unit	Council's Property Management Unit has reviewed the plans and provides no objection to the proposal.
Strategic Planning Unit	<p>The predominant concerns from Council's Strategic Planning Unit with regards to the proposed built form and use matters along Showers Street have been resolved, however conditions have been recommended to be included, in relation to:</p> <ul style="list-style-type: none"> • A condition requiring a section 173 agreement being enshrined in relation to the social housing component of the development; • A final Statement of Environmental Audit stating that the proposed uses for the site are suitable.
Environmental Operations Unit	Council's Environmental Operations Unit has reviewed the proposed Waste Management Plan and deemed it acceptable.

5. PLANNING POLICY

5.1 Planning Policy Framework (PPF)

The following policies are of most relevance to this application:

- Settlement (Clause 11)
- Environmental Risks and Amenity (Clause 13)
- Building Design (Clause 15.01-1S, Clause 15.01-1R).

- Housing Supply (Clause 16.01-1S)
- Housing Affordability (Clause 16.01-2S)
- Economic Development (Clause 17)
- Housing (Clause 21.03)
- Economic Development (Clause 21.04)
- Transport and Infrastructure (Clause 21.05)
 - Integrated and Sustainable Transport (Clause 21.05-2)
- Multi-residential and mixed use development (Clause 22.06)
- Environmentally Sustainable Design (Clause 22.12).

5.6 Particular Provisions:

- Car Parking (Clause 52.06)
- Land Adjacent to the Principal Road Network (Clause 52.29)
- Bicycle Facilities (Clause 52.34)
- Stormwater Management in Urban Development (Clause 53.18)

6. ASSESSMENT

6.1 Does the proposal have strategic policy support?

The comprehensive redevelopment is supported by State policy, in particular:

- Clause 11.02-1S seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.
- Clause 15.01-1S sets out urban design guidance to achieve a high-quality built environment and public realm.
- Clause 16.01-1S seeks to encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Clause 16.01-2S seeks to encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
- Clause 17.02-1S encourages development that meets the community's needs for retail, entertainment, office and other commercial services and provides adequate supply of commercial land in appropriate locations.

On consideration of the above policy, it is evident that the site is well located, is presently underutilised and therefore is suitable for redevelopment for a mixture of residential and commercial uses.

Additionally, through the incorporation of permit conditions, this approval will ensure a significant portion of the development (60 per cent) is broken up between Social and Affordable housing as well as Specialist Disability Accommodation, which will be incorporated as part of the development.

The provisions of the Local Planning Policy Framework provide further guidance on the expected form, scale and intensity of development appropriate for this site.

Clause 21.03 – 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 substantial change in the Strategic Housing Framework Plan and is defined as:

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

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 Substantial Change Areas generally display one (1) or more of the following characteristics:

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

The site meets the characteristics for substantial change and the proposal results in an acceptable level of development envisaged in this context, particularly given the site area and location in proximity to services and public transport.

Residential Growth Zone – Clause 32.07-13

Part of the overall site (specifically 47-49 Showers Street) is located within Schedule 1 to the Residential Growth Zone, identified as a ‘Substantial Housing Change Area’. There are no specific decision guidelines located within Schedule 1 to the RGZ, therefore the application has been assessed against the broader Decision Guidelines of the RGZ.

The application proposes a high density, mixed-use development with the proposed development incorporating 480 dwellings of mixed typology. This scale of development is guided by the objectives and standards of Clause 58 of the Planning Scheme (Apartment Developments). A Clause 58 assessment has been undertaken and further discussed in this report. The proposal results in near full compliance with all standards and objectives and represents a balanced and suitable outcome in the context of those provisions.

The proposed commercial, retail and supermarket uses have been located and designed to be compatible with the proposed residential use of the site. The various uses will complement the primary residential use of the site, providing numerous amenities for future occupants and the surrounding neighbourhood.

The proposed commercial and retail uses will predominately serve the local Preston community, creating jobs and allowing for an increase in choice in local amenity and services. This will extend to existing owners and occupiers, located outside the site.

Additionally, while the proposal is of large scale, it broadly meets the desired outcomes as outlined within the DPO11, whereby an assessment against the relevant criteria has been provided in this report.

The design response is effectively distributed across four (4) buildings, each with their own unique presence, height, materials, colours and features. The proposal appropriately responds to the site's noted eastern sensitivity in creating a downward transition of scale away from its prominent corner intersections where a new 'landmark' built form is to be established as sought by sub-precinct objectives of DPO11.

Mixed Use Zone – Clause 32.04

The proposal successfully responds to above purposes. The development involves a high density, mixed-use development including a range of commercial and retail components.

Key considerations as outlined within the MUZ relate to impacts on solar energy facilities for dwellings on adjoining lots, as well as a Clause 58 assessment in relation to apartment developments. As such, there are no dwellings on adjoining lots which include rooftop solar energy systems. Solar panels are located on the roof of 43 Showers Street however due to its location to the north of this development, it has been demonstrated by shadow diagrams that they it will not be detrimentally impacted by overshadowing.

Development Plan Overlay – Schedule 11

A Development Plan is required before any planning permit can be issued. A full assessment against the objectives of the DPO11 is contained at **Appendix C**.

6.2 Is the proposal acceptable with respect to parking provision?

Clause 18.01-3S Sustainable and Safe Transport seeks to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing. The policy supports the promotion of walking, cycling and the use of public transport and the minimisation of car dependency.

Cause 21.05-2 Integrated and Sustainable Transport seeks to manage the provision of car parking and congestion of car parking in Darebin and encourage use of sustainable transport modes to reduce car parking demand. The policy directs the Responsible Authority to:

- Consider existing public transport opportunities when assessing applications to waive or reduce car parking,
- Take into consideration existing car parking demand levels when considering applications to waive car parking and ensure there is demonstrated on-street capacity before waiving an on-site car parking requirement, particularly in locations outside of activity centres and
- Consider requiring Travel Plans as a condition of approval for new uses and developments where there is a substantial reduction in car parking from Clause 52.06 requirements.

Following from this it is considered that any approval will include a condition requiring that a Green Travel Plan be prepared and submitted for approval, to the satisfaction of the responsible authority.

Parking provision is generally calculated via Table 1 of Clause 52.06 (car parking). The rate of car parking required and provided is illustrated in the table below.

Car Parking Rate				
Use	Rate	Spaces required	Parking provided	Reduction/Surplus
Dwellings	1 car space to each 1 & 2 bedroom dwelling 2 car spaces to each 3 or more bedroom dwelling.	526	288	-238
Supermarket	5 spaces to each 100 square metres	69	48	- 20
Office	3.0 spaces to each 100 square metres	37	25	-12
Retail/food and drink	3.5 spaces to each 100 square metres	27	0	-27
		Total: 659	Total: 365 (including 4 share spaces)	-297

(4 car share spaces additionally provided).

Number of Parking Spaces Required

The subject site falls within the PPTN area map, and therefore Column B rates apply to the proposal. There is no requirement to provide residential visitor parking under Clause 52.06 of the Planning Scheme.

The proposed development has a statutory car parking requirement of 659 spaces under Clause 52.06 of the Planning Scheme. This represents a shortfall of 294 car spaces (44% shortfall).

The application has been referred internally to Council’s traffic engineers who conclude that the proposed car parking reduction is deemed satisfactory for the following reasons:

- the generous amount of bicycle parking spaces provided,
- the provision of social and affordable housing which generally demand less car parking spaces,
- the presence of alternative transportation options within close proximity to the site.

Design standards for car parking

The car parking spaces and accessways 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.

Additional requirements as listed by Council’s traffic engineers will be included as any recommended conditions of Permit, as listed below.

6.3 Is the proposal acceptable with respect to transport impacts?

Having regards to the provided Traffic Engineering Assessment by Traffix Group as well as the assessment undertaken by Council's Climate Emergency and Sustainable Transport Unit, the proposal is acceptable with regards to transport impacts and the proposed car parking reduction.

The site is well-serviced in relation to a variety of alternative public transportation options. Consequently, this allows a brownfield site such as this to be less reliant on car utilisation as future residents will have the ability to take advantage of public transportation. Further, the extensive amount of bicycle parking spaces provided (795 spaces) ensures that future residents will have further alternative options by way of transportation, allowing for an additional response on potential transport impacts within the immediate area.

Where significant demand may be placed on public infrastructure, additional mitigation measures have been implemented by way of permit conditions, as recommended by Council's Climate Emergency and Sustainable Transport Unit. These include public infrastructure improvements as listed below:

- An east-bound protected bike lane on Oakover Rd along the subject site frontage;
- Bike lanterns and head starts (east and west bound) at the Oakover/St Georges Rd intersection;
- New footpath (north side of Oakover Rd) to be minimum 1.8 metres wide;
- An east-bound protected bike lane on Oakover Rd from St Georges Rd to the railway line.

The above listed public infrastructure improvements will assist to mitigate the demand placed on the existing public infrastructure within the immediate area.

6.4 Will the proposal result in negative amenity impacts to the surrounding area?

A key objective within the DPO11 seeks to *"create a high amenity urban village...that provides services and amenities for the local area"*. As a response, the proposal provides a high quality architectural and urban design outcome which can act as its own 'urban village' through the on-site services and amenities provided for residents within the development and the broader community. This includes the central and large 'green heart' of the proposal which has the ability to act as a local attraction with a variety of north-south and east-west connections and building entrances. Further, the associated supermarket and proposed retail and commercial components of the development will ensure that additional amenities are provided for existing residents of the immediate and surrounding area.

Further, the amended plans allow for a transition in height arrangements, particularly along the Showers Street section of the proposal, where the development meets existing residential dwellings. The transitional height of up to four (4) storeys at the eastern edge of Building A4, continuing to six (6) storeys as the development travels west, ensures that the existing dwellings will not be overwhelmed by the proposed increase in height. Additionally, in line with a key objective of the DPO11, apartments are provided at ground floor level of Building A4, allowing for an increase in passive surveillance opportunities within the public realm.

6.5 Does the proposal provide an acceptable urban design response?

The proposal provides an acceptable urban design response by way of providing a 'landmark built form' outcome which is sought by the DPO11. Varying scales of building height and presentation contribute in defining this outcome through the collective presentation of Buildings A and D to the public realm and central areas within the site.

Further, the design response is effectively distributed across four (4) buildings, each with their own presence, height, materials, colours and features.

The publicly accessible areas ensure that each of the building's elevations can be appreciated from multiple vantage points. The proposal appropriately responds to the site's noted eastern sensitivity in creating a downward transition of scale away from its prominent corner intersections.

6.6 Does the proposal provide good internal amenity and design outcomes?

The proposal represents a high-quality response in terms of internal amenity and design outcomes.

All apartments meet or exceed the internal functional area and accessibility design requirements of the planning scheme, ensuring high internal amenity outcomes for residents are achieved.

All apartments meet the maximum room depth dimensions and external window configuration ensuring adequate daylight is achieved for all new habitable rooms. In addition, the minimum number of apartments meeting cross-ventilation requirements exceeds that of the standard.

Excluding two (2) of the apartments along the site's Showers Street frontage (associated with Building A4), each apartment is provided with the minimum balcony area dimensions, which range in size from 8 to 16 square metres. This minor variation is considered acceptable as it is limited to two apartments and as the development includes provision of a significant central open space area which exceeds communal open space requirements.

Further, the layout of apartments within Building A and D have been designed to orientate to the site's street frontages or within the central 'green heart'. This ensures that future residents are provided with positive outlooks from their dwellings, as well as the associated opportunity for passive surveillance.

For a full assessment against the standards and objectives of Clause 58, Please see **Appendix D**.

7. RESPONSE TO SUBMITTER CONCERNS

The following issues raised by submitters are addressed in through the assessment and issues section of this report:

- Insufficient car parking, traffic flow and road safety
- Overall bulk and height of the proposal.

The following concerns which have not been specifically referred to in this report as responded to below:

Overshadowing

The proposal has been amended to ensure that there is limited overshadowing occurring to the adjoining dwellings to the east, as well as limited overshadowing occurring within the central green heart section of the development.

The rezoning of 47 and 49 Showers Street

The application has been amended to ensure that only residential uses will be utilised at the ground floor level of this section of Showers Street, rather than utilising the land for commercial premises. This ensures that amenity outcomes are in line with that of a residential setting. The rezoning is only required to allow the access to the commercial properties, and this access is located well away from the nearest dwellings.

8. POLICY IMPLICATIONS

8.1 Environmental Sustainability

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

8.2 Social Inclusion and Diversity

The amended proposal would deliver positive social inclusion and diversity outcomes, discussed within this report.

8.3 Other

Nil.

9. FINANCIAL AND RESOURCE IMPLICATIONS

Council does not receive any revenue (such as planning permit application fees) in return for the significant specialist officer time required to review the proposal to call-in this application in its capacity as informal referral authority.

One of Council's contingencies requiring DTP agreement set out in Council's letter to DTP at **Appendix F** was for DTP to provide Council with a share in the application fee or be afforded equivalent reimbursement, as agreed, to assist in covering Council's costs in assessing the proposal and prevent a precedent of cost-shifting. DTP has not since agreed or responded to this request.

10. FUTURE ACTIONS

Should Council adopt this recommendation, the Manager City Development will write to the Minister for Planning and DTP and advise them of Council's position.

Council Officers will continue to work with DTP in any further consultation and/ or independent advisory committee review of the application.

Councillors will be informed of the progress and outcome of the Minister's consideration.

11. RELATED DOCUMENTS

- *Planning and Environment Act 1987*
- Darebin Planning Scheme

ATTACHMENTS

- Architectural Drawings (**Appendix A**)
- Description of each of the four (4) buildings (**Appendix B**)
- Development Plan Overlay - 11 Assessment (**Appendix C**)
- Clause 58 Assessment Table (**Appendix D**)
- Referral comments table (**Appendix E**)
- Council letter to DTP 16 November 2022 (**Appendix F**)
- DTP referral letter to Council 17 October 2022 (**Appendix G**)
- Stakeholder Engagement Summary (**Appendix H**)
- Council letters to DTP (January and March 2022) (**Appendix I**)

12. DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.

ST GEORGES RD

30 ST GEORGES RD, 32-36 OAKOVER RD, 47-49 SHOWERS ST, PRESTON

TOWN PLANNING
26.08.2022

ARCHITECTURAL DRAWING SCHEDULE

DRAWING NUMBER	DRAWING TITLE	Current Revision	Checked By	Approved By
TP 0-000	COVER PAGE	3	LW	GB
TP 0-201	EXISTING CONDITIONS	3	LW	GB
TP 1-101	PROPOSED SITE PLAN	3	LW	GB
TP 1-108	PROPOSED LEVEL B2	3	LW	GB
TP 1-109	PROPOSED LEVEL B1	3	LW	GB
TP 1-110	PROPOSED GROUND FLOOR PLAN	3	LW	GB
TP 1-111	PROPOSED LEVEL G1 PLAN	3	LW	GB
TP 1-112	PROPOSED LEVEL G2 PLAN	3	LW	GB
TP 1-113	PROPOSED LEVEL G3 PLAN	3	LW	GB
TP 1-114	PROPOSED LEVEL G4 PLAN	3	LW	GB
TP 1-115	PROPOSED LEVEL G5 PLAN	3	LW	GB
TP 1-116	PROPOSED LEVEL G6 PLAN	3	LW	GB
TP 1-117	PROPOSED LEVEL G7 PLAN	3	LW	GB
TP 1-118	PROPOSED LEVEL G8 PLAN	3	LW	GB
TP 1-119	PROPOSED LEVEL G9 PLAN	3	LW	GB
TP 1-120	PROPOSED LEVEL 10 PLAN	3	LW	GB
TP 1-121	PROPOSED LEVEL 11 PLAN	3	LW	GB
TP 1-122	PROPOSED LEVEL 12 PLAN	3	LW	GB
TP 1-123	PROPOSED LEVEL 13 PLAN	3	LW	GB
TP 1-124	PROPOSED LEVEL 14 PLAN	3	LW	GB
TP 1-125	PROPOSED LEVEL ROOF	3	LW	GB
TP 1-130	PROPOSED ENLARGED PLAN - BUILDING A1/A2	3	LW	GB
TP 1-131	PROPOSED ENLARGED PLAN - BUILDING A3	3	LW	GB
TP 1-132	PROPOSED ENLARGED PLAN - BUILDING A4	3	LW	GB
TP 1-133	PROPOSED ENLARGED PLAN - BUILDING C	2	LW	GB
TP 1-134	PROPOSED ENLARGED PLAN - BUILDING D1	3	LW	GB
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TP 1-136	PROPOSED ENLARGED PLAN - BUILDING D3	3	LW	GB
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TP 2-108	DETAIL ELEVATIONS	3	LW	GB
TP 3-101	NORTH SOUTH SECTION	3	LW	GB
TP 3-102	PROPOSED SECTIONS	3	LW	GB
TP 4-401	5AM JUNE SHADOW DIAGRAMS	3	LW	GB
TP 4-402	10AM JUNE SHADOW DIAGRAMS	3	LW	GB
TP 4-403	11AM JUNE SHADOW DIAGRAMS	3	LW	GB
TP 4-404	5AM SEP SHADOW DIAGRAMS	2	LW	GB
TP 4-405	10AM SEP SHADOW DIAGRAMS	2	LW	GB
TP 4-406	11AM SEP SHADOWS DIAGRAMS	2	LW	GB
TP 4-407	1PM SEP SHADOWS DIAGRAMS	2	LW	GB
TP 4-408	1PM SEP SHADOWS DIAGRAMS	2	LW	GB
TP 4-409	2PM SEP SHADOWS DIAGRAMS	2	LW	GB
TP 4-410	3PM SEP SHADOWS DIAGRAMS	2	LW	GB
TP 9-101	EXTERNAL FINISHES SCHEDULE	3	LW	GB
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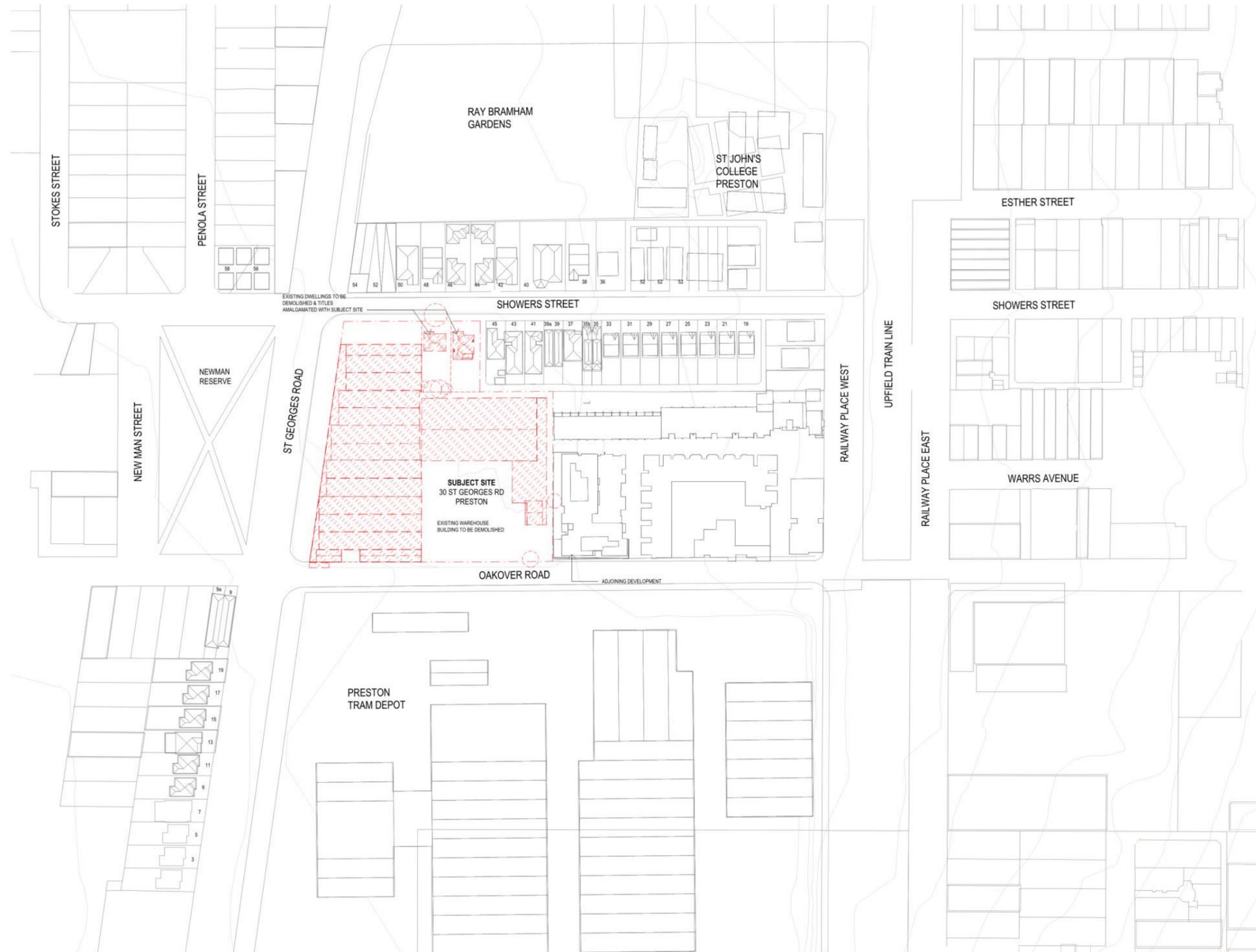
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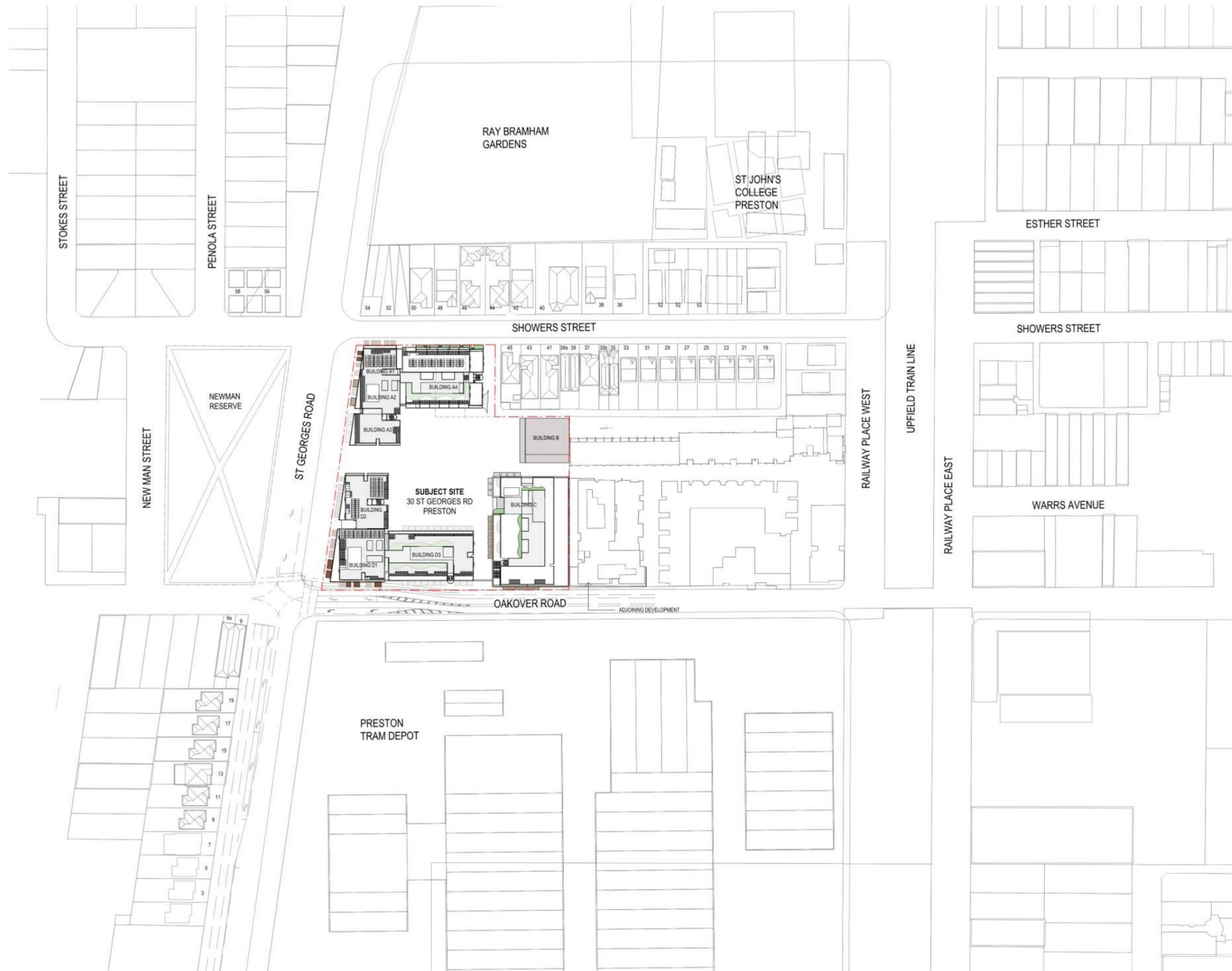
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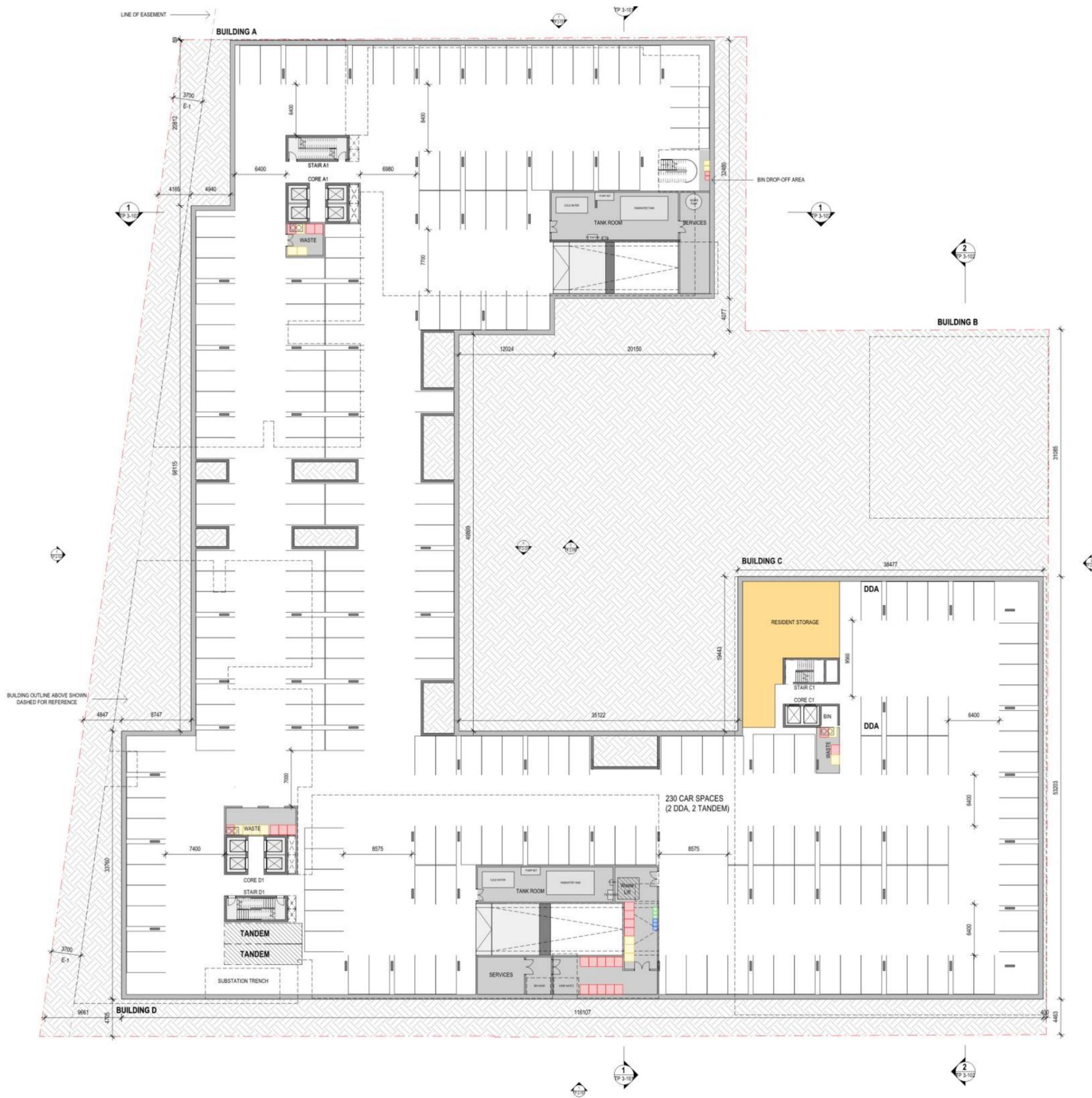
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PROJECT
**ST GEORGES RD
 30 ST GEORGES RD, 32-36 OAKOVE RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
PROPOSED LEVEL 09 PLAN

