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AGENDA

Planning Committee Meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 13 May 2019
at 6.00pm.

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Agenda

1. MEMBERSHIP

Cr. Susan Rennie (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Kim Le Cerf

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Susanne Newton (Deputy Mayor)

Cr. Julie Williams

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 15 April 2019 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/648/2018 345 Bell Street Preston

Author: Principal Statutory Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Ackka Investments Pty Ltd	A Ali	Cactus Architects Traffix Group Sustainable Development Consultants

SUMMARY

- The application proposes construction of a six (6) storey (plus basement and partially covered communal roof terrace) mixed use development, a reduction in the car parking requirement associated with 24 dwellings and 2 shops and alteration of access to a Road Zone-Category 1.
- The 24 dwellings provide the following accommodation:
 - 10 x 1 bedroom apartments
 - 14 x 2 bedroom apartments
- The dwellings have access to secluded private open space in the form of balconies, with additional communal private open space provided in the form of a roof terrace, which includes gardens, barbeque facilities and seating.
- The ground floor shops have floor areas of 58.5 square metres and 158 square metres.
- Vehicle access is provided to the site by the right of way (ROW) to the rear. 20 car parking spaces are proposed within a car stacker.
- 3 visitor/customer bicycle parking spaces and 24 bicycle parking spaces are provided for residents.
- The maximum height of the proposal is approximately 20 metres measured to the top of the parapet and approximately 22 metres to the top of the roof terrace.
- The site is zoned Priority Development Zone and is affected by the Development Contributions Plan Overlay which is no longer operating to collect funds.
- There is no restrictive covenant on the title for the subject land.
- Two (2) objections were received against this application. One (1) of the objections is a petition that includes five (5) additional signatories.
- The proposal is generally consistent with the objectives and standards of the Preston Central Incorporated Plan (PCIP) and Clause 58 of the Darebin Planning Scheme (the Scheme).

- Previous application D/566/2016 for a six (6) storey building (plus basement and roof terrace) with 30 dwellings, two (2) retail units and reduction in the car parking requirement was not supported by Council. Council's decision was affirmed by the Victorian Civil and Administrative Tribunal (the Tribunal) in its order dated 27 March 2018.
- It is recommended that the application be supported and a Notice of Decision to Grant a Permit subject to Condition be issued.

CONSULTATION:

- Public notice was given via two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Council's City Works Unit, ESD Officer, Infrastructure and Capital Delivery Unit and Transport Engineering and Strategy Unit.
- This application was referred externally to VicRoads.

Recommendation

That Planning Permit Application D/648/2018 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

- (1) Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as drawing numbers TP11, TP12, TP13, TP14, TP15, TP16, TP17, TP20, TP21, TP22 and TP30, Revision B, prepared by Cactus Architects and dated 21.01.2019) but modified to show:
 - a) Any modifications in accordance with the Sustainable Management Plan (Refer to Condition No. 8 of this Permit).
 - b) Any modifications and notations in accordance with recommendations set out in the Acoustic Report (Refer to Condition No. 9 of this Permit).
 - c) Any modifications in accordance with the Waste Management Plan (Refer to Condition No. 7 of this Permit).
 - d) Car parking allocation notations in accordance with Condition No. 21 of this Permit.
 - e) Bicycle parking designed and dimensioned in accordance with the requirements at Clause 52.034-6 of the Darebin Planning Scheme.
 - f) Stall risers to both shopfronts.
 - g) A pedestrian awning above the footpath to Bell Street extending the width of the façade with a minimum clearance of 3 metres above the footpath and with a minimum setback of 750mm from the kerb.
 - h) Removal of the permeable paving to the vehicle accessway.
 - i) A comprehensive schedule of external materials, colours and finishes (including colour samples). Construction materials are to be low maintenance. External materials and finishes (including glazing) are to be of a low reflectivity level. The use of painted surfaces must be minimised.Annotated coloured elevations showing the location/application of the materials, colours and finishes must be provided.

- j) A single communal antenna for the building. The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
- k) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
- l) The ground floor retail units labelled as shops.
- m) Screens or walls to a minimum height of 1.7 metres above finished floor level between all adjoining balconies within the development.
- n) A minimum of 8.46 cubic meters and 14.84 cubic metres of internal storage shown for each of the 1 and 2 bedroom dwellings respectively.

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

- (2) The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- (3) This Permit will expire if either:
 - The development does not start within three (3) years from the date of this Permit; or
 - The development is not completed, within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
 - Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- (4) The land must be drained to the satisfaction of the Responsible Authority.
- (5) No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority or the Responsible Authority without the prior written consent of the Responsible Authority and any relevant authority.
- (6) At the completion of the constructed ground floor level(s), and before the commencement of the building frame or walls, the ground floor level(s) must be confirmed. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the inspection. The upper floor level(s) must be confirmed before an Occupancy Permit is issued in the form of a report from a licensed land surveyor and submitted to the Responsible Authority.
- (7) Before the development starts, a revised waste management plan, generally in accordance with the document identified as Waste Management Plan, prepared by Sustainable Development Consultants and dated January 2018, demonstrating the operation of the garbage and recyclables storage area must be submitted to and approved in writing by the Responsible Authority. The document is to be amended as follows:
 - a) Recycling is to be collected weekly.
 - b) Bins are not to be stored in the right of way for collection. Bins are to be taken out by the building manager or waste collection company at or near the time of collection.

Waste storage and collection must be undertaken in accordance with the approved management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

- (8) Before the development starts, a revised Sustainability Management Plan (SMP) generally in accordance the document identified as Sustainability Management Plan, prepared by Sustainable Development Consultants and dated January 2019 detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The document is to be amended as follows:
- a) Further detail of how the roof will flow to the water tank, including flood prevention.
 - b) Further detail of how the site drains to the legal point of discharge.
 - c) STORM – further detail of how the water tank will provide water for flushing of all toilets.

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

- (9) Before development starts, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:
- a) Noise emissions associated with the operation of surrounding and nearby non-residential uses, the train line and road traffic do not impact adversely on the amenity of the dwellings.
 - b) Dwellings are to be designed to achieve the following noise levels:
 - i. Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii. Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

- c) Noise emissions from the development (including the operation of plant, transmission of noise between dwellings and the use of the car stacker) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

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

- (10) Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- a) Any modifications as required at Condition No. 1 of this Permit.
 - b) Modifications in accordance with the SMP relating to landscape, water sensitive urban design or urban ecology, in accordance with Condition No. 8 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. All proposed planting must be to the satisfaction of the responsible authority.
 - e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - f) Type and details of all surfaces and structures including softscape and hardscape elements (pavers, brick, asphalt and concrete). Materials and construction methods must be provided (including cross sections where appropriate).
 - g) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - h) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - i) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
 - j) Landscape Specification Notes including general establishment and maintenance requirements.
- (11) The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
- (12) 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.
- (13) Before the development is occupied an automatic system of external lighting must be installed on the land to the satisfaction of the Responsible Authority. The lighting system must operate automatically between dusk and dawn and must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.
- (14) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- (15) 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.
- (16) 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.
- (17) The plant and equipment proposed on the roof of the building must be screened in a manner to complement the appearance of the building to the satisfaction of the Responsible Authority.
- (18) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

- (19) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather sealcoat;
 - d) Drained; and
- to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

- (20) The car stacker must be constructed, maintained and managed in good working order to the satisfaction of the Responsible Authority.
- (21) Before the development is occupied a minimum of 20 car parking spaces, must be provided on the land to the satisfaction of the Responsible Authority. The car parking spaces are to be allocated in the following manner:
- a) 1 bedroom dwellings: 0.6 spaces to each one (1) bedroom dwelling; and
 - b) 2 bedroom dwellings: One (1) car parking space to each dwelling.
- (22) Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
- (23) Prior to commencement of any works, including demolition, a construction management plan must be submitted to and approved by the Responsible Authority and then carried out to the satisfaction of the Responsible Authority. The plan must provide for or include details of access, management and disposal arrangements during construction; methods to manage stormwater runoff; details of building materials recycling; construction parking; and the operation of any continuing uses on the land.
- (24) Before the development is occupied, streetscape improvement works in the Bell Street road reserve adjacent to the subject site must be carried out by the developer at cost to the developer. The streetscape improvements are to be generally in accordance with the *Preston Central Structure Plan – September 2006 (version 2) and the Green Streets Strategy 2013*.

Prior to the commencement of streetscape improvement works, a Streetscape Improvement Agreement must be submitted and approved in writing by the Responsible Authority and VicRoads. The details of the Streetscape Improvement Agreement must include:

- a) A description of any works to be carried out, and of the land on which the works are to be carried out.
- b) A description of streetscape assets to be transferred on completion of works.
- c) The due date by which the agreement or any stage of the agreement is to be performed.
- d) The agreed value of any assets to be transferred and/or works to be carried out.
- e) The method of calculating the value of works if they are only partly carried out.
- f) Dispute resolution procedures.

- g) Any other appropriate matters.
- h) A Streetscape Improvement Plan, where appropriate.

NOTATIONS

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

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

If any other modifications are proposed, application must also be made for their approval under the relevant Sections of the *Planning and Environment Act 1987*. They can only be approved once the required and consequential changes have been approved and the plans endorsed. It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.

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

INTRODUCTION AND BACKGROUND

Council decided not to support Application for Planning Permit D/566/2016, which was subject to a failure to make a determine appeal at the Tribunal, for the following reasons:

- 1. The mass and bulk impacts to the rear are contrary to the Preston Central Incorporated Plan 2007 and the Preston Central Structure Plan 2006, Clauses 15.01 (Urban Design Principles); 22.06 (Multi-Residential and Mixed Use Development) of the Darebin Planning Scheme and objectives 1.1, 1.2, 2.1, 2.2, 2.7 of the Design Guidelines for Higher Density Residential Development (DSE, 2004).
- 2. A high portion of the dwellings provide a poor level of internal amenity as a result of their internal layout and design, lack of daylight, contrary to Clauses 15.01 (Urban Environment); 21.03-2 (Housing Development); 22.06 (Multi-Residential and Mixed Use Development) of the Darebin Planning Scheme and objectives 5.2, 5.4, 6.1 of the Design Guidelines for Higher Density Residential Development (DSE, 2004).

3. The development fails to adequately address ESD objectives, particularly as a number of dwellings will have poor internal amenity and access to natural daylight, due to deep south facing living spaces with significant upper floor overhangs, contrary to Clauses 11.02-1 (Supply or Urban land); 15.01 (Urban Environment); 15.02 (Sustainable Development); 21.02-3 (Built Environment); 21.03-2 (Housing Development) and 22.06-3.1 (Multi-Residential and Mixed Use Development) of the Darebin Planning Scheme and objectives 5.4, 6.3 of the Design Guidelines for Higher Density Residential Development (DSE, 2004).
4. The proposal does not provide adequate private open space for a number of dwellings, with insufficient outlook and access to daylight, contrary to Clauses 22.06-3.9 (On-Site amenity and Facilities, including private open space) and 55.05-4 (Private Open space) of the Darebin Planning Scheme and objectives 6.1 and 6.3 of the Design Guidelines for Higher Density Residential Development (DSE, 2004).
5. Inadequate car parking has been provided for the proposal.
6. The proposal is an overdevelopment of the site, it is poorly conceived and not site responsive.
7. The development does not comply with the State Planning Policy Framework, Local Planning Policy Framework and the Municipal Strategic Statement as contained in the Darebin Planning Scheme.

Council's decision was affirmed by the Tribunal in its order dated 27 March 2018.

349 Bell Street

Council issued Planning Permit D/755/2006 for 'display of advertising signage in accordance with the endorsed plans' on 9 April 2010.

Council issued Planning Permit D/969/2001 for 'renovation of shop front in accordance with the endorsed plans' on 27 August 2002.

345 Bell Street

Council issued Planning Permit D/568/2009 for 'use of the land for the purpose of a massage clinic and to reduce the associated car parking requirement in accordance with the endorsed plans' on 19 January 2010.

Council issued Planning Permit D/790/2005 for 'use of existing building as a Restricted Retail Premises and associated reduction in car parking requirements in accordance with the endorsed plans' on 31 March 2006.

Council issued Planning Permit D/825/2001 for 'alterations and additions in accordance with the endorsed plans' on 11 December 2001.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is irregular in shape and is comprised of two (2) allotments. It has a frontage of 23.05 metres and maximum depth of 25.97 metres, with an overall area of 573 square metres
- The land is located on the south side of the street, approximately 100 metres to the west of the intersection with High Street.

- The site contains single storey buildings used for a massage parlour at 345 Bell Street and a double storey brick commercial premises at 349 Bell Street. Both buildings are constructed to the side boundaries and have paved areas to the rear for parking and access. The site has a fall of approximately 500mm from the front (north east) corner to the rear (south west) corner.
- The site has access to a ROW to the rear of 3 metres in width.
- The site is located in a commercial area of varying building heights along Bell Street, with a residential area to the south.
- To the north is Bell Street, a six (6) lane road with central turning lane. On the opposite side of Bell Street are a number of recently constructed multi storey mixed use developments.
- To the south of the site, beyond the rear ROW, are the rear yards and outbuildings of single storey dwellings fronting Garnet Street. These properties are located within a Neighbourhood Residential Zone (Schedule 1) and are affected by a Heritage Overlay (Schedule 170).
- To the east of the site is a car rental use, with a paved forecourt area and single storey buildings constructed to the rear and east boundaries.
- To the west of the site is a double storey brick commercial premises, constructed to the front and common boundaries, with paved parking and access to the rear.
- The site is located within the Preston Major Activity Centre and has access to retail, employment and civic services, including the Preston Market and Darebin Council offices to the north.
- The site has excellent access to public transport as follows:
 - Direct access to the route #513 bus (Eltham - Glenroy via Greensborough or Lower Plenty) with stops adjacent to the adjoining property to the east and across the road from the site.
 - Approximately 120 metres east of Bell Station (City-Mernda line).
 - Approximately 120 metres west of the route #552 bus (North East Reservoir – Northcote Plaza via High Street) and the route #553 bus (Preston – West Preston via Reservoir).
 - Approximately 400 metres west of the route #86 tram (Bundoora RMIT – Waterfront City Docklands).
 - Approximately 1.1km east of the route #11 tram (West Preston – Victoria Harbour Docklands).
- The site has access to the High Street dedicated bicycle path approximately 110 metres to the east and the Northern Pipe Trail approximately 360 metres to the west, which accesses the Capital City Trail to the south.

Objections summarised

- Increase in traffic along the ROW
- Overlooking
- Overshadowing
- Overshadowing of solar panels
- Impact on Heritage Overlay
- Impact on property values

- Noise
- Impact on the structural integrity of existing dwellings

Officer comment on summarised objectionsIncrease in traffic along the ROW

The ROW is on Council's Register of Roads and the site has legal right to utilise it for vehicle access. Planning policy, including the Preston Central Structure Plan September 2006 (Version 2), seeks for vehicle access to be provided to rear ROWs so as to support active frontages to activity centres and reduce crossings over pedestrian footpaths. Additionally, VicRoads will not provide support for vehicle access to Bell Street given that it is within a Road Zone – Category 1.

Overlooking

Overlooking is discussed in the assessment section of this report, with particular focus on Standard D14 (building setbacks) at Clause 58.04-1 and Clause 22.06-3.8 (amenity impacts, including overshadowing and overlooking) of the Scheme.

Overshadowing

Overshadowing is discussed in the assessment section of this report, with particular focus on Clause 22.06-3.8 (amenity impacts, including overshadowing and overlooking) of the Scheme.