DATE	CHECKED	APPROVED
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SCALE
1 : 250
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PROJECT
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DRAWING TITLE
PROPOSED LEVEL 10 PLAN

DATE	CHECKED	APPROVED
26/08/22	LW	GB

SCALE
1 : 250
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**ST GEORGES RD
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PROPOSED LEVEL 11 PLAN

DATE	CHECKED	APPROVED
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SCALE
1 : 250
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STATUS
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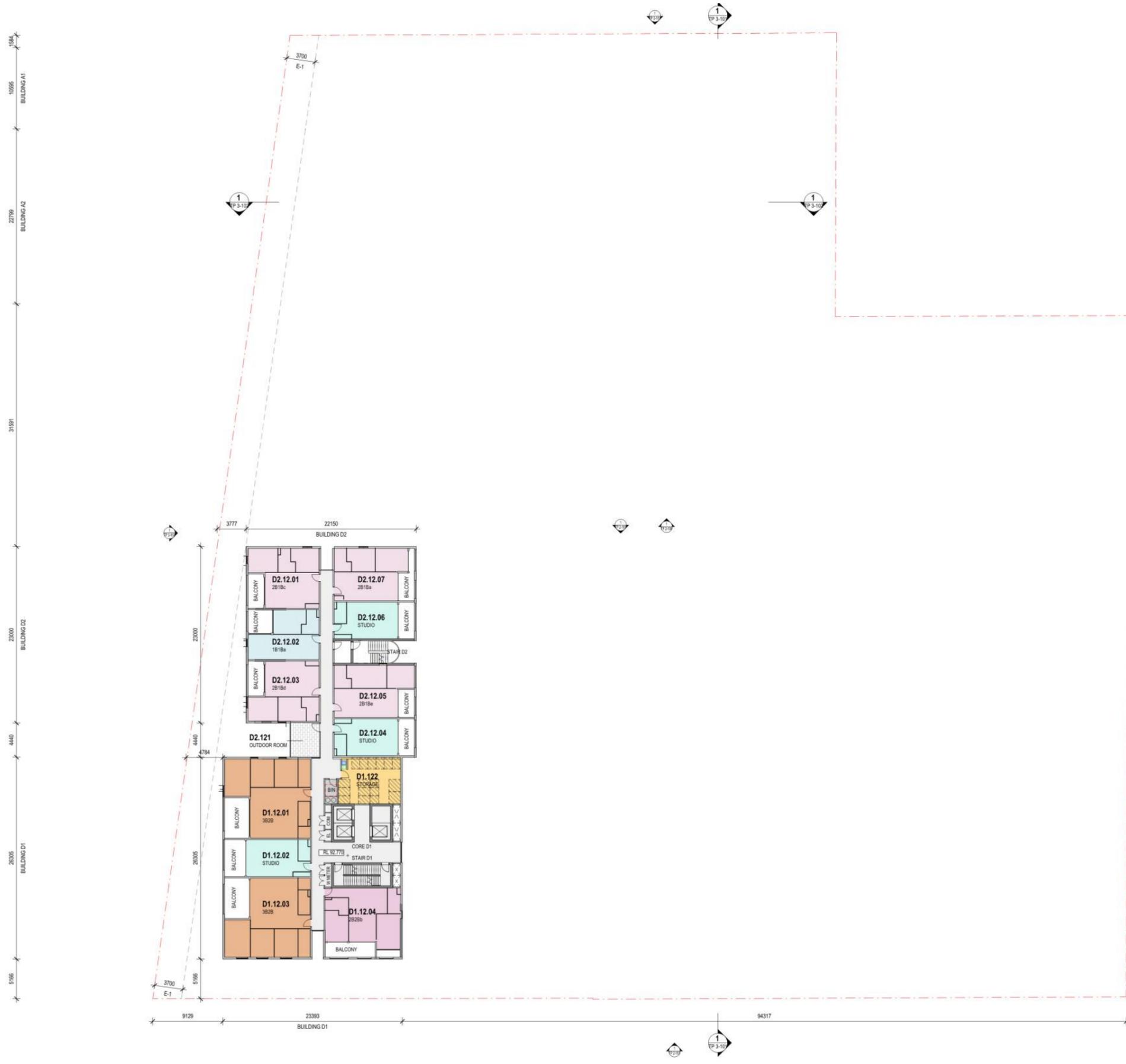
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PROPOSED LEVEL 12 PLAN

DATE	CHECKED	APPROVED
26/08/22	LW	GB

SCALE
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STATUS
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PROJECT #
21-042

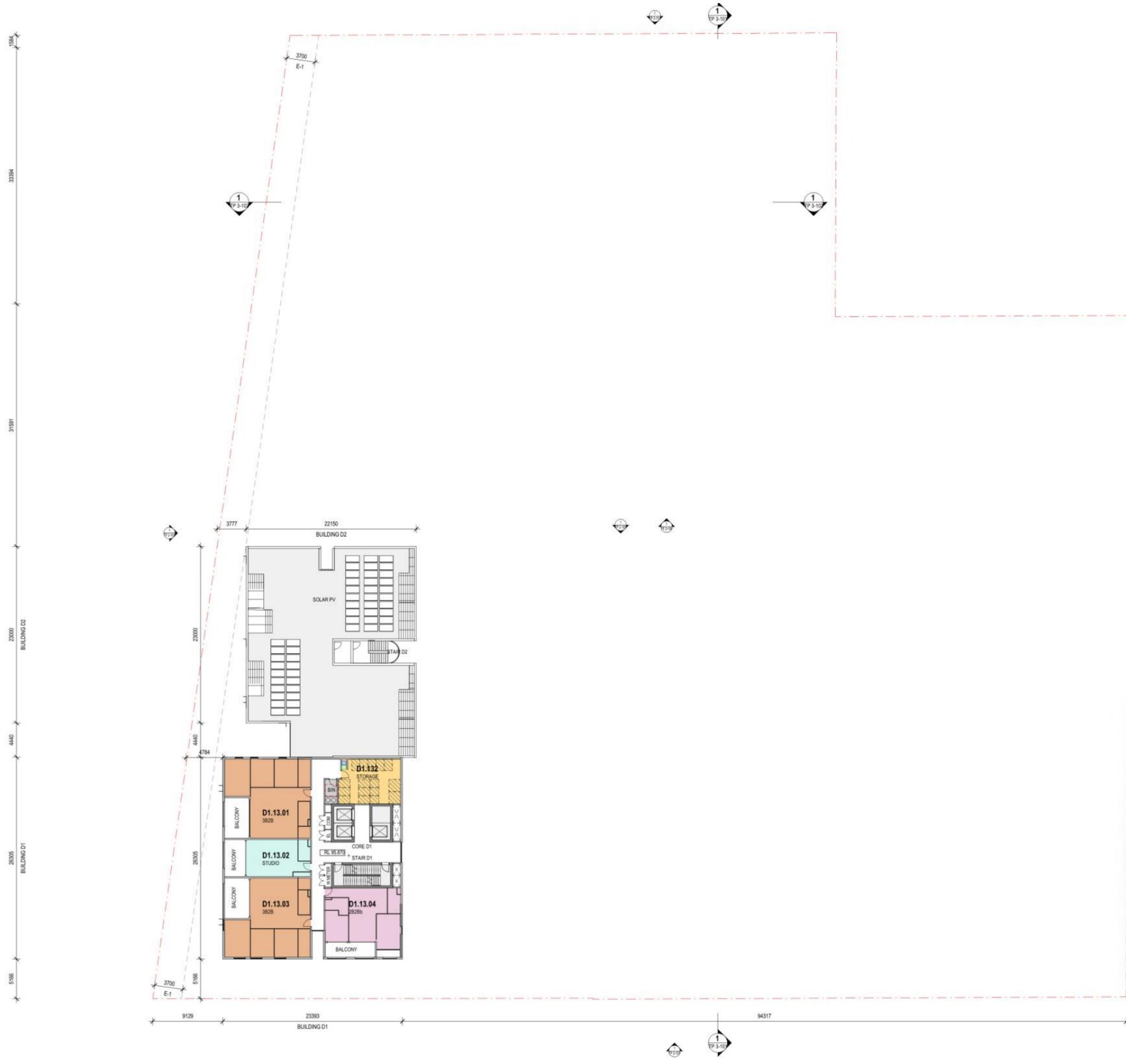
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**ST GEORGES RD
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DRAWING TITLE
PROPOSED LEVEL 13 PLAN

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SCALE
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STATUS
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PROJECT #
21-042

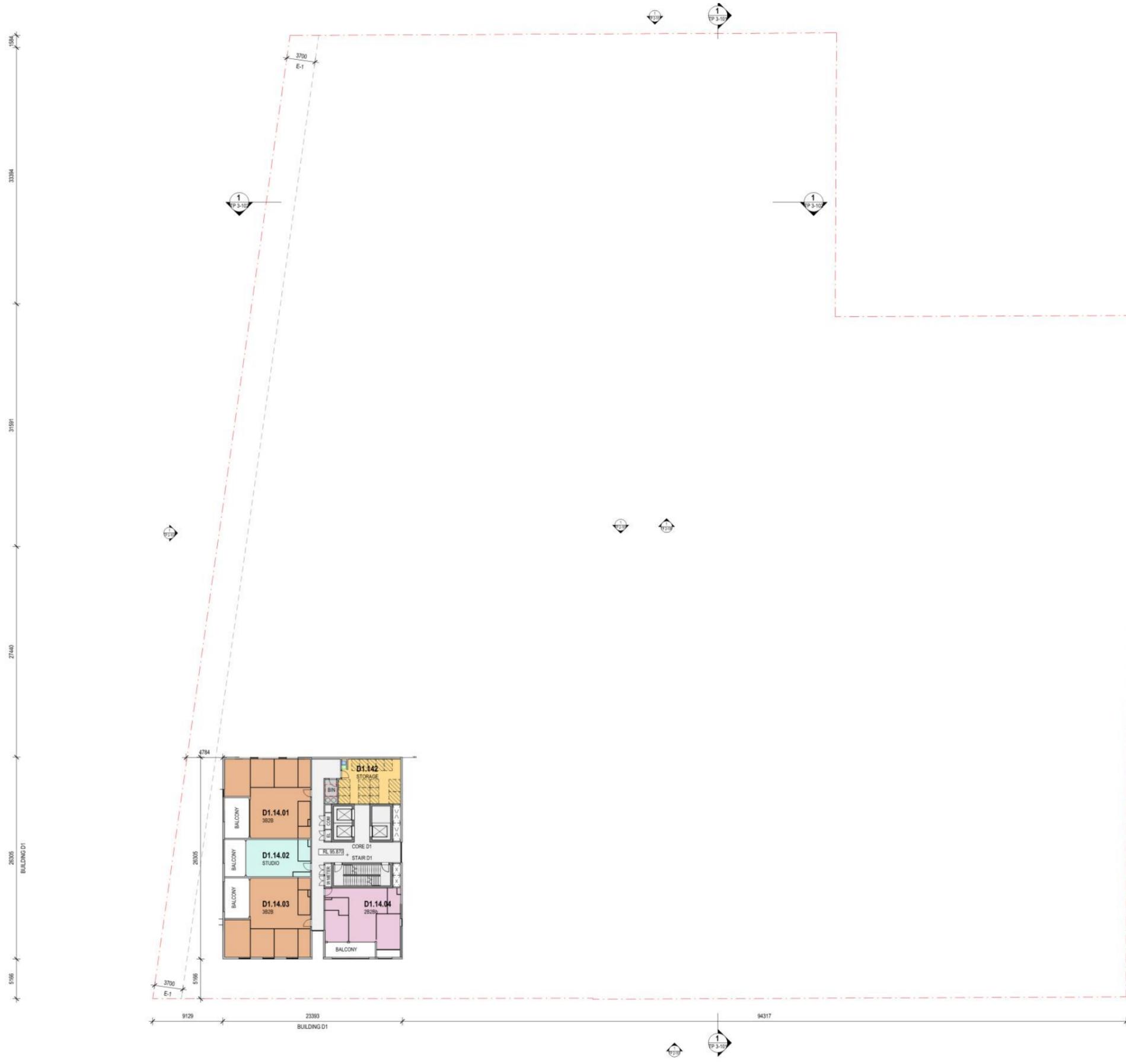
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PROJECT
**ST GEORGES RD
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DRAWING TITLE
PROPOSED LEVEL 14 PLAN

DATE	CHECKED	APPROVED
26/08/22	LW	GB

SCALE
1 : 250
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TOWN PLANNING

PROJECT #
21-042

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**ST GEORGES RD
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DRAWING TITLE
PROPOSED LEVEL ROOF

DATE	CHECKED	APPROVED
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SCALE
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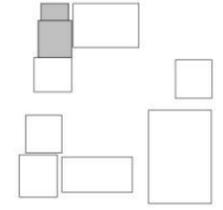
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TP 1-125	3

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PROJECT
**ST GEORGES RD
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DRAWING TITLE
**PROPOSED ENLARGED PLAN -
 BUILDING A1/A2**

DATE	CHECKED	APPROVED
26/08/22	LW	GB

SCALE
1 : 100
 @A1

STATUS
TOWN PLANNING

PROJECT #
21-042

DRAWING NUMBER
TP 1-130

REVISION
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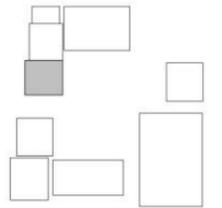
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**ST GEORGES RD
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 RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
**PROPOSED ENLARGED PLAN -
 BUILDING A3**

DATE	CHECKED	APPROVED
26/08/22	LW	GB

SCALE
1 : 100
 @A1

STATUS
TOWN PLANNING

PROJECT #
21-042

DRAWING NUMBER
TP 1-131

REVISION
3

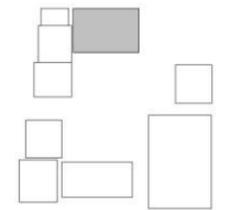
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**ST GEORGES RD
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DRAWING TITLE
PROPOSED ENLARGED PLAN - BUILDING A4

DATE	CHECKED	APPROVED
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SCALE
1 : 100
 @A1

STATUS	PROJECT #
TOWN PLANNING	21-042
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TP 1-132	3

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DRAWING TITLE
**PROPOSED ENLARGED PLAN -
 BUILDING C**

DATE	CHECKED	APPROVED
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SCALE
1 : 100
 @A1

STATUS	PROJECT #
TOWN PLANNING	21-042
DRAWING NUMBER	REVISION
TP 1-133	2

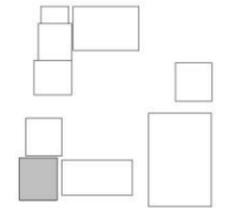
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DRAWING TITLE
**PROPOSED ENLARGED PLAN -
BUILDING D1**

DATE	CHECKED	APPROVED
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STATUS
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PROJECT #
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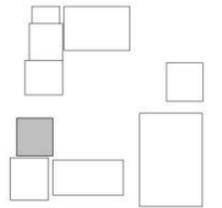
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PROJECT
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DRAWING TITLE
**PROPOSED ENLARGED PLAN -
 BUILDING D2**

DATE	CHECKED	APPROVED
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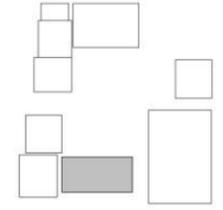
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DRAWING TITLE
PROPOSED ENLARGED PLAN - BUILDING D3

DATE	CHECKED	APPROVED
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SCALE
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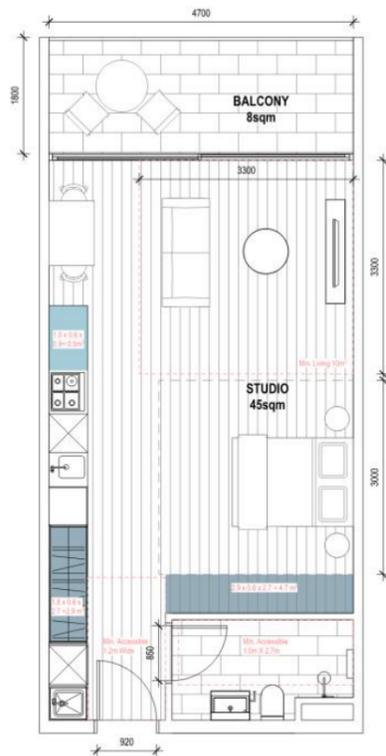
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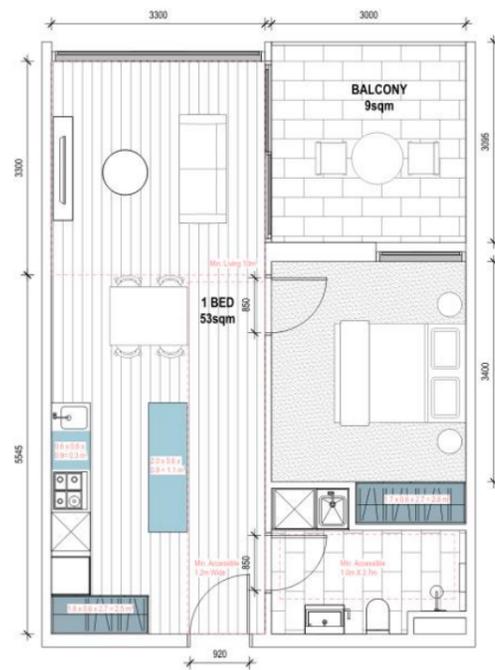
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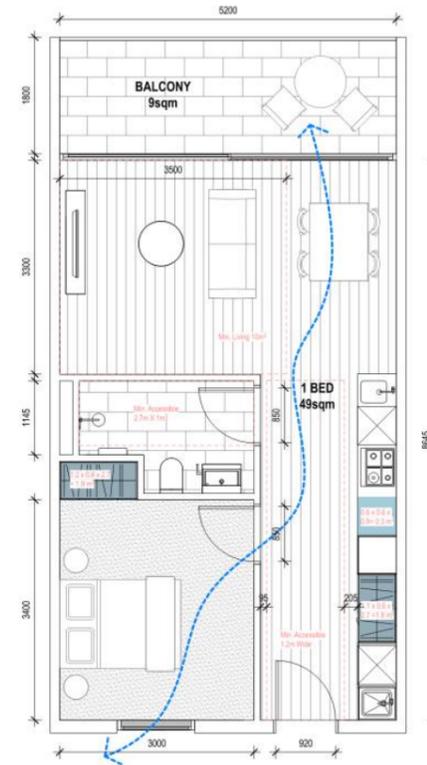
STUDIO
 Instances: 145
 Achieves cross flow ventilation: No
 Achieves min. internal storage: Yes, 8.1 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

1 APARTMENT - STUDIO
 1 : 50



1 BED
 Instances: 51
 Achieves cross flow ventilation: No
 Achieves min. internal storage: Yes, 6.7 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

2 APARTMENT - 1B1Ba
 1 : 50



1 BED
 Instances: 55
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 7.6 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

3 APARTMENT - 1B1Bb
 1 : 50

- Legend**
- 2700H Robe storage unit
 - 920H Kitchen storage unit
 - 900H Overhead storage unit
- Internal Storage Requirements:
 Studio: 5m³
 1 bed: 6m³
 2 bed: 9m³
 3 bed: 12m³
- Living Room:
 (3.0m x 3.3m; 10m²) Studio & 1 Bed
 (3.0m x 3.6m; 12m²) 2 & 3 Bed
- Main Bedroom:
 (3.0m x 3.4m)
 Standard Bedroom:
 (3.0m x 3.0m)

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DRAWING TITLE
PROPOSED APARTMENT PLANS

DATE	CHECKED	APPROVED
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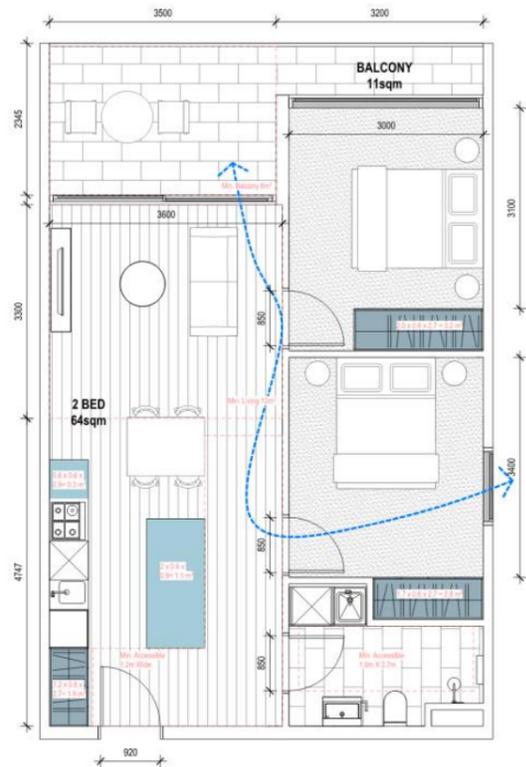
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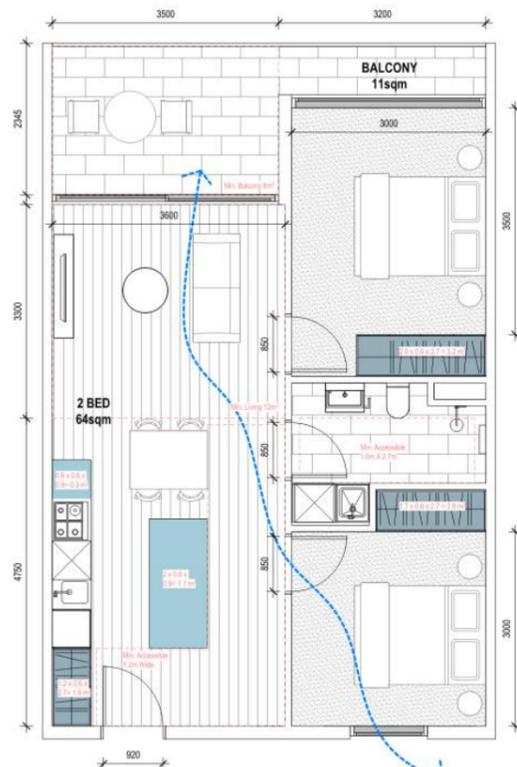
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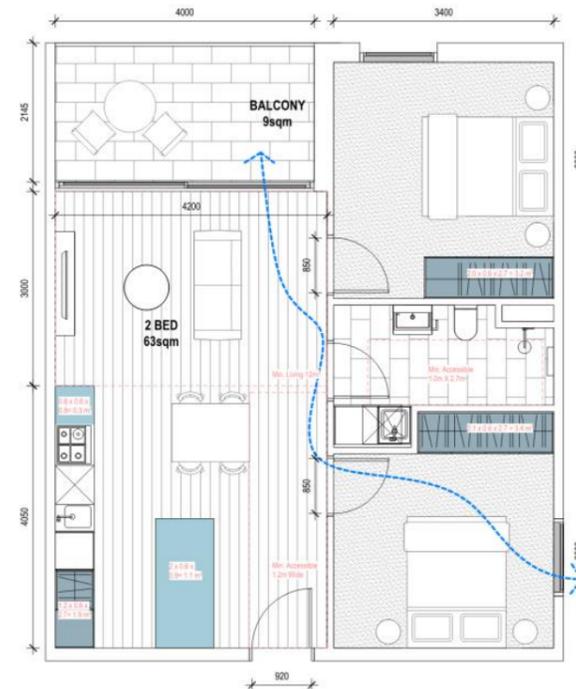
2 BED
 Instances: 33
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 9.3 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

1 APARTMENT - 2B1Ba
 1 : 50



2 BED
 Instances: 5
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 8.3 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

2 APARTMENT - 2B1Bb
 1 : 50



2 BED
 Instances: 12
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 9.3 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

3 APARTMENT - 2B1Bc
 1 : 50

Legend

- 2700H Robe storage unit
- 900H Kitchen storage unit
- 900H Overhead storage unit

Internal Storage Requirements:
 Studio: 5m³
 1 bed: 6m³
 2 bed: 9m³
 3 bed: 12m³
 Living Room:
 (3.0m x 3.3m; 10m²) Studio & 1 Bed
 (3.0m x 3.6m; 12m²) 2 & 3 Bed
 Main Bedroom:
 (3.0m x 3.4m)
 Standard Bedroom:
 (3.0m x 3.0m)

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PROJECT
**ST GEORGES RD
 30 ST GEORGES RD, 32-36 OAKOVE
 RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
PROPOSED APARTMENT PLANS

DATE	CHECKED	APPROVED
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SCALE
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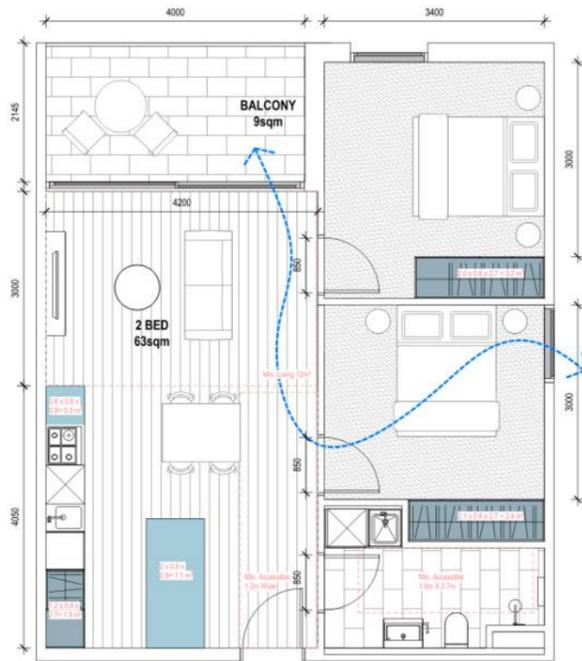
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TOWN PLANNING	21-042

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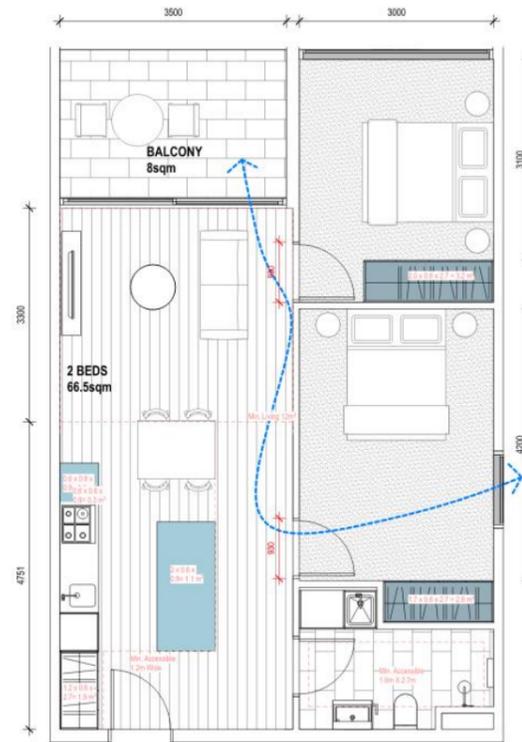


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2 BED
 Instances: 12
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 9.3 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

1 APARTMENT - 2B1Bd
 1:50



2 BED
 Instances: 12
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 9.3 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

2 APARTMENT - 2B1Be
 1:50

Legend

- 2700H Robe storage unit
- 920H Kitchen storage unit
- 900H Overhead storage unit

Internal Storage Requirements:
 Studio: 5m³
 1 bed: 6m³
 2 bed: 9m³
 3 bed: 12m³

Living Room:
 (3.0m x 3.3m; 10m²) Studio & 1 Bed
 (3.0m x 3.6m; 12m²) 2 & 3 Bed
 Main Bedroom:
 (3.0m x 3.4m)
 Standard Bedroom:
 (3.0m x 3.0m)

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**ST GEORGES RD
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 RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
PROPOSED APARTMENT PLANS