Overshadowing of proposed solar panels

Council cannot take into account proposed solar panels that have not been installed at the time of application as part of its assessment of the development.

Impact on Heritage Overlay

The proposed building is set back from the rear boundary, from the second floor up, in addition to the 3 metre setback provided by the ROW. The assessment section of this report discusses the rear setback of the development with particular focus upon the Order of the Tribunal relating to the previous application on the same site.

Impact on property values

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

Noise

A condition of any approval will require an acoustic assessment to be submitted to ensure that noise emissions from the development (including the operation of plant and the use of the car stacker) do not impact adversely on neighbouring residential properties.

Impact on the structural integrity of existing dwellings

Construction techniques and effects, including stability of existing foundations and damage to nearby dwellings, are not a consideration under the *Planning & Environment Act 1987* nor the Scheme. The Priority Development Zone – Schedule 2 does include a requirement for a Construction Management Plan, which is to be secured by way of condition, which deals with access, management and disposal arrangements during construction; methods to manage stormwater runoff; details of building materials recycling; construction parking; and the operation of any continuing uses on the land.

PLANNING ASSESSMENT**Planning Policy Support**

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

- Clause 11.03-1S encourages the concentration of retail and residential into highly accessible activity centres.
- Clause 11.03-1R furthers the above policy with particular focus on growth within the metropolitan Melbourne region.
- Clause 15.01-2S sets out urban design guidance to achieve a high quality built environment and public realm.
- Clause 16 encourages the efficient utilisation of urban land with housing provision to be directed to (among other locations) activity centres.
- Clause 17.02-1S encourages development which contributes to the retail, entertainment, office and other commercial services function of existing activity centres.

From the above, it is evident that the subject site is well located within an existing activity centre, is presently underutilised and therefore is suitable for redevelopment that facilitates a mixture of residential and commercial uses.

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

Contaminated and potentially contaminated land - Clause 13.04-1S

The objective of Clause 13.04-1S of the Darebin Planning Scheme is to ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Section 60 (1)(e) of the *Planning and Environment Act 1987* states that Council must consider any significant effects (e.g. contamination) which it considers the environment may have on the use or development.

In considering applications for use of land used or known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel, Council requires applicants to provide adequate information on the potential for contamination to have adverse effects on the future land use.

A search of Council records has found no history of uses that have a high potential for contamination as shown in Table 1 – Potential Contamination of the *General Practice Note 'Potentially Contaminated Land (Department of Sustainability and Environment) June 2005*.

Council's Municipal Strategic Statement ('MSS')

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

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

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

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

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

And with reference to Preston Central specifically:

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

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

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

Capacity among Substantial Housing Change areas is, importantly, hierarchical. Preston Central is nominated as a first-tier area within the hierarchy.

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

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

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

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

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

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

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

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

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

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

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

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

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

The above policy emphasises:

- The redevelopment of the subject site is encouraged at higher density;
- A mixed-use redevelopment comprising ground floor commercial and residential above is appropriate in the activity centre context;
- The Preston Central Activity Centre is slated to undergo substantial change in the future; and
- The scale and intensity of the redevelopment must be appropriate to the physical and policy context of the Scheme, and have regard to the relevant structure plan.

Priority Development Zone (Schedule 2) – Clause 37.06

The proposal is considered to be generally in accordance with the relevant objectives of Schedule 2 to the Priority Development Zone;

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

A condition of any approval will require a construction management plan to be submitted to Council in accordance with the requirements of the zone.

Preston Central Structure Plan – September 2006 (Version 2)

The Preston Central Structure Plan identifies streetscape improvements to Bell Street as being a key opportunity to implement strategic aspirations in relation to a high quality and sustainable environment within Preston Central. A condition of any approval will require the applicant to enter into a Streetscape Improvement Agreement with Council and VicRoads, and carry out streetscape improvements prior to occupation of the development.

Preston Central Incorporated Plan March 2007 (as amended 2014)

The proposal is considered to be generally in accordance with the relevant use and development objectives at Section 3 of the PCIP as follows:

- To strengthen and promote the role of Preston Central as a social and economic attractor in the Northern region.
- To encourage the development of Preston Central as a multi-level mixed-use area (between 3 – 8 storeys), featuring office, retail, leisure, entertainment, residential and civic uses.
- To encourage residential development above ground floor level, especially development that contributes to housing choice.
- To ensure land use, development, transport and movement outcomes integrate with adjoining precincts and the wider Preston Central Activity Centre.
- To encourage buildings of a contemporary design which provide an interesting architectural form and creative urban design responses.
- To ensure ground level buildings provide active frontages and a high level of pedestrian amenity.
- To ensure that the design of development provides for safe, attractive and convenient bicycle use.
- To provide well designed and functional vehicle routes, loading areas and parking areas which respond to other transport modes and minimise conflict with pedestrians and cyclists.
- To encourage environmentally sustainable development through the design, siting and construction of buildings.
- To have regard to the preferred future character and amenity of adjoining residential areas.

The site is located within Precinct I: Southern Gateway where large format retail are encouraged at ground floor level facing Bell Street and residential apartments are to be located above ground floor level.

The proposal is generally consistent with the preferred maximum height of six (6) storeys, albeit with the additional height of the partially covered roof terrace. The top two (2) stories of the building are set back 3 metres from the lower levels and the development steps down from Bell Street to minimise impacts on the residential properties to the south as per the Building Heights and Setbacks Table in the PCIP.

The residential upper floors are not set back 3 metres from the façade at the lower residential levels. However, this is considered to be an acceptable design response so as to allow for greater setbacks to the rear to minimise the effect on the residential properties to the south.

The development is contemporary in style and provides a modulated form to Bell Street, utilising upper level recesses and balconies for articulation. The first four (4) stories that constitute the podium of the building are visually distinguishable from the upper floors of the building.

A retail frontage has been provided, as required, to Bell Street to ensure active visual engagement between those in the street and those on the ground floor of the building. A condition of any approval will require a pedestrian awning to be provided for weather protection.

Tribunal Order dated 27 March 2018 - Ackka Investments Pty Ltd v Darebin CC

It is important to consider the above Tribunal Order when assessing the merits of this application, given that it relates to the previous application for a six (6) storey building on the site.

Bell Street Frontage

Member Daicic made the following comments with regard to the Bell Street frontage:

Subject to my findings in relation to the southern interface below, the reasons why I consider the proposal responds in an acceptable manner to its Bell Street context in isolation are:

- *Bell Street is a robust three lane major arterial, with a wide road reserve in both directions, that is a wide busy road and it can cope with a building of this stature, scale and form at this interface.*
- *There are numerous examples that I sighted on the site inspection and were referred to in submissions and evidence identifying other multi-level developments in the immediate vicinity of the review site, which are playing a role in the emerging character of the area which is clearly undergoing substantial change.*
- *The built form response presented to Bell Street sits comfortably in that context given the variation in the building types and heights and mixed uses in close proximity to the review site.*
- *The existing site is currently underdeveloped and underutilised, with non-descript one and two storey buildings on the site, which do not present well to the street and appear 'dated'.*
- *The review site is a consolidation of two lots and is regularly sized and flat.*
- *There are no constraints in the heritage form or neighbourhood character controls which apply to the review site itself.*
- *The site has excellent access to services and facilities and is close to employment generators and community facilities and schools.*
- *The PC PAC is Darebin's pre-eminent activity centre, where the greatest extent of built form change is anticipated following the approval of Amendment C136-138.*
- *The PC PAC is large and extends to:*
 1. *Regent Street in the north.*
 2. *Bell Street in the south.*
 3. *Plenty Road in the east.*
 4. *Beyond St George's Road in the west.*
- *The Priority Development Plan's report of April 2007 provides that PC PAC is 'ripe for redevelopment'.*
- *The review site is on the door step of Bell Station, a premium railway station.*
- *The review site is close to retail, shops and government services such as Centrelink.*
- *The land is in the PDZ and a robust structure planning process took place in applying this control to the site and it is the highest order zone in Darebin where extensive change is anticipated.*
- *Buildings of scale along Bell Street with a preferred maximum building height 6 storeys in height is anticipated in the PDZ2. An office building would equate to a taller building than the proposal at 24 metres in height.*

- *The Council officer took no issue with the height of the building.*
- *There is no suggestion by Council that the proposed zero front set back to Bell Street was inappropriate.*
- *The design allows for equitable development opportunities to the east and west.*
- *In reliance of Mr Iles's evidence, I am satisfied that the proposal meets the Urban Design Guidelines Criteria.*

It is acknowledged that the design and composition of the Bell Street façade for the current application remains generally in accordance with the previous proposal, which was considered to be an acceptable design response to the Bell Street frontage by both Council and the Tribunal.

Southern Interface

Member Daicic made the following comments with regard to the southern interface:

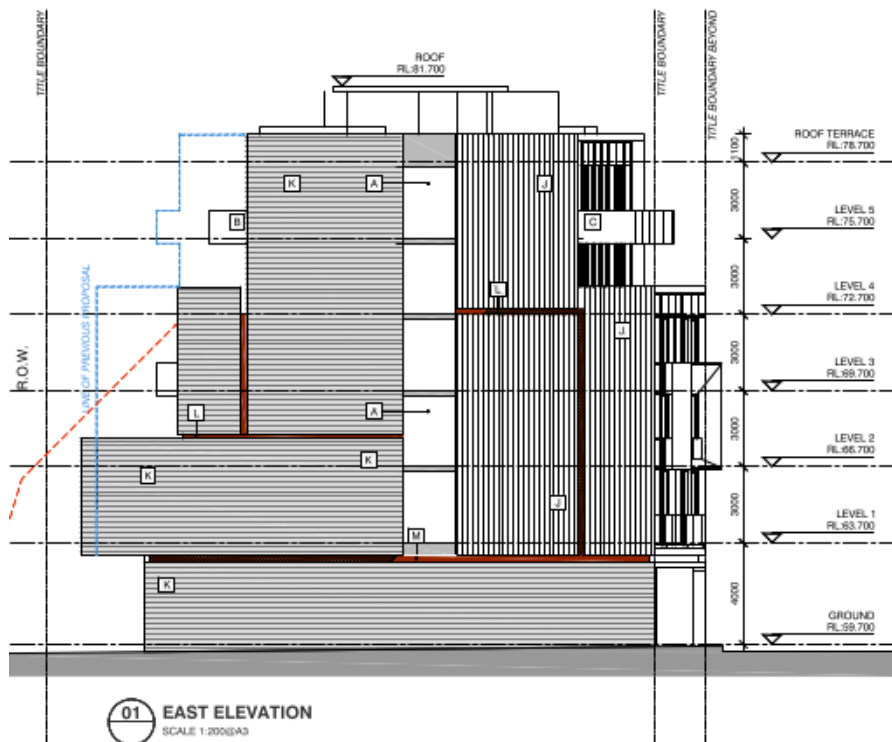
Whilst I consider that it is possible to have a multi-storey building on the review site, it needs to be moderated significantly to the rear to manage the visual bulk impacts in particular (in addition to overshadowing and overlooking impacts). I find that the number of levels when viewed from the rear and the building profile is simply too robust at the residential interface. It is unsympathetic and not a sensitive response to its context. The building has not been sufficiently recessed to an acceptable level, particularly at the upper levels to moderate the building's visual presentation

I consider that an appropriate increase to the rear setbacks of the proposal will assist in reducing the perception of visual bulk despite the evidence of Mr Iles who has assumed that the rear yards of these properties are likely to be developed to a height of 2 storeys or 9 metres.

And to conclude:

A more sensitive design approach that is tempered at the sensitive interface to the rear might well produce an outcome in favour of net community benefit given the strategic planning policy imperative for some form of multi-level development on this site.

The proposed building has been redesigned, including the reduction in apartment numbers from 30 to 24, resulting in a significant increase in the southern boundary setbacks and a reduction in building form to the south. The east (see below) and west elevations illustrate how the proposal compares to the previous application (shown as a blue dotted line). The significant reduction in building form is considered to be acceptable in terms of providing a transition by way of stepping the building down from Bell Street to minimise visual and amenity impacts on the residential properties to the south as per guidance provided in the PCIP.



Car Parking and Access

Member Daicic made the following comments with regard to the southern interface:

I find this would have been a satisfactory outcome had I been minded to grant a permit for this particular scheme. In coming to this conclusion, I rely on the evidence of Mr Furness, given the location of the review site and its excellent access to public transport which is supported by policy and availability of on-site car parking in the area including Bell Street.

It is noted that the previous proposal included 20 car parking spaces within a stacker system for a total of 30 dwellings, whereas the proposal retains the 20 car parking space stacker for a reduced number of 24 dwellings. The access along the ROW remains as per the previous proposal.

Loading Bay

Member Daicic made the following comments with regard to the lack of a loading bay:

... I would have been minded to find the loading provision is acceptable taking into account the requirements of clause 65 given the small size of the retail tenancies proposed and the access to the laneway at the rear.

The proposed shops are generally as per the previous proposal in terms of size and layout. The lack of loading facilities is considered appropriate given the small size of the shops and the ability to access the property from the ROW.

It is noted that since the Order of the Tribunal, Clause 58 was gazetted and is now a relevant consideration for the current application, whereby the previous application benefited from transitional provisions.

Multi Residential and Mixed Use Development - Clause 22.06

Objectives:

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

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

Element	Comment	Compliance
Sustainability	A Sustainability Management Plan (SMP) was submitted with the application, as per the requirement of Clause 22.12 of the Scheme. The SMP is considered largely acceptable subject conditions requiring further detail of stormwater treatment.	Complies subject to condition
Design and Materials	<p>The proposed materials palette consists of concrete, metal cladding, and timber. These are considered to be appropriate and present a contemporary design. Further detail of the materials will be required by way of condition.</p> <p>The building mass is located towards the street frontage, reducing the impact of visual bulk towards the rear of the lot.</p> <p>The location of rooftop services and plant are shown on plan and further detail is required by way of condition.</p>	Complies subject to condition
Building Height	<p>A consideration of height requires a balanced deliberation of all the related policy drivers such as: urban design; policy direction; housing diversity; affordability; and urban consolidation. Furthermore, any discussion of height should be balanced against the design and massing of the building and its response to the preferred character, including adjacent dwellings.</p> <p>Relevant Planning Policy Framework generally encourages Melbourne to become a more compact city by accommodating a substantial portion of its future household growth within its established urban areas. Activity centres, strategic redevelopment sites and locations well served by public transport are the preferred locations for new residential development, which is encouraged to comprise an intensive scale and built form.</p> <p>At a Local Planning Policy level, there is a preferred character for higher scale development on this site and within the larger Preston Central Activity Centre.</p> <p>The site is located in an area earmarked for development of</p>	Complies

	<p>up to six (6) storeys, with the upper floors appropriately set back from the podium and the rear. This takes into consideration the location of the site in the activity centre.</p> <p>The development provides an appropriate height and suitable setbacks to the front to reduce the visual impact of the upper levels on the street and to the rear to mitigate the visual bulk and provide an appropriate podium and transition.</p>	
Dwelling diversity	The development provides a reasonable diversity of layouts comprising 10 x1 bedroom and 14x2 bedroom dwellings of varying floor areas and layouts.	Complies
Parking and vehicle access	<p>Vehicle access is appropriately provided from the rear ROW, with no vehicle access from Bell Street. The vehicle access is acceptable.</p> <p>The site is located proximate to the Bell Train Station, which is considered sufficient to justify a reduction in car parking. The overall reduction is considered further in the Clause 52.06 assessment below.</p> <p>Adequate security may be provided to the car parking area by way of the automated gating to the car stacker.</p> <p>The Tribunal's acceptance of the car parking and access for the previous proposal is noted with emphasis given to the reduction in apartments from 30 to 24 with the same amount of car parking spaces provided at 20.</p>	Complies
Street address	<p>The proposal meets the policy guidelines in respect to street address in that the retail premises provide an active street frontage and the residential entry is clear.</p> <p>Active shopfronts are provided in the design and both stall risers and weather protection may be required by condition.</p> <p>The proposal provides good pedestrian access directly from the street frontage. The dwellings provide windows and balconies to the street frontages. Mailboxes may be located to the entry area and the entry area may be adequately lit by way of condition.</p>	Complies subject to condition
Amenity Impacts Including Overshadowing and Overlooking	<p>There are dwellings to the south that are sensitive to amenity impacts.</p> <p>The development provides alternative screening measures to the lower level rear facing balconies that maximise outlook and limit downward views over the adjacent dwellings and rear gardens.</p> <p>The adjacent dwellings will not be unreasonably affected by overshadowing or reduced daylight to habitable room windows.</p>	Complies
On-Site Amenity and Facilities, including Private Open Space	<p>Light courts have been provided to the east and west extremities of the building as south facing apartments are unavoidable given the north-south orientation of the site.</p> <p>Whilst there is some overhang over habitable room windows on the lower levels to the north, this is considered acceptable given that the overhangs will act as effective sun</p>	Complies subject to condition

	<p>shading to windows with excellent northern solar access. The south facing dwellings, with lesser access to sunlight, have been designed so as to minimise overhang.</p> <p>‘Battle axe’, and bedrooms that rely on borrowed light are not included as per policy guidance.</p> <p>All dwellings are provided with private balconies and there is an additional communal roof terrace.</p> <p>Further discussion of internal amenity and private open space is undertaken under the relevant Clause 58 standards later in this report.</p>	
Waste Management	<p>The development has been accompanied a waste management plan detailing the number and size of bins required to service the development and the times, frequency and means of waste collection. A condition of any approval will require a reduction in the number of collections so as to reduce the impact on the nearby streets and the environment.</p>	Complies subject to condition
Equitable Access	<p>All levels are provided with lift access.</p> <p>Further discussion of accessibility is undertaken under the relevant Clause 58 standards later in this report.</p>	Complies

Car Parking (Clause 52.06)

2P parking restriction typically apply along the site’s frontage from 8.00am – 6.00pm Monday to Friday and from 8.00am – 12.30pm on a Saturday. The westbound carriageway is also subject to AM and PM peak hour Clearway that operate from 6.30am – 9.30 and from 3.30pm – 6.30pm Monday to Friday. No standing restrictions typically apply on the north side of Bell Street (eastbound carriageway) and similar Clearways (AM and PM peak hour) apply.

Notably, the subject site is located within the Principal Public Transport Network (PPTN) Area and as such the lesser Column B rates at Clause 52.06-5 apply when calculating the statutory car parking requirements.

The development comprises two (2) shops and 24 dwellings. The proposal provides 20 car parking spaces in stackers at the ground level. A breakdown of the car parking required under Clause 52.06 of the scheme is set out below:

Use		Required Rate	Requirement	Parking Provided
20 dwellings	x 10 x 1 bedrooms	1 space / 1 bedroom dwelling	10 spaces	20 spaces
	14 x 2 bedrooms	1 space / 2 bedroom dwelling	14 spaces	
Visitors (residential)		0 within the PPTN	0 spaces	0 spaces
2 x shops	216.5/sqm	3.5 spaces / 100sqm leasable floor area	2 spaces	0 spaces
Total:			26 spaces	20 spaces

The proposal provides 20 car parking spaces and is therefore seeking a total waiver of six (6) car parking spaces, including four (4) resident parking spaces and two (2) spaces for the shops.

Under Clause 52.06 a permit may be granted to reduce the car parking requirement, having regard to the car parking demand likely to be generated by the use and whether it is appropriate to allow fewer spaces to be provided than the number likely to be generated by the use.

The applicant has provided a Car Parking Demand Assessment, which indicates that:

- Ample public parking is available nearby.
- There is ample public transport
- Parking demand for one (1) bedroom dwellings in Preston and Darebin is in the order of 0.7 spaces per dwelling.
- Peak visitor demand is typically in the order of three (3) car spaces.
- Shop demand is likely to be two (2) car spaces for staff.

Having reviewed the car parking demand assessment, Council considers the reduction in car parking to be acceptable on the condition that one (1) car parking space will be provided to each two (2) bedroom dwelling (14 in total) and parking will be provided at a rate of 0.6 spaces to each one (1) bedroom dwelling (six (6) in total).

Given the location of the site and its access to excellent public transport modes, as set out earlier in this report, the provision of six (6) car parking spaces for the one (1) bedroom dwellings is considered appropriate.

Existing on-street car parking is reasonably protected in the area with short term parking restrictions and these restrictions will discourage residents without a car parking space from parking on-street noting that future residents of the development will not be eligible for parking permit.

The car stackers and the accessway have appropriate dimension to enable efficient use and management.

The car parking facilities are designed and able to be surfaced and graded to reduce run-off and allow stormwater to drain into the site. A condition of any approval will require removal of the permeable paving to the accessway as this will create maintenance issues and there is nowhere for the stormwater to travel once absorbed by the paving.

The Tribunal's acceptance of the car parking and access for the previous proposal is noted and emphasis given to the reduction in apartments from 30 to 24 with the same amount of car parking spaces proposed at 20.

Loading and Unloading (Clause 65.01)

The proposed shops are generally as per the previous proposal in terms of size and layout. The lack of loading facilities is considered appropriate given the small size of the shops and the ability to access the property from the ROW.

The Tribunal's acceptance of the loading/unloading for the previous proposal is noted.

Land Adjacent to a Road Zone Category 1 (Clause 52.29)

Bell Street is within a Road Zone – Category 1 and so the application was referred to VicRoads as the relevant road authority. VicRoads has assessed the application and has provided a written response that they have no comment to make on the proposal.

Bicycle Facilities (Clause 52.34)

The application has a bicycle parking requirements of eight (8) spaces as follows:

- Residents – five (5) spaces
- Resident visitor – two (2) spaces
- Shop – one (1) space

The application plans show 24 bicycle parking spaces in the basement area and three (3) at ground floor level for visitor parking.

A condition of any approval will require the bicycle parking spaces to be dimensioned in accordance with the requirements at Clause 52.34-6 pf the Scheme.

Apartment Developments (Clause 58)

Clause 58.02 Urban Context	
Clause 58.02-1 Urban Context Objectives	
<i>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</i>	
<i>To ensure that development responds to the features of the site and the surrounding area.</i>	
Response:	The application is considered to respond to the existing urban context and the preferred future development of the area as set out by the PCIP and the Priority Development Zone. The proposal locates the height of the development to the front of the site and steps down to the more sensitive interface to the south.
Complies:	Complies
Clause 58.02-2 Residential Policy Objectives	
<i>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support higher density residential development where development can take advantage of public and community infrastructure and services.</i>	
Response:	The application is accompanied by a written statement describing how the proposal is consistent with Council’s Strategic Housing Framework, which designates the site as being of substantial change.
Complies:	Complies
Clause 58.02-3 Dwelling Diversity Objective	
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</i>	
Response:	The development includes dwellings of varying sizes and layouts and includes 10 x 1 bedroom apartments and 14 x 2 bedroom apartments.
Complies:	Complies

Clause 58.02-4 Infrastructure Objectives	
<i>To ensure development is provided with appropriate utility services and infrastructure.</i>	
<i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i>	
Response:	The development site is connected to reticulated services including sewerage, drainage, electricity and gas. A condition of any approval will require the development to be drained to Council standards.
Complies:	Complies subject to condition
Clause 58.02-5 Integration With The Street Objective	
<i>To integrate the layout of development with the street.</i>	
Response:	The development provides adequate vehicle and pedestrian links with vehicle access appropriately taken from the ROW to the rear. The development is orientated to front Bell Street.
Complies:	Complies
Clause 58.03 Site Layout	
Clause 58.03-1 Energy Efficiency Objectives	
<i>To achieve and protect energy efficient dwellings and buildings.</i>	
<i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</i>	
<i>To ensure dwellings achieve adequate thermal efficiency.</i>	
Response:	The application is accompanied by a SMP which details the sustainable design features of the development in accordance with the requirements of Clause 22.12 of the Scheme. The SMP is considered acceptable, subject to revisions required by way of condition. The site is orientated to make appropriate use of solar energy. The proposal will not unreasonably reduce the energy efficiency of dwellings to the rear. Living areas and private open space are located on the north side of the development where practicable, noting a number of south facing dwellings are proposed due to the north-south orientation of the site. The proposed cooling loads are less than the maximum of 30 MJ/M2 and are therefore acceptable.
Complies:	Complies subject to condition
Clause 58.03-2 Communal Open Space Objective	
<i>To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.</i>	
Response:	The requirement for communal open space is only for developments of 40 dwellings or more, however the proposal does include approximately 200 square metres of communal open space in the form of a roof top terrace.
Complies:	Complies
Clause 58.03-3 Solar Access to Communal Open Space Objective	

<i>To allow solar access into communal outdoor open space.</i>	
Response:	The communal open space is located on the roof of the building and so has direct northern solar access.
Complies:	Complies
Clause 58.03-4 Safety Objective	
<i>To ensure the layout of development provides for the safety and security of residents and property.</i>	
Response:	The development does not include private spaces that can be utilised as public thoroughfares. A condition of any approval will require appropriate external lighting to be provided to public areas within the development.
Complies:	Complies subject to condition
Clause 58.03-5 Landscaping Objectives	
<i>To encourage development that respects the landscape character of the area.</i>	
<i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</i>	
<i>To provide appropriate landscaping.</i>	
<i>To encourage the retention of mature vegetation on the site.</i>	
<i>To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.</i>	
Response:	The site is located in an area that does not include a landscape character. No existing trees are to be removed or are to be affected by the development. The proposal does include planting to the roof top terrace, further detail of which will be required in the form of a landscape plan to be secured by way of condition. The site area is 573 square metres, which is below the threshold of 750 square metres for which deep soil areas and canopy trees are required.
Complies:	Complies subject to condition
Clause 58.03-6 Access Objective	
<i>To ensure the number and design of vehicle crossovers respects the urban context.</i>	
Response:	Vehicle access is appropriately taken from the ROW to the rear of the site.
Complies:	Complies
Clause 58.03-7 Parking Location Objectives	
<i>To provide convenient parking for resident and visitor vehicles.</i>	
<i>To protect residents from vehicular noise within developments.</i>	
Response:	Car parking is located to the rear of the site, within a stacker system. The car stackers are secure, convenient to the residential entry lobby of the building and ventilated.
Complies:	Complies
Clause 58.03-8 Integrated Water and Stormwater Management Objectives	
<i>To encourage the use of alternative water sources such as rainwater, stormwater and</i>	

<p><i>recycled water.</i></p> <p><i>To facilitate stormwater collection, utilisation and infiltration within the development.</i></p> <p><i>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</i></p>	
Response:	The submitted SMP details the reuse of rainwater, stormwater and recycled water and is considered acceptable, subject to a condition requiring further detail of drainage to the water tank.
Complies:	Complies subject to condition
Clause 58.04 Amenity Impacts	
Clause 58.04-1 Building Setback Objectives	
<p><i>To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.</i></p> <p><i>To allow adequate daylight into new dwellings.</i></p> <p><i>To limit views into habitable room windows and private open space of new and existing dwellings.</i></p> <p><i>To provide a reasonable outlook from new dwellings.</i></p> <p><i>To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.</i></p>	
Response:	<p>The setbacks to the street and to the rear are considered acceptable noting the PCIP assessment and comment under the Tribunal commentary earlier in this report.</p> <p>The balconies to the rear of the building have been set back sufficiently at the upper levels and treated at levels 1 and 2 to reduce overlooking of the dwellings to the south. The approach to overlooking ensures outlook and a reasonable visual connection to the external environment for all dwellings.</p>
Complies:	Complies
Clause 58.04-2 Internal Views Objective	
<p><i>To limit views into the private open space and habitable room windows of dwellings within a development.</i></p>	
Response:	<p>Windows and balconies have been designed to avoid direct views into the private open space of dwellings on lower levels.</p> <p>A condition of any approval will require walls/screens to a minimum height of 1.7 metres between all adjoining balconies to reduce internal views.</p>
Complies:	Complies subject to condition
Clause 58.04-3 Noise Impacts Objectives	
<p><i>To contain noise sources in developments that may affect existing dwellings.</i></p> <p><i>To protect residents from external and internal noise sources.</i></p>	
Response:	A condition of any approval will require an acoustic assessment and any modifications required to the plans as a result of recommendations contained within the assessment so as to reduce the impact of noise from vehicular traffic, the train line and proposed plant on internal amenity and plant on the amenity of existing dwellings to the rear.
Complies:	Complies subject to condition

Clause 58.05 On-Site Amenity And Facilities										
Clause 58.05-1 Accessibility Objective										
<i>To ensure the design of dwellings meets the needs of people with limited mobility.</i>										
Response:	<p>All apartments include a clear opening width of at least 850mm at their entrance and main bedroom, which is greater than the minimum requirement of 50%.</p> <p>80% of dwellings include a clear path, with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area, which is greater than the minimum requirement of 50%.</p> <p>80% of dwellings include an adaptable bathroom, which is greater than the minimum requirement of 50%.</p>									
Complies:										
Clause 58.05-2 Building Entry and Circulation Objectives										
<i>To provide each dwelling and building with its own sense of identity.</i>										
<i>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</i>										
<i>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</i>										
Response:	<p>A condition of any approval will require a pedestrian canopy over the footpath so as to provide weather protection and a greater sense of address.</p> <p>The entry to the apartments is visible and easily identifiable.</p> <p>The entries to the apartments and shops are easily distinguishable.</p> <p>A sizeable entry lobby is provided to the apartments</p>									
Complies:										
Clause 58.05-3 Private Open Space Objective										
<i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i>										
Response::	<p>Most dwellings comply with the private open space requirements as follows, with many of the dwellings having balconies well over the minimum required area.</p> <table border="1" data-bbox="375 1512 1396 1657"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom dwelling</td> <td>8 square metres</td> <td>1.8 metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>8 square metres</td> <td>2 metres</td> </tr> </tbody> </table> <p>Three (3) of the 1 bedroom dwellings, apartments 102, 202 and 302, have balconies that are under the required area, at 7.3 square metres, however these are considered acceptable given the following:</p> <ul style="list-style-type: none"> - The balconies are over the minimum dimension at 3 metres by 2.45 metres, giving a more useable area of open space. - The balconies are all north facing so receive an acceptable level of sunlight. - The proposal includes a large communal open space in the form of a 200 square metre roof top terrace. - The area of non-compliance is minor being only 0.7 square metres less 	Dwelling type	Minimum area	Minimum dimension	Studio or 1 bedroom dwelling	8 square metres	1.8 metres	2 bedroom dwelling	8 square metres	2 metres
Dwelling type	Minimum area	Minimum dimension								
Studio or 1 bedroom dwelling	8 square metres	1.8 metres								
2 bedroom dwelling	8 square metres	2 metres								

	than the requirement.												
Complies:	Complies with objective												
Clause 58.05-4 Storage Objective													
<i>To provide adequate storage facilities for each dwelling.</i>													
Response:	<p>All dwellings include internal and external storage in accordance with the requirements of the standard as set out in the following table.</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>8 cubic metres</td> <td>5 cubic metres</td> </tr> <tr> <td>1 bedroom dwelling</td> <td>10 cubic metres</td> <td>6 cubic metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>14 cubic metres</td> <td>9 cubic metres</td> </tr> </tbody> </table> <p>The 1 bedroom dwellings have external storage of 2.4 cubic metres in the basement, with an additional minimum of 8.46 cubic metres of internal storage for a total of 10.86 cubic metres. A condition of any approval will require the 8.46 cubic metres of internal storage be shown on the plans.</p> <p>The 2 bedroom dwellings have external storage of 3.24 cubic metres in the basement, with an additional minimum of 11.6 cubic metres of internal storage for a total of 14.84 cubic metres. A condition of any approval will require the 11.6 cubic metres of internal storage be shown on the plans.</p>	Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres
Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling											
Studio	8 cubic metres	5 cubic metres											
1 bedroom dwelling	10 cubic metres	6 cubic metres											
2 bedroom dwelling	14 cubic metres	9 cubic metres											
Complies:	Complies subject to condition												
Clause 58.06 Detailed Design													
Clause 58.06-1 Common Property Objectives													
<i>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</i>													
<i>To avoid future management difficulties in areas of common ownership.</i>													
Response:	Communal open space, car parking, access areas and site facilities are practical, attractive and able to be maintained.												
Complies:	Complies												
Clause 58.06-2 Site Services Objectives													
<i>To ensure that site services can be installed and easily maintained.</i>													
<i>To ensure that site facilities are accessible, adequate and attractive.</i>													
Response:	<p>Site services are conveniently located and accessible at ground and roof terrace level.</p> <p>Mailboxes can be provided within the residential lobby area at ground floor.</p> <p>Conditions of any approval will require further detail of the proposed television antennae and the location of plant.</p>												
Complies:	Complies subject to condition												
Clause 58.06-3 Waste And Recycling Objectives													
<i>To ensure dwellings are designed to encourage waste recycling.</i>													
<i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i>													
<i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i>													