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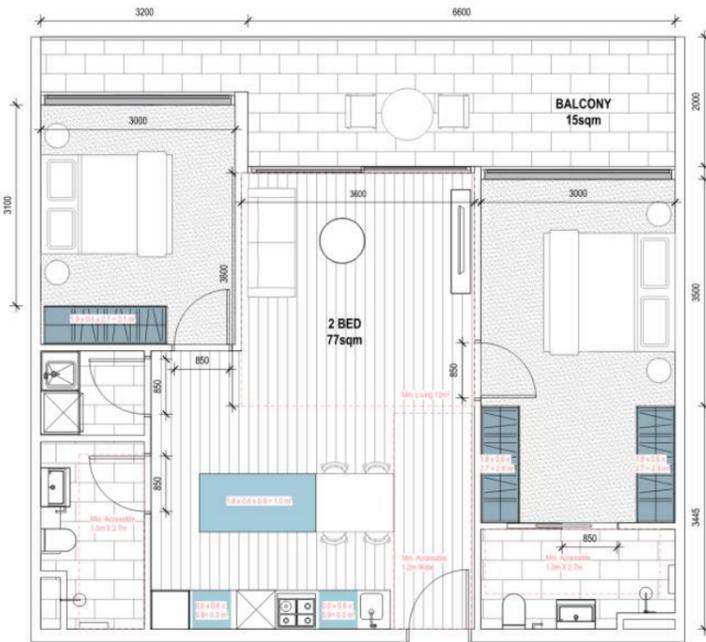
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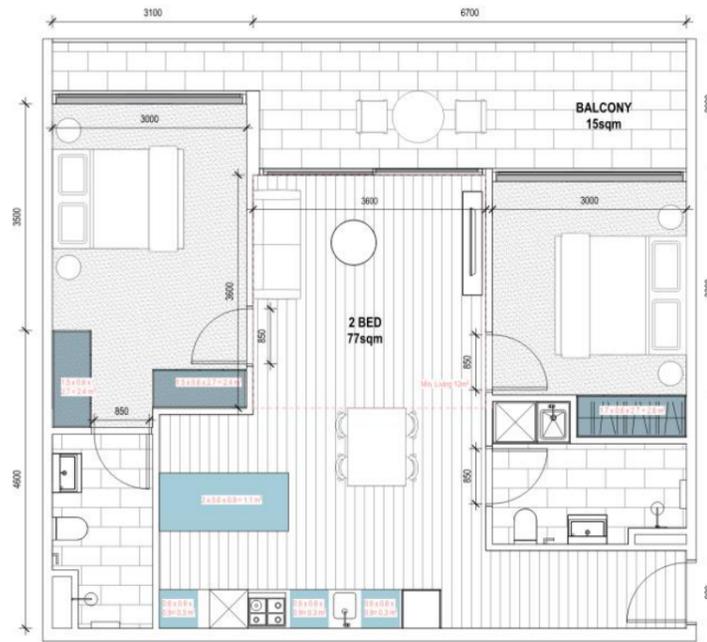
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2 BED

Instances: 81
 Achieves cross flow ventilation: No
 Achieves min. internal storage: Yes, 10.5 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

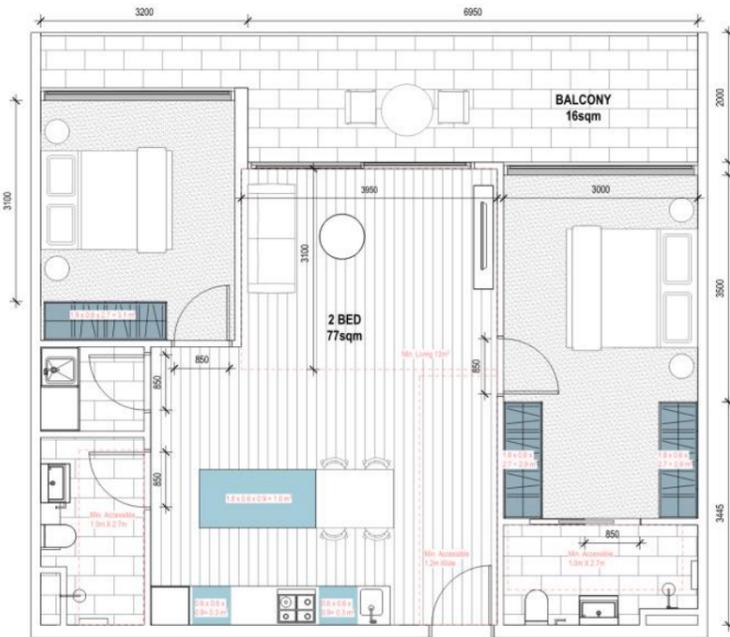
1 APARTMENT - 2B2Ba
 1 : 50



2 BED

Instances: 14
 Achieves cross flow ventilation: No
 Achieves min. internal storage: Yes, 9.6m³
 Achieves Accessibility: No
 Accessibility strategy: N/A

2 APARTMENT - 2B2Bb
 1 : 50



2 BED

Instances: 3
 Achieves cross flow ventilation: No
 Achieves min. internal storage: Yes, 10.5 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

3 APARTMENT - 2B2Bc
 1 : 50

Legend

- 2700H Robe storage unit
- 920H Kitchen storage unit
- 900H Overhead storage unit

Internal Storage Requirements:
 Studio: 5m³
 1 bed: 6m³
 2 bed: 9m³
 3 bed: 12m³

Living Room:
 (3.0m x 3.3m: 10m²) Studio & 1 Bed
 (3.0m x 3.6m: 12m²) 2 & 3 Bed

Main Bedroom:
 (3.0m x 3.4m)
 Standard Bedroom:
 (3.0m x 3.0m)

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 RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
PROPOSED APARTMENT PLANS

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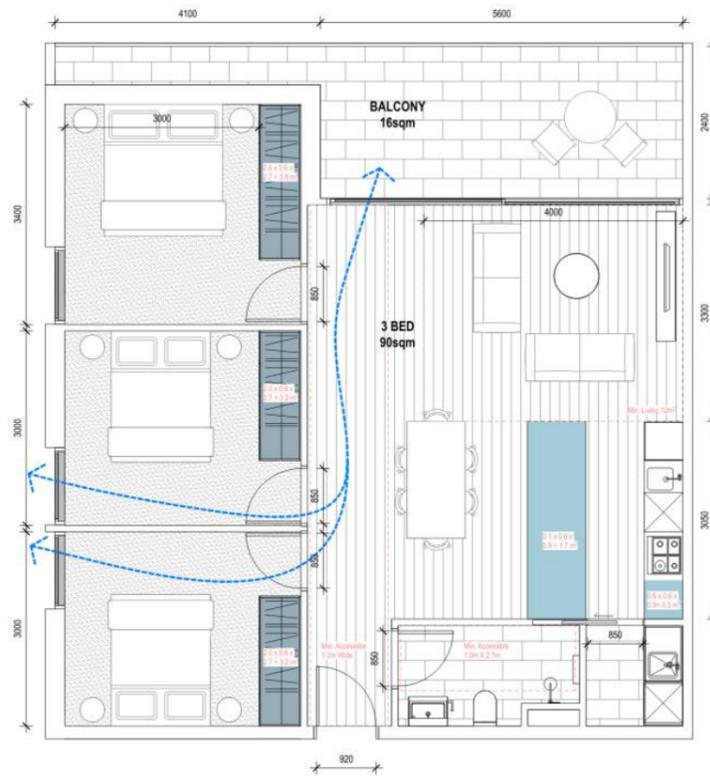
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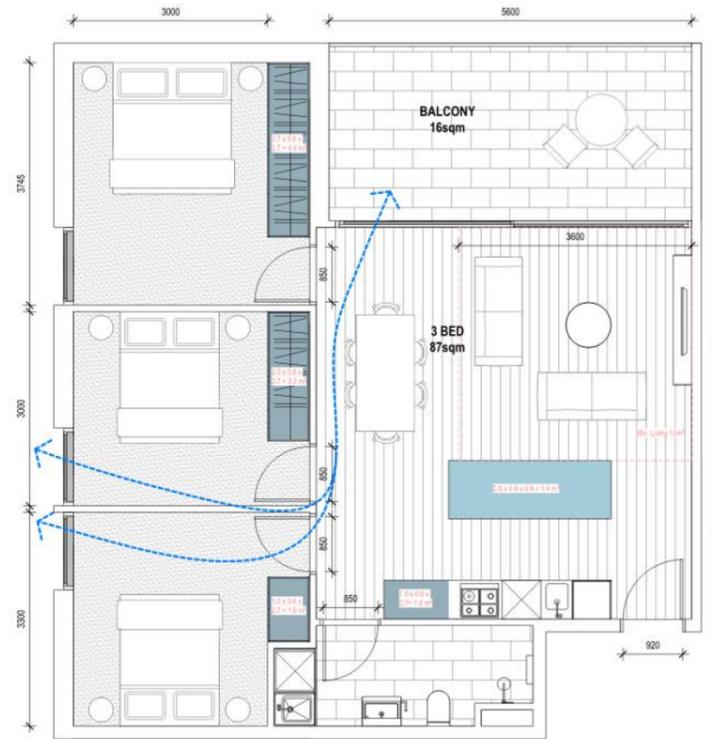


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3 BED
 Instances: 6
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 12.3 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

1 APARTMENT - 3B1Ba
 1:50



3 BED
 Instances: 10
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 12.2 m³
 Achieves Accessibility: Yes
 Accessibility strategy: N/A

2 APARTMENT - 3B1Bb
 1:50

- Legend**
- 2700H Robe storage unit
 - 920H Kitchen storage unit
 - 900H Overhead storage unit

Internal Storage Requirements:
 Studio: 5m³
 1 bed: 6m³
 2 bed: 9m³
 3 bed: 12m³

Living Room:
 (3.0m x 3.3m: 10m²) Studio & 1 Bed
 (3.0m x 3.6m: 12m²) 2 & 3 Bed

Main Bedroom:
 (3.0m x 3.4m)
 Standard Bedroom:
 (3.0m x 3.0m)

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**ST GEORGES RD
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 47-49 SHOWERS ST, PRESTON**

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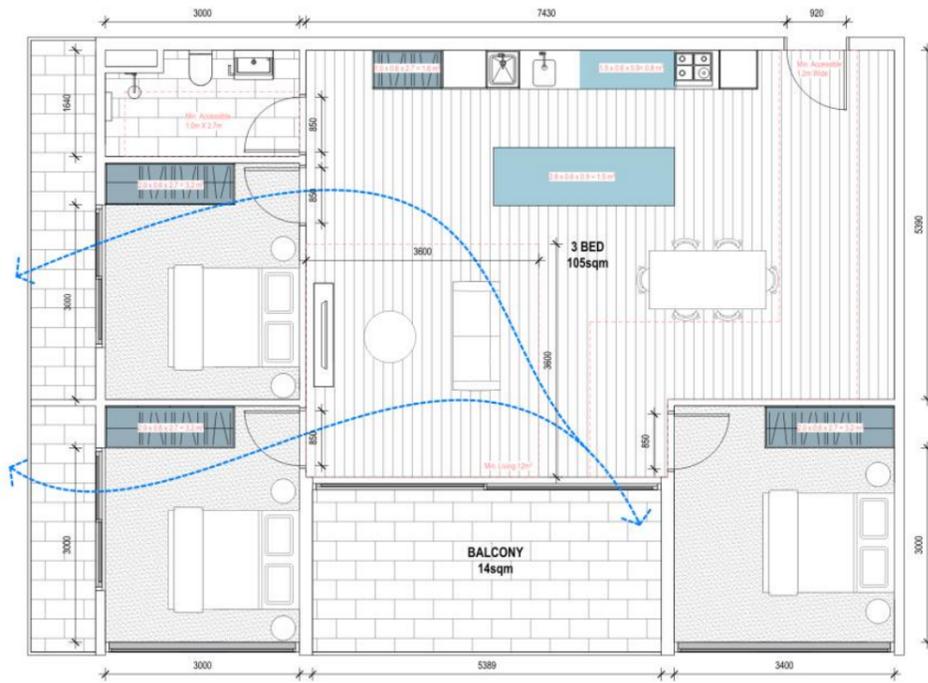
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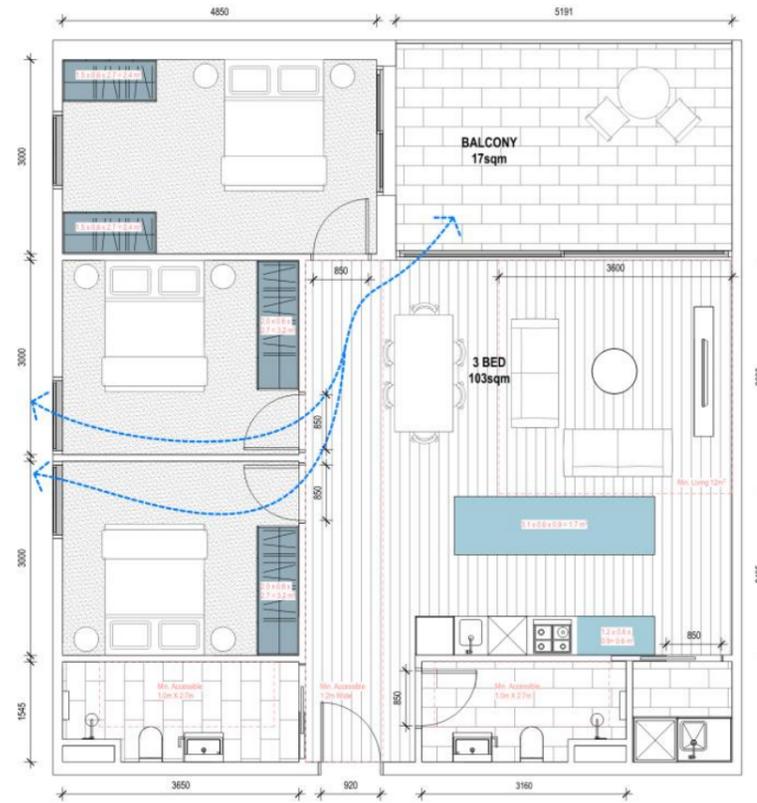


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3 BED
 Instances: 12
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 13.5 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

1 APARTMENT - 3B1Bc
 1:50



3 BED
 Instances: 28
 Achieves cross flow ventilation: Yes
 Achieves min. internal storage: Yes, 13.5 m³
 Achieves Accessibility: Yes
 Accessibility strategy: Option A and B

2 APARTMENT - 3B2B
 1:50

Legend

- 2700H Robe storage unit
- 920H Kitchen storage unit
- 900H Overhead storage unit

Internal Storage Requirements:
 Studio: 5m³
 1 bed: 6m³
 2 bed: 9m³
 3 bed: 12m³

Living Room:
 (3.0m x 3.3m; 10m²) Studio & 1 Bed
 (3.0m x 3.6m; 12m²) 2 & 3 Bed

Main Bedroom:
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 Standard Bedroom:
 (3.0m x 3.0m)

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DRAWING TITLE
PROPOSED APARTMENT PLANS

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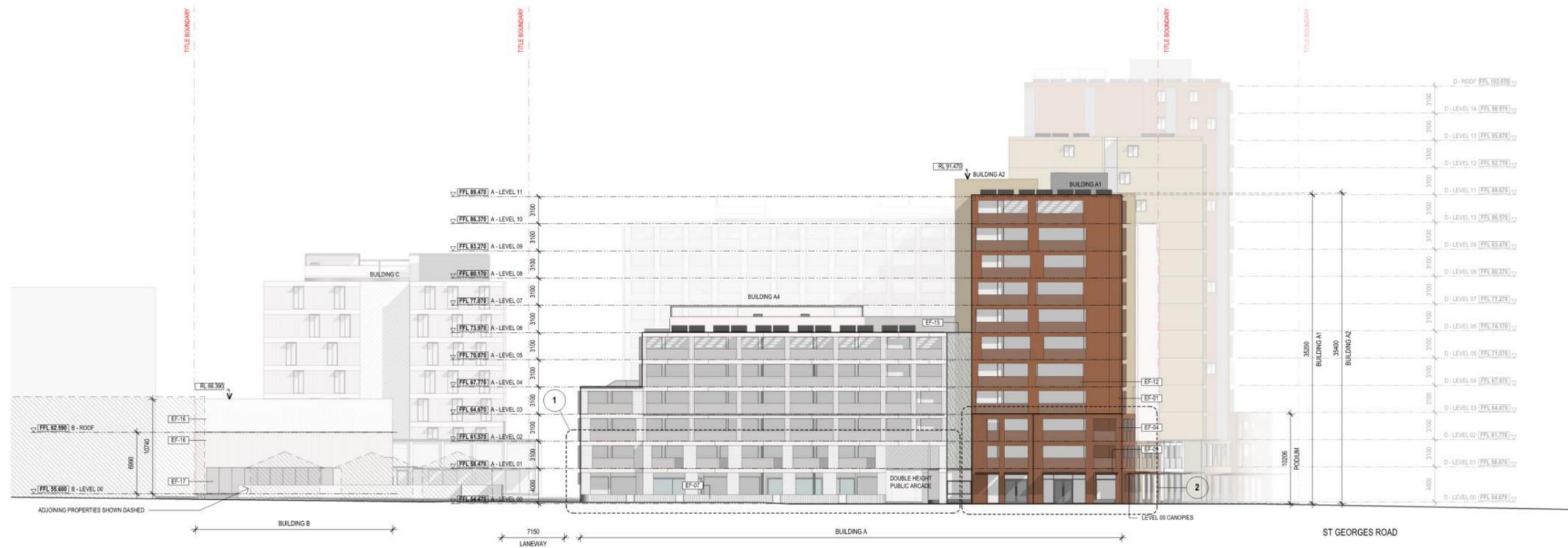


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LEGEND - EXTERNAL FINISHES

- EF-01 PRE-CAST CONCRETE PANELS (TERRACOTTA)
- EF-02 PRE-CAST CONCRETE PANELS (LIGHT BROWN)
- EF-03 PRE-CAST CONCRETE PANELS (WHITE)
- EF-04 BRICK (TERRACOTTA)
- EF-05 BRICK (LIGHT BROWN)
- EF-06 BRICK (WHITE)
- EF-07 METAL FENCE (WHITE)
- EF-08 EXTERNAL GLAZING
- EF-09 POWDERCOAT (TERRACOTTA)
- EF-10 POWDERCOAT (LIGHT BROWN)
- EF-11 POWDERCOAT (WHITE)
- EF-12 MESH (TERRACOTTA)
- EF-13 MESH (LIGHT BROWN)
- EF-14 MESH (WHITE)
- EF-15 CHAINLINK WIRE w/ CREEPERS
- EF-16 CHAINLINK WIRE w/ CREEPERS - SOLID
- EF-17 CORRUGATED GALVANISED SHEET
- EF-18 PERFORATED GALVANISED SHEET
- EF-19 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)

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PROJECT
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30 ST GEORGES RD, 32-36 OAKOVE RD, 47-49 SHOWERS ST, PRESTON

DRAWING TITLE
PROPOSED NORTH ELEVATION

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- LEGEND - EXTERNAL FINISHES**
- EF-01 PRE-CAST CONCRETE PANELS (TERRACOTTA)
 - EF-02 PRE-CAST CONCRETE PANELS (LIGHT BROWN)
 - EF-03 PRE-CAST CONCRETE PANELS (WHITE)
 - EF-04 BRICK (TERRACOTTA)
 - EF-05 BRICK (LIGHT BROWN)
 - EF-06 BRICK (WHITE)
 - EF-07 METAL FENCE (WHITE)
 - EF-08 EXTERNAL GLAZING
 - EF-09 POWDERCOAT (TERRACOTTA)
 - EF-10 POWDERCOAT (LIGHT BROWN)
 - EF-11 POWDERCOAT (WHITE)
 - EF-12 MESH (TERRACOTTA)
 - EF-13 MESH (LIGHT BROWN)
 - EF-14 MESH (WHITE)
 - EF-15 CHAIN LINK WIRE w. CREEPERS
 - EF-16 CHAIN LINK WIRE w. CREEPERS - SOLID
 - EF-17 CORRUGATED GLASSWEBS SHEET
 - EF-18 PERFORATED GLASSWEBS SHEET
 - EF-19 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)

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PROPOSED WEST ELEVATION

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 - EF-11 POWDERCOAT (WHITE)
 - EF-12 MESH (TERRACOTTA)
 - EF-13 MESH (LIGHT BROWN)
 - EF-14 MESH (WHITE)
 - EF-15 CHAIN LINK WIRE + CREEPERS
 - EF-16 CHAIN LINK WIRE + CREEPERS - SOLID
 - EF-17 CORRUGATED GLASSWEIB SHEET
 - EF-18 PERFORATED GLASSWEIB SHEET
 - EF-19 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)

GENERAL NOTES

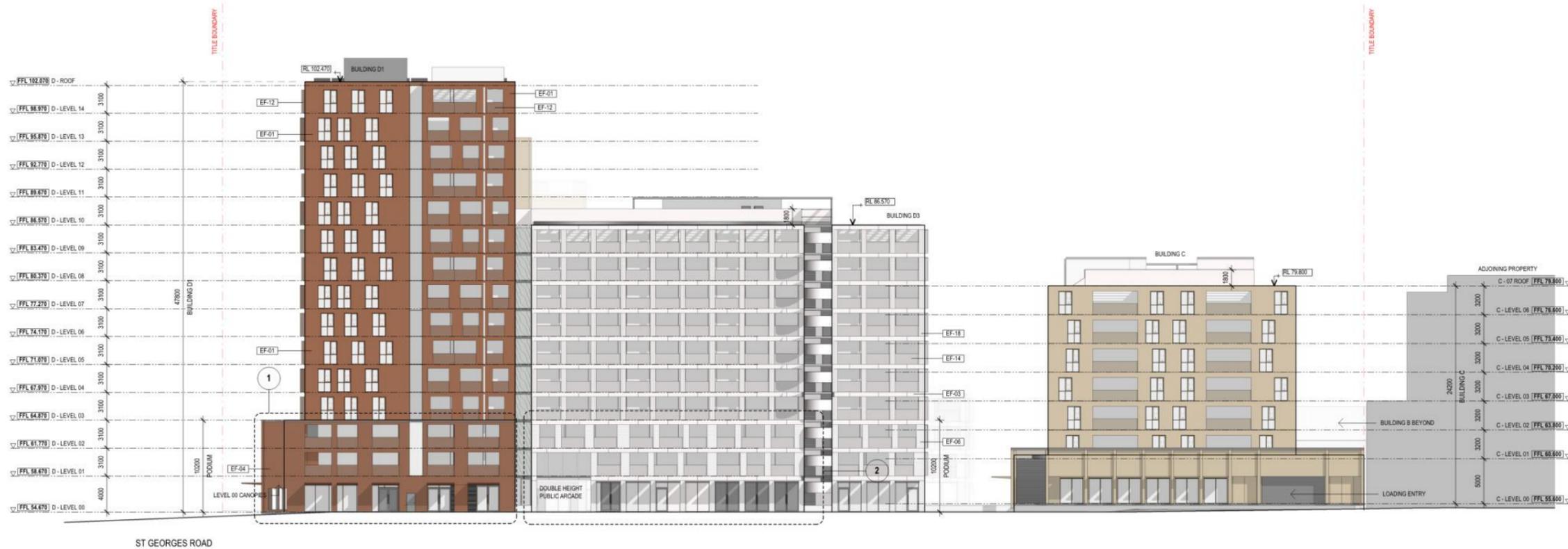
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 - EF-16 CHAIN LINK WIRE w. CREEPERS - SOLID
 - EF-17 CORRUGATED GALVANISED SHEET
 - EF-18 PERFORATED GALVANISED SHEET
 - EF-19 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)

GENERAL NOTES

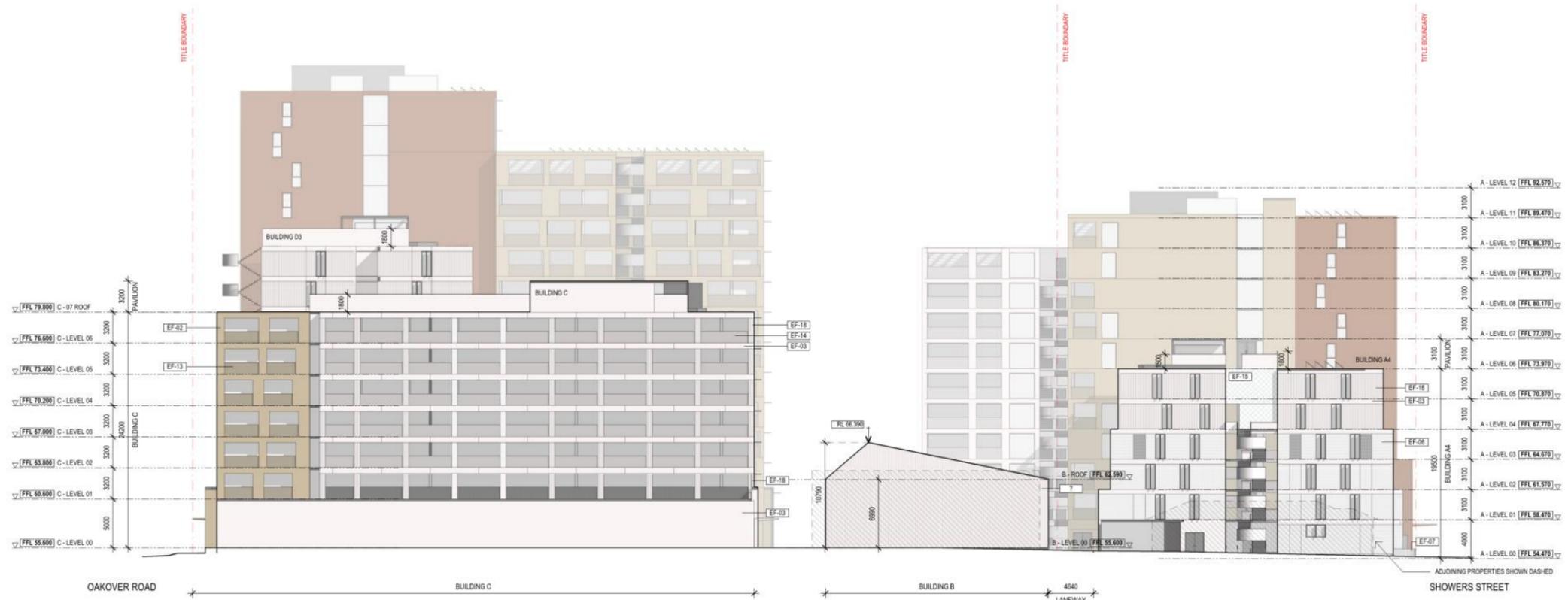
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 - EF-18 PERFORATED GLASSWEBS SHEET
 - EF-19 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)

GENERAL NOTES

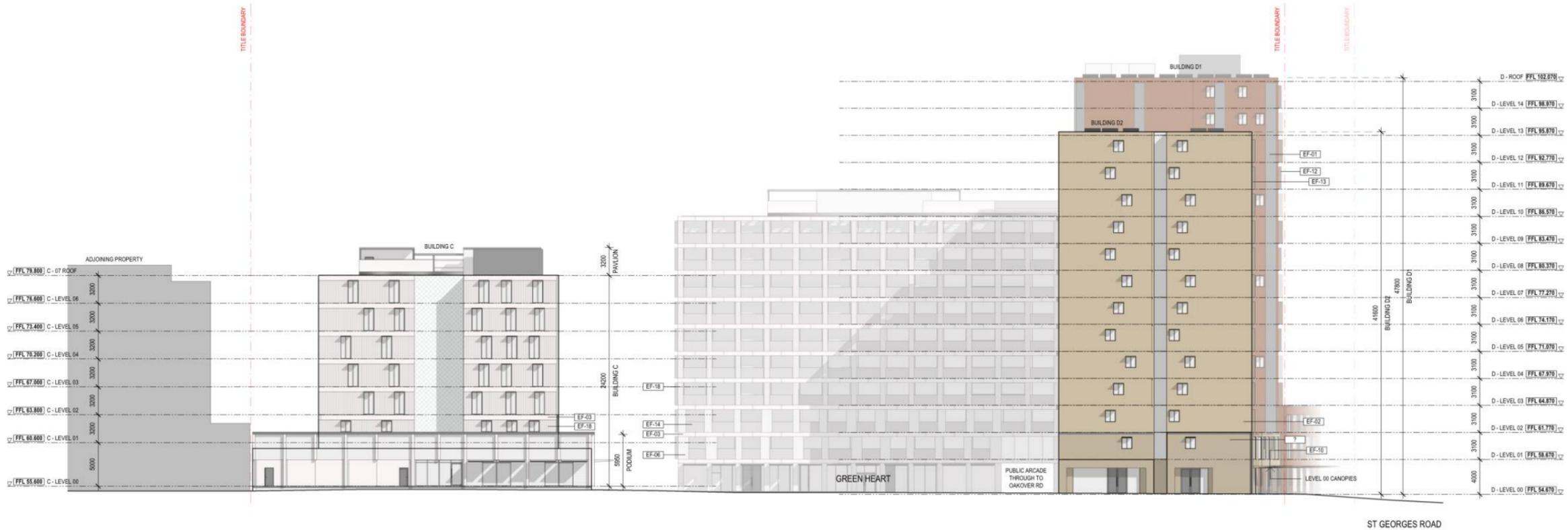
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 - EF-03 PRE-CAST CONCRETE PANELS (WHITE)
 - EF-04 BRICK (TERRACOTTA)
 - EF-05 BRICK (LIGHT BROWN)
 - EF-06 BRICK (WHITE)
 - EF-07 METAL FENCE (WHITE)
 - EF-08 EXTERNAL GLAZING
 - EF-09 POWDERCOAT (TERRACOTTA)
 - EF-10 POWDERCOAT (LIGHT BROWN)
 - EF-11 POWDERCOAT (WHITE)
 - EF-12 MESH (TERRACOTTA)
 - EF-13 MESH (LIGHT BROWN)
 - EF-14 MESH (WHITE)
 - EF-15 CHAIN LINK WIRE w/ CREEPERS
 - EF-16 CHAIN LINK WIRE - SOLID
 - EF-17 CORRUGATED GLASSWEBS SHEET
 - EF-18 PERFORATED GLASSWEBS SHEET
 - EF-19 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)