Response:	A waste management plan, detailing how waste is to be stored and collected, was submitted as part of the application and is considered acceptable subject to a condition requiring no more than weekly collection for recycling and for no bins to be stored in the ROW.																		
Complies:	Complies subject to condition																		
Clause 58.07 Internal Amenity																			
Clause 58.07-1 Functional Layout Objective																			
<i>To ensure dwellings provide functional areas that meet the needs of residents.</i>																			
Response:	<p>Of 38 bedrooms, all but four (4) do not meet the standard dimension as shown in the following table.</p> <table border="1"> <thead> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table> <p>The apartments that do not comply are detailed as follows: 104 – Main bedroom 3.5 x 2.9 metres 106 – Main bedroom 3.9 x 2.9 metres 401 & 501 – Main bedroom 3.4 x 2.85 metres</p> <p>Apartments 104 and 106 are considered acceptable given that their depths are greater than the minimum requirement in one (1) direction and only slightly under, at 100mm, in the other direction.</p> <p>Apartments 401 and 501 main bedroom dimensions are considered acceptable given that they have direct northern sun access and their second bedrooms are over the minimum dimension requirement at 3.2 x 3.2 metres.</p> <p>Of 24 living areas, all but four (4) do not meet the standard dimension as shown in the following table.</p> <table border="1"> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table> <p>The apartments that do not comply are detailed as follows: 2 bedroom dwellings 104 – 4.5 x 3.3 metres with 14.85 square metres area 106 – 4.5 x 3.3 metres with 14.85 square metres area 1 bedroom dwellings 404 - 4.35 x 2.7 metres with 11.7 square metres area 504 – 4.35 x 2.7 metres with 11.7 square metres area</p> <p>Whilst the above apartments do not comply with the minimum dimension in one (1) direction, they are considered acceptable given that their dimensions are significantly greater than the standard in the other direction, and their minimum areas are greater than the minimum area requirement, resulting in useable living areas.</p>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm
Bedroom type	Minimum width	Minimum depth																	
Main bedroom	3 metres	3.4 metres																	
All other bedrooms	3 metres	3 metres																	
Dwelling type	Minimum width	Minimum area																	
Studio and 1 bedroom dwelling	3.3 metres	10 sqm																	
2 or more bedroom dwelling	3.6 metres	12 sqm																	
Complies:	Complies with objective																		

Clause 58.07-2 Room Depth Objective	
<i>To allow adequate daylight into single aspect habitable rooms.</i>	
Response:	The proposed ceiling height is 2.7 metres for all apartments, which allows a 6.75 metre room depth. Where this room depth is exceeded, the dwellings have a combined living/dining and kitchen with a maximum 9 metre depth as per the standard, other than apartment 105. Apartment 105 is considered acceptable as the part of the apartment outside of the 9 metre depth is the laundry and entry of the dwelling.
Complies:	Complies with objective
Clause 58.07-3 Windows Objective	
<i>To allow adequate daylight into new habitable room windows.</i>	
Response:	All habitable rooms have a window in an external wall of the building.
Complies:	Complies
Clause 58.07-4 Natural Ventilation Objectives	
<i>To encourage natural ventilation of dwellings.</i>	
<i>To allow occupants to effectively manage natural ventilation of dwellings.</i>	
Response:	83% of apartments achieve cross ventilation that has: <ul style="list-style-type: none"> - A maximum breeze path through the dwelling of 18 metres. - A minimum breeze path through the dwelling of 5 metres. - Ventilation openings with approximately the same area. The minimum requirement is 40% of apartments and so the proposal complies.
Complies:	Complies

CONCLUSION

There is strong justification for a higher density development in this location and fundamental design and amenity issues that were identified with the previous proposal by both Council and the Tribunal have been successfully addressed by the applicant.

The high level of compliance with the Preston Central Incorporated Plan & Preston Central Structure Plan, Clause 22.06 and Clause 58 is an indication that the proposal is acceptable.

REFERRAL SUMMARY

Department/Authority	Response
Infrastructure and Capital Delivery	No objection, subject to condition included in recommendation.
Transport Engineering and Strategy	No objection, subject to condition included in recommendation.
City Works	No objection.
ESD Officer	No objection, subject to condition included in recommendation.
VicRoads	VicRoads has considered the application and has no comments to make in relation to the proposal.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 37.06-4 (Priority Development Zone) – a permit is required to construct a building or construct or carry out works.
- Clause 52.06-06-3 (Car Parking) – a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.
- Clause 52.29-2 (Land Adjacent to a Road Zone – Category 1) – a permit is required to create or alter access to a road in a Road Zone – Category 1.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
PPF	11.03-1S, 11.03-1R, 13.04-1S, 15.01-2S, 16, 17.02-1S
LPPF	21.01, 21.03, 21.04, 22.06, 22.12
Zone	37.06
Overlay	45.06
Particular provisions	52.06, 52.29, 52.34, 58
General provisions	65.01

POLICY IMPLICATIONS

Environmental Sustainability

A Sustainable Management Plan detailing the sustainable design credentials of the development was submitted as part of the application and is considered acceptable, subject to condition.

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

RELATED DOCUMENTS

- Preston Central Structure Plan – September 2006 (Version 2)
- Preston Central Incorporated Plan – March 2007 (as amended 2014)

- Darebin Planning Scheme
- *Planning and Environment Act*

Attachments

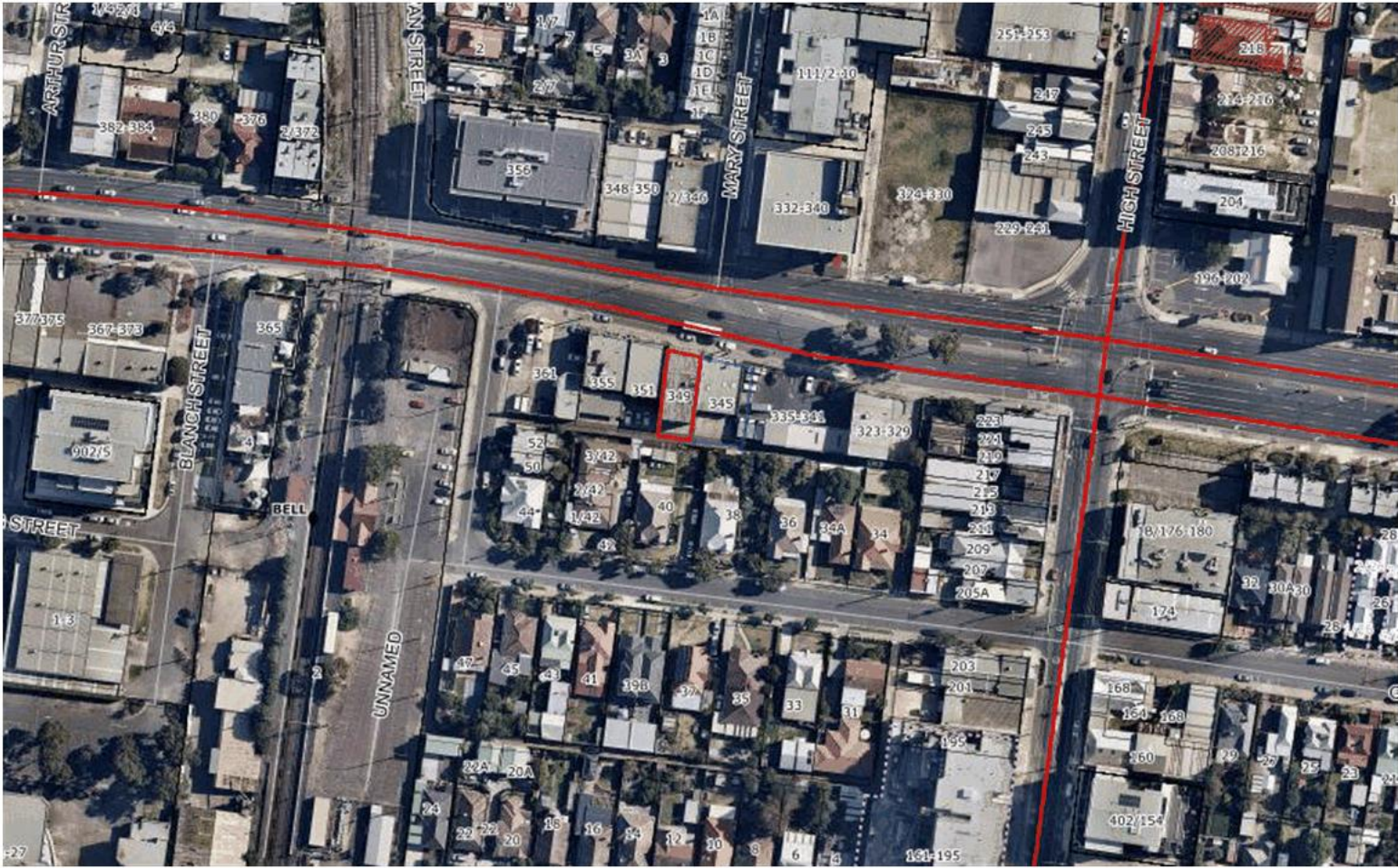
- Aerial Photograph (**Appendix A**) [↓](#)
- Application Plans (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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

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

345-349 Bell Street Preston



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- TP42 SHADOW DIAGRAMS - SEPTEMBER 22 1PM & 2PM
- TP43 SHADOW DIAGRAMS - SEPTEMBER 22 3PM



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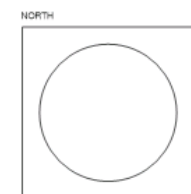
CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
 DRAWINGS NOT TO BE SCALED.

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 STATUTORY PLANNING

PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
COVER SHEET & CONTENTS



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- - - - SOUTHERN GATEWAY PRECINCT
- SUBJECT SITE
- MAJOR ROAD
- TRAIN ROUTE
- BUS ROUTE
- TRAM ROUTE
- BIKE ROUTE
- 1 BELL STATION
- 2 TRAINS TO SOUTH MORANG
- 3 TRAINS TO CITY
- 4 DAREBIN ARTS AND ENTERTAINMENT
- 5 ST GEORGES ROAD TRAIL (CYCLISTS & PEDESTRIANS)
- 6 BUS ROUTE 903 ALTONA TO MORDIALLOC (VIA SUNSHINE, ESSENDON, COBURG, PRESTON, HEIDELBERG, DONCASTER, BOX HILL, OAKLEIGH)
- 7 BUS ROUTE 513 ELTHAM TO GLENROY (VIA LOWER PLENTY & GREENSBOROUGH)
- 8 BUS ROUTE 552 NORTH EAST RESERVOIR TO NORTHCOTE PLAZA VIA HIGH STREET
- 9 BUS ROUTE 553 PRESTON TO WEST PRESTON VIA RESERVOIR
- 10 RAY BRAMHAM GARDENS
- 11 ST. JOHNS COLLEGE
- 12 SACRED HEART PRIMARY SCHOOL
- 13 PARADE COLLEGE (PRESTON CAMPUS)
- 14 ROUTE 86 TRAM BETWEEN BUNDOORA RMIT AND WATERFRONT CITY DOCKLANDS

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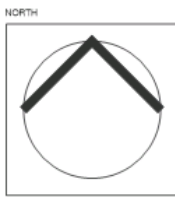
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345-349 BELL STREET, PRESTON

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SITE LOCATION & CONTEXT PLAN



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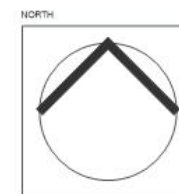
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DRAWING
NEIGHBOURHOOD & SITE DESCRIPTION
SITE PLAN / AERIAL PHOTOGRAPH



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01 ADJOINING PROPERTY - 335 BELL ST.
THRIFTY CAR & TRUCK RENTAL



02 SUBJECT SITE - 345-349 BELL ST.



02 ADJOINING PROPERTIES - 355 & 353 BELL ST.
ASHLEY'S TRAINING & EDUCATION & MINI KOALA CAR RENTAL



03 352 & 372 BELL ST.
MIXED USE DEVELOPMENTS



04 352 BELL ST.
6 LEVEL MIXED USE DEVELOPMENT UNDER CONSTRUCTION



05 348 BELL ST. & 346 BELL ST.
* PLANNING PERMIT FOR 6 STOREY MIXED USE DEVELOPMENT



06 332-340 BELL ST.
COMMERCIAL OFFICES



07 332-340 BELL ST. & 2-10 MARY ST.
COMMERCIAL OFFICES & MULTI RESIDENTIAL



08 R.O.W
ACCESS FROM GARNET ST.



09 40 GARNET ST & 38 GARNET ST BEYOND
SENSITIVE INTERFACE - NEIGHBOURHOOD NRZ1



10 SUBJECT SITE - 349 BELL ST. 11
VIEW FROM R.O.W



11 SUBJECT SITE - 345 BELL ST.
VIEW FROM R.O.W.

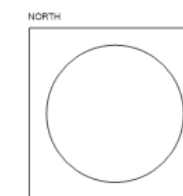
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PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON
DRAWING
SITE PHOTOGRAPHS



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OPPORTUNITIES:

- 1 ACTIVATION OF BELL ST. FRONTAGE THROUGH HIGH LEVELS OF VISUAL TRANSPARENCY & PEDESTRIAN AMENITY
- 2 CLOSE PROXIMITY TO BELL STATION ALLOWING FOR SUSTAINABLE TRAVEL / INCREASED USE OF PUBLIC TRANSPORT
- 3 ADJACENT PROPERTIES ALSO LOCATED WITHIN THE PRIORITY DEVELOPMENT ZONE (PDZ2)
- 4 REAR ACCESS TO SITE VIA RIGH-OF-WAY WITH CONNECTION TO GARNET ST. AT BOTH ENDS
- 5 BELL STREET PROVIDES A BUFFER BETWEEN BUILDINGS TO THE NORTH ALLOWING GOOD SOLAR ACCESS TO THE SITE
- 6 R.O.W PROVIDES A BUFFER BETWEEN THE SUBJECT SITE AND THE NEIGHBOURHOOD RESIDENTIAL ZONE TO THE SOUTH
- 7 LIGHTWELLS FOR SOLAR ACCESS, CROSS VENTILATION & EQUITABLE DEVELOPMENT OF ADJACENT SITES
- 8 UNOBSTRUCTED CITY VIEWS FROM HIGHER LEVEL SOUTH FACING APARTMENTS
- 9 PASSIVE RECREATION ON ROOF TERRACE AND POTENTIAL COMMUNITY GARDEN FOR INCREASED OCCUPANT AMENITY

CONSTRAINTS:

- 10 BUILDING MASSING, OVERSHADOWING & VISUAL BULK AT SENSITIVE ABUTTAL WITH NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ1)
- 11 NOISE, POLLUTION AND EXPOSURE FROM BELL STREET
- 12 5 STOREYS PROPOSED FOR THE SUBJECT SITE WILL APPEAR PROMINENT NEXT TO ADJACENT PROPERTIES UNTIL THEY ARE DEVELOPED IN LINE WITH THE PDZ2

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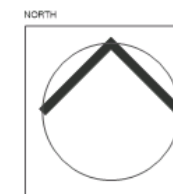
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MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
DESIGN RESPONSE
OPPORTUNITIES AND CONSTRAINTS



ISSUE
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PROJECT NO	DWG NO	REVISION
181903	TP04	B



PROPOSED AREA SUMMARY

	BASEMENT	GROUND	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	ROOF
GROSS FLOOR AREA (sqm)	313	464	474	397	420	339	309	309
RESIDENTIAL NET FLOOR AREA (sqm)			390	345	338	244	244	
RESIDENTIAL BALCONIES (sqm)			62	67	43	113	50	
RETAIL NET FLOOR AREA (sqm)		211						
CIRCULATION AND SERVICES (sqm)	313	230	51	49	49	49	49	87
PASSIVE RECREATION								195

DEVELOPMENT SUMMARY

	NO.
RETAIL TENANCIES	2
1 BEDROOM APARTMENTS	10
2 BEDROOM APARTMENTS	14
CAR PARKING SPACES	20
BICYCLE PARKING SPACES	24
VISITOR BICYCLE PARKING SPACES	3
STORAGE UNITS	24

SITE COVERAGE & PERMEABILITY

	NO.
SITE AREA (sqm)	573
SITE COVERAGE (%)	88
PERMEABILITY (%)	12

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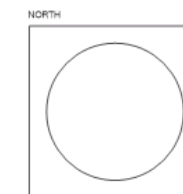
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 STATUTORY PLANNING

PROJECT

MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING

DEVELOPMENT ANALYSIS



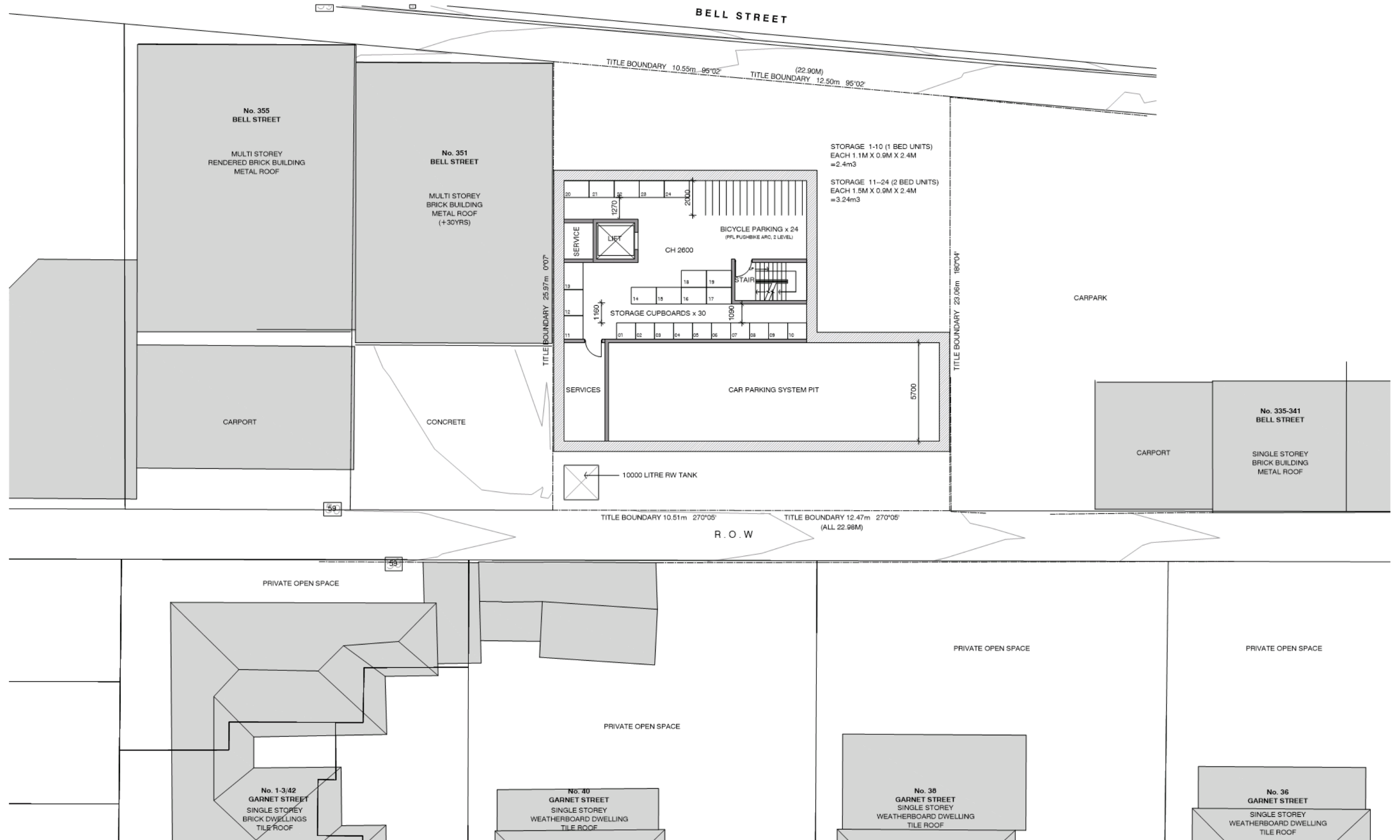
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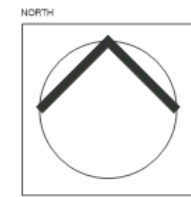
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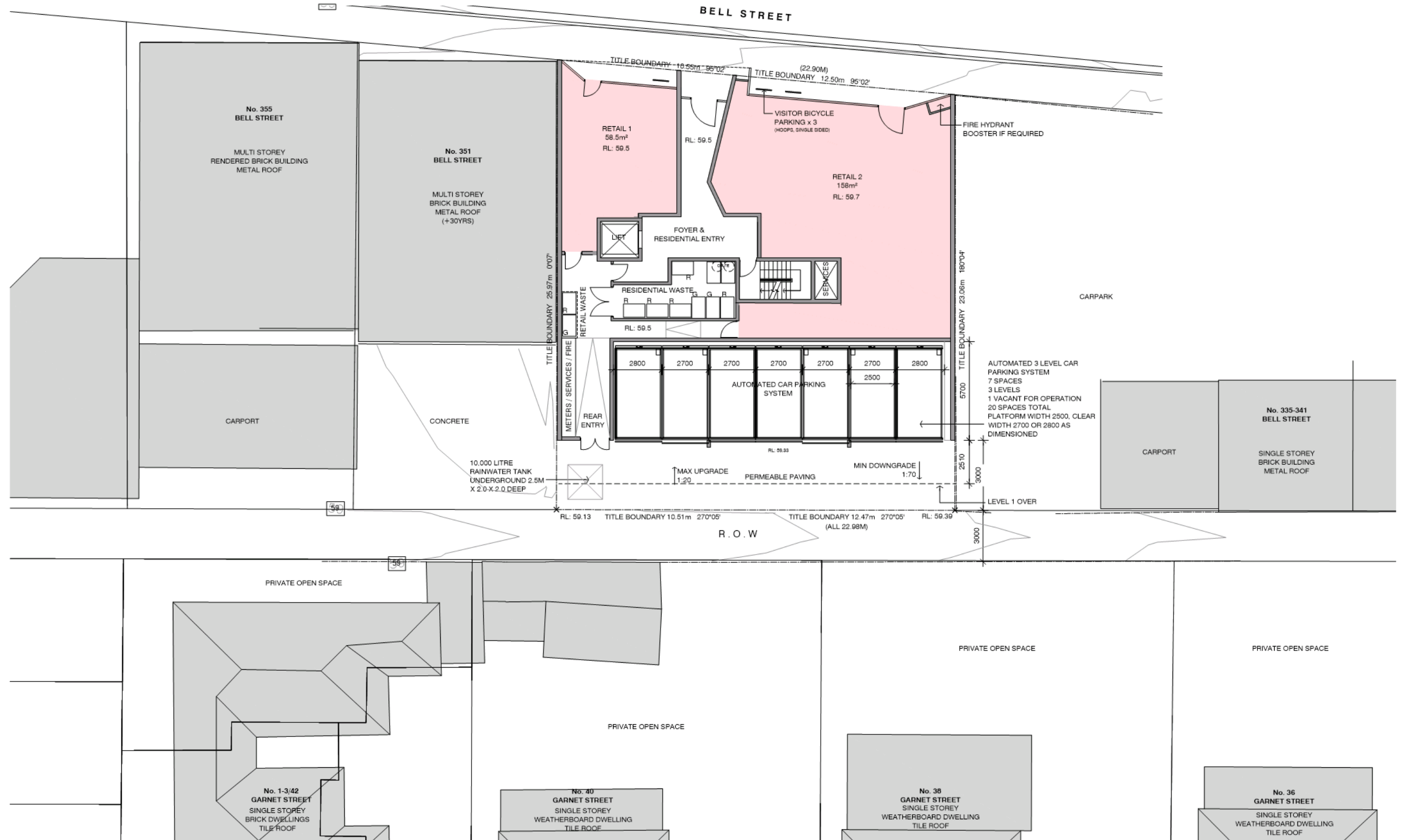
PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
BASEMENT PLAN



ISSUE		
TOWN PLANNING ISSUE		
PLOT DATE	SCALE	DRAWN
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0 1 2 5M
SCALE 1:200@A3 / 1:100@A1

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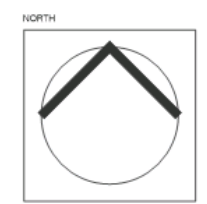
LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

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PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

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GROUND FLOOR PLAN



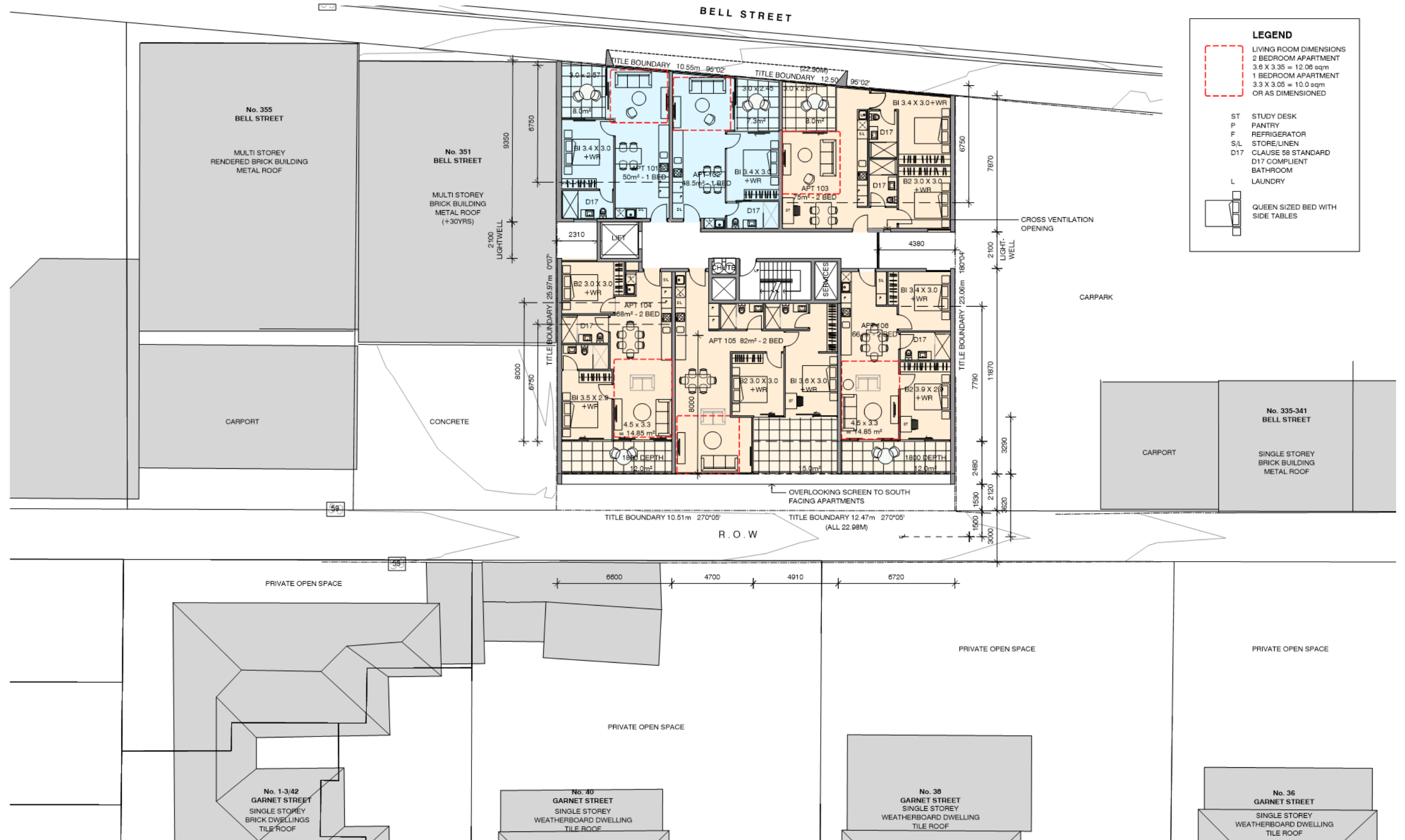
ISSUE

TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB

PROJECT NO	DWG NO	REVISION
181903	TP11	B





LEGEND

LIVING ROOM DIMENSIONS
 2 BEDROOM APARTMENT
 3.6 X 3.35 = 12.06 sqm
 1 BEDROOM APARTMENT
 3.3 X 3.05 = 10.0 sqm
 OR AS DIMENSIONED

ST STUDY DESK
 P PANTRY
 F REFRIGERATOR
 S/L STORE/LINEN
 D17 CLAUSE 58 STANDARD
 D17 COMPLIANT BATHROOM
 L LAUNDRY

QUEEN SIZED BED WITH SIDE TABLES

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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
 DRAWINGS NOT TO BE SCALED.