GENERAL NOTES

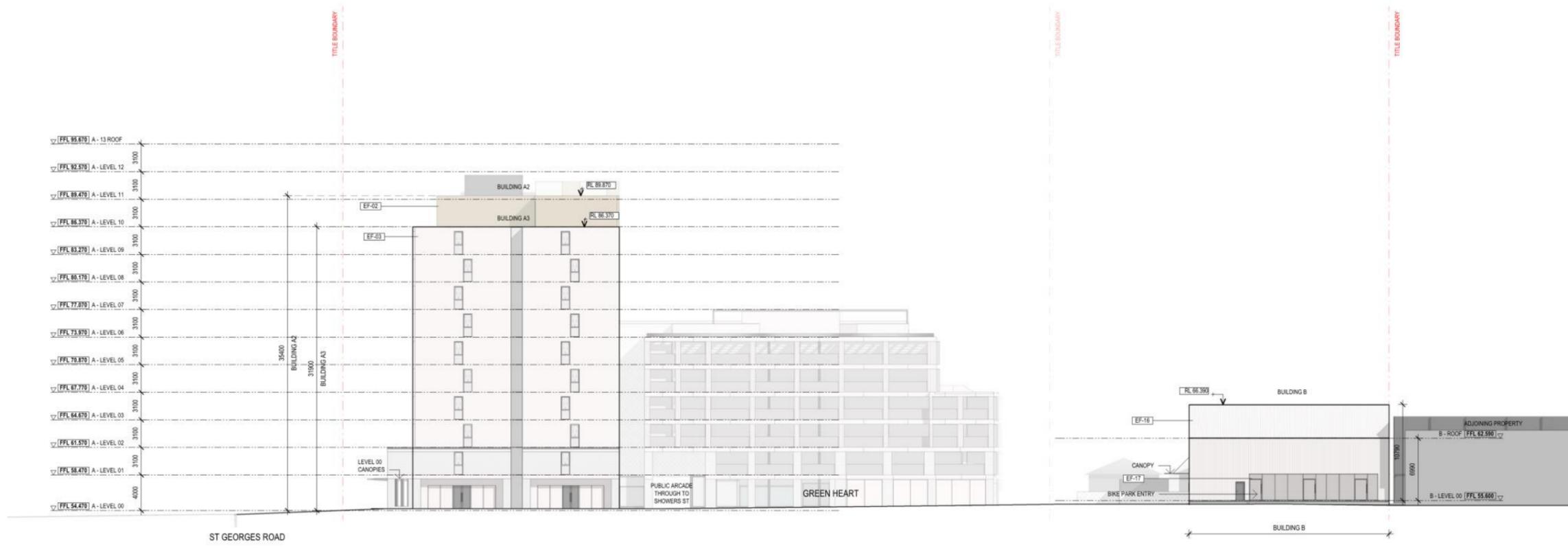
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PROJECT
ST GEORGES RD
30 ST GEORGES RD, 32-36 OAKOVE RD, 47-49 SHOWERS ST, PRESTON

DRAWING TITLE
PROPOSED INTERNAL SOUTH ELEVATIONS

DATE	CHECKED	APPROVED
26/08/22	LW	GB

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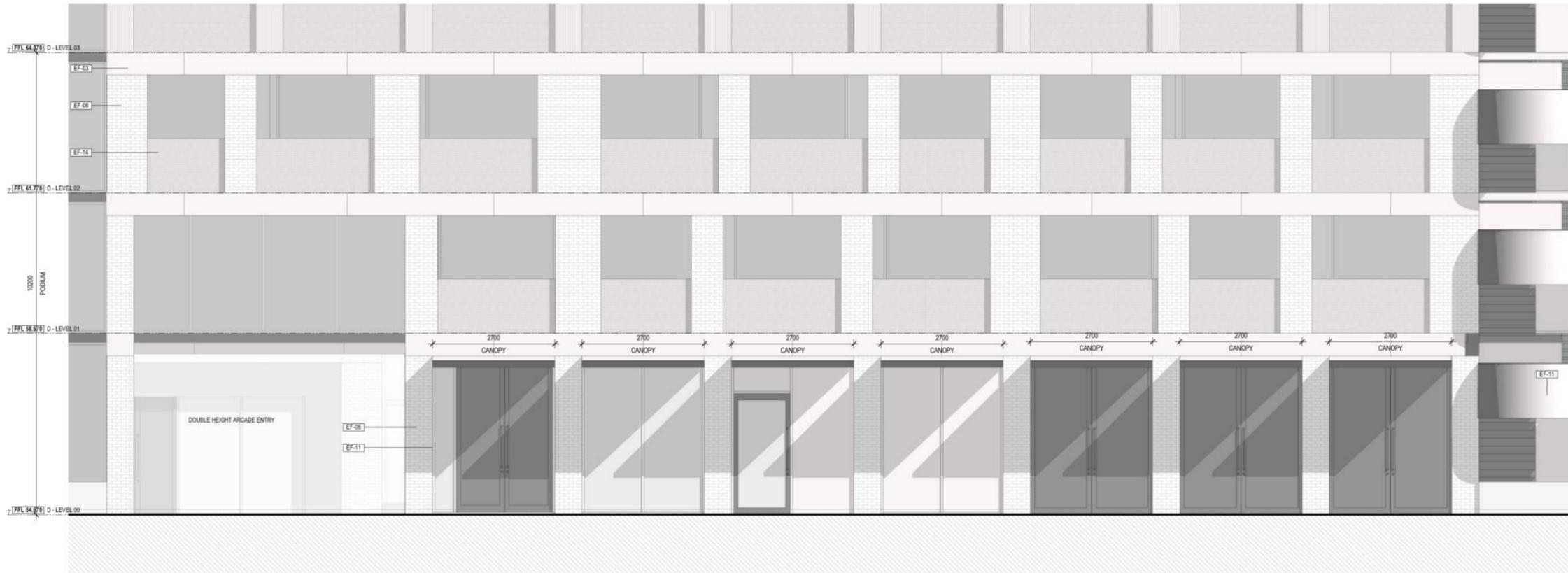
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TOWN PLANNING	21-042
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TP 2-106	3

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1 PROPOSED SOUTH ELEVATION - Detail Brick Podium - Building D
TP 2-107 1 : 50



2 PROPOSED SOUTH ELEVATION - Detail Concrete Podium - Building D
TP 2-107 1 : 50

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PROJECT
**ST GEORGES RD
30 ST GEORGES RD, 32-36 OAKOVE
RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
DETAIL ELEVATIONS

DATE	CHECKED	APPROVED
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1 PROPOSED NORTH ELEVATION - Detail Concrete Podium - Building
 TP 2-107 A 1 : 50



2 PROPOSED NORTH ELEVATION - Detail Brick Podium - Building A
 TP 2-107 1 : 50

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PROJECT
**ST GEORGES RD
 30 ST GEORGES RD, 32-36 OAKOVE
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21-042

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TP 2-108

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- EGEND - EXTERNAL FINISHES**
- FF-21 PRE-CAST CONCRETE PANELS (TERRACOTTA)
 - FF-22 PRE-CAST CONCRETE PANELS (LIGHT BROWN)
 - FF-23 PRE-CAST CONCRETE PANELS (WHITE)
 - FF-24 BRICK (TERRACOTTA)
 - FF-25 BRICK (LIGHT BROWN)
 - FF-26 BRICK (WHITE)
 - FF-27 METAL FENCE (WHITE)
 - FF-28 EXTERNAL GLAZING
 - FF-29 POWDERCOAT (TERRACOTTA)
 - FF-30 POWDERCOAT (LIGHT BROWN)
 - FF-31 POWDERCOAT (WHITE)
 - FF-32 MESH (TERRACOTTA)
 - FF-33 MESH (LIGHT BROWN)
 - FF-34 MESH (WHITE)
 - FF-35 CHAIN LINK WIRE w/ CREEPERS
 - FF-36 CHAIN LINK WIRE w/ CREEPERS - SOLID
 - FF-37 CORRUGATED GLASSWEBSHEET
 - FF-38 PERFORATED GLASSWEBSHEET
 - FF-39 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)

GENERAL NOTES

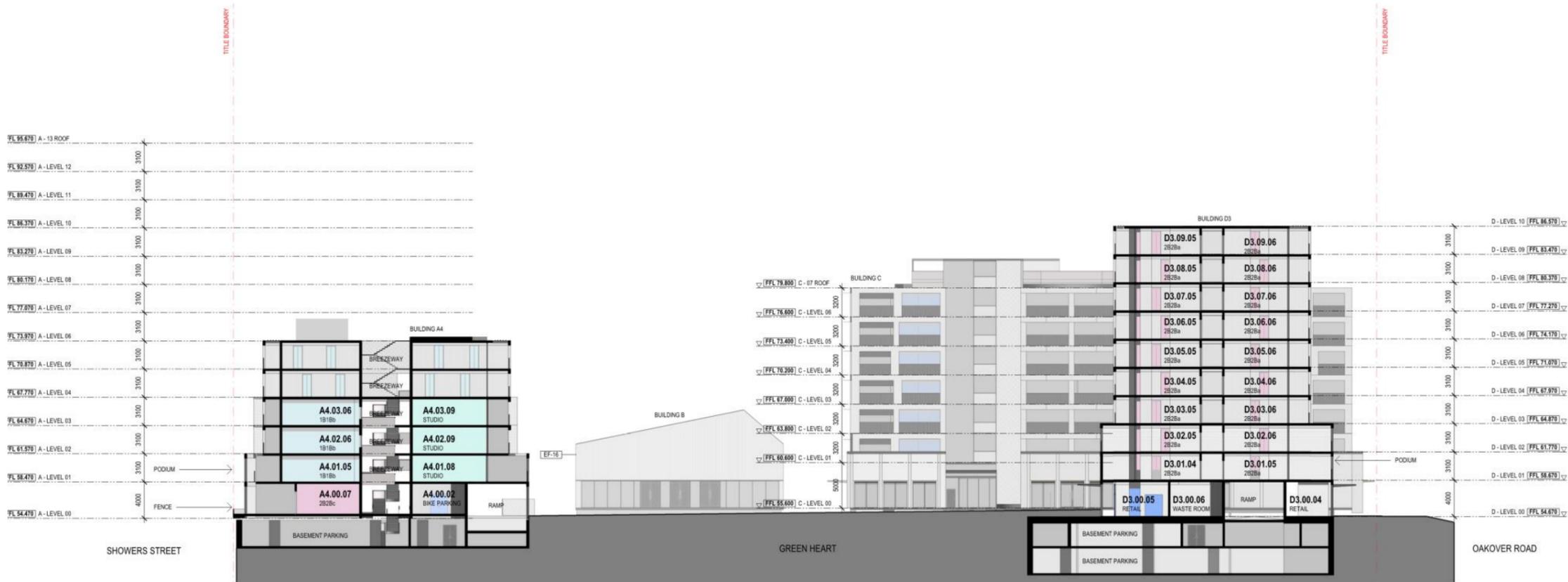
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PROJECT
ST GEORGES RD
30 ST GEORGES RD, 32-36 OAKOVE RD, 47-49 SHOWERS ST, PRESTON

DRAWING TITLE
NORTH SOUTH SECTION

DATE	CHECKED	APPROVED
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1 PROPOSED SECTION 02
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2 PROPOSED SECTION 03
TP 1-108
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PROPOSED SECTIONS

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PROJECT #
21-042

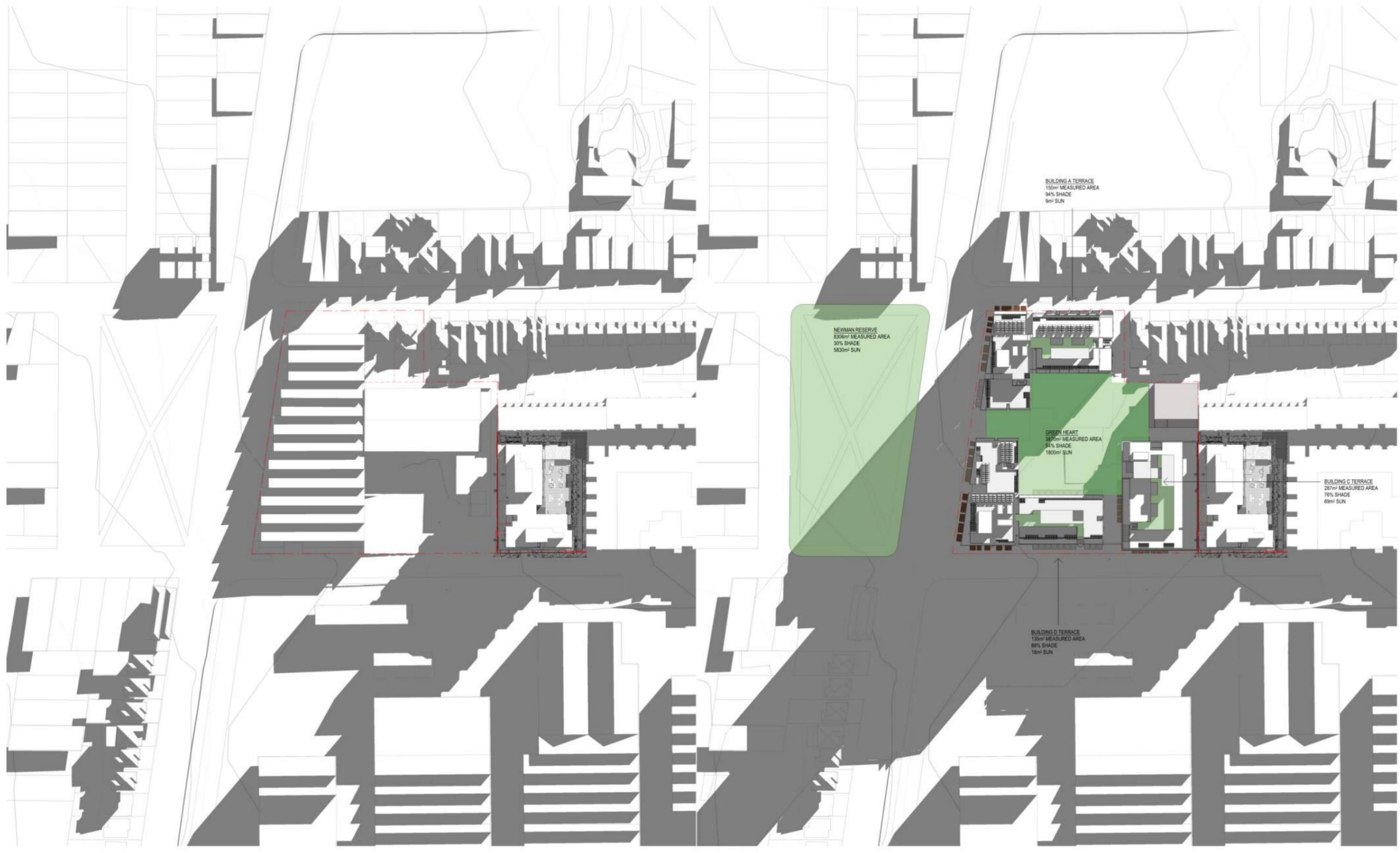
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2 TP_PROPOSED 9AM JUNE 22ND SHADOW DIAGRAM 1:1000

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9AM JUNE SHADOW DIAGRAMS

DATE	CHECKED	APPROVED
26/08/22	LW	GB

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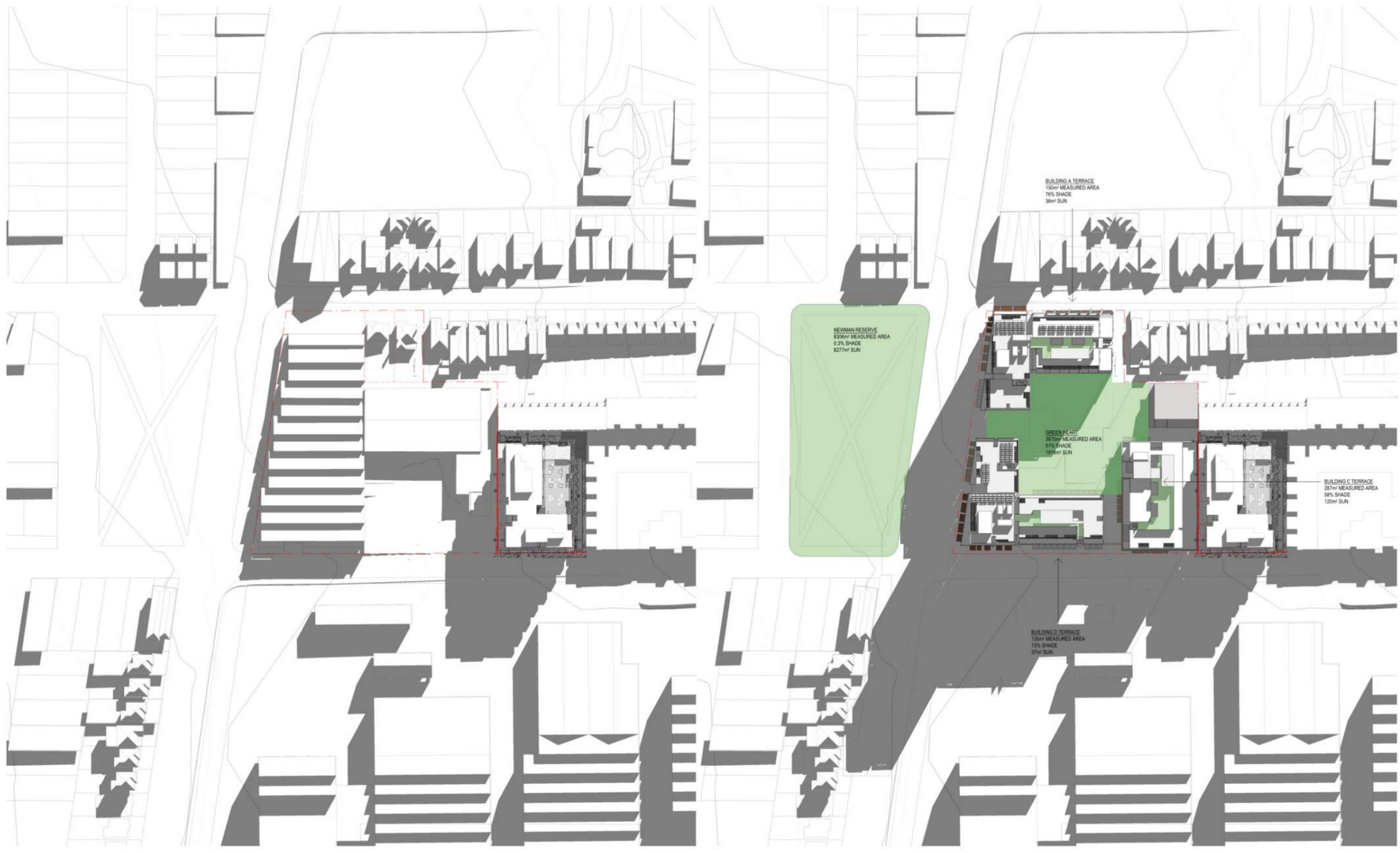
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PROJECT
**ST GEORGES RD
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RD, 47-49 SHOWERS ST, PRESTON**

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10AM JUNE SHADOW DIAGRAMS

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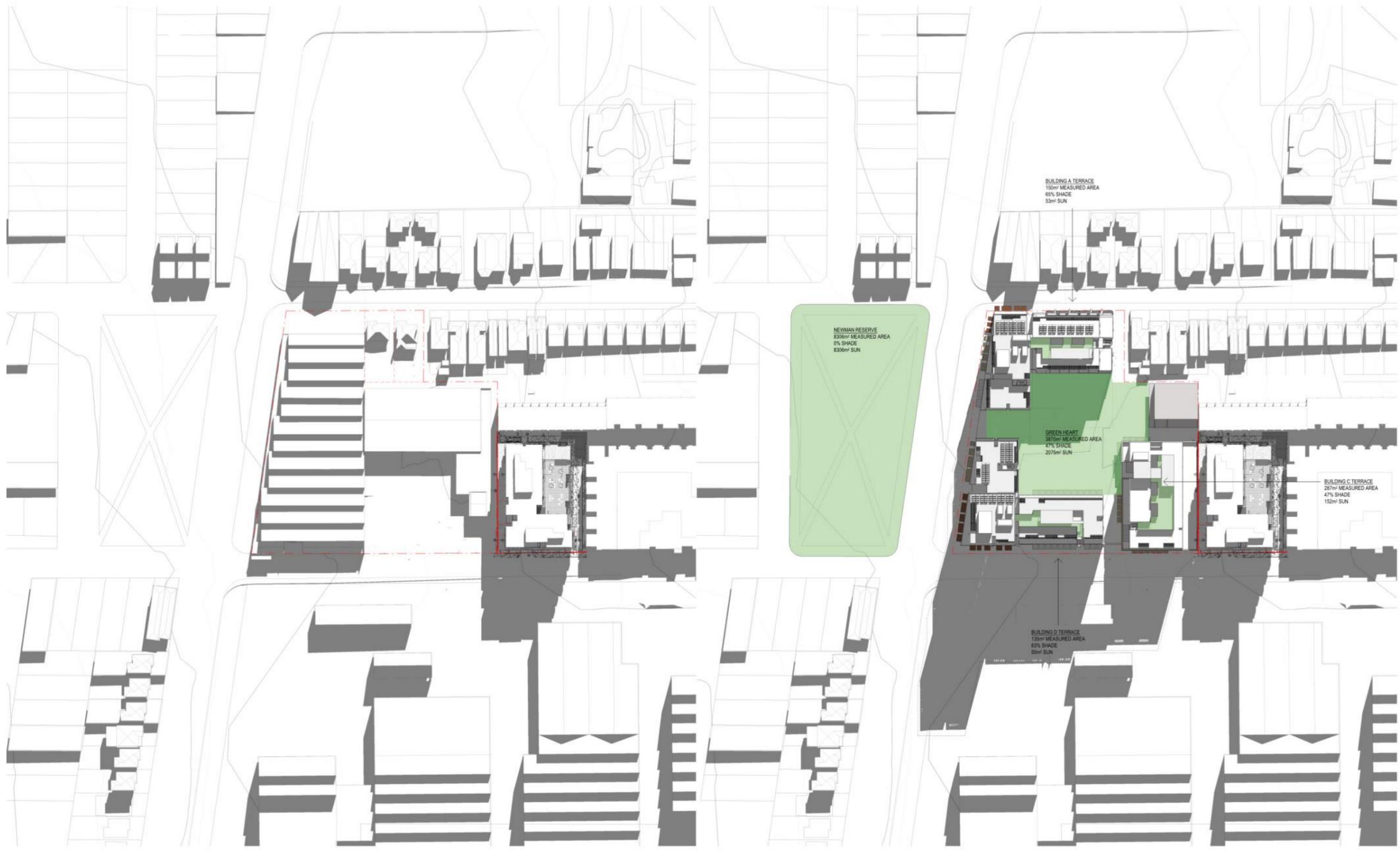
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2 TP_PROPOSED 11AM JUNE 22ND SHADOW DIAGRAM 1:1000

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11AM JUNE SHADOW DIAGRAMS

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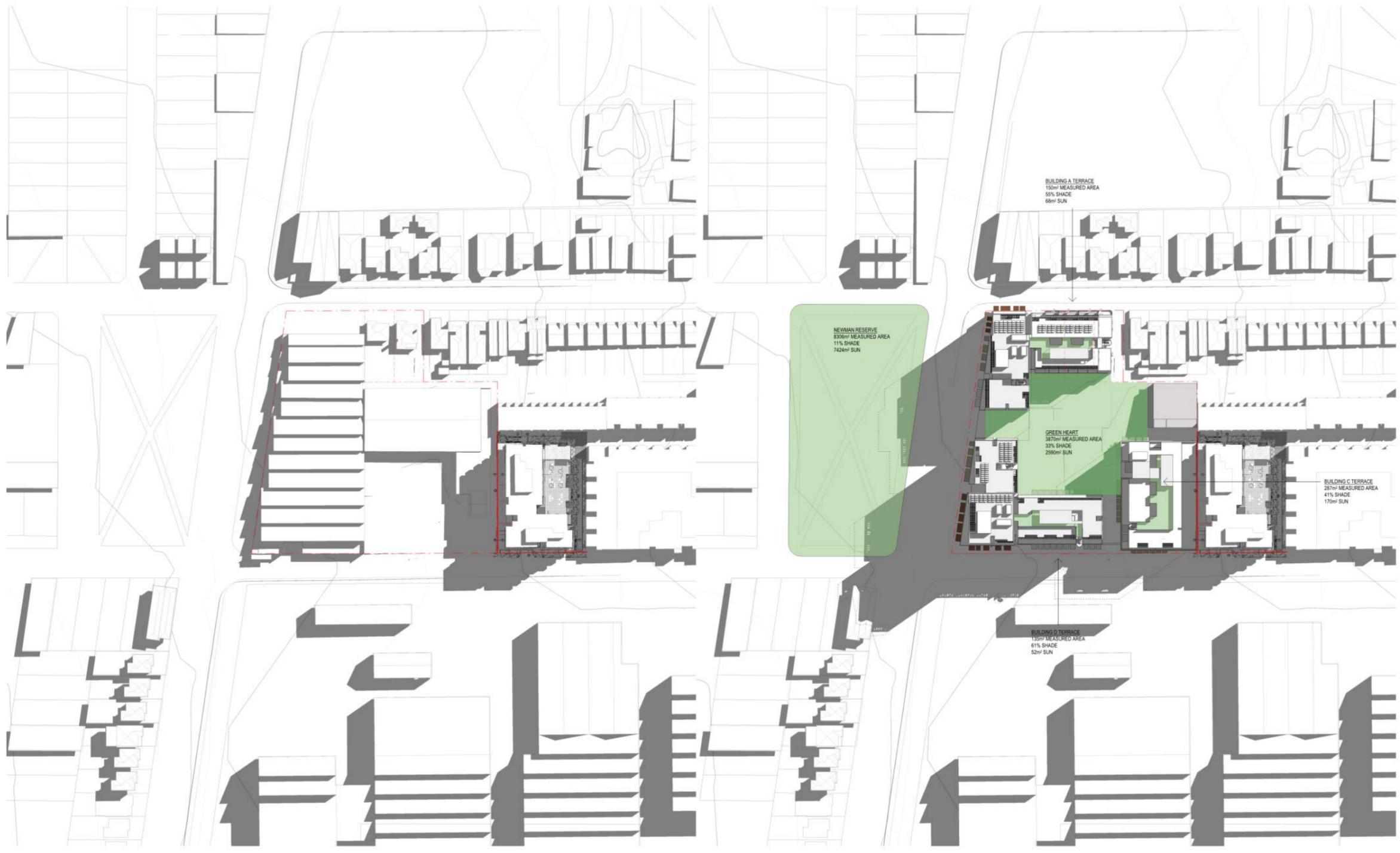
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PROJECT
**ST GEORGES RD
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RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
9AM SEP SHADOW DIAGRAMS

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RD, 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
10AM SEP SHADOW DIAGRAMS

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47-49 SHOWERS ST, PRESTON**

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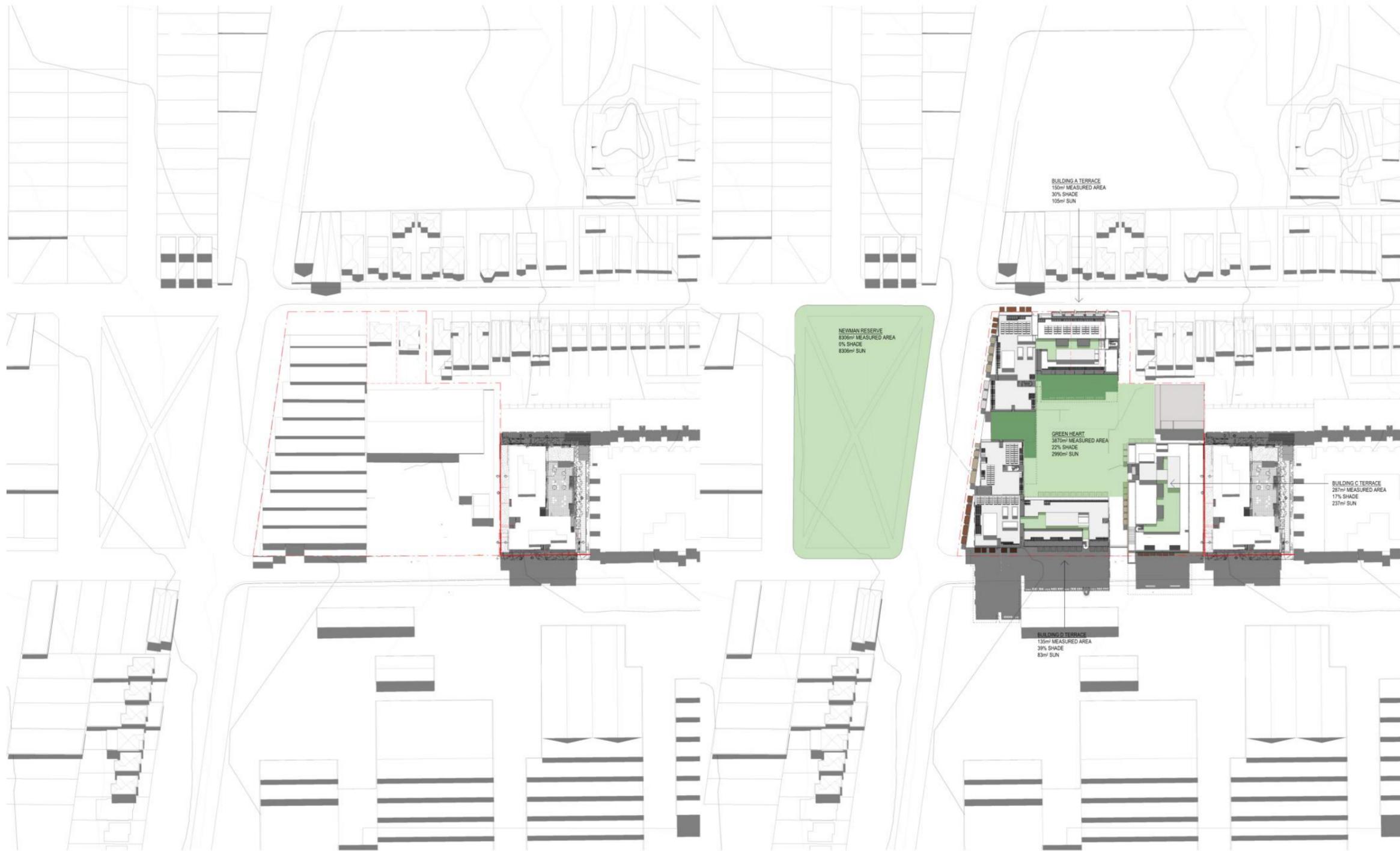
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PROJECT
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12PM SEP SHADOWS DIAGRAMS

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21-042

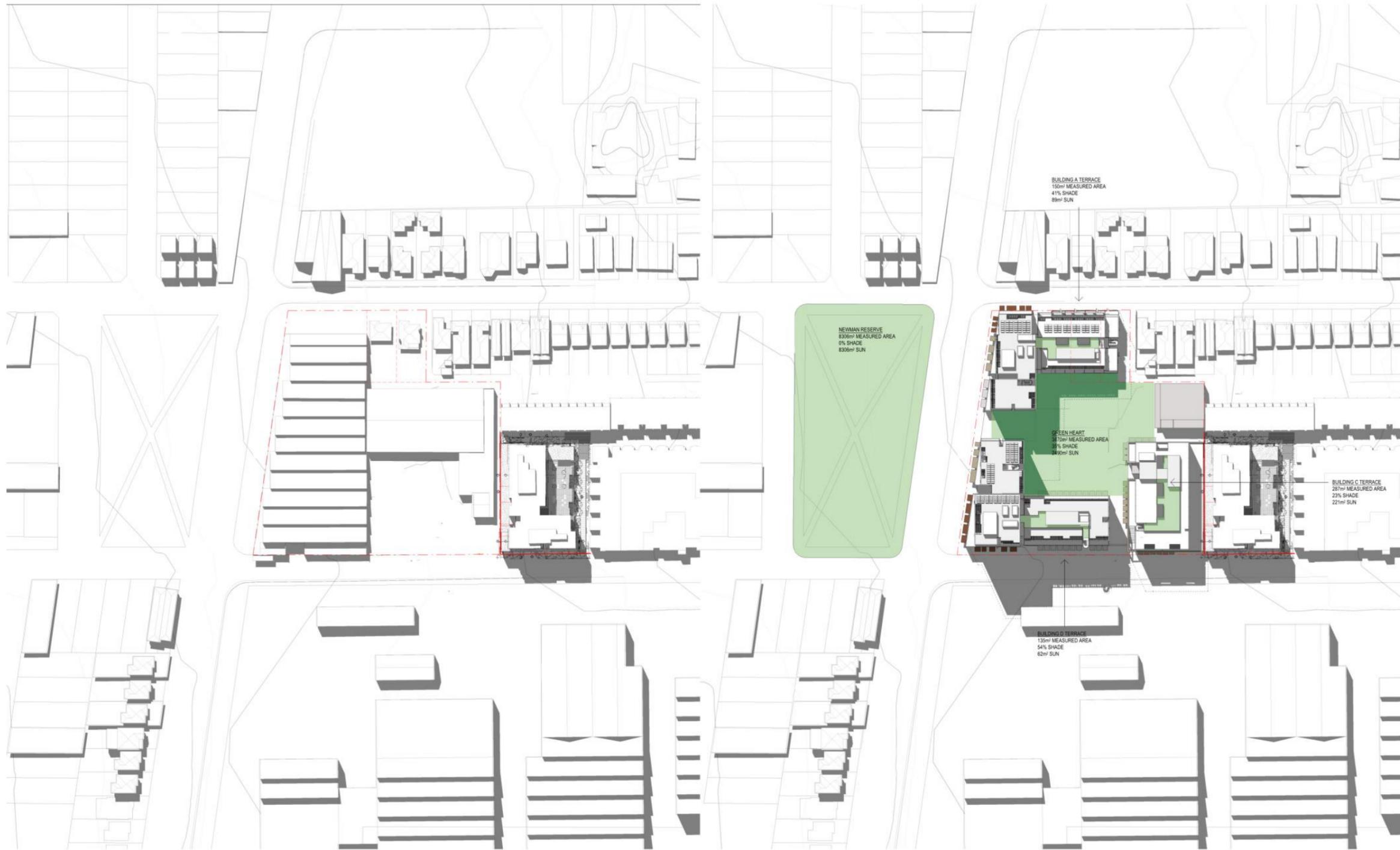
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PROJECT
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1PM SEP SHADOWS DIAGRAMS

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PROJECT
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47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
2PM SEP SHADOWS DIAGRAMS

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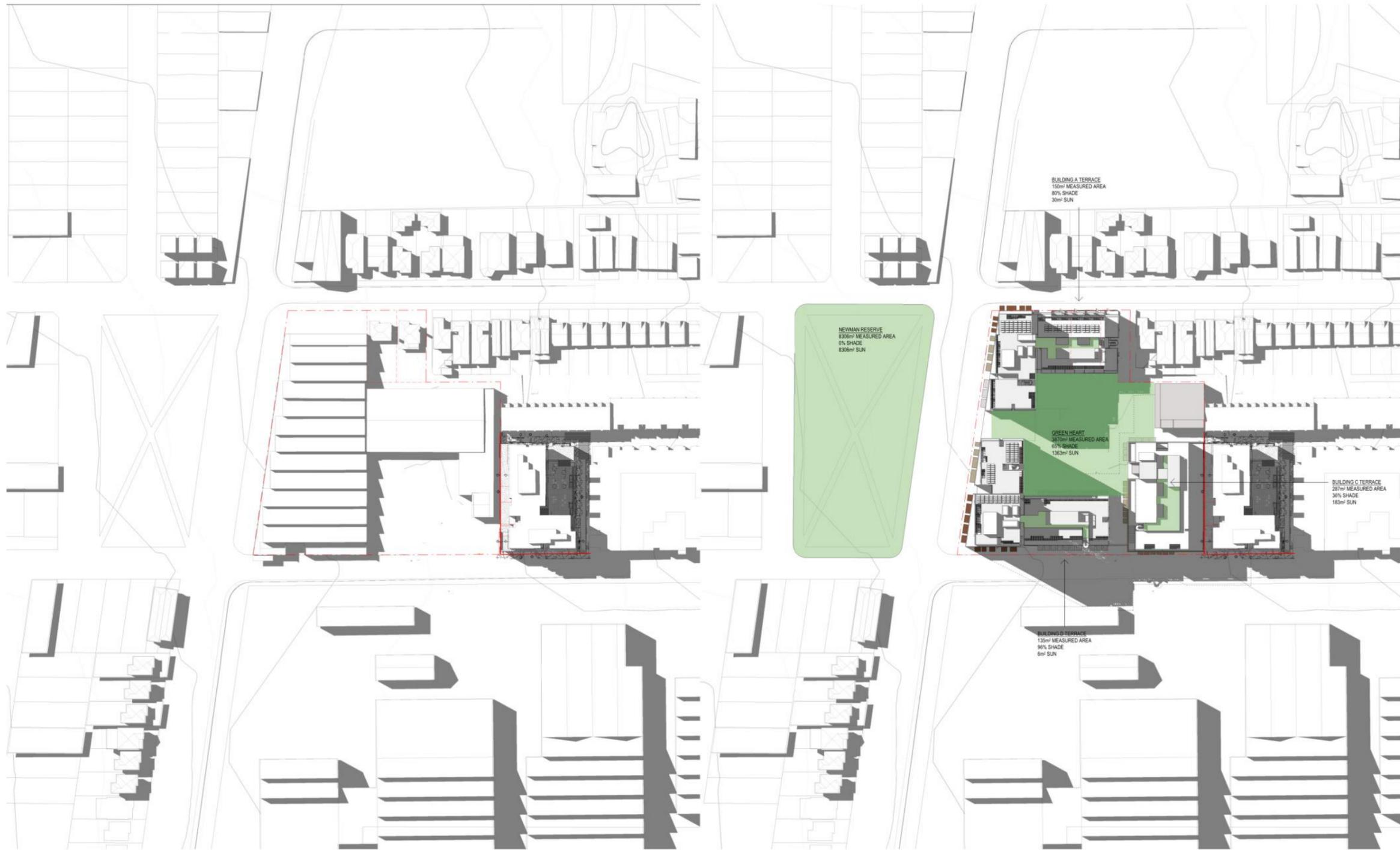
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Burrrows
Architects



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Jackson Clements Burrrows
Pty Ltd Architects
345 SWAN STREET RICHMOND VIC 3121
T +613 9654 6227 jcba.com.au

LEGEND - EXTERNAL FINISHES

- EF-01 PRE-CAST CONCRETE PANELS (TERRACOTTA)
- EF-02 PRE-CAST CONCRETE PANELS (LIGHT BROWN)
- EF-03 PRE-CAST CONCRETE PANELS (WHITE)
- EF-04 BRICK (TERRACOTTA)
- EF-05 BRICK (LIGHT BROWN)
- EF-06 BRICK (WHITE)
- EF-07 METAL FENCE (WHITE)
- EF-08 EXTERNAL GLAZING
- EF-09 POWDERCOAT (TERRACOTTA)
- EF-10 POWDERCOAT (LIGHT BROWN)
- EF-11 POWDERCOAT (WHITE)
- EF-12 MESH (TERRACOTTA)
- EF-13 MESH (LIGHT BROWN)
- EF-14 MESH (WHITE)
- EF-15 CHAIN LINK WIRE w/ CREEPERS
- EF-16A CHAIN LINK WIRE w/ CREEPERS - SOLID
- EF-16 CORRUGATED GALVANISED SHEET
- EF-17 PERFORATED GALVANISED SHEET
- EF-18 PRE-CAST CONCRETE PANELS - ROUGH (WHITE)



EF-01 REFERENCE IMAGE



EF-02 REFERENCE IMAGE



EF-03 REFERENCE IMAGE



EF-04 REFERENCE IMAGE



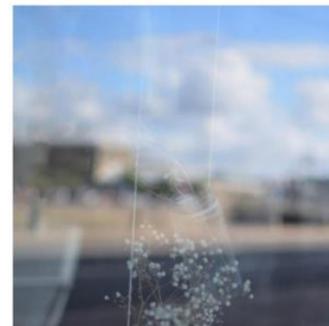
EF-05 REFERENCE IMAGE



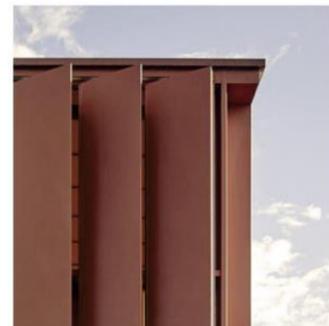
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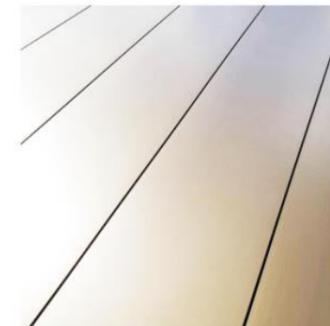
EF-07 REFERENCE IMAGE



EF-08 REFERENCE IMAGE



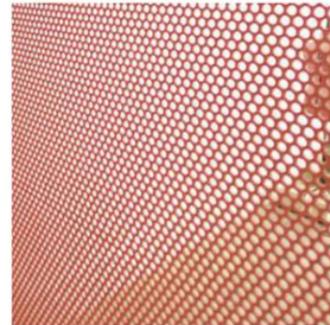
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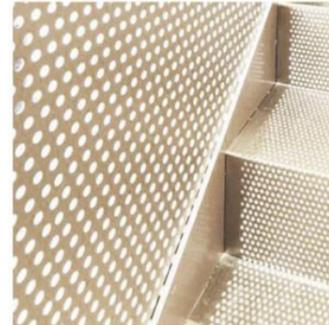
EF-10 REFERENCE IMAGE



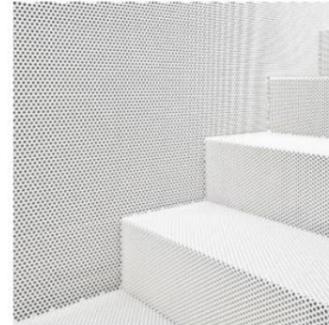
EF-11 REFERENCE IMAGE



EF-12 REFERENCE IMAGE



EF-13 REFERENCE IMAGE



EF-14 REFERENCE IMAGE



EF-15 EF-16A REFERENCE IMAGE



EF-16 REFERENCE IMAGE



EF-17 REFERENCE IMAGE



EF-18 REFERENCE IMAGE

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REV	DATE	DESCRIPTION
1	22.10.2021	ISSUE FOR TOWN PLANNING
2	26.06.2022	ISSUE FOR TOWN PLANNING
3	26.08.2022	ISSUE FOR TOWN PLANNING

CLIENT
ASSEMBLE

PROJECT
**ST GEORGES RD
 30 ST GEORGES RD, 32-36 OAKOVE RD,
 47-49 SHOWERS ST, PRESTON**

DRAWING TITLE
EXTERNAL FINISHES SCHEDULE

DATE	CHECKED	APPROVED
26/08/22	LW	GB

SCALE
1 : 250
 @A1

STATUS
TOWN PLANNING

PROJECT #
21-042

DRAWING NUMBER
TP 9-101

REVISION
3

Jackson
 Clements
 Burrows
 Architects



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 Jackson Clements Burrows
 Pty Ltd Architects
 345 SWAN STREET RICHMOND VIC 3121
 T +613 9654 6227 jcba.com.au

Building A

An 'L shaped' building with heights ranging from 4 – 11 storeys located on the site's north-western corner to St Georges Road and Showers Street. The building is broken into four (4) differing forms in their respective presentation to the existing public realm, however all are interconnected. It is to contain commercial uses at the ground floor level to St Georges Road and provide residential apartments at ground floor along the northern Showers Street and adjacent to the southern 'green heart'. A north-south, double-height pedestrian arcade is provided connecting Showers Street to the central 'green heart' and adjacent to the building's residential entrance. A smaller east-west pedestrian arcade is provided from St Georges Road, which also provides connection to the building's residential lobby. Vehicular access is provided off the expanded/new north-south connection behind the residential apartments. In this location, the north-south connection is dual width for vehicle ingress/egress to/from the upper level basement. This basement level connects through to the southern Building D, with car parking spaces provided within this level.

Building A1 and A2

These two aspects of the building form the north-western corner of the site at this intersection. The two building forms maintain a building height of 11 storeys and include:

- A widened public realm with the setback provided to St Georges Road ranging from 3.7 to 6.8 metres.
- Building A1 is to primarily be finished with terracotta pre-cast concrete panels, with a three (3) storey podium base of terracotta brick.
- Horizontal balcony areas are provided to apartments on the Showers Street presentation of Building A1.
- Building A2 is connected to Building A1 on their western St Georges Road elevation, with a lighter brown concrete panel finish applied to the upper levels.
- Similar to Building A1, a light brown brick podium base to St Georges Road for Building A2.
- This element of Building A is located central to St Georges Road and maintains a building height of 10 storeys providing a 'step' in height from the balance of Building A and Building D in their respective presentations to St Georges Road.
- Continued widening of the St Georges Road public realm from Building A1 and A2 with varied setbacks, including canopy cover.
- The façade presentation to St Georges Road maintains a horizontal patterning, including balconies and white pre-cast concrete panelling framing the façade.
- A similar façade treatment is provided in its presentation to the central 'green heart', however vertically broken through the exposed staircase which adds further design articulation and movement through its pedestrianised use.
- Building A3 is separated from the southern Building D (D2) by a significant 16.2 metre wide opening, for the maximum height of the buildings, providing a clearly identifiable east-west pedestrian connection to the site's central 'green heart' from St Georges Road. Secondary bedroom windows are provided to this pedestrian connection for articulation, which allows for passive surveillance and enhanced amenity to the apartments.

Building A4

- Building A4 maintains a maximum building height of six (6) storeys and acts as the transitional building element along the site's northern Showers Street frontage. It scales down to four (4) storeys as it meets the existing dwellings located along this southern side of Showers Street.

- The building is orientated in an east-west direction with a central 5.3 metres external breezeway on the upper levels, providing cross ventilation and daylight to the apartments accessed from this space.
- Building A4 is visually separated from Building A1. A podium element is provided for two (2) storeys to Showers Street, located above walk-up ground floor apartments.
- A pre-cast white concrete panel is used to the façade, with the vertical elements widened on the lower level to create and define the lower two (2) levels and podium element.
- Balcony balustrades are finished with a white mesh.
- A resident accessible rooftop terrace is provided on the southern side of Building A4 at Level 6.



Figure 3 – the view from the corner of St Georges Road and Oakover Road looking south-east

Building B

Building B is a single-storey building located on the site's eastern boundary, adjacent to the existing laneway and at the rear of the properties at 41-45 Showers Street. The building is to contain an 'Assemble space' to be utilised as a bicycle storage hub, including end-of-trip facilities. Building B is built to the common eastern boundary opposite the walls of the townhouse dwellings approved within the adjoining development (as they relate to the existing laneway). The building is to include a pitched roof, transitioning from the south to the north. The building is to be designed using a corrugated galvanised sheet.

Building C

Located within the south-east corner of the site, maintaining frontage to Oakover Road and a direct interface to the seven (7) storey apartment building approved through the adjoining development. Building C is to generally reflect the height of this abutting building at seven (7) storeys. At ground floor, Building C contains a supermarket fronting Oakover Road (including vehicle entrance to its loading bay). An external stair is provided to Oakover Road allowing access to apartments. Similar to Building A4, the apartments of Building C are located either side of a north-south 5.6 metre external breezeway. The upper levels of Building C are setback

13.6 metres from the western Building D3, and from the adjoining development to the east by a minimum 7.5 metres to non-habitable interfaces and 12.2 metres balcony to balcony. The separation of built form ensures no unreasonable overlooking occurs while maintaining daylight access to proposed apartments within the site and those adjoining. Building C incorporates materials including a light brown pre-cast to its supermarket base and continuing to the upper level southern elevation, while on the eastern and western elevations a white pre-cast framing is applied around balconies. A resident accessible rooftop terrace is provided to Building C.



Figure 4 – Oakover Road view looking north-east

Building D

An 'L shaped' building with heights ranging from 10 – 15 storeys located on the site's south-western corner to St Georges Road and Oakover Road and alongside Building A, assists in defining the 'landmark' building as sought by DPO11. The building is distributed into three (3) differing forms in terms of how they present to the adjacent public realm. All three buildings are interconnected. Building D is to contain commercial uses at ground floor level, along with a large resident bicycle storage area on the Oakover Road frontage. Vehicular access is provided off the expanded/new north-south connection behind the commercial tenancy and bicycle storage area. In this location, the north-south connection is dual width for vehicle ingress/egress to/from the upper level basement which connects through to Building D. An additional basement level is provided beneath Building D with additional car parking spaces.

A north-south pedestrian arcade is provided connecting Oakover Road to the central 'green heart', as well as an east-west pedestrian arcade from St Georges Road. Both of these arcades are adjacent to the residential entrance and lobby areas.

Building D1

- Building D1 is the highest building form across the site at 15 storeys and designed to complement the design style of Building A1.
- The building is setback 3.6 – 6.8 metres from the St Georges Road frontage in continuing the expanded public realm and accessible areas adjacent to the site, with a 4.1 metre setback provided to the Oakover Road frontage.
- The building maintains a three (3) storey terracotta brick base, with expansive openings, that turns the corner. In concert with the expanded public realm Building D1 maintains a pedestrian scale to the immediate public realm.
- Balconies of the apartments are all centrally located in the St Georges Road presentation, creating the appearance of generous façade opening and offset at each level.

Building D2

- Building D2 is interconnected to Building D1 on their western St Georges Road presentation.
- Continued widening of the St Georges Road public realm from Building A and D1, with varied setbacks ranging from 3.7 to 5.9 metres and canopy cover.
- Similar to Building A2, a lighter brown brick base is applied to St Georges Road for two (2) levels before a similar lighter brown concrete panel is applied to the upper levels sitting forward of the balconies, providing articulation and shading.
- Vertically framed windows are provided central and on either side of the balconies. These features are offset to provide articulation.
- A similar façade treatment is provided in its presentation to the central 'green heart', however vertically broken by the exposed staircase which adds visual interest and difference along with movement through the pedestrianised use.
- Building D2 is separated from the northern Building A (A3) by a significant 16.2 metre wide opening.

Building D3

- Building D3 provides a maximum building height of 10 storeys with a frontage to Oakover Road.
- Building D3 is visually separated from Building D1, setback a minimum 9.9 metres from Building C, which increases to 13.7 metres on the upper levels, creating the clearly identifiable north-south shared space at ground floor level. A 4.7 metre setback is provided to Oakover Road in continuing to expand the existing public realm, with this increasing to 7.3 metres above the three (3) storey podium.
- A pre-cast white concrete panel is used to the façade, with the vertical elements wider at this building's podium level to create a solid base of built form for the upper levels to then sit above.
- An exposed external stair sits forward of the façade and assists in breaking up the length of this façade presentation.
- A resident accessible communal terrace area is provided on the rooftop of Building D3.



Figure 5 – View from the corner of St Georges Road and Oakover Road looking north-east

Proposed street activation

Proposed street activation is incorporated as follows:

- A centrally located publicly accessible 'green heart' with an associated network of pedestrian thoroughfares and arcades, activated by ground floor retail and commercial tenancies;
- A widened and landscaped north-south laneway, creating a shared space and environment with alternative pedestrian path to the site and to the creation of residential address to the lane;
- A supermarket in the south-east corner of the site, fronting Oakover Road and continuing with activation to the north-south link and outlook to the 'green heart';
- A variety of 'Assemble spaces' (community spaces) to be used by residents and the community for a variety of operative, networking opportunities, functions and events;
- Clearly delineated and accessible residential entrances with access provided to both the street and the internal spaces; and
- Bicycle parking central to the Site within Building B as well as direct access from the Site's St Georges Road and Oakover Road frontages, providing convenience to the existing bicycle network and lobby areas of the residential buildings.

The proposal provides a total of 480 apartments with a range of dwelling types and typologies encompassing a mix of studio, one-bedroom, two-bedroom and three-bedroom apartment options:

- 145 studio apartments (30% of total apartments)
- 107 one-bedroom apartments (22% of total apartments)
- 172 two-bedroom apartments (35% of total apartments)
- 56 three-bedroom apartments (12% of total apartments).

Car parking is provided within a two (2) level basement with vehicular access provided by the eastern return presentations of Building A (A4) and Building D (D3), to the new north-south shared space.

A total of 288 car parking spaces are provided for future residents; 42 car parking spaces for the supermarket; four (4) car share spaces; and 18 car parking spaces for office/retail/community tenancies. On-site resident car parking is to be leased rather than individually owned.

A total of 795 bicycle parking spaces are provided across the development, in excess of statutory requirements of the Planning Scheme, with the stator requirement being 159 bicycle spaces (96 resident, 9 staff and 54 visitor). End-of-trip facilities are provided within Building B. A loading turntable and back-of-house area is provided for the supermarket, accessed via Oakover Road. enabling delivery trucks to enter and exit the site in a forward direction. Pickup/drop-off shared spaces are provided within the new laneway, which will also serve as loading and waste collection points for the smaller commercial operations and future residents moving to/from the apartments.

Development Plan Overlay – Schedule 11

The design response has been formulated with a key understanding of the DPO11 control, the background UDF and the Site's surrounding context and has undergone a process of evolution following input from the Department and Council.