0 1 2 5M
 SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

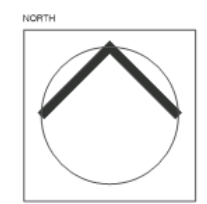
LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
LEVEL 1 PLAN



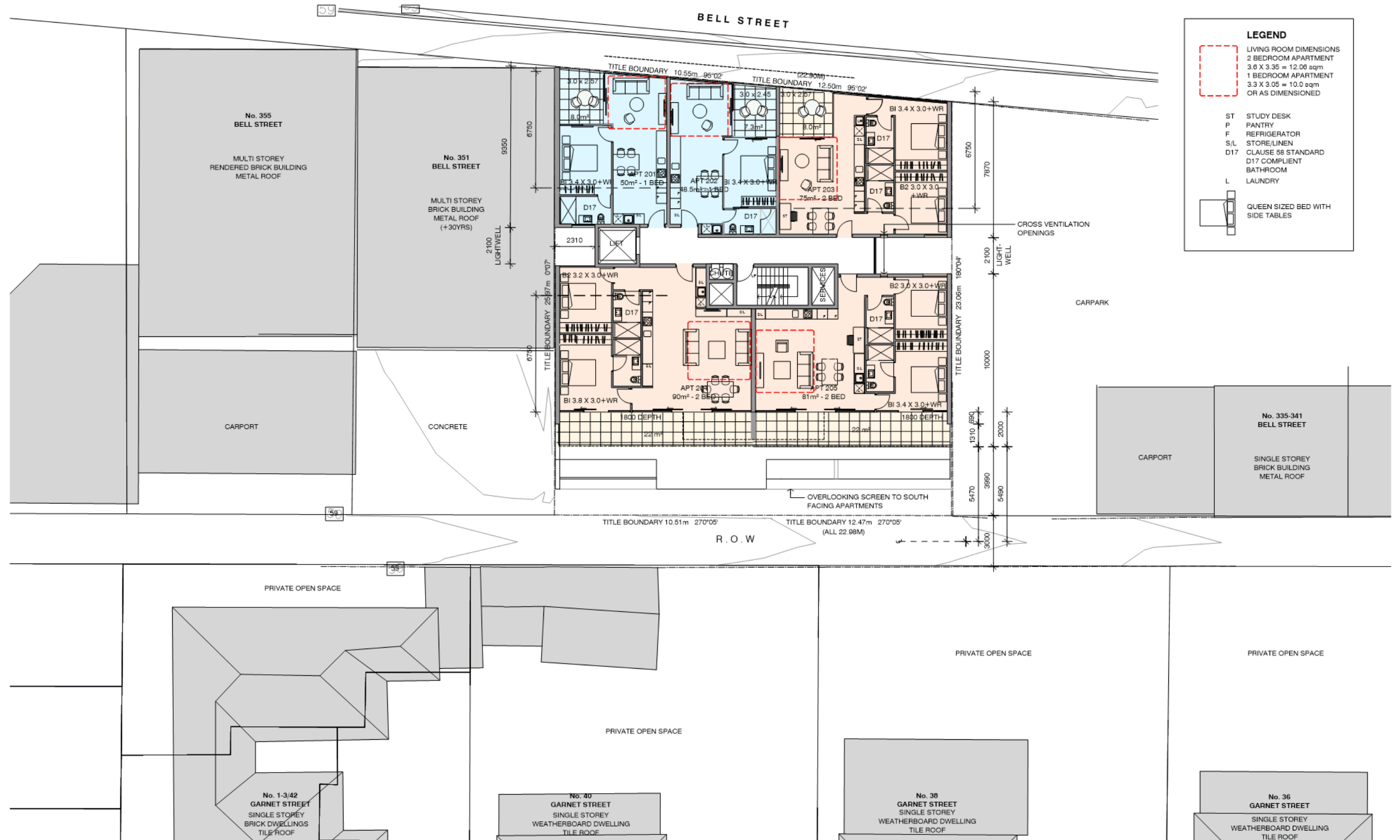
ISSUE

TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB

PROJECT NO	DWG NO	REVISION
181903	TP12	B





LEGEND

LIVING ROOM DIMENSIONS
 2 BEDROOM APARTMENT
 3.6 X 3.35 = 12.06 sqm
 1 BEDROOM APARTMENT
 3.3 X 3.05 = 10.0 sqm
 OR AS DIMENSIONED

ST STUDY DESK
 P PANTRY
 F REFRIGERATOR
 S/L STORE/LINEN
 D17 CLAUSE 58 STANDARD
 D17 COMPLIANT BATHROOM
 L LAUNDRY

QUEEN SIZED BED WITH SIDE TABLES

CACTUS ARCHITECTS
 304/01 MURPHY ST, RICHMOND VIC 3121
 P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
 DRAWINGS NOT TO BE SCALED.

0 1 2 5M
 SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWG
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

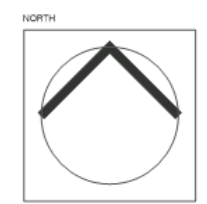
LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
LEVEL 2 PLAN



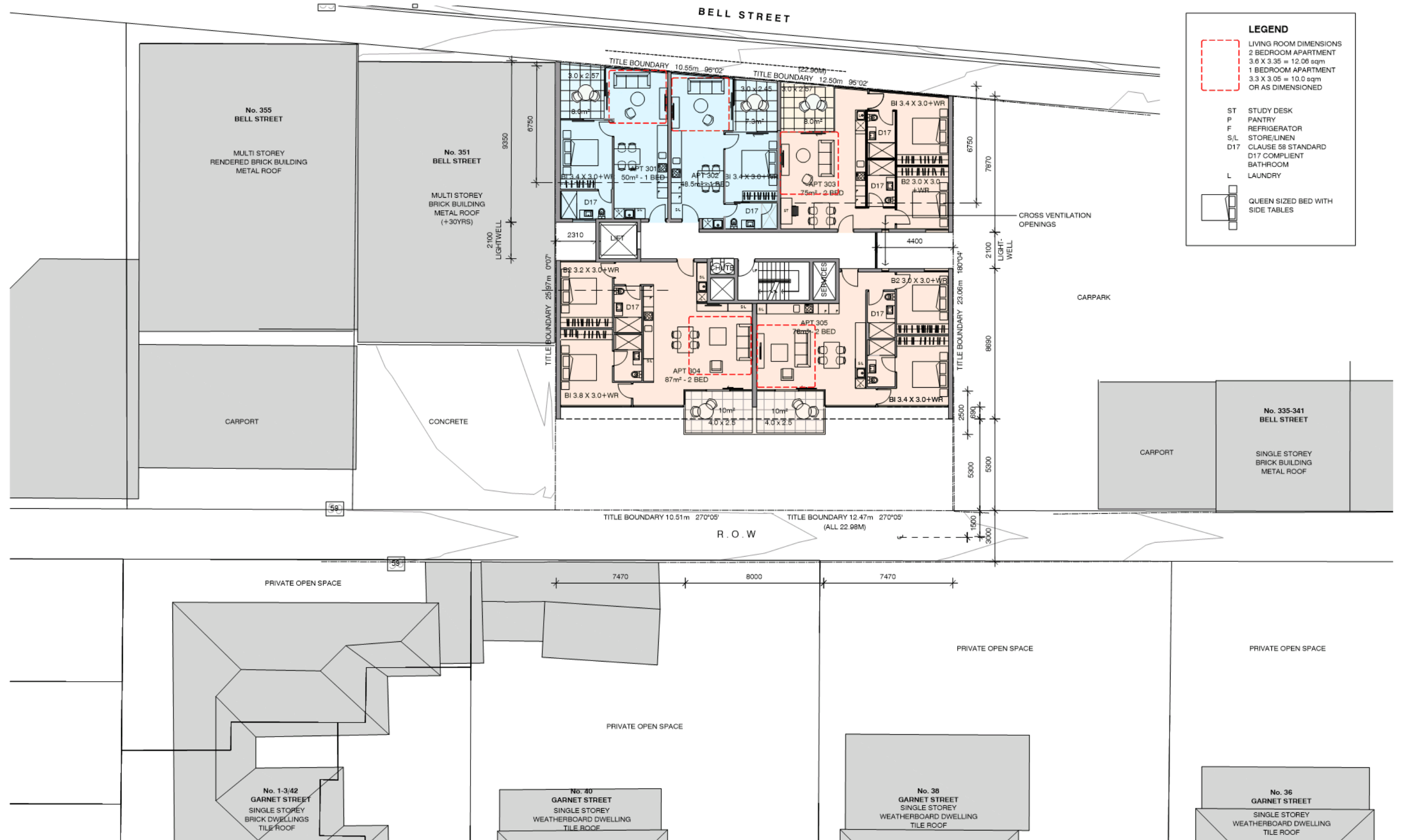
ISSUE

TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB

PROJECT NO	DWG NO	REVISION
181903	TP13	B





LEGEND

LIVING ROOM DIMENSIONS
 2 BEDROOM APARTMENT
 3.6 X 3.35 = 12.06 sqm
 1 BEDROOM APARTMENT
 3.3 X 3.05 = 10.0 sqm
 OR AS DIMENSIONED

ST STUDY DESK
 P PANTRY
 F REFRIGERATOR
 S/L STORE/LINEN
 D17 CLAUSE 58 STANDARD
 D17 COMPLIANT
 BATHROOM
 L LAUNDRY

QUEEN SIZED BED WITH
 SIDE TABLES

CACTUS ARCHITECTS
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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
 DRAWINGS NOT TO BE SCALED.

0 1 2 5M
 SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

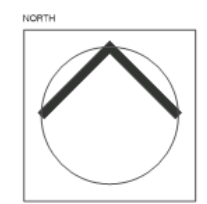
LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
LEVEL 3 PLAN



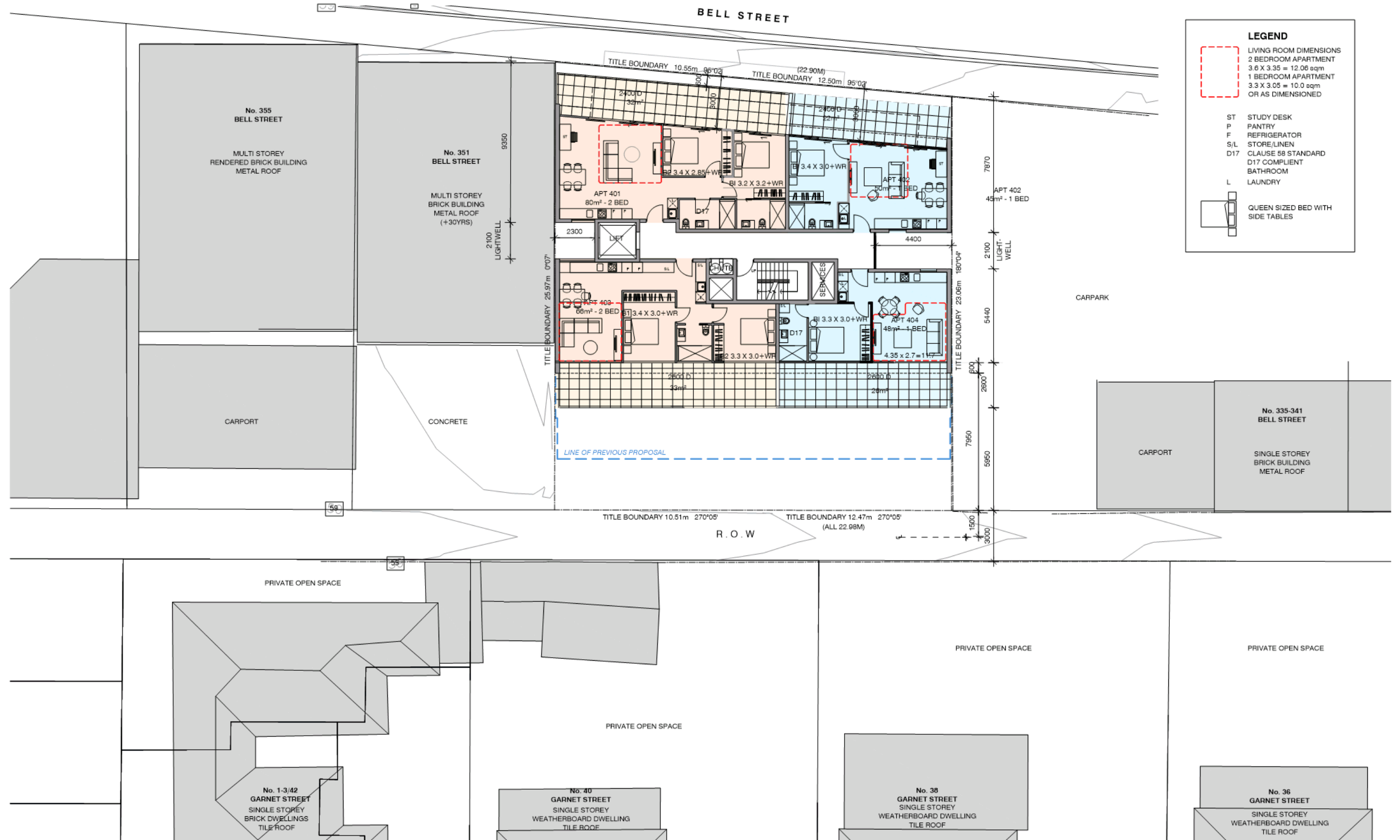
ISSUE

TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB

PROJECT NO	DWG NO	REVISION
181903	TP14	B





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 DRAWINGS NOT TO BE SCALED.

0 1 2 5M
 SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWN
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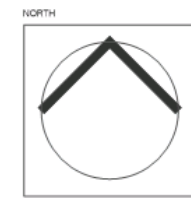
LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

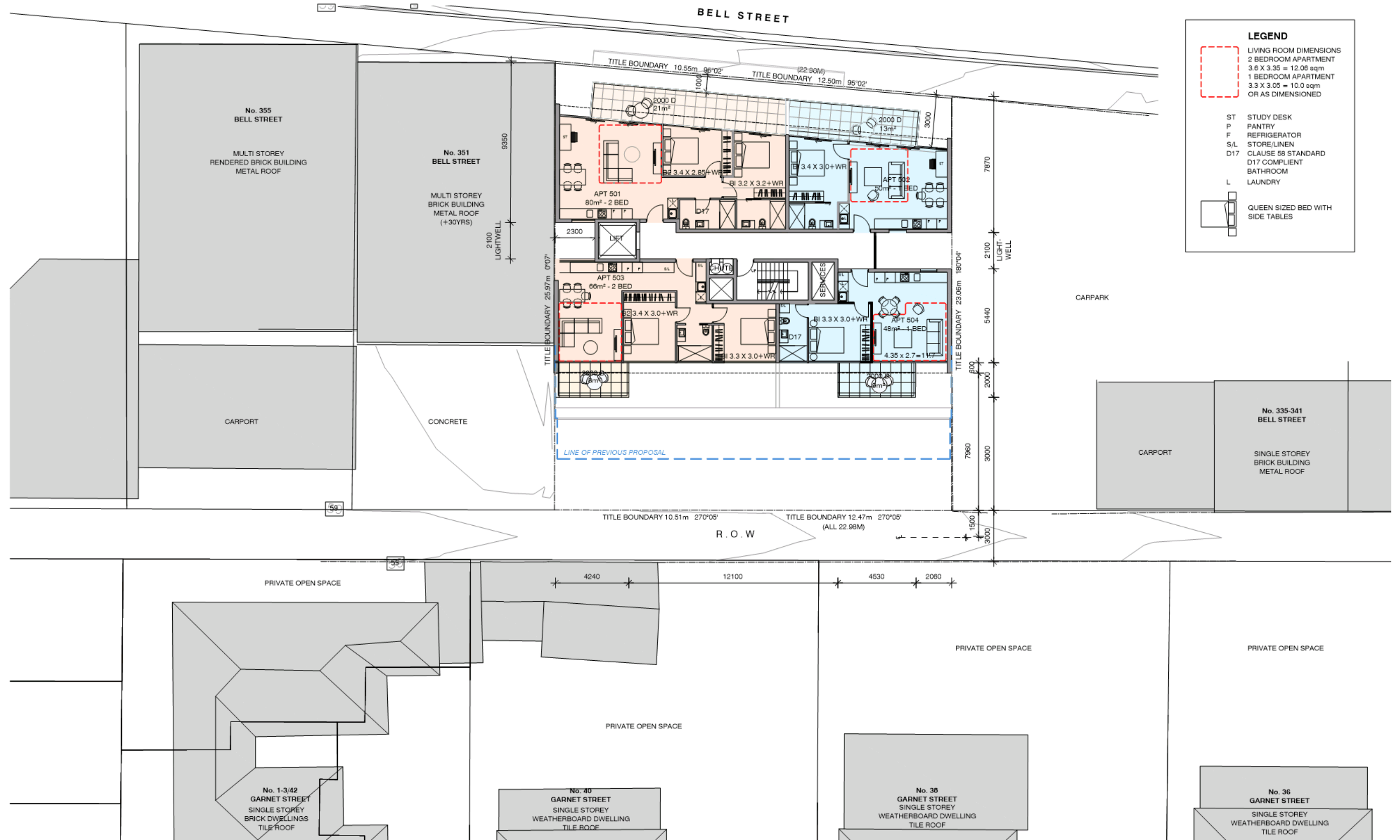
DRAWING
 LEVEL 4 PLAN



ISSUE

TOWN PLANNING ISSUE		
PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	BD
PROJECT NO	DWG NO	REVISION
181903	TP15	B





LEGEND

LIVING ROOM DIMENSIONS
 2 BEDROOM APARTMENT
 3.6 X 3.35 = 12.06 sqm
 1 BEDROOM APARTMENT
 3.3 X 3.05 = 10.0 sqm
 OR AS DIMENSIONED

ST STUDY DESK
 P PANTRY
 F REFRIGERATOR
 S/L STORE/LINEN
 D17 CLAUSE 58 STANDARD
 D17 COMPLIANT
 BATHROOM
 L LAUNDRY

QUEEN SIZED BED WITH SIDE TABLES

CACTUS ARCHITECTS
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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
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0 1 2 5M
 SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

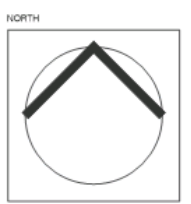
LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
LEVEL 5 PLAN



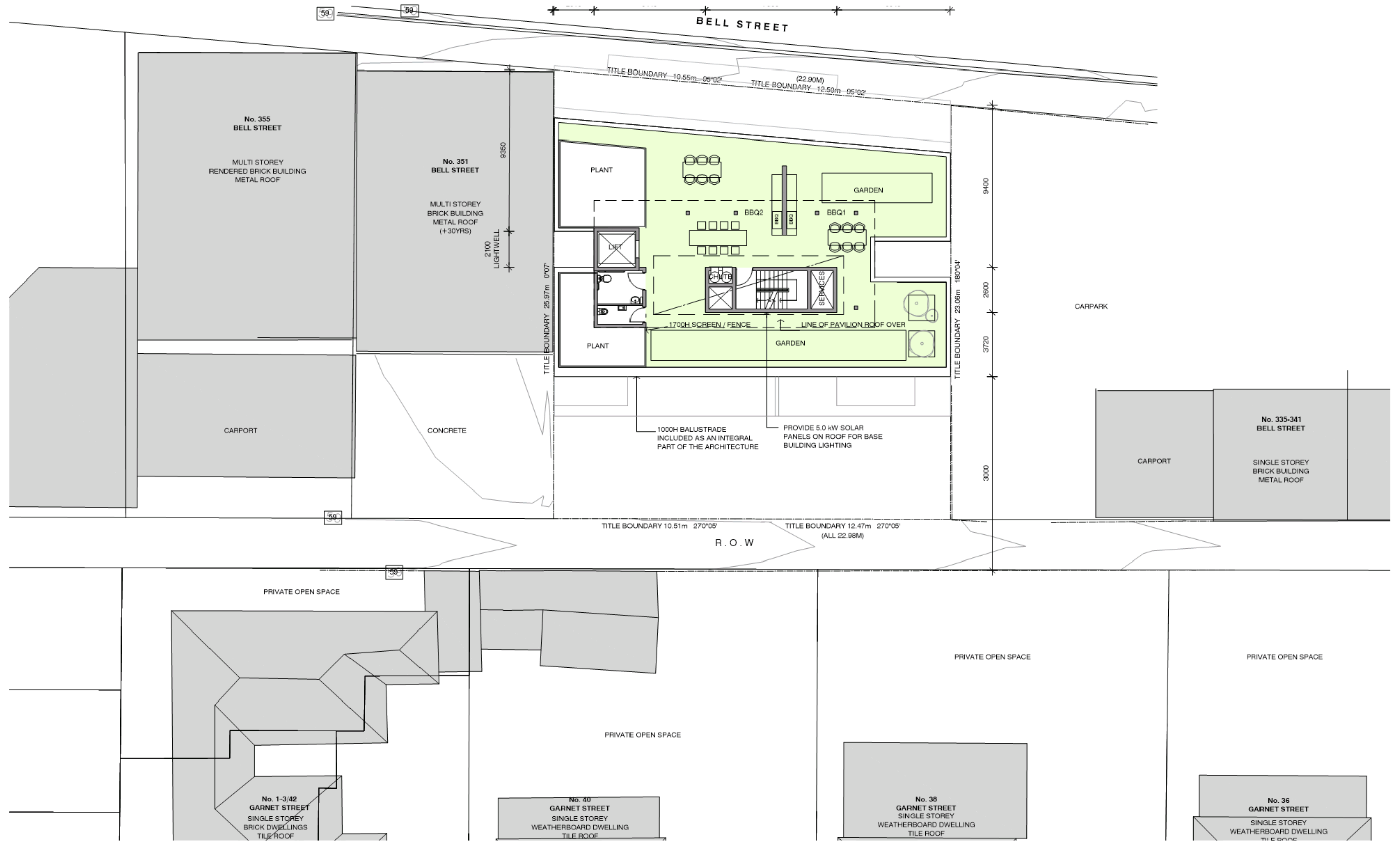
ISSUE

TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB

PROJECT NO	DWG NO	REVISION
181903	TP16	B





CACTUS ARCHITECTS
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 P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
 DRAWINGS NOT TO BE SCALED.

0 1 2 5M
 SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

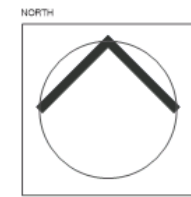
LEGEND

■ PASSIVE RECREATION

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
ROOF PLAN



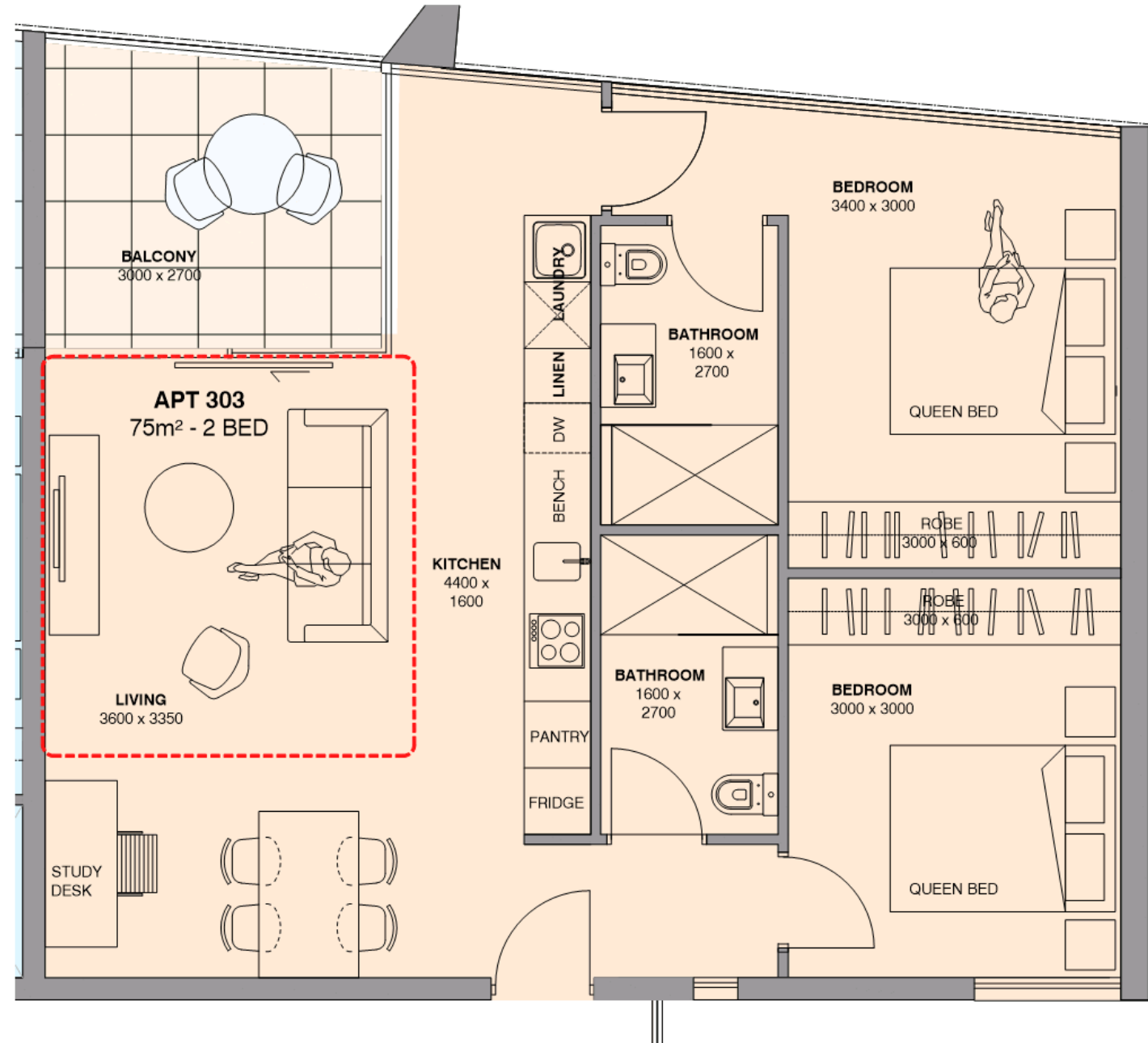
ISSUE

TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB

PROJECT NO	DWG NO	REVISION
181903	TP17	B





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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
 DRAWINGS NOT TO BE SCALED.

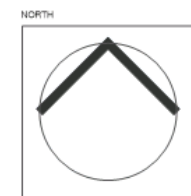
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REV	DATE	DESCRIPTION	D/WN	LEGEND
A	19.07.18	TOWN PLANNING SUBMISSION	MG	
B	21.01.19	RESPONSE TO COUNCIL RFI	IB	

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

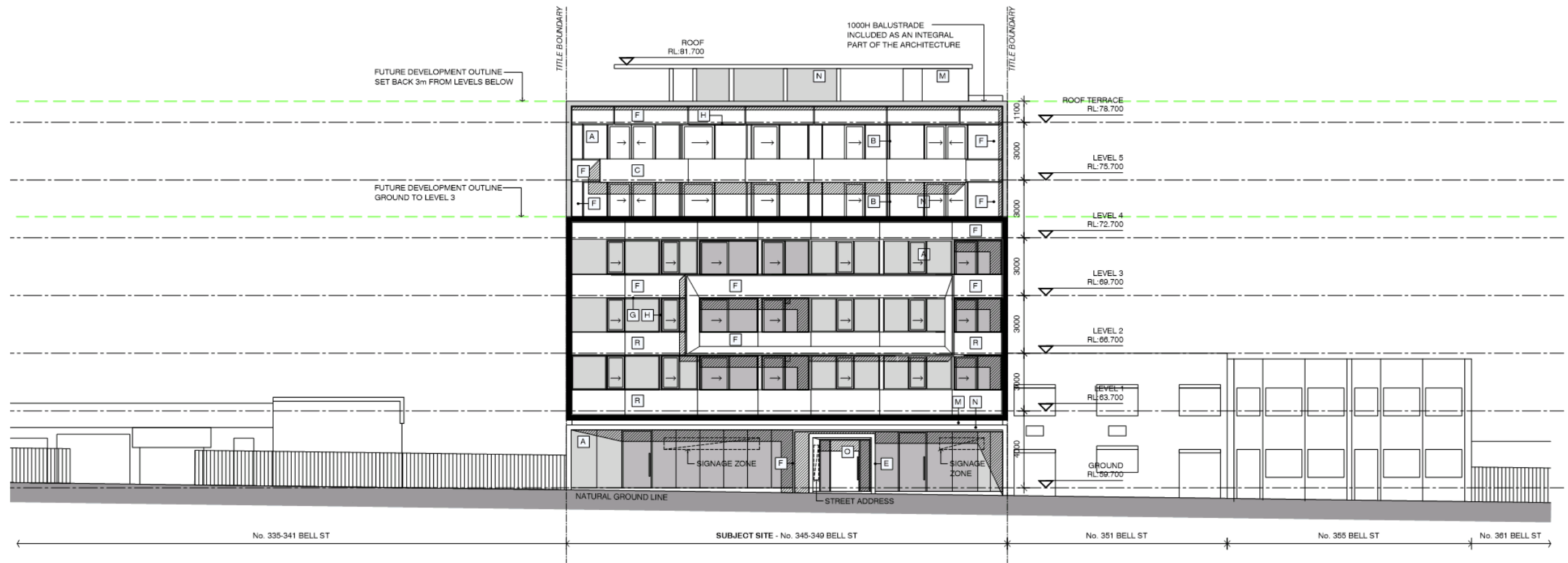
PROJECT
 MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
 TYPICAL FLOOR PLAN 103, 203, 303



ISSUE		
PLOT DATE	SCALE	DRAWN
21.01.2019	1:50	IB
PROJECT NO	DWG NO	REVISION
181903	TP18	B





EXTERNAL FINISHES:

- | | | | | | |
|------------------------------------|-----------------------------------|--|--|---------------------------------|---|
| A CLEAR GLAZING | D WHITE PERFORATED METAL | G WHITE HORIZONTAL LOUVRES | J LIGHT CONCRETE - VERTICAL RIBS | M NATURAL CONCRETE | P TIMBER REVEALS (WALLS AND SOFFITS) |
| B WHITE SPANDREL GLAZING | E WHITE G.R. CONCRETE | H WHITE ALUMINIUM WINDOW FRAMES | K DARK CONCRETE - HORIZONTAL RIBS | N DARK COLOURED CONCRETE | Q GREY METAL GATES |
| C WHITE TRANSLUCENT GLAZING | F WHITE PRE-FINISHED METAL | I BLACK ALUMINIUM WINDOW FRAMES | L DARK ORANGE PRE-FINISHED METAL | O TIMBER DOOR | R WHITE METAL PANELS |

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304/01 MURPHY ST, RICHMOND VIC 3121
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DRAWINGS NOT TO BE SCALED.