DPO11 Objective	Proposal's Response
<i>To create a high amenity urban village through a coordinated and staged redevelopment approach that provides services and amenities for the local area.</i>	The proposal provides a high quality architectural and urban design outcome which can act as its own 'urban village' through the provided on-site services and amenities for residents within the development and the broader community. This includes the central and large 'green heart' of the proposal which has the ability to act as a local attraction with a variety of north-south and east-west connections and building entrances.
<i>To ensure that the future use and development leverages the locational advantages of individual sites and the precinct (in particular Bell Train Station, Newman Reserve, Ray Bramham Gardens, schools and Tram Routes).</i>	The site is conveniently located to take advantage of existing services and infrastructure. The proposal includes a widened and activated public realm, a variety of ground floor commercial uses, public open space area and other shared spaces including north-south and east-west pedestrian/bicycle connections.
<i>To encourage the use and development of the site for appropriate residential, commercial, retail, service and related uses that will increase the economic and social functions of the centre in accordance with the sub-precinct objectives of this Schedule</i>	The site provides a supermarket, retail and commercial uses complemented by residential accommodation. These uses will increase the economic and social identity of the area.
<i>To take advantage of the strategic position of the site by providing for a mix of residential densities including high density residential development.</i>	The proposal provides a range of apartment types and layouts with a mix of studio, one-bedroom, two-bedroom and three-bedroom options.
<i>To provide for efficient and logical staging of land use and development change within the site.</i>	The layout and arrangement of each of the buildings, enables a clear and efficient use of the site.
<i>To provide for development in a form which achieves a high quality built form and urban environment.</i>	<p>DPO11 anticipate a new built form character for the 'Oakover Village' Precinct with a higher density pattern emerging. The design response is effectively distributed across four (4) buildings, each with their own presence, height, materials, colours and features.</p> <p>The publicly accessible areas available ensure that each of the building's elevations can be appreciated from multiple vantage points. The proposal appropriately responds to the site's noted eastern sensitivity in creating a downward transition of scale away from its prominent corner intersections.</p>

<p><i>To incorporate Environmentally Sustainable Development (ESD) measures to aid in the reduction of energy and water consumption, the generation of waste, greenhouse emissions and achieve ESD best practice.</i></p>	<p>An SMP has been provided, with conditions included in line with advice provided from Council's ESD Officer.</p>
<p><i>To ensure design is site responsive and has regard for the equitable development of adjoining sites including the positive amenity and passive design outcomes for future development.</i></p>	<p>The proposal responds to the site's attributes namely its three (3) street frontages and its sensitive interface to its east. The eastern properties are earmarked for redevelopment by way of the existing approval at 20-30 Oakover Road, Preston for a 3 - 7 storey development and the RGZ and DDO22 control applying to the land along Showers Street.</p>
<p><i>To ensure development provides a transition in height and massing to surrounding lower scale form and within the precinct where appropriate.</i></p>	<p>A response to the transitional requirements of 'Sub-Precinct 3' of DPO11 is provided below.</p>
<p><i>To provide for adequate building separation to maximise daylight, outlook and ventilation for existing and future development and manage overlooking between buildings.</i></p>	<p>The layout of apartments within Building A and D has been designed to orientate to the site's street frontages or within the central 'green heart'.</p>
<p><i>To ensure new development achieves an appropriate interface with the public realm and provides outlooks and passive surveillance from common and private areas within the development to the adjacent public realm.</i></p>	<p>Apartments are provided at ground floor of Building A4 to provide a transitional land use from the development to the eastern RGZ land located along Showers Street. These apartments provide an alternative arrangement through their walk-up activity from the existing Showers Street public realm.</p>
<p><i>To integrate landscape design and public art into new development including opportunities for creation of green roofs and green walls and for retention or planting of trees with spreading crowns.</i></p>	<p>The central 'green heart' and widened public realm at the Site's frontages provides opportunities for green and urban landscaping. Conditions on any Permit will require the re-submission of the provided landscape plan to the satisfaction of Council.</p>
<p><i>To consider and respond to the overshadowing effects of new development on Newman Reserve.</i></p>	<p>Overshadowing diagrams are provided within the architectural package which demonstrate that by 10am on the winter solstice no unreasonable overshadowing will occur to Newman Reserve.</p>
<p><i>To prioritise pedestrian movement through the precinct and to surrounding key destinations and create a safe, continuous and clearly defined pedestrian environment.</i></p>	<p>The design response has appropriately considered the broader master-planning of the 'Oakover Village' precinct and pedestrian movement opportunities. In this regard, the proposal continues the east-west connection through the site.</p>
<p><i>To promote urban legibility, public access and wayfinding to and through the site including clear, legible and safe access to residential development (including residential development at upper levels).</i></p>	<p>The proposal provides clear access and wayfinding opportunities. The central 'green heart' is a feature of the proposal providing outlook for residents, various east-west and north-south pedestrian connections and links provided from the existing and expanded public realm.</p>

<p><i>To manage impacts on safety and efficiency of the surrounding road network</i></p>	<p>The application has been referred to Council's traffic engineers who have recommended amendments in order to ensure any potential impacts are minimised.</p>
<p><i>To encourage the provision of communal shared infrastructure and joint solutions, including but not limited to drainage, car parking, pedestrian and road access, power and telecommunications.</i></p>	<p>All of the ground floor is publicly accessible for the broader community, with a shared north-south connection provided for pedestrian/vehicles through the site.</p>
<p><i>To encourage the consolidation of lots to maximise development flexibility and efficiency</i></p>	<p>The site consolidates existing allotments to create an overall 13,425 sqm site. The significant land area provides a greater level of flexibility in design response and the ability for it to strategically contribute to the broader master-planning of the precinct through added pedestrian connections and public open space.</p>
<p><i>To consider and respond to the impacts of overland flooding and site contamination.</i></p>	<p>The application has been referred internally as required.</p>
<p>Sub-Precinct 3 Objective</p>	<p>Proposal's Response</p>
<p><i>To allow for prominent active uses at ground floor on the St Georges Road frontage, including to the corners where it intersects with Showers Street and Oakover Road. Lower levels will be configured to allow for commercial adaptation over time, with residential uses incorporated at upper levels.</i></p>	<p>A variety of active uses are provided to the site's frontages as sought by Map 1 of DPO11, including on each of the identified road intersections. This includes opportunities for retail, food and beverage, office as well as shared community/Assemble spaces.</p> <p>The location of an at-grade bicycle storage areas to Oakover Road further adds to the activation and movement at street level and convenience for bicycle users to contain direct connection to existing bicycle infrastructure through the expanded public realm and connections within the site.</p>
<p><i>To create a landmark built form on 30 St Georges Road, Preston that demonstrates exemplary architecture utilising a podium and tower form with high legibility 'in the round' and a built form that transitions towards the Ray Bramham Gardens and residential areas to the east</i></p>	<p>The allotment referred to as '30 St Georges Road', occupies all of the site's frontage to St Georges Road and which a 'landmark built form' outcome is sought by DPO11 and provided in the design response. Varying scales of building height and presentation contribute in defining this landmark built form of Building A and D in this area, in their collective presentation to the public realm and central areas within the site.</p>
<p><i>To ensure that built form on 47 and 49 Showers Street, Preston, provide frontage and overall massing that respects the residential streetscape.</i></p>	<p>The height of the development in this location of the site (Building A4) ranges from six (6) to four (4) storeys, in providing the sought after transition to the east from the 'landmark' building of 30 St Georges Road and Building A1.</p>

Clause 58 Assessment

Clause	Std		Compliance	
			Std	Obj
58.02-1	D1	Urban Context		
		The design response is appropriate to the urban context and the site. The proposed design generally respects the preferred urban context anticipated and responds to the features and constraints of the site.	Y	Y
58.02-2	D2	Residential policy		
		The application has been accompanied by a satisfactory written statement and the proposal is considered to comply with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
58.02-3	D3	Dwelling diversity		
		The proposal incorporates a range of studio, one, two and three-bedroom options, displaying a range of sizes, types and layouts.	Y	Y
58.02-4	D4	Infrastructure		
		The proposal development is able to be connected to all services required for the residential, commercial and public uses of the land.	Y	Y
58.02-5	D5	Integration with the street		
		The proposed development is oriented to each of the Site's frontages, however in particular to St Georges Road. The proposal is well integrated with the street including concentrated activity at ground floor level, provision of a central communal public open space area 'green heart' which is bordered by ancillary community spaces, retail tenancies (including a supermarket) and residential entrances. Passive surveillance to this space and the public realm will be improved through the provision of balconies and windows orientated toward these spaces.	Y	Y
58.03-1	D6	Energy Efficiency		
		The development is considered to be generally energy efficient and will not unreasonably impact on the energy efficiency of adjoining properties. The site is located in climate zone 21 (Melbourne). The application has been accompanied by a Sustainable Management Plan which has been deemed acceptable by Council's ESD Officer subject to conditions.	Y	Y
58.03-2	D7	Communal Open Space		
		The proposal provides excessive communal open space at ground floor associated with the 'green heart' and on the roof areas of Building A, C and D greatly in excess of Standard D7 requirements and providing a desirable outlook and amenity for all residents of the proposal.	Y	Y
58.03-3	D8	Solar Access to Communal Outdoor Open Space		

Clause	Std		Compliance	
		The location of the communal open space on the Building A, C and D roof receives excellent solar access on the winter equinox in excess of the minimum 125sqm requirement.	Y	Y
58.03-4	D9	Safety		
		Pedestrian and vehicle accessways are clearly recognised and have been distinguished on each of the site's street frontages to ensure the safety of pedestrians accessing the Site. The shared north-south link is to provide pedestrian priority and anticipated to be infrequently used by vehicles.	Y	Y
58.03-5	D10	Landscaping		
		The extent of landscaping overall has been deemed acceptable subject to conditions.	Y	Y
58.03-6	D11	Access		
		The proposal removes existing crossovers to Showers Street and Oakover Road for new accessways. To Showers Street the shared north-south link results in an overall laneway width of approximately 7.15 metres accounting for approximately 10% of the 71.18 metre street frontage. To Oakover Road, the shared north-south link and loading bay access conservatively (full north-south entrance) accounts for a total of 17.1 metres, approximately 13% of the total 127 metres Oakover Road frontage.	Y	Y
58.03-7	D12	Parking Location		
		Car parking area is provided within two (2) levels of basement car parking beneath the residential buildings and providing convenient parking and access for residents, commercial uses and supermarket customers. No habitable rooms are located near the car park or accessways.	Y	Y
58.03-8	D13	Integrated water and stormwater management		
		A total of 60KL rainwater storage tank(s) is proposed with rainwater connected from the building's roof and reticulated for toilet flushing and irrigation.	Y	Y
58.04-1	D14	Building setback		
		Building setbacks are covered in the assessment in earlier sections of this report. Generally, the development is set back sufficiently from the side and rear boundaries to: <ul style="list-style-type: none"> • Ensure adequate daylight is available into new habitable room windows. • Avoid direct views into habitable room windows and private open space of new and existing dwellings. • Avoid relying excessively on screening to reduce views into habitable room windows and private open space of new and existing dwellings. 	Y	Y

Clause	Std		Compliance	
		<ul style="list-style-type: none"> Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. Ensure the dwellings are designed to meet the objectives of Clause 58. 		
58.04-2	D15	Internal Views		
		The proposal has been designed to avoid any unreasonable overlooking to private open space areas and habitable room windows of dwellings within the development, either directly below or alongside. A minimum building separation of 16.3 metres is provided between Building A and D, and 13.7 metres between Building C and D, ensuring no unreasonable internal views will occur between apartments.	Y	Y
58.04-3	D16	Noise Impacts		
		The proposed development includes services provided in the cores of each building, with a main services room located in the basement level and on the building's roof. Feature glazing and insulation has been equipped and will provide noise attenuation from any on or off-site noise sources as detailed in the 'Acoustic Report' prepared by Acoustic Logic Pty Ltd.	Y	Y
58.04-4	D17	Wind impacts		
		<p>A Wind Impact Assessment, prepared by VIPAC, has been submitted in conjunction with the application. The assessment has found that:</p> <ul style="list-style-type: none"> Wind conditions in the ground level footpath areas and access ways would be expected to be within the walking comfort criterion. Wind conditions at the main entrances would be expected to be within the standing comfort criterion; and The rooftop communal terraces on level 6, 7, and 10 are expected to meet the standing comfort criterion. <p>The assessment has outlined that further investigations through wind tunnel testing is recommended to confirm wind effects. This will be included as a recommended condition.</p>	Y	Y
58.05-1	D18	Accessibility		
		466 of the 480 apartments (95%) are designed to be 'accessible' thus exceeding the Standard and Objective of Clause 58.05-1.	Y	Y
58.05-2	D19	Building Entry and Circulation		
		The Site contains three (3) street frontages, with all of these to be significantly enhanced through the provision of commercial, retail and supermarket uses and north-south and east-west pedestrian connections/arcades through the Site. The entrances to the lobby areas are from all of the Site's frontages	Y	Y

Clause	Std		Compliance	
		<p>or the central public open space area and are clearly identifiable in providing a sense of address to the streetscape, successfully integrating with the public realm.</p> <p>Vehicle entrances to the basement car park is provided from the north-south shared link from Showers Street and Oakover Road in acknowledging local road rules and immediate hierarchy. The residential entrances to all buildings, is further afforded with a generous lobby area and mailroom for the added convenience of future residents. Corridors of the building's upper levels maintain a minimum width of 1200mm with a minimum of one (1) natural daylight source provided to each building, with Building A and C notably contain open external corridor which will enhance natural daylight and ventilation to this area and the dwellings.</p>		
58.05-3	D20	Private Open Space		
		Please see body of this report.	N	Y
58.05-4	D21	Storage		
		Each dwelling is provided with storage that meets or exceeds with the requirements of Table D10. This includes storage provided both within the dwelling and lockable storage located off the corridor areas of Buildings A and D.	Y	Y
58.06-1	D22	Common Property		
		The common property areas include the residential and vehicle entrances; associated services, including the residential lobbies, circulation areas, stair and lift facilities; basement and car parking area and central public open space areas. These areas are practical for future occupants and as the proposal is provided through a built-to-rent scheme will continue to be managed by Assemble.	Y	Y
58.06-2	D23	Site Services		
		<p>The design and layout of dwellings provide sufficient space and facilities for services to be installed and maintained efficiently and economically.</p> <p>All services, where visible from public areas, are appropriately integrated with the design of the development and provide high quality urban design outcomes.</p> <p>Mailboxes and other site facilities are adequate in size, durable, waterproof and blend in with the development.</p> <p>Mailboxes are to be provided and located for convenient access as required by Australia Post. This can be included as a permit condition/any approval given.</p>	Y	Y

Clause	Std		Compliance	
58.06-3	D24	Waste and Recycling		
		The bin storage areas for all buildings and collection area is appropriate for the residential and commercial use as detailed in the 'Waste Management Plan' prepared by WSP. The Waste Management Plan has been referred to Council's Environmental Operations Unit who have deemed it satisfactory.	Y	Y
58.06-4	D25	External walls and materials		
		The proposal incorporates robust materiality which will result in an attractive high quality development presenting to each street frontage.	Y	Y
58.07-1	D26	Functional Layout		
		All of the bedrooms for each respective apartment and all of the living areas, including studio apartments, have been designed to meet the minimum requirements contained in Tables D7 and D8.	Y	Y
58.07-2	D27	Room Depth		
		All habitable rooms, including the open plan layout of living areas, comply with the standard when measuring the depth from the glazing line of the habitable room windows.	Y	Y
58.07-3	D28	Windows		
		All habitable rooms have a window with an external wall of the building, and no 'snorkel' windows are provided across the proposal. Accordingly, both the Standard and Objective of Clause 58.07-3 are satisfied in the design response.	Y	Y
58.07-4	D29	Natural Ventilation		
		All of the habitable rooms are fitted with openable windows, and opportunities for cross-ventilation have been maximised across the Site. 185 of the 480 (38.5%) are shown as being cross ventilated on Drawing Nos. TP1-201 - TP1-206, which excludes the studios of Buildings A4 and C. Including these studios results in 257 of the 480 apartments (53.5%) being naturally cross ventilated, thus complying with Standard D27 requirements.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
<p>Capital Works</p>	<p>Individual Legal Points of Discharge applications for each stage of the development will be required to be applied for prior to final design and all stormwater drainage to be considered at the planning stage to comply with the provisional stormwater information below: Splitting the stormwater for each section or stage of development may be required to limit the impact upon Council's Infrastructure.</p> <p>Connect to existing Council stormwater drainage where applicable via detention systems in accordance with the following formula. Refer to attached map showing existing Council stormwater drainage adjacent to the site.</p> <p>The stormwater from the properties to be to Council requirements with the discharge from the whole site being limited via on site detention system to Council requirements. (Discharge via gravity only. No pump systems permitted).</p> <p>The OSD is to limit the rate of stormwater discharge from the property based on $C_w=0.4$, $T_c=10$mins, $T_{so}=5$ min, ARI 1in5. An ARI of 1in10 shall be used for storage and the greater of post development C_w or $C_w=0.80$. Accurate depth and offset of the drain to be confirmed on site. Computations & retention design is required to be submitted to this office for compliance with legal point of discharge.</p> <p>Computations & retention and design plans are required to be submitted to this office for compliance with legal point of discharge via online portal only</p> <p>There may be a requirement for some outfall drainage to comply with Council's Drainage Guidelines attached.</p> <p>Consideration of the detention and methods of system storage may be considered in some cases.</p> <p>Areas affected by Flooding and overlay flow will need to be further investigated to determine the impact on proposed developments. Refer to Melbourne Water</p> <p>It may be best to consider each individual stage on case by case basis as they are scheduled within the timelines applicable.</p> <p>All stormwater drainage in vicinity of the stages should be investigated by applying for legal point of discharge from Council's Engineering Services Department prior to design of the site.</p>

	<p>Each stage of the proposed the applicants should submit for compliance the stormwater drainage design of the development Council's Engineering Dept after obtaining a legal point of discharge to comply with Council's Drainage design Guidelines.</p> <p>These comments have been outlined to the applicant.</p>
<p>Transport Management and Planning</p>	<p>1. Oakover Rd widening and future scenarios</p> <p>a. Council does not support the widening of the Oakover Rd at St Georges Rd intersection to allow for a new turning lane for general traffic.</p> <ol style="list-style-type: none"> 1. Oakover Rd is classified as a C1 (Strategic Cycling Corridor) and a GT5 (general traffic) under DoT's Movement and Place framework. The future vision for Oakover Rd is for a safe and low-stress bike corridor. The proposal to accommodate more vehicle traffic is contradictory to this vision and the framework, and will not allow for the realisation of a safe and connected bike route in the future. 2. Council's preferred layout for the section of Oakover Rd between St Georges Rd and the railway line is shown in the attached cross sections. We ask that an east-bound on-road protected bike lane be installed along the length of this section. 3. The applicant should provide new traffic modelling that takes into account the desired function of Oakover Rd as a Strategic Cycling Corridor, and more consideration given to its classification as a GT5. 4. Given the significant reduction in the minimum parking requirements, significant improvements to walking and cycling networks near the site are required. <p>b. The proposed new footpath on the north side of Oakover Rd does not meet the standards set out in Council's endorsed Walking Strategy 2018-2028</p> <ol style="list-style-type: none"> 1. New footpaths on the Principal Pedestrian Network (PPN) should be a minimum of 1.8m. The plans indicate that the new footpath is to be 1.5m wide, which is not sufficient. The proposed retail, residential and commercial uses in the subject site will generate more foot traffic, and the minimum 1.8m width should be met. <p>c. The traffic signals at the St Georges Rd intersection be upgraded to include bicycle lanterns and bicycle head starts in both east and west bound directions. This should be factored into the modelling.</p> <p>2. Car parking requirement</p> <ol style="list-style-type: none"> 1. The subject site falls within the PPTN area map, and therefore Column B rates apply to the proposal, and there is no requirement to

	<p>provide residential visitor parking under Clause 52.06 of the Planning Scheme.</p> <ol style="list-style-type: none"> 2. The proposed development has a statutory car parking requirement of 659 spaces under Clause 52.06 of the Planning Scheme. The proposed on-site parking provision of 367 parking spaces needs to meet the statutory requirement of 365 car spaces. This shortfall of 294 car spaces equates to a 44% shortfall. 3. With only 365 parking spaces on-site, the applicant seeks a parking dispensation of 294 parking spaces. From what has been provided, the transport team need more confidence with the provision of 365 car parking spaces to satisfy the parking demand generated by this development as this may result in adverse on-street parking. 4. However, the transport team considers the applicant and supports this parking reduction in the following. <ol style="list-style-type: none"> i. Seven hundred and five (795) bicycle parking spaces at ground level within a mixture of horizontal and wall-mounted rails throughout the landscaped and public areas, including staff, residents, and visitors. ii. Fifteen (15) motorcycle spaces will be provided on-site. iii. Four (4) car share spaces are proposed within the building's basement area. iv. The site is well served by public transport and within the Principal Public Transport Network Area (PPTN). v. The availability of public transport in the locality of the land and access to or provision of alternative transport modes to and from the land. vi. The applicant provides the empirical assessment or case study in the area. vii. The applicant provides an assessment how proposed changes are inline with the Movement and Place framework and classifications, and the future vision for the corridor. Updated modelling should factor this in. 5. All parking spaces will be line marked, including accessible and associated shared area pavement marking as per AS2890.6 2009. 6. Council's endorsed EV charging policy requires 75% of all parking spaces to be 'EV ready' and some EV chargers to be incorporated. Recent updates to the National Construction Code (coming into effect October 2023) will require 100% of new parking spaces to be 'EV Ready'. As such, 100% of parking spaces should be EV
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	<p>ready, and the inclusion of at least 2 fast (DC 50kw or greater) EV chargers for public use to be included in the car parking associated with the supermarket use.</p> <p>3. Bicycle parking space arrangement and layout</p> <ul style="list-style-type: none"> a. The proposal provides 795 bicycle parking spaces across the Site, significantly more than Clause 52.34 requirements of the Planning Scheme. b. Whilst 20% of the proposed bike parking spaces are horizontal rails, Council’s endorsed EV charging policy recommends 50%. Given the reduction in car parking spaces, the applicant relies on significant numbers of trips to be made by bicycle, many of which may require larger bicycles such as cargo bikes and ebikes. More than 20% of the bike parking spaces should be horizontal rails at ground level, some with access to charging points, and spaced appropriately to allow for larger cargo bikes. c. The bicycle parking facility servicing the supermarket should have direct access into the supermarket providing convenient access for people on bikes. This is important as the bike parking located not near to, or visible from, the entrance may make it less obvious to find and less well utilised. d. All visitor and employee bicycle spaces must comply with the clearance and access-way requirements of AS2890.3 unless otherwise agreed with the responsible authority. e. ‘Bicycles Excepted’ sign included at the north of the internal laneway, allowing North-South bike movements so people on bikes can access the supermarket and associated bike parking from Showers St and further north. <p>4. Design standard -Car parking spaces</p> <ul style="list-style-type: none"> 1. Car parking spaces and accessways comply with the design following Clause 52.06-9 as outlined in Table 2. 2. Car parking spaces and accessways are satisfied with designed requirements following Clause 52.06-9 as outlined in Table 2 for car parking spaces and the Australian Standard for Off-Streetcar Parking (AS 2890.1:2004). <p>5. Motorcycle parking space arrangement and layout</p> <ul style="list-style-type: none"> a. The applicate is required to provide layout details of the 15 Motorcycle parking arrangements on-street and must comply with the requirements of AS2890.1:2004. <p>6. Transport requirement</p> <ul style="list-style-type: none"> a. All vehicles are to enter and exit the site in a forward motion.
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	<p>b. Darebin City Council is the responsible authority for Oakover Road and Showers Street; a detailed design of the road works with associated the right turn lane works, bicycle infrastructure, and pedestrian linkages or access via the footpath on Showers Street must be submitted to Council for approval.</p> <p>7. Vehicle Crossings</p> <p>a. The developer is required to submit the layout for the new or existing vehicle crossing dimension details.</p> <p>b. The proposed crossover must have a minimum clearance of 2.5m to any tree, or consultation with the parks department is required.</p> <p>c. Any service relocation associated with the works must be approved by the Service Authorities and at the owner's cost.</p> <p>d. An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application. Any service relocations are to the approval of the Service Authority and at the owner's cost.</p> <p>8. Swept path assessment</p> <p>a. I have reviewed the swept path assessment and I am mainly satisfied with the vehicle access arrangements.</p> <p>9. Expected public infrastructure improvements</p> <p>a. East-bound protected bike lane on Oakover Rd along the subject site frontage</p> <p>b. Bike lanterns and head starts (east and west bound) at Oakover / St Georges Rd intersection</p> <p>c. New footpath (north side of Oakover Rd) to be minimum 1.8m wide</p> <p>d. East-bound protected bike lane on Oakover Rd from St Georges Rd to the railway line</p> <p>Where appropriate, elements of the above advice have been included as conditions on Permit.</p>
<p>City Designer</p>	<p>These comments should be read in conjunction with the previous comments provided on 12 Jan 2022.</p> <ul style="list-style-type: none"> • The revised design is an improvement from the previous proposal. Most of the previous comments have been incorporated in the updated design and addressed in a satisfactory manner. • The wide pedestrian link from St Georges Road is a significant improvement and provides a visual connection to the public space as well as helps break up the mass of the buildings. • Measures to reduce the through traffic in the internal road should be considered. For example, this could

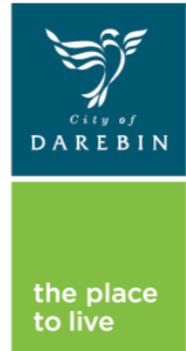
	<p>include retractable bollards that can allow access for loading and garbage trucks but reduce direct movement of cars.</p> <ul style="list-style-type: none"> • The awnings for buildings on Oakover Road and St. Georges Road should be of a pedestrian scale, currently some of them are too high off the ground and will provide shelter for the pedestrians on the footpaths. • The development has a large western frontage with significant number of apartments facing west. External sun shading for these apartments should be provided. <p>Showers Street Interface</p> <ul style="list-style-type: none"> • The Showers Street interface is slightly improved with the reduced building height but still needs further consideration. • The east wing of the northern building has three apartments with courtyards fronting the street on the ground level. This is a good outcome in terms of provision of private open space. Although this setback should apply to the entire east wing of the building to ensure the proposal respects the front setback character of Showers Street. • Currently the upper levels are built to the boundary negating the ground level setback and also reducing the daylight access to the ground floor rooms due to the balcony overhang. • The above can be easily achieved by moving the entire east wing slightly south or altering the layout of the apartments. • The corner can be built to the boundary but with the east wing setback it will provide an appropriate response for Shower Street. <p>The proponent has responded as follows:</p> <p>The updated architectural response in its presentation to Showers Street has been revised in responding to both Council and DELWP comments, with the following changes made to provide a more residential response and create a transition of scale from west-east along this frontage in responding to DPO11 requirements:</p> <p>Reduction in building height from six (6) storeys to four (4) storeys</p> <ul style="list-style-type: none"> • Provision of residential ground floor uses for all of Building A4 • Setback Building A4 a further 1.5 metres south and extend podium element into the 'green heart' as suggest by Council •Provision of residential fences to walk-up apartments to Showers Street as a result of the setback, with the podium line setback one (1) metre from the title boundary
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	<ul style="list-style-type: none"> • Setback two (2) storey podium element one (1) metre from Showers Street frontage • Setback upper level form three (3) metres from Showers Street frontage <p>The updated design response to Building A4 has largely responded to Council's suggestions, assisting in creating the sought after transition contained within DPO11 in both built form scale and a land use sense away from the primary St Georges Road frontage.</p> <p>Council's City Designer has been consulted in relation to the above alterations and has deemed them acceptable.</p>
City Design Unit	<p>Council's City Design Unit raised concerns regarding the extent of overshadowing of the proposed 'green heart' aspect of the proposal. Amendments have since been made in order to rectify the amount of overshadowing. Standard conditions will be included on the Permit as required.</p>
ESD Officer	<p>Council's ESD Officer has included recommended updates which have been included as conditions on any permit issued.</p>
Property Management Unit	<p>I have reviewed the plans from an Property Assets perspective and advise:</p> <ol style="list-style-type: none"> 1. the right of way to the north of the development that enters onto Showers Street is on Council's public road register. 2. The improvements do not appear to encroach outside the title boundary of the development.
Strategic Planning Unit	<p>Council's Strategic Planning Unit provided the following comments and recommendations:</p> <p>The proposal appears to better address the built form objectives for sub-precinct 3: St Georges Road Landmark in DPO11.</p> <p>We note the proposed setback for building A4 along the eastern boundary of the site has result in an improved interface with the residential streetscape to the east and north east. However we note the overall building height remains at 6 storeys and interface to the north can still be improved.</p> <p>While reductions in height was reflected in revision 2 of the architectural plans, we note proposed heights in the south west corner and the western interface were unchanged in revision 3. The introduction of a podium form for buildings D1 and D2 improves the response to DPO11 built form objectives. Previous comments suggesting improved built form through greater articulation between buildings and reduced visual bulk at the south west corner are still somewhat relevant.</p> <p>Reduction in height of the built form along Shower Street has resulted in reduced overshadowing of the Green Heart.</p>

	<p>The Economic rational – Place, Retail, Commercial and Experience prepared by Assemble provides additional detail on the proposal. We note population growth is used to justify the uses within the site. While this does not in itself justify the demand for uses on the site, the proposal responds to the objective relating to use for Sub-precinct 3: St Georges Road Landmark and aligns with the purpose of MUZ. Given development occurring on this site and in the broader area a small-line supermarket is considered appropriate.</p> <p>Greater consideration of the relationship between the permit conditions, s173 and affordable housing report is needed. As it stands, the only requirement is to provide 20% <u>affordable</u> housing, when the report indicates up to 60% is being provided. Officers are supportive of only the <u>social</u> housing provision being enshrined in a s173, but the other forms of housing should be reflected in some way in the approved plans/documents.</p> <p>As such we suggest:</p> <p>Permit preamble must reflect the variety of housing provided, including affordable housing.</p> <p>This is to ensure there is accurate reflection of the use of the land and the concessions (height, fast track approvals process) that have been made to enable the development to occur.</p> <p>Permit condition to be amended as follows. While such conditions would typically refer to “Affordable housing”, given the nature of this development and the fact that this 20% contribution is intended to be “social housing” (and other kinds of affordable housing are provided that are not impacted by this s173 agreement), the permit condition should reflect this.</p> <p>Changes requested:</p> <p>27 a) i – iii, must identify the housing as “social housing” not “affordable housing”.</p> <p>27 a) iii – housing to be provided for 15 years. Request a longer timeframe be considered given the scale of development.</p> <p>27 b i) include three-bedroom dwellings unless it can be demonstrated that there is no need for this.</p> <p>28 c) this clause is not relevant if the “social housing” terminology is adopted.</p> <p>Final Statement of Environmental Audit states proposed uses for the site are suitable (subject to six conditions).</p> <p>We note the Certificate of Environmental Audit had not been issued at the time the audit was undertaken. It states a certificate may be issued once all contaminated soil from the site has been removed to restore all beneficial uses of the land.</p> <p>The town planning report includes a justification for the rezoning of 47 – 49 Showers Street from RGZ to MUZ. It is</p>
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	<p>understood the rezoning is required to allow for vehicular access to other commercial uses throughout the site.</p> <p>Officer response: The proposal has since been amended to further respond to concerns raised by Council's Strategic Planning Unit. Additionally, recommended conditions will be included in this report as required.</p>
<p>Waste Management</p>	<p>The provided Waste Management Plan has been referred to Council's Environmental Operations Unit who have deemed it satisfactory.</p>

Ref (03) 8470 8061
Enquiries Neil Cooney



16 November 2022

Matt Cohen
Director Development Approvals and Design
Department of Environment, Land, Water and Planning
Via email: matthew.cohen@dewlp.vic.gov.au

Dear Mr Cohen

RE: DRAFT AMENDMENT C211 & DRAFT PA2201860 - 30 ST GEORGES ROAD, 32-36 OAKOVER ROAD & 47 & 49 SHOWERS STREET, PRESTON

I am writing to you in relation to the above matter which Council has been collaboratively working with DELWP and the applicant, with a view to achieving a positive outcome for this site and the community.

I also refer to the most recent correspondence from DELWP dated 4 November 2022 confirming an additional fourteen (14) days for Council to provide a submission to draft Amendment C211 to the Darebin Planning Scheme and draft Planning Permit PA2201860.

The background of this case includes a number of meetings with the Development Facilitation Team at DELWP, on-going review and involvement from Council officers and a Council Committee meeting and resolution on 8 August 2022. At that meeting, Council resolved that it would be in a position to support the Minister for Planning calling-in the proposed development at 30-32 St Georges Road, 47-49 Showers Street and 32-42 Oakover Road, Preston, should the following 5 items be agreed to:

1. *A genuine undertaking from DELWP to work with Council as a partner throughout the process up to and including decision and endorsement of documents etc (should a permit issue). This includes but is not necessarily limited to including Council as a party to key negotiations, Council being heard in any panel or review process and being provided with the opportunity to undertake detailed assessments throughout, including drafting of conditions.*
2. *A genuine undertaking from DELWP and Assemble to continue to proactively work with Council to work through and resolve the key outstanding matters identified in Council's 13 July 2022 letter, to the satisfaction of all parties (as well as to continue working through the other detailed matters listed above, and any other matters that may arise).*
3. *An agreement from DELWP that the same third-party involvement as currently enshrined under Schedule 11 to the Development Plan Overlay (DPO11) be retained prior to the making of any decision on the application. Essentially this is the display of the plan for 14-28 days, with notices to adjoining land owners and occupiers.*

Darebin City Council
ABN 75 815 980 522

Postal Address
PO Box 91
Preston VIC 3072
T 03 8470 8888
darebin.vic.gov.au

National Relay Service
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or Speak & Listen
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iprelay.com.au
then enter
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Soomalii
Tiếng Việt

4. *That Council will have the opportunity to consider the application again during the application process once public submissions have been received.*
5. *That DELWP provide Council with a share in the application fee or be afforded equivalent reimbursement, as agreed, to assist in covering Council's costs in assessing the proposal.*

Please find attached Council's letter to the Minister for Planning dated 9 August 2022, detailing the above.

As the project transitioned from the Development Facilitation team to the Priority Projects team, Council was advised by DELWP Officers of the commitment to continue a collaborative approach, including in a meeting with Lachlan Forsyth & Lauren Grusauskas on 1 August 2022

On review of the case, it appears that not all of the above items are being upheld:

- Item 1 - The extent of notice provided by DELWP to the community is inconsistent with that recommended by Council and importantly, with the wider extent of notice undertaken for similar developments in the Oakover area
- Item 4 – Council has not been provided a copy of the public submissions made in respect of this application which precludes Council from considering the application with an understanding of the community's position
- Item 5 – Council has not been advised of the outcome of the request for sharing the application fee, which would assist to cover Council's costs in assessing the proposal

Council's support for the Ministerial call-in process was and continues to be contingent on a cooperative partnership between Council and DELWP. We welcome the opportunity to further discuss the above points, with a view of gaining a resolution to move the project forward through the process.

To assist in gaining resolution on this matter, Neil Cooney, Assistant Manager City Development is pro-actively working with Council officers and he can be contacted at (03) 8470 8061 or via email neil.cooney@darebin.vic.gov.au.

We look forward to hearing from you at your earliest convenience. Thank you for your time and consideration on this matter.

Yours faithfully



Kathryn Pound
MANAGER CITY DEVELOPMENT

CC Timothy Hector, Senior Planner, Development Approvals and Design, via email: timothy.hector@dewlp.vic.gov.au



Department of Environment, Land, Water and Planning

PO Box 500, East Melbourne,
Victoria 8002 Australia
delwp.vic.gov.au

Darebin Council
Statutory Planning
townplanning@darebin.vic.gov.au

Dear Darebin Council

DEVELOPMENT FACILITATION PROGRAM: 30 ST GEORGES ROAD, 32-36 OAKOVER ROAD & 47 & 49 SHOWERS STREET, PRESTON.

I am writing to you about the proposed development at 30 St Georges Road, 32-36 Oakover Road and 47 & 49 Showers Street, Preston, which seeks to 'rezone land at 47 & 49 Showers Street, Preston from Residential Growth Zone to Mixed Use Zone and the use and development of the land for a mixed-use development across four buildings comprising of 480 Dwellings, Supermarket, Retail Space, Office Space, Food and Drink premises, alteration to access to a road in Transport Zone 2 and reduction to the onsite car parking requirement'.

The proposed development has been recommended for accelerated assessment and determination by the Development Facilitation Program (DFP). The DFP has been established by the Minister for Planning to speed up the assessment and determination of identified priority projects that deliver investment into the Victorian economy, keep people in jobs and provide a substantial public benefit.

The Minister is considering preparing an amendment to the Darebin Planning Scheme (draft Amendment C211dare) under section 96A of the *Planning and Environment Act 1987* to make herself the responsible authority for the site and draft planning permit PA2201860. If the Minister decides to prepare, adopt, and approve draft Amendment C211dare, this would allow for the granting of planning permit PA2201860 and part rezoning of the land. The Minister is considering these matters under Part 4 Division 5 of the Act, which allows for a combined permit and amendment process.

Please note that the DFP's recommendation for accelerated assessment and determination does not mean that the proposed development has been approved. The Minister has not yet decided whether to prepare, adopt or approve the planning scheme amendment or grant the planning permit.

To inform the Minister's decision about whether to prepare, adopt, and approve draft Amendment C211dare and grant planning permit PA2201860, I am consulting with you under section 20(5) of the Act and seeking your views about the draft amendment and draft planning permit. Information and supporting documents for this matter can be viewed at www.planning.vic.gov.au/have-your-say.

If you wish to make a submission, please email it to priority.projects@delwp.vic.gov.au before **7 November 2022**.

Following the consultation period, the Minister may decide to refer this matter to the Priority Projects Standing Advisory Committee for advice and recommendations. The terms of reference for the advisory committee are available at <https://www.planning.vic.gov.au/panels-and-committees/browse-panels-and-committees/projects/priority-projects-standing-advisory-committee#documents>.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



OFFICIAL

If you would like more information about this matter, please contact Tim Hector, Senior Planner, Priority Projects, Department of Environment, Land, Water and Planning, on (03) 8508 1836 or email timothy.hector@delwp.vic.gov.au.

Yours sincerely



Matt Cohen
Director, Development Approvals and Design

11 / 10 / 2022

Assemble

30 St Georges Rd Preston, Stakeholder Engagement Summary

Engagement Purpose

Effectively managing stakeholders is a key component of Assemble's approach to successfully delivering and operating development projects and managing reputational risk.

Our Stakeholder Engagement Strategy for our project at 30 St Georges Rd, 32-36 Oakover Rd and 47-49 Showers Street, Preston ("30 St Georges Rd, Preston") aims to:

- Identify key areas of community interest and concern, enabling us to proactively address points raised prior to the formal planning application process.
- Build strong and transparent relationships with local communities in order to develop trusting, long-term relationships.
- Establish clear lines of communication that can address community interests and concerns, mitigating the spread of misinformation.

Engagement Principles and Goals

Meaningful relationships and engagement

- Stakeholders understand the elements of 30 St Georges Road, Preston that can be influenced by their engagement, and how their feedback will be used to inform the project and future Assemble projects. For Assemble, stakeholder feedback is viewed as an opportunity to make continuous improvements to the proposal.

Responsive and measured action and communication

- Managing stakeholder satisfaction and sentiment across development and construction—especially with surrounding residents and businesses—is complex due to expected resistance to change and sensitivity to the necessary disruptions caused during construction. Individual stakeholder needs will be handled promptly, with care, and reasonable steps will be taken to minimise impacts.

Consult early and often

- Engagement activity is carefully planned and executed in a timely manner to ensure stakeholder expectations are managed, engagement objectives are met, and engagement risks are mitigated. Key community engagement dates for the project are outlined in the below table.

Key considerations at 30 St Georges Road, Preston

- Residents have been through a planning process once with re-zoning of the 30 St Georges Road site in 2016 via Amendment C136, which commenced consultation in 2013. The amendment implements part of the land use and built form directions from the *Urban Design Framework 2015* St Georges Road and Plenty Road Corridors (formerly the St Georges Road Urban Design Framework 2013).

Assemble

- Residents may feel engagement fatigue following community engagement and consultation relating to the MAB/ DFFH site as well as the Bell St and Oakover Road Level Crossing Removals.
- Residents may be experiencing construction fatigue due to living next to a major works site (the level crossing removal) for 1+ years.
- Showers St residents have expressed concerns about traffic management and entry/exit along Showers St, overflow car parking into Showers St, overshadowing from building heights.

Engagement Summary

The below table on Page 2 summaries the community engagement undertaken by Assemble in partnership with Housing Choices Australia.

Assemble

STAKEHOLDER	ENGAGEMENT METHOD AND DATE	PURPOSE	SUMMARY	ACTIONS TAKEN AS A RESULT OF THE ENGAGEMENT
Local residents, businesses and other organisations.	Letterbox dropped approx. 80 landholders in March 2022.	Project Introduction .	<ul style="list-style-type: none"> Introduced Assemble and Housing Choices Australia. Introduced the proposed project. Detailed that we would Assemble would undertake community engagement regarding the project. Shared Survey QR code. 	
Local residents, businesses and other organisations	Community Survey.	To understand the key interests and concerns of the community.	<ul style="list-style-type: none"> Survey asked questions about the community amenities residents would like to see in the area and options for the ground floors commercial spaces. The survey also asked for advice of best communications method. The survey received 6 responses. 	<ul style="list-style-type: none"> Response to survey participants. Consideration of feedback in plan updates.
Local residents, businesses and other organisations	Invitation to information session sent on 7 th June 2022.	To invite local stakeholders to an information session.	<ul style="list-style-type: none"> Invitation to information session held at Bridge Darebin 	
Local residents, businesses and other organisations	Drop-in Information Session 21 st June 2022.	To inform residents about the project, enable them to ask technical experts (such as our traffic consultant) questions as well as enable the project team to understand key interests and concerns about the project.	<p>See information boards attached people attended the session.</p> <p>10 people attended the session - (all were Showers Street residents).</p> <p>Key Themes raised:</p> <ul style="list-style-type: none"> Building design, height, scale and appearance from the adjacent streets, particularly Showers Street. 	<ul style="list-style-type: none"> Assemble provided feedback on the design, planning and construction process and place teams. As a result of the resident, Council and DELWP feedback, we have reduced building heights in the north-east corner from 6-storeys to 4-storeys and updated

Assemble

STAKEHOLDER	ENGAGEMENT METHOD AND DATE	PURPOSE	SUMMARY	ACTIONS TAKEN AS A RESULT OF THE ENGAGEMENT
			<ul style="list-style-type: none"> • Compliance with current planning provisions. • Traffic management, safety and connectivity through the site for cars, bikes and pedestrians. • Acknowledgement of cultural history and reference to the past use of the site, including opportunities for material reuse. • Arts and cultural strategy. • Landscape design and planting strategy • Community access to the development's facilities. • Future amenities and services, such as the supermarket. 	<p>the building design to reduce the scale and improve the appearance from Showers Street.</p>
<p>Attendees at the information session who raised questions</p>	<p>Email.</p>	<p>Letting attendees know that a response will take some time.</p>	<ul style="list-style-type: none"> • Thanking residents for their attendance at the information session and letting them know we will work on a response to the large number of detailed questions they raised. 	
<p>Residents of 45 Showers St Preston</p>	<p>Meeting with Assemble's Head of Planning, Head of Design and Traffic consultant, on 6th July 2022.</p>	<p>To explain in further detail the overshadowing anticipated from the project and to examine the laneway to improve vehicle maneuvering from the property.</p>	<p>Key concerns raised:</p> <ul style="list-style-type: none"> • Residents have direct access to their garage via the existing r.o.w. The r.o.w is narrow and difficult to manoeuvre a vehicle in its current state. Residents are concerned the new internal laneway will increase unsafe vehicle movement. • Extent of overshadowing to the property as a result of the proposed development creates minimal access to sunlight in the afternoon. 	<ul style="list-style-type: none"> • Assemble has further reduced building heights in the site's north-east corner from 6 storeys to 4-storeys, to reduce the extent of shadowing to the property at 45 Showers Street, Preston. • Traffic consultant has prepared swept path diagrams to demonstrate where vehicles will travel and how residents of no. 45 Showers Street can safely reverse and enter their garage from the laneway.

Assemble

STAKEHOLDER	ENGAGEMENT METHOD AND DATE	PURPOSE	SUMMARY	ACTIONS TAKEN AS A RESULT OF THE ENGAGEMENT
			<ul style="list-style-type: none"> Concern with appearance of buildings - suggest use of public art on walls. 	
Showers St Residents	Email with attached letter, sent 8 th August 2022	Responding to questions raised at the information session.		
Individuals	Ongoing	Responding to questions raised at the information session.	Responding to individual emails regarding subjects such as planning requirements and heritage retention.	

Next Steps

- Send letter to all **residents and businesses and other organisations** in the distribution area advising them of the updated designs and the anticipated planning timeframe. Hold a ‘meet the designer’ face to face drop-in session during the advertising period, to share information about the project.
- Respond to all correspondence about the project (ongoing)
- Update the Assemble website so people can better understand what is proposed.
- If planning is approved, hold another information session with key technical experts to explain what was approved and the process from here including the construction partner and discuss construction management matters.



Darebin City Council
ABN 75 815 980 52

16 March 2022

In reply please quote reference: A6311004

Hon Richard Wynne MP
Minister for Planning and Housing
Via email: Richard.Wynne@parliament.vic.gov.au

Dear Minister

Re: Development Facilitation Program – DFP-184: 30-32 St Georges Road, 32-42 Oakover Road and 47 & 49 Showers Street, Preston

I refer to the above matter, for which concept plans for a proposed mixed-use development were referred to Council for comment on 7 December 2021. I also refer to the response from Council Officers on 1 February 2022 (**enclosed**), in which it was advised that the consideration of the proposal through the Development Facilitation Pathway was not supported. The letter also highlighted concerns with various aspects of the proposal.

Council appreciates the opportunity provided to comment on these plans and the proposed assessment pathway.

At the 15 March 2022 Planning Committee Meeting, Council considered the concept plans as a confidential item and resolved that the Planning Committee:

- (1) *Object to the State Government calling-in this decision and therefore taking over planning decision making from Council in relation to the development at 30-32 St Georges Road, 47-49 Showers Street and 32-42 Oakover Road, Preston, shown at **Appendix A**, by the Minister for Planning via DELWP's Development Facilitation pathway, for the reasons outlined in **Appendix B (Council letter to DELWP dated 31 January 2022)**.*
- (2) *Authorises the Manager City Development to write to the Minister for Planning to advise them of the Planning Committee's decision.*
- (3) *Requests the Minister for Planning includes formal public consultation in the decision making process, in the event that they decide to call-in this matter. This should include, at a minimum, formal notice of the application to Council and to the owners and occupiers of surrounding properties with an opportunity to provide comment and participate in any panel or equivalent process.*
- (4) *Expresses concern that this matter had to be dealt with confidentially, and the lack of transparency and community in-put into the decision making in the process of the Minister for Planning determining whether to call-in this matter.*

Council requests that you give this position strong consideration.

Postal Address
PO Box 91
Preston VIC 3072
T 03 8470 8888
F 03 8470 8877
darebin.vic.gov.au



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I reiterate that Council is concerned that the plans provided for this development are highly detailed planning permit documents, rather than a detailed master plan for the site. A master planning process is required to ensure appropriate outcomes are achieved for this significant site.

Council officers remain available to work with DELWP as they progress these matters. DELWP officers can continue to liaise with Matthew Cullen, Priority Development Planner via Matthew.Cullen@darebin.vic.gov.au or (03) 8470 8387.

If you have any questions about this matter, please do not hesitate to contact me via Kathryn.Pound@darebin.vic.gov.au or (03) 8470 8631.

Yours sincerely

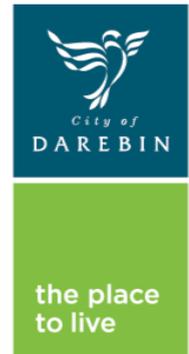


Kathryn Pound
Manager City Development

- Encl. Letter sent from Council to DELWP Development Facilitation Unit on 1 February 2022 setting out officer position and referral comments
- CC Lauren Grusauskas (Senior Planner), DELWP Development Facilitation unit, via email (lauren.grusauskas@delwp.vic.gov.au)

Enquiries

Matthew Cullen - 8470 8387



31 January 2022

Lauren Grusauskas - Senior Planner | Development Facilitation
 8 Nicholson Street
 EAST MELBOURNE VIC 3002
 Department of Environment, Land, Water & Planning (DELWP)

Dear Ms Grusauskas,

I refer to your request to Council for referral comments on the proposal at 30 St Georges Road, Preston (Oakover Village Sub-Precinct 3). It is Council's understanding that this application is currently being considered by DELWP for inclusion under the Development Facilitation Pathway (DFP).

Council has referred the submitted documentation to internal referral units. Comments from these units are enclosed under a separate letter (which can be shared with the proponent).

Council notes that the comments within these letters should not be considered as formal, Councillor endorsed feedback. Developments of this scale generally need to go to Council's Planning Committee for consideration and review.

Council's comments indicate that it does not support the development in the proposed form, however should the State Government decide to progress this development further, Council would need to consider this at Planning Committee because of significant importance and interest to the Darebin community. We have an obligation to test significant proposals such as this with our Council. This should be made clear to the proponent.

The below comments regarding the proposed DFP process (and the suitability of this proposal for this pathway) are provided to DELWP for consideration. These comments should not be shared with the proponent:

Proposed Application Assessment Pathway:

- Council is not supportive of this proposal being assessed through DELWP's Development Facilitation Pathway (DFP).
- Council wishes to draw attention to the Development Plan application originally lodged for this site and the RFI prepared in response to the application (attached). Council spent significant time and resources reviewing this proposal at both the pre-application and application lodgement stage. Detailed comments were provided to the applicant; however a response wasn't ever received. That application had several key issues with its design

Darebin City Cour
 ABN 75 815 980 522

Postal Address
 PO Box 91
 Preston VIC 3072
 T 03 8470 8888
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and clearly wasn't shovel ready. It appears to have been abandoned, in order to focus on qualification for this or other accelerated development pathways. Similarly, the proposal lodged through the Building Victoria Recovery Taskforce process also does not appear to have been considered shovel ready. The redevelopment of this site is being refined and redesigned in order to qualify for accelerated pathways. Council does not consider this to be proper and orderly planning.

- The original proposal could have been progressed to a shovel ready state by now, had the applicant engaged with Council following receipt of the RFI. Two years have been lost while various applications have been prepared for these accelerated pathways. Given this application still fails to address many of Council's original high level concerns and presents further new issues (see referral comments in separate attached document), Council's strong preference is to see an appropriate master plan in place (similar to the MAB/DHS site) before a planning permit is approved.
- As the referral comments provided in the attachment to this cover letter illustrate, this proposal is simply not 'shovel ready' in its current format. There are serious issues with a number of key design elements of the proposal. These require further detailed consideration by the proponent and relevant stakeholders.
- We also don't believe the application meets the State Government's DFP eligibility criteria. Specifically, Council refers firstly to the below extracted and highlighted criteria:

Project selection

A project must meet the eligibility criteria below to be recommended for an accelerated assessment and determination. A recommended project does not mean an approved project.

The usual planning rules and policies apply. All projects assessed and implemented under the [Planning and Environment Act 1987](#)

Projects are ineligible where the Minister for Planning:

- is currently the responsible authority, and/or
- has authorised or directed the Victorian Planning Authority (VPA) to prepare or implement a plan for an identified precinct.

It is Council's understanding that the Minister is the Responsible Authority for the proposal at this stage (as per Clause 72.01), as such it is questioned whether the proposal qualifies for the DFP. If Council is misunderstanding this element of the eligibility criteria, please clarify.

While we note that Darebin remains Responsible Authority for any Planning Permits related to the land (as per Clause 72.01), Council is concerned that the Development Facilitation Pathway process lacks the necessary higher-level strategic master planning for this precinct that a Development Plan application (or similar process) would encompass. The submitted documents support this position, given they are in essence the detailed architectural plans and reports better suited to any future planning permit application.

- Council notes the process that occurred on the adjoining DHHS land on Oakover Road. While the Minister for Planning was eventually made Responsible Authority for this site, the Development Plan approved was consistent with that reviewed at officer level by Council. Significant work was put into that proposal, resulting in a well realised development plan consistent with the policy goals and intent of DPO-11. Council has since provided review of the subsequent planning permit plans and documentation referred by

DELWP. Council is therefore concerned that the plans provided for this current proposal are highly detailed planning permit documents, rather than a detailed master plan for the site.

More broadly, Council wants the State's efforts to support economic recovery to focus on supporting councils to fast track assessments and decisions, rather than by taking over local decisions or cutting out community consultation. The local knowledge that Council planners and engineers have is critical to achieving the State Government's objectives, and this is illustrated by the reliance the State has on Local Government in this current process. This local knowledge is critical for establishing liveable 20-minute neighbourhoods, and community consultation is critical for achieving strong community outcomes, even as the population grows. That's why Council would like to partner with the State to fast track priority decisions instead of having the State take them over.

We are also concerned about this current process because of the significant resource implications for Council of undertaking assessments, but in a process that does not recover any of Council's costs. A typical planning process is designed to recover most planning costs through fees – so that the planning function is financially sustainable and expand if development need increases. While Council has sought to support economic recovery in the short term, there is a real risk that diverting Council resources to new pathways like this one could delay other planning decisions – and have an opposite effect to what the State has intended.

We would welcome the opportunity to discuss how to best achieve good planning, development and community outcomes.

Any questions should be directed to Matthew Cullen on 8470 8387.

Yours faithfully,



Matthew Cullen
PRIORITY DEVELOPMENT PLANNER

Enquiries

Matthew Cullen - 8470 8387

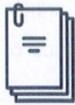
31 January 2022

Lauren Grusauskas - Senior Planner | Development Facilitation
8 Nicholson Street
EAST MELBOURNE VIC 3002
Department of Environment, Land, Water & Planning (DELWP)

Dear Sir/Madam,

REQUEST FOR COMMENTS

PROPERTY: 30 St Georges Road, Preston (Oakover Village Sub-Precinct 3)



Please submit any responses to this letter to Matthew Cullen –
Priority Development Planner
(matthew.cullen@darebin.vic.gov.au) and/or Jolyon Boyle –
Coordinator Priority Development
(jolyon.boyle@darebin.vic.gov.au)

INITIAL ISSUES REGARDING THE PROPOSAL

The issues below have been identified and are raised for consideration.

Council notes that the comments within these letters should not be considered as formal Council feedback. Developments of this scale generally need to go to Planning Committee for consideration and review. Council's comments in this letter overall object to the proposal. Should this proposal progress further, Darebin's Planning Committee would consider these comments and confirm its feedback. This proposal is likely to be of significant importance and interest to the Darebin community. This should be made clear to the proponent.

Recent Strategic Planning Work:

- Amendment C167 (Showers Street Design Guidelines) was adopted by Council on the 19th December 2019 (Minute No.19-296) and gazetted by the Minister for Planning on the 12th November 2020.
- The amendment introduces Design and Development Overlay Schedule 22 to 22-50 Showers Street and 19-45 Showers Street, Preston and extends the existing Development Plan Overlay Schedule 11 (DPO11) to land at 47 and 49 Showers Street, Preston (subject site).
- This amendment implements the Showers Street Urban Design Guidelines by amending DDO22 (and minor change to DPO11), providing more specific guidance for the Showers Street Residential Growth Zone (adjoins St Georges Road growth corridor). The aim is to encourage high quality residential

development that complements the existing streetscape as it undergoes transition to higher densities.

- As detailed in the comments from Council's City Designer below, the current proposal does not provide an appropriate transition to existing or envisioned built form on Showers Street.

Internal Referral Comments:

Comments on the referred plans and reports from Council's internal referral authorities are provided below.

Comments are still pending from Council's ESD Officer and will be provided when available.

Strategic Planning Unit

General comments

The applicant seeks consideration of the project as part of the Victorian Government's Development Facilitation Program (DFP), and proposes it is approved and implemented through a Section 96A amendment (or other similar process) which rezones the whole site to MUZ and assesses the planning permit application at the same time.

Leaving aside the project's eligibility for the DFP, the proposal includes elements that are favourable to the strategic direction for the use and development of the subject land in the Planning Scheme. In general, a mix of uses including ground floor commercial/retail, with increased housing and particularly social and affordable housing, is broadly supported. However, the proposal does not respond appropriately to its context in relation to scale, lacks integration with the broader area, and provides insufficient information to properly assess amenity impacts from overshadowing and the appropriateness of the commercial and retail spaces (refer also to City Designer comments below).

In addition, further information on the environmental conditions should be provided to inform decision making on the proposal, particularly whether it is reasonable to defer an environmental audit to a permit condition.

Below are high level comments on land use and built form with emphasis on DPO-11 which provides the greatest amount of strategic direction for the use and development of the subject land in the Planning Scheme.

Land Use

- The existing MUZ1 and RGZ1 generally support a proposal for higher residential densities and mixed-use office/retail/commercial. A rezoning of the RGZ portion of the site to MUZ is not supported, as the proposed extension of commercial ground floor uses eastwards along Showers Street is not envisaged by the DPO-11. An active frontage is only encouraged for a short distance along Showers St, back from the intersection with St Georges Rd. A residential use adjacent to 45 Showers St would better respect the residential streetscape.
- The application refers to a full-line supermarket, although it is unclear whether the proposed floor space (GFA 2240m²) fits this characterisation. The relatively more modest floor space may be suitable for Oakover Village as a developing neighbourhood centre. However, there is no analysis of retail supermarket floorspace in the area that demonstrates need and/or

supportability of this offering. It is noted that a supermarket at this site has previously been refused by Council (VCAT upheld).

- While there is ground floor commercial uses proposed, there is no indication of the relative proportion or location anticipated for office vs retail use. More broadly there is no economic study provided in support of the proposed ground floor commercial floor plates. The application provides exclusively high-density residential development, as opposed to a mix of densities as intended by DPO-11:

To take advantage of the strategic position of the site by providing for a mix of residential densities including high density residential development.

Open space and integration

- It is not clear whether the Green Heart open space will be transferred as public open space, or remain in private ownership. This should be clarified.
- The DPO-11 includes the objectives:
 - *To promote urban legibility, public access and wayfinding to and through the site including clear, legible and safe access to residential development (including residential development at upper levels).*
 - *To prioritise pedestrian movement through the precinct and to surrounding key destinations and create a safe, continuous and clearly defined pedestrian environment.*

The imposing scale and form of the buildings around the perimeter of the site and general lack of space between them, has the effect of closing off the internal open space from the surrounding area, precluding integration of the development with the broader area. The pedestrian arcades, though providing physical access, do not encourage a visual connection through the built form and therefore do not invite potential non-resident users.

Built Form

- Overall the scale and form of the proposed development is overbearing in its context – it dominates the streetscape and does not respect the low-rise residential and open space surrounds. This is in contradiction of objectives within *22.06 Multi-Residential and Mixed-Use Development* which provides additional guidance in relation to scale:
 - *To ensure new development is appropriate to the scale of nearby streets, other public spaces and buildings.*
- While design comments will be provided by the City Designer (**see below**), the lack of space between buildings and their block form contributes to their visual dominance.
- Heights exceed the maximum specified (12 storey) in the DPO-11, with the towers to the northwest and southwest being 13 and 15 storeys respectively.
- The eight-storey form along Showers St to the north east of the site offers inadequate transition to the adjacent and opposite single storey residential dwellings. This does not meet the objectives of DPO-11, specifically:
 - *To ensure development provides a transition in height and massing to surrounding lower scale form and within the precinct where appropriate.*

- *To ensure that built form on 47 and 49 Showers Street, Preston, provide frontage and overall massing that respects the residential streetscape.*

The 12-storey maximum height set by the DPO-11 should not be interpreted as the preferred height for buildings across the site.