0 1 2 5M SCALE 1:200@A3 / 1:100@A1

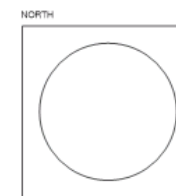
REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

LEGEND
SEE ABOVE

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

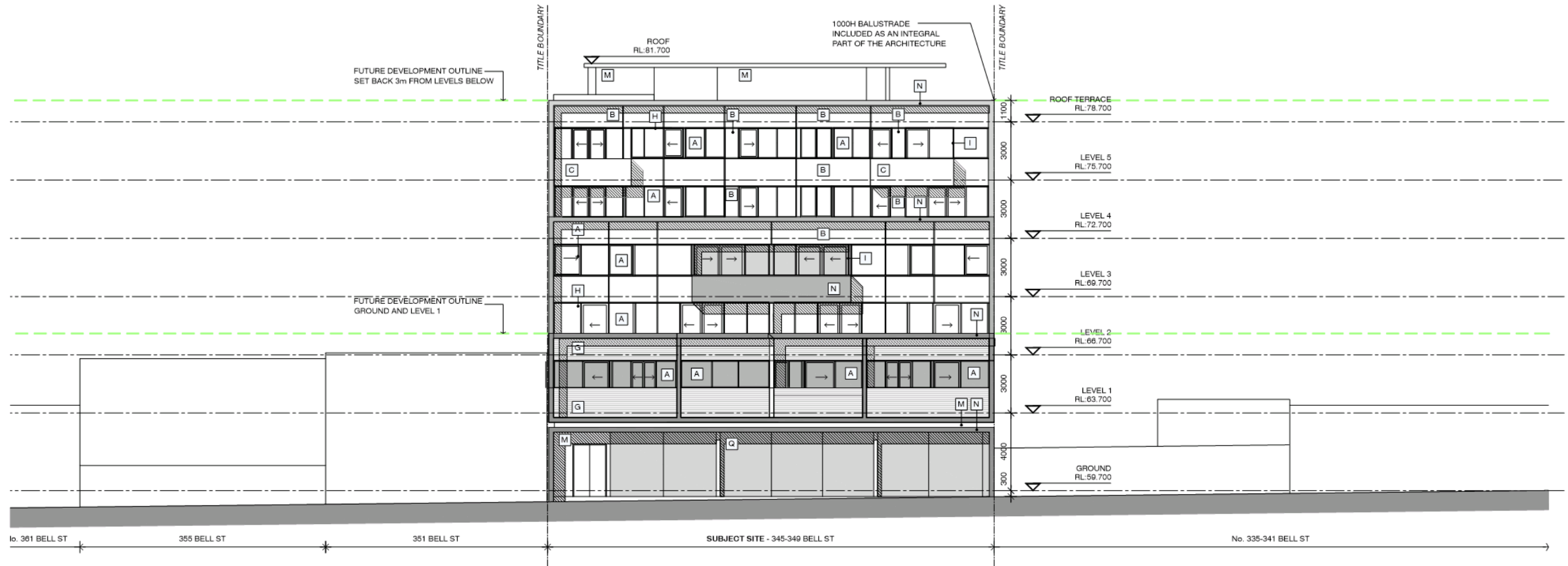
PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
NORTH ELEVATION & STREETScape
(BELL STREET)



ISSUE		
TOWN PLANNING ISSUE		
PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB
PROJECT NO	DWG NO	REVISION
181903	TP20	B





EXTERNAL FINISHES:

- | | | | | | |
|------------------------------------|-----------------------------------|--|--|---------------------------------|---|
| A CLEAR GLAZING | D WHITE PERFORATED METAL | G WHITE HORIZONTAL LOUVRES | J LIGHT CONCRETE - VERTICAL RIBS | M NATURAL CONCRETE | P TIMBER REVEALS (WALLS AND SOFFITS) |
| B WHITE SPANDREL GLAZING | E WHITE G.R. CONCRETE | H WHITE ALUMINIUM WINDOW FRAMES | K DARK CONCRETE - HORIZONTAL RIBS | N DARK COLOURED CONCRETE | Q GREY METAL GATES |
| C WHITE TRANSLUCENT GLAZING | F WHITE PRE-FINISHED METAL | I BLACK ALUMINIUM WINDOW FRAMES | L DARK ORANGE PRE-FINISHED METAL | O TIMBER DOOR | R WHITE METAL PANELS |

CACTUS ARCHITECTS
304/01 MURPHY ST. RICHMOND VIC 3121
P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

0 1 2 5M SCALE 1:200@A3 / 1:100@A1

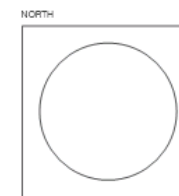
REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

LEGEND
SEE ABOVE

RECEIVED ON
 23 January 2019
 CITY OF DAREBIN
 STATUTORY PLANNING

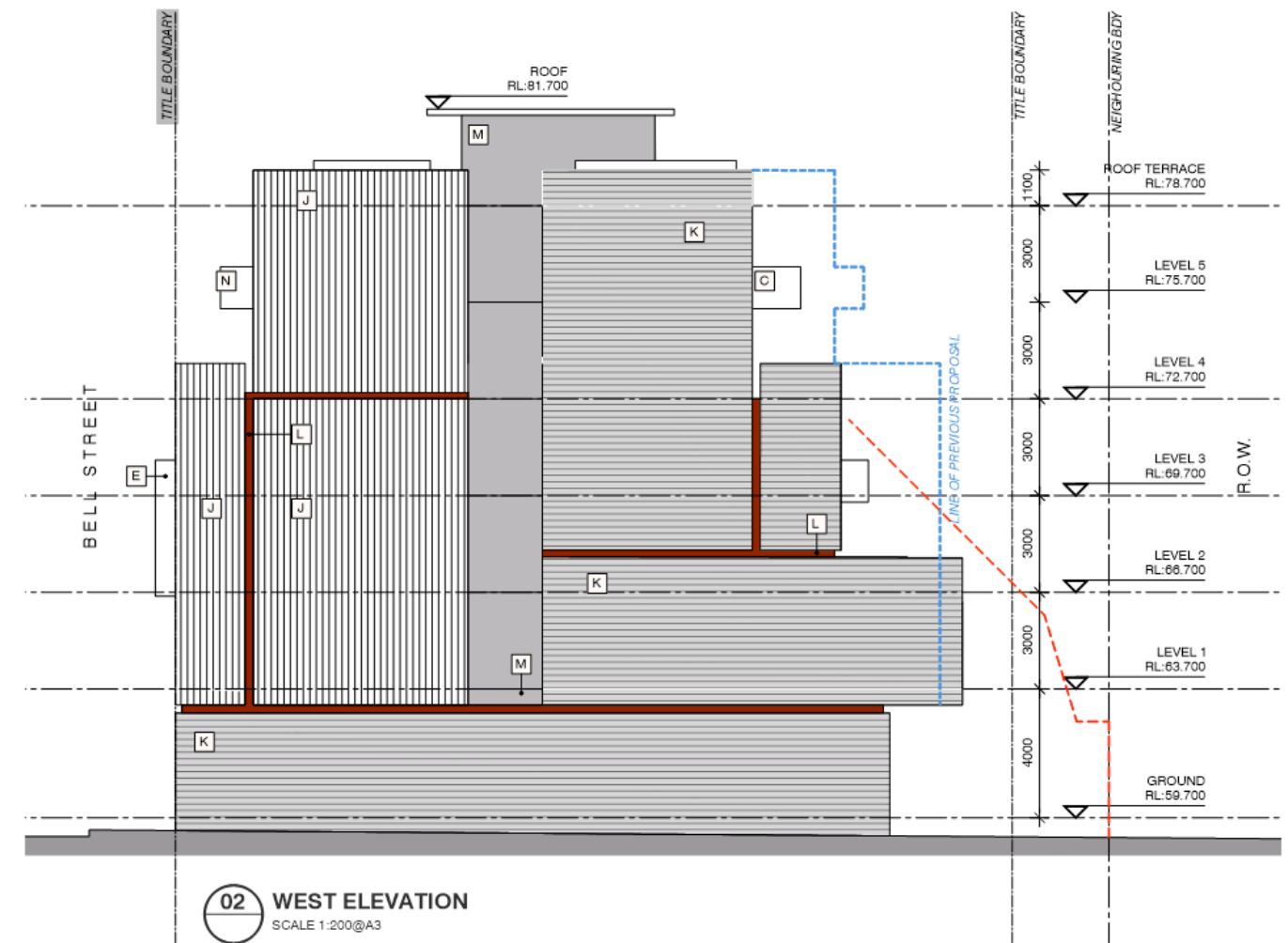
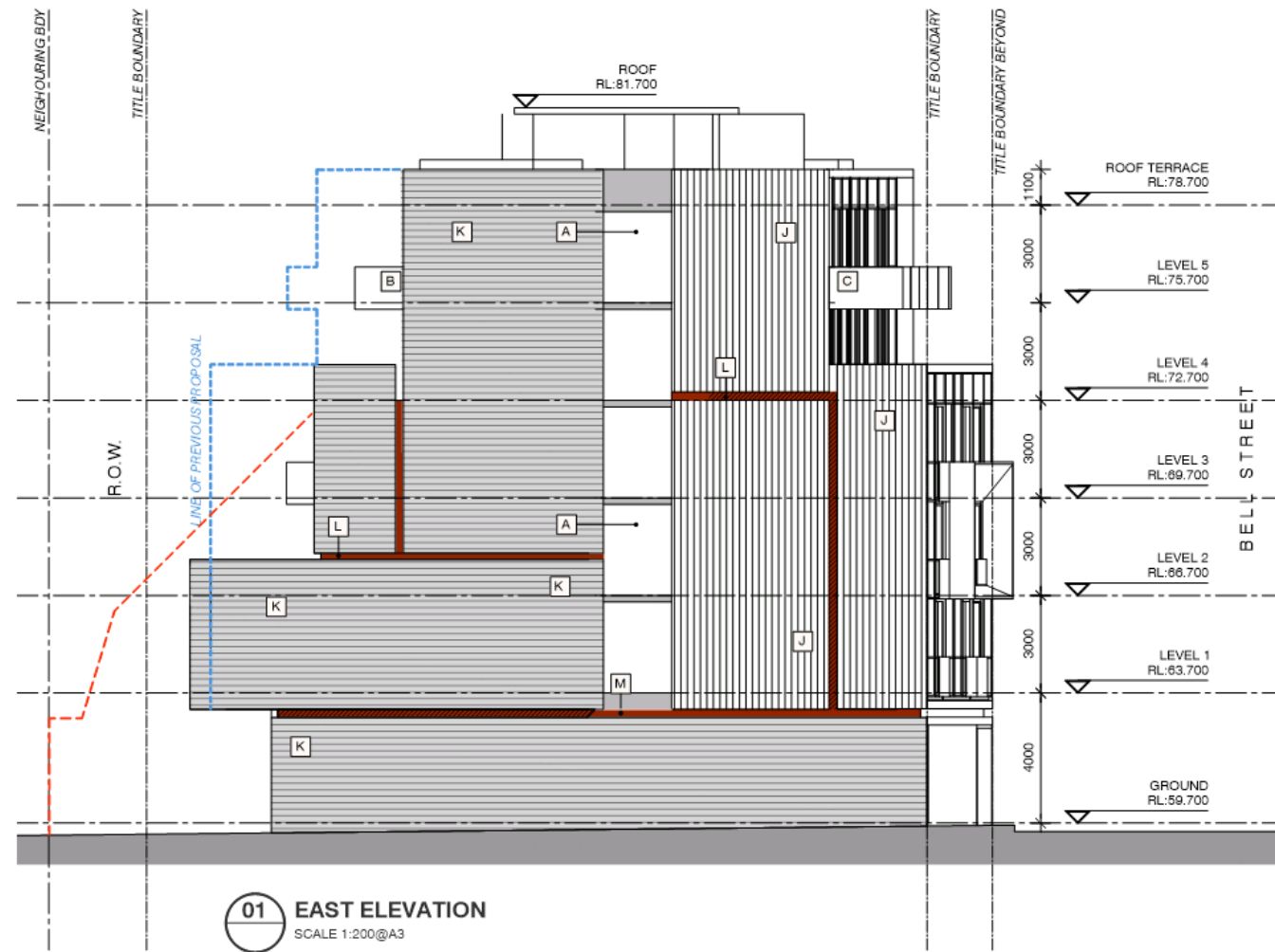
PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
SOUTH ELEVATION & STREETSCAPE
(RIGHT OF WAY)



ISSUE		
TOWN PLANNING ISSUE		
PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB
PROJECT NO	DWG NO	REVISION
181903	TP21	B





EXTERNAL FINISHES:

- | | | | | | |
|-----------------------------|----------------------------|---------------------------------|-----------------------------------|--------------------------|--------------------------------------|
| A CLEAR GLAZING | D WHITE PERFORATED METAL | G WHITE HORIZONTAL LOUVRES | J LIGHT CONCRETE - VERTICAL RIBS | M NATURAL CONCRETE | P TIMBER REVEALS (WALLS AND SOFFITS) |
| B WHITE SPANDREL GLAZING | E WHITE G.R. CONCRETE | H WHITE ALUMINIUM WINDOW FRAMES | K DARK CONCRETE - HORIZONTAL RIBS | N DARK COLOURED CONCRETE | Q GREY METAL GATES |
| C WHITE TRANSLUCENT GLAZING | F WHITE PRE-FINISHED METAL | I BLACK ALUMINIUM WINDOW FRAMES | L DARK ORANGE PRE-FINISHED METAL | O TIMBER DOOR | R WHITE METAL PANELS |

CACTUS ARCHITECTS
304/01 MURPHY ST, RICHMOND VIC 3121
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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

0 1 2 5M SCALE 1:200@A3 / 1:100@A1

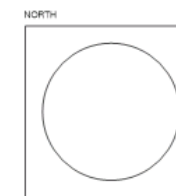
REV	DATE	DESCRIPTION	D/WN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

LEGEND
SEE ABOVE

RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING

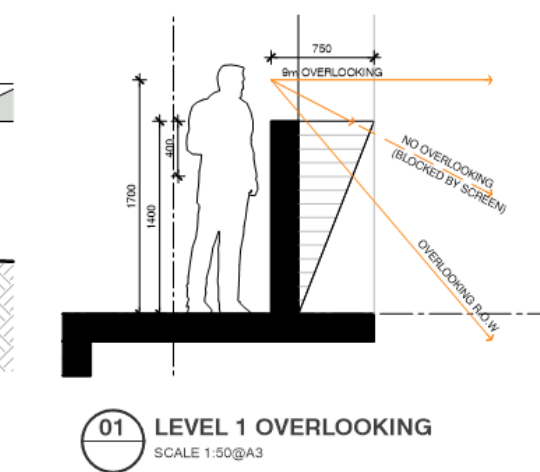
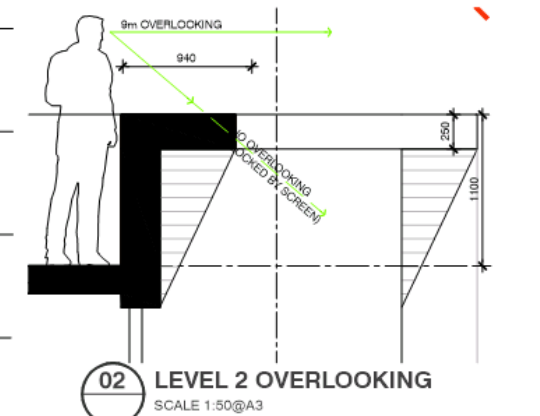