- DPO-11 requires that the Development Plan 'consider and respond to the overshadowing effects of new development on Newman Reserve.' There is substantial overshadowing (9am shadow shown) to Newman Reserve and to dwellings to the south of Newman Reserve. It would be reasonable to consider the effect of the height at the northwest corner of the site in particular, where the maximum height in DPO-11 is exceeded, on shadowing of the reserve, including the likely cumulative effects in combination with development outcomes elsewhere in the Oakover Village.
- In addition, the shadow diagrams set is incomplete. Midday and afternoon times are not represented, nor is the Spring equinox (the DHHS/MAB proposal considered overshadowing impacts in June and September, this is not a ResCode assessment where September 22 Shadow Diagrams are sufficient.). It is considered that a complete set of diagrams would show additional shadowing of Newman Reserve and reveal a significant lack of sunlight to the 'green heart' open space internal to the development, impacting amenity for residents and other users of that space.
- The combination of the supermarket loading entrance and immediately adjacent drive way for car park access may negatively impact the pedestrian environment along the north side of Oakover Road. This would particularly affect residents of the MAB site (to the east of the subject site) accessing the supermarket or St Georges Rd trams.

Environmental Conditions

- The site is covered by an EAO and therefore requires an assessment under the environmental audit system. There is no information in the site analysis to assist in understanding the likely contamination, whether environmental conditions are likely to affect the proposal as detailed in the application, and whether it is reasonable to defer an environmental audit to a permit condition. A suitable assessment, for example through a Preliminary Site Investigation or Preliminary Risk Screen Assessment, should be provided to inform decision making on this matter.

Summary of Strategic Planning Concerns

- Overdevelopment of the site which fails to adequately respond to context, integrate with the broader area and address elements of the DCPO11.
- Morning overshadowing to Newman Reserve and overshadowing to the Green Heart open space internal to the development.
- Lack of information in support of the proposed commercial and retail uses and floorplates.
- Lack of information regarding affordable housing contribution and the relationship between this contribution and the proposed height.
- Lack of information on environmental conditions of the site.

City Designer

- The overall site layout and building arrangement is satisfactory, with a large internal open space.
- The connection to St Georges Road and Newman Reserve could be improved. The pedestrian link from St Georges Road into the open space should be wider, in order to make the open space within the site more inviting for people on the street and enhance its public nature.
- Council also requires further detail of the proposed pedestrian/cyclist movements within the site (and from the adjacent DHHS sites pedestrian/cyclist link) and out onto St Georges Road bike path. The plans are currently unclear in this respect. Cyclist connections east/west appear to require trips around the edge of the open space, a more direct connection is recommended. The open space area also appears to have varied level changes. Council's clear preference is for safe and manageable bicycle access through the site and onto the shared path.
- Regarding the proposed north-south laneway from Oakover Road to the existing laneway>Showers Street, vehicle access along this link should be minimised (i.e. only as far as the access to the basement car park access). DPO-11 does not seek further vehicle links through the site and these are not supported by Council. Focus should be on pedestrian/cyclist links. Council is concerned by the proposal to have large waste vehicles access this link in order to collect rubbish.
- Considering the DPO-11 allows 12-storeys in this sub-precinct, slightly increased height on the corner may be acceptable due to the proposed provision of 20% social housing and large public open space on ground level. This however needs to be balanced against appropriate building design. The proposal as presented has a number of significant design issues which need to be addressed (these issues are detailed below).
- The upper level setback from the podium to the tower is miniscule/non-existent and fails the stated objective of creating a pedestrian scale for the development. This is further compounded by the scale of development and the height of the individual buildings. Larger upper level setback above the podium level should be provided.
- The vertical gaps within the L-shaped buildings help break up the building and emphasise the verticality. These gaps should be further enhanced and made wider to be more prominent to make sure they are visible from an oblique view.
- Insufficient information been provided regarding the transition of the development with single storey dwellings on Showers Street. The elevation plans should show the existing conditions on Showers Street more clearly, instead of showing them in dotted lines. Considering the size of the subject site, the transition to the 4 storey RGZ area on Showers Street should be incorporated within the site, rather than providing a sheer 6 storey interface to the lane. This interface is identified in the DPO-11 as a 'Transitional Buffer' to the lower scale residential area to the east (a sheer six storey building is not considered to provide a transitional buffer). While the urban design guidelines in DDO-22 affecting Showers Street are noted, the current arrangement of the proposed development at this location is not supported by Council and needs further refinement.

- There are quite a few 1 Bedroom apartments in Building A3 and A4 with inboard bedrooms, these should be marked as Studio apartments instead of 1 Bedroom.
- The apartments on the northern side of Building A4 have bedrooms with windows opening up in a breezeway with small light wells. This type of arrangement can work in a low height building, however for an 8-storey building the lightwells are quite small and the bedrooms will have minimal access to natural light. This will be further compounded by privacy issues from the breezeway. This element needs to be redesigned.
- The design of the upper level as a screened multi-deck car park is not supported, as it provides an inactive interface to Oakover Road (thus failing to comply with the intent of DPO-11 regarding screening of car parking facilities). At ground level along Oakover Road, the proposal already features a large number of services, car parking access points and the small southern edge of the supermarket (activation at the ground floor is largely focused internally to the site), resulting in a predominantly inactive streetscape interface at ground level. The multi-level car parking facility above this further diminishes this streetscape interface.
- Council's preference would be to have all above ground car parking to be sleeved and minimised where, to ensure active public realm interface or position the mobility hub further inside the site sleeved by another building.
- Overall, the idea about decoupled parking in the form of an adaptable Mobility Hub is welcomed, however there are questions around its future adaptability into a residential building due to its wide footprint.
- The development has a large western frontage with significant number of apartments facing west. External sun shading for these apartments should be provided.
- The Utility Infrastructure Assessment for Oakover Village prepared by GHD on behalf of Council for Oakover Village/DPO-11 is noted. The key findings in this report regarding potential upgrades to infrastructure across the Oakover Village precinct should be reviewed and integrated into the design of this development where possible.

City Design/Landscape Unit

General Comments

City Design has assessed the documents serviced by the applicant and request that further detail on the following aspects of the development detailed in the discussion below be provided.

1. Landscaping

a. Landscape Provisions

Landscaping should generally comply with the requirements of Clause 58.03-5.

The development provides a diversity and range of landscape opportunities and open spaces which are considered and offer a variety of experiences. The proposed 'Green Heart' central communal space provides future tenants with a large outdoor area that offers flexible outdoor seating, an amphitheatre, play elements and natural features such as canopy trees, garden beds and open lawn areas. The Community Garden is in close proximity to the 'Green Heart' and can be accessed by crossing

the proposed 'Oakshower Street', the shared vehicle/pedestrian accessway that divides the central communal areas.

The 'Green Heart' appears to be publicly accessible through various pedestrian and vehicle accessways from St Georges Road, Oakover Road and Showers Street. Further detail is required for whether this area will be open to the public all hours of the day or whether there will be limited access to the public and security measures in place.

Exterior lighting and wayfinding signage within this space should also be considered to improve the perception of safety at night time. Details and locations of the play features as mentioned in the landscape plan should be provided also.

The St Georges Road Frontage details a landscaped linear buffer to traffic, outdoor seating, new pedestrian accessways along St Georges Rd and connections to the existing bike path. Further detail is required for how this space will function safely, as the bike path is a high-speed cycling route and accessways that lead directly onto it from seating areas may pose a safety issue for children and pedestrians intercepting this route. Wayfinding signage detail and lighting would be required along this frontage to create safe passage for pedestrians and cyclists. Building offset widths and garden bed depths are required to assess deep soil planting areas as discussed below in 2. Deep Soil and Canopy Provisions.

Wayfinding signage provided along St Georges Road, Showers Street, Oakover Road and in common open areas can reinforce connectivity to destinations both within and adjoining the development, for example the Bell Station Precinct, High Street, St Georges Road cycle and pedestrian pathway, local parks and nearby trams.

Further detail is required for the interfaces of Showers Street and Oakover Road with the proposed development and how the proposal will improve the streetscape by detailing building offsets, pedestrian accessways, nature strip plantings and the broader connectivity to the surrounding precinct with an upgraded look and feel. There are other spaces that also require documentation such as the recreational rooftop, and terraced rooftop areas and how these spaces function as shown in the architectural Town Planning drawings by Jackson Clements Burrows Architects and referenced in the Sustainable Management Plan by Frater.

The landscape plan as prepared by Glas Urban provides conceptual detail on the proposed landscape opportunities within the site. Details around the management of stormwater and overland flows are required along with annotated details and sections of the raingarden and subsequent stormwater harvesting applications such as rainwater storage tanks. Clause 58.03 recommends that proposed landscaped areas are supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water for irrigation.

Upon receiving the detailed landscape and planting plan, City Design will work with the Darebin Park's Team to further examine whether the proposal provides sufficient landscaping opportunities.

b. Tree Removal

City Design is supportive of the retention of existing native canopy trees and the removal of exotic species, as the proposal has provided adequate replacement plantings within the landscape design proposal.

All tree offsets required by Darebin Council's Parks Arborist (i.e. for existing trees removed from the land) must be considered as addition to any Clause 58 canopy tree provisions.

c. Landscape Management

The ongoing management of the proposed landscaped areas, such as a maintenance schedule is a design guideline that must be considered.

A Landscape Management Plan should be submitted for review and provide a framework for the landscape establishment period and detailed ongoing maintenance across all landscaped areas.

The Landscape Management Plan is especially required for communal open spaces areas and rooftop areas and should include commentary on how variations and poor maintenance of privately-owned open spaces will be managed by the body corporate, following change of ownership to owner /occupier and future tenants.

2. Deep Soil and Canopy Provisions

a. Deep Soil Requirements

The required deep soil area is set out in *Clause 58.03-5 – Standard D10 Table 2* of the Planning Scheme.

The purpose of providing deep soil area is to enable green infrastructure, support plant establishment and allow for the mature vegetation sizes and growth of the proposed landscape design response, in accordance with planning requirements.

The development site area is 13,429 square metres which falls into the >2,500sq,m site area requirement of providing at least 15% of the development site area as deep soil.

For this development, the required deep soil area is 2,014.3 square metres.

The recommended soil depth and planter soil volume for in ground landscaping, to meet deep soil and canopy cover equivalence requirements:

Small canopy trees – at least 800mm depth of soil with a minimum dimension of 2.5 metre and 12 cubic metres of soil per tree.

Medium canopy trees – at least 1 metre depth of soil with a minimum dimension of 4.5 metres and 49 cubic metres of soil per tree.

Large canopy trees – at least 1.5 metre depth of soil with a minimum dimension of 6.5 metres, in 121 cubic metres of soil per tree.

Further to the above, the soil media must be specified to meet the intended use, and it is strongly encouraged that a qualified horticulturalist is engaged as part of the design team.

As per *Clause 58.03-5 Standard D10*, the Development must seek to maximise deep soil areas for the planting of canopy trees. The Development should provide the deep soil areas and canopy trees specified

b. Canopy Tree Requirements

The required canopy tree provisions are set out in *Clause 58.03-5 – Standard D10 Table 2* of the Planning Scheme.

The minimum canopy tree provision for a development site >2,500 square metres includes at least 1 large tree (reaching at least 12 m height) per 121 square metres of required deep soil, or 2 medium trees per the same area (121sq.m).

Based on a deep soil area requirement of 2,014.3 square metres, at least 17 large canopy trees, or 41 medium trees (or a combination of both) are required

The proposed planting palette and tree species are generally supported and the quantity of trees shown on the landscape plan to strongly supported.

3. Communal Open Space

a. Communal Open Space Requirements

The requirements for communal open space are set out in *Clause 58.03-2 Standard D7*.

The landscape proposal offers a range of common open space areas for the benefit of the public and future tenants as mentioned in the discussion above.

The communal open space should provide a diverse program of recreational and passive needs to better service the future population needs. In the landscape plan provided by Glas Urban, section elevations have been shown for the 'Green Heart', the community garden, Oakshower St and St Georges Road, however, no plans or sections have been provided for the recreational rooftop and the terraced rooftop areas. Maximising multiple opportunities for communal open space areas that are accessible to all residents will improve liveability to future tenants. Any area of communal outdoor open space should be landscaped to include canopy cover and trees.

As per *Clause 58.03-2 Standard D7* the development should seek to maximise landscaping opportunities and be accessible, useable and capable of efficient management. Best practice considers an communal open space provision rate of 2.5sq.m per dwelling.

b. Solar Access to Communal Open Space

The requirements for solar access to communal open space are set out in *Clause 58.03-3 Standard D8*.

The Sustainable Management Plan by Frater states that 70% of dwellings receive at least 3 hours of direct sunlight in living areas between 9am and 3pm in mid-winter. Currently shadow diagrams only show the impact of overshadowing from 9am-11am and do not provide detail for afternoon shadow that will likely impact the internal landscaped area. Details from 12pm-3pm are required.

The shadow diagrams on TP4-401 from 9am-11am also show significant shadowing to the surrounding properties, streetscape and park that will greatly reduce morning solar access for neighbouring properties and businesses. Updated shadow diagrams should be provided (with Winter shadow diagrams also included), including a percentage analysis for the amount of direct sunlight habitable dwellings, communal areas and surrounding properties and businesses will receive.

4. Safety Objective

The requirements for safety are set out in *Clause 58.03-4 Standard D9*.

As mentioned above, clarity around way finding signage, security measures and lighting is required to assess the proposal in terms of safety. It is also encouraged that the planting be assessed from this perspective as any planting that creates hiding spaces along streets and accessways should be avoided.

5. Access Objective

The requirements for access are set out in *Clause 58.03-6 Standard D11*.

It is strongly encouraged that vehicle access is minimised along Oakshower Street (no vehicles further into the site beyond the basement car park access) and pedestrian and cyclist access are maintained and prioritised through this accessway, in order to maximise pedestrian and cyclist safety and reduce the impact of traffic and noise on communal open space areas and habitable dwellings.

The quality of open space areas is significantly reduced with vehicular movement disconnecting the 'Green Heart' from the Community Garden and may pose dangerous to members of the community, particularly children playing in the communal areas. Wayfinding signage, traffic calming measures such as speed humps, speed limits and separate pedestrian and cyclist pathways are required. There could also be artwork on the bitumen to foster a sense of ownership and community and to slow cars further (where accessing the site internally).

Transport Unit

- Transport are not supportive of the recommendation of widening Oakover Road, as outlined on page 49 of the Traffic Engineering Assessment report.

"In order to address these potential issues, allowance is made for widening and works at the intersection. These works contemplate... Widening of Oakover Road eastern leg to provide for a new separate left turn lane. This will allow for the left turn to operate as a bonus behind the right turn from the south."

As the above may impact on the resilience of the street network, in particular the operation of the St Georges Road corridor, which is a strategic arterial road designed to accommodate and move substantial volumes of traffic, the proposal to modify the road alignment will need to be reviewed and approved by the Department of Transport signals team.

- Consideration should be given to treatments that support sustainable transport outcomes in and around the development/wider precinct. Council encourages a review of the Oakover Village Transport Plan and the South Preston Transport Study in addressing this in the report (both documents are attached for review).
- Access arrangements and car park layout appear to be compliant with Clause 52.06 and are considered acceptable.
- The car parking reduction (waiver of 289 spaces) is supported by Transport on the basis of the evaluation provided in the Traffic Engineering Assessment. The design issues with the proposed Mobility Hub raised by Council's City Designer and Strategic Planning units are noted however and must be balanced against the waiver.
- Further information is required in order to confirm that tandem (double) bays in the supermarket car park comply with the requirements of Clause 52.06 and will only be used by staff or residents.
- Confirm that the dimensions accessible parking bays and associated shared areas comply with the requirements of AS2890.1:2004.

Assets and Capital Delivery Unit

- Please refer attached Development Drainage Guidelines and Drainage Map and comments below.
- Individual Legal Points of Discharge applications for each stage of the development will be required to be applied for prior to final design and all stormwater drainage to be considered at the planning stage to comply with the provisional stormwater information below: Splitting the stormwater for each section or stage of development may be required to limit the impact upon Council's Infrastructure.

- Connect to existing Council stormwater drainage where applicable via detention systems in accordance with the following formula. Refer to attached map showing existing Council stormwater drainage adjacent to the site.
- The stormwater from the properties to be to Council requirements with the discharge from the whole site being limited via on site detention system to Council requirements. (Discharge via gravity only. No pump systems permitted).
- The OSD is to limit the rate of stormwater discharge from the property based on $C_w=0.4$, $T_c=10$ mins, $T_{so}=5$ min, ARI 1in5. An ARI of 1in10 shall be used for storage and the greater of post development C_w or $C_w=0.80$.
- Accurate depth and offset of the drain to be confirmed on site.
- Computations & retention design is required to be submitted to this office for compliance with legal point of discharge.
- There may be a requirement for some outfall drainage to comply with Council's Drainage Guidelines attached.
- Consideration of the detention and methods of system storage may be considered in some cases.
- Areas affected by Flooding and overlay flow will need to be further investigated to determine the impact on proposed developments. Refer to Melbourne Water
- It may be best to consider each individual stage on case by case basis as they are scheduled within the timelines applicable.
- All stormwater drainage in vicinity of the stages should be investigated by applying for legal point of discharge from Council's Engineering Services Department prior to design of the site.
- Each stage of the proposed the applicants should submit for compliance the stormwater drainage design of the development Council's Engineering Dept after obtaining a legal point of discharge to comply with Council's Drainage design Guidelines.

Tree Management Unit

- An arborist report should be submitted with any application/s, assessing all trees affected by the proposed construction (on-site and off-site).
- Existing vegetation to be retained where medium or high retention value, especially the English Oaks (to be assessed as per point above)
- Suitable species to be planted as part of a landscape plan, with a focus on climate resilience

Property Management Unit

- The plans are unclear in terms of the extent of widening for the existing laneway adjacent the Showers Street properties. Further detail is therefore required on the plans, showing the extent of laneway widening.
- Detail should also be included about the proposed process for widening the lane and incorporating this on title.

- Detail of the legality of use of the existing Showers Street laneway for this site should be provided, noting the ongoing process to declare this as a road for use by the neighbouring development.

Further Information Required

Based on the above referral comments, Council considers that the following further information should be prepared and provided before any decisions are made on the development (and proposed assessment/approval pathway):

- A proposed construction staging plan for the development.
- Analysis supporting proposed commercial and retail uses and floorplates
- A complete set of shadow diagrams, including a full set of Winter solstice shadow diagrams.
- An environmental and/or risk assessment including information on likely contamination and whether environmental conditions are likely to affect the proposal
- An Affordable Housing Report that outlines:
 - The breakdown of dwelling types.
 - How the proposal responds to the Specific Matters Under Section 3AA(2) – Ministerial Notice, specifically:
 - Allocation [how the dwellings are allocated to very low, low and moderate income earners]
 - Affordability (in terms of the capacity for very low income, low income and moderate income households that it is intended for)
 - Longevity (in terms of the public benefit of the provision)
 - Tenure
 - Type of housing, in terms of form and quality
 - Location, in terms of site location and proximity to amenities, employment and transport
 - Integration, in terms of the physical build and local community
 - Official estimates of housing need.
 - How the affordable housing contribution relates to the scale of the proposal, particularly the proposed height increase.
 - The mechanism for delivery of the affordable housing, noting that State Government guidance and Council's preference is for a Section 173 Agreement.
 - How the affordable housing will be funded, in terms of both capital delivery and ongoing operation.
 - How the housing not operated by Housing Choices Australia will be managed to ensure the Specified Matters are addressed.

Any questions should be directed to Matthew Cullen on 8470 8387.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'M. Cullen', written in a cursive style.

Matthew Cullen
PRIORITY DEVELOPMENT PLANNER

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION - VCAT APPLICATIONS

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

- A summary of decisions upheld by VCAT by financial year to date; and
- A summary of VCAT decisions issued since last report to Council.

Officer Recommendation

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

RELATED DOCUMENTS

Nil

ATTACHMENTS

- Applications Determined by VCAT - Report for Planning Committee (**Appendix A**)

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TABLE 1: SUMMARY OF DECISIONS UPHELD BY VCAT FINANCIAL YEAR TO DATE I.E JUL – DEC 2022

	Number of VCAT Decisions	Percentage of decisions upheld (excluding mediated outcomes)	Percentage of decisions upheld (including mediated outcomes)
Council decisions	2	N/A	100%
Delegated decisions	16	87.5%	93.75%
All decisions	18	87.5%	94.4%

Comment on performance and trends

The results from the first half of this financial year are a significant improvement on last year's financial year results which were 20% of decisions upheld (excluding mediated outcomes) or around 50% (including mediated outcomes). The typical percentage of decisions upheld (excluding mediated outcomes) across similar Council's is around 58% or 50% for all decisions.

Last year's result was particularly low and in part was affected by there being a lower than usual number of overall VCAT applications, a trend that is continuing this year.

An improvement in results this financial year to date is in part accounted for by improvements to VCAT procedures that the team have been implementing. In addition, VCAT have increased the number of matters that can go to a compulsory conference, which is increasing the number of mediated outcomes reached.

Notes on Table 1

Table 1 summarises VCAT decision types and outcomes required to be reported to the Local Government Performance Reporting Framework (LGPRF).

As LGPRF reporting does not reflect mediated outcomes as a decision upheld, decisions upheld based on a mediated outcome are distinguished in the table.

Some less common VCAT application types are not reported to LGPRF (for instance applications to cancel a permit, obtain a declaration and enforcement proceedings are not reported). This financial year to date, there have been three VCAT decisions that are not reportable to LGPRF and so are not captured in the above table. All these decisions concerned delegated decisions of Council. Of these, two were withdrawn/struck out and one upheld Council's position.

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Council decisions are decisions made by the Planning Committee. Delegated decisions are decisions made under Council's delegation instruments by Planning Officers in the Statutory Planning Unit.

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TABLE 2: SUMMARY OF VCAT DECISIONS ISSUED SINCE LAST REPORT TO COUNCIL

Council & VCAT references	Address & ward	Proposal	Council position	Council Delegate decision?	or	VCAT application type*	Hearing type**	VCAT decision	Was Darebin's position upheld?
D/279/2021 P184/2022 & P274/2022	73 Arthur St Fairfield – South	Double storey extension to dwelling	Support, subject to conditions	Delegate (NOD)		S80 & S82	Full hearing	Permit granted (with conditions) 18 October 2022	Yes
<p>Discussion Based on amended plans prepared for the hearing, the tribunal upheld Council's position and found the proposal compliant with neighborhood character requirements, Clause 54 standards relating to off-site amenity impacts and side and rear setbacks and car parking dimensions.</p>									
D/851/2021 P347/2022	66 Fulham Rd Alphington – South	Construct two dwellings	Refusal	Delegate		S79	None	Permit granted (with conditions) 28 October 2022	Yes
<p>Discussion A mediated position was reached as the applicant amended the plans to address Council's key concerns. This was by reconfiguring the built form from two new side by side dwellings to one new dwelling behind the existing dwelling, in accordance with the built form character of the area.</p>									
D/205/2021 P996/2022	22 Burbank Dr Reservoir – North East	Construct two dwellings on a lot	Refusal	Delegate		S77	None	Permit granted (with conditions)	Yes

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							4 November 2022	
<p>Discussion A mediated position was reached prior to the hearing as the applicant amended the plans to address Council and Melbourne Water’s key concerns by amending the plans to incorporate changes to the built form as per Melbourne Water’s requirements.</p>								
D/287/2021 P294/2022	37 Raleigh St Thornbury – Rucker	Extension of a dwelling	Support (with conditions)	Delegate (NOD)	S82	Full hearing	Permit granted (with conditions) 16 November 2022	No - varied
<p>Discussion The Tribunal generally agreed with Council’s position, but added conditions to address objector concerns to achieve a reduction to internal floor to ceiling height and locate the plant and equipment away from the neighbouring property.</p>								
D/172/2021/A P1439/2022	113 St Vigeons Rd Reservoir – North East	Construction of two dwellings	Approval (with conditions)	Delegate	S87 – Permit cancellation	None	Permit granted (with conditions) 21 November 2022	Yes
<p>Discussion An amended planning permit was issued by Council in error prior to the completion of the notification period. Therefore, Council lodged an appeal to VCAT to cancel the permit. As no objections were lodged to the application, the amended permit was able to be acted on upon the completion of the notification period. Accordingly, Council withdrew the appeal prior to the scheduled hearing.</p>								
D/850/2021 P1003/2022	84-96 Bastings St Northcote	Construction of 47 dwellings	Refusal	Council	S79 (Major Case)	Compulsory Conference	Permit granted	Yes

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	– South	and a reduction in car parking					(with conditions) 21 November 2022	
<p>Discussion A mediated position was reached prior to the hearing as the applicant amended the plans to address Council and objector key concerns by making a number of significant changes to the design, including:</p> <ul style="list-style-type: none"> • Reducing the dwelling numbers from 49 to 47 • Modifying the design to address streetscape character (materials change and height reduction) • Increasing the number of car and bike parking spaces • Increasing landscaping • Demonstrating compliance with Standard B8 (site coverage), Standard B28 (private open space) and Standard B22 (overlooking). 								
D/763/2021 P261/2022	232 Plenty Rd Preston – Central	Construction of an electronic major promotion sky sign	Refusal	Delegate	S79	Full hearing	Permit granted (with conditions) 22 November 2022	No
<p>Discussion The Tribunal disagreed with Council’s position. They found the location and size of the sign to be appropriate to the current and envisaged future context of the site, at the intersection of two major roadways, and within the commercial zoning. They also noted that the area does not have a strong recognisable or consistent built form character.</p>								
D/613/2021 P437/2022	129 Victoria St Northcote – South	Construction of two dwellings	Support (with conditions)	Delegate (NOD)	S82	Full hearing	Permit granted (with conditions)	Yes

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							13 December 2022	
<p>Discussion The Tribunal generally agreed with Council’s position; however, conditions were modified to ensure clarity for Standard B19 (Side setback) compliance requirements, improve materiality of the garage adjacent to the neighbouring property and require a new boundary fence.</p>								
D/334/2020/A P905/2022	18 Sumner Ave Northcote – South	Construction of a crossover within front setback	Support (with conditional removal of crossover)	Delegate	S80	Full hearing (Short case list)	No permit granted 21 December 2022	Yes
<p>Discussion The Tribunal agreed with Council’s permit condition to remove the crossover from within the front setback. The Tribunal agreed the crossover and car space did not comply with heritage policy, would negatively impact the presentation of the building to the street and would impact a mature street tree, as well as the garden suburb character of the heritage precinct.</p>								
D/259/2021 P/11916/2021	10-12 Nisbett St Reservoir – North Central	Construction of 10 dwellings and car parking reduction	Refusal	Delegate	S77	Full hearing	No permit granted 21 December 2022	Yes
<p>Discussion The Tribunal agreed with Council’s position and found that the townhouse style built-form would be inconsistent with the Garden Apartment style envisaged for the RGZ3 and DDO19. In addition, the proposal did not incorporate sufficient landscaping, did not have an acceptable level of internal amenity due to extensive screening and did not comply with several standards of Clause 55.</p>								

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Notes on Table 2**VCAT appeal types explained:**S77 – Section 77 Application for review of Council’s refusal to grant a planning permit, by the applicant**S78 – Section 88 Application for review of notice or information requirements requested by Council, by the applicant**S79 – Section 79 Application for review of Council’s failure to determine the application within the 60 day statutory timeframe, by the applicant**S80 – Section 80 Application for review of Council’s conditions on a planning permit, by the applicant**S81 – Section 81 Application for review of Council’s decision to not extend a planning permit, by the applicant**S82 – Section 82 Application for review of Council’s decision to support a proposal, by objectors****VCAT hearing types explained:****Practice Day Hearing** – Administration hearing - VCAT gives direction on how the case will proceed, sets dates, discusses preliminary legal issues, etc****Compulsory Conference** – Prior to the full hearing, parties confidentially discuss ways to resolve the case with the help of a VCAT member, may result in a mediated outcome being reached****Hearing** – VCAT hearing where parties present their case and the decision is made after consideration by VCAT****None (decision made on the papers)** – decision reached without the need for a hearing, usually where parties reached a mediated outcome outside of the Tribunal or where an appeal is withdrawn or struck out for administrative reasons****Major Case** – Major cases are heard sooner and can reach a resolution quicker than other planning cases. Most cases are eligible to be heard as a major case, but one of the parties must pay higher fees. Applications for review under Sections 77, 79, 80 and 82 are all eligible****Short Case** – These are cases which are not complex and can be handled in a short amount of time, typically involving limited issue/s and less parties. These cases are heard sooner and decisions are typically made orally at the hearing*

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

8. CLOSE OF MEETING

**CITY OF
DAREBIN**

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au

 **National Relay Service**
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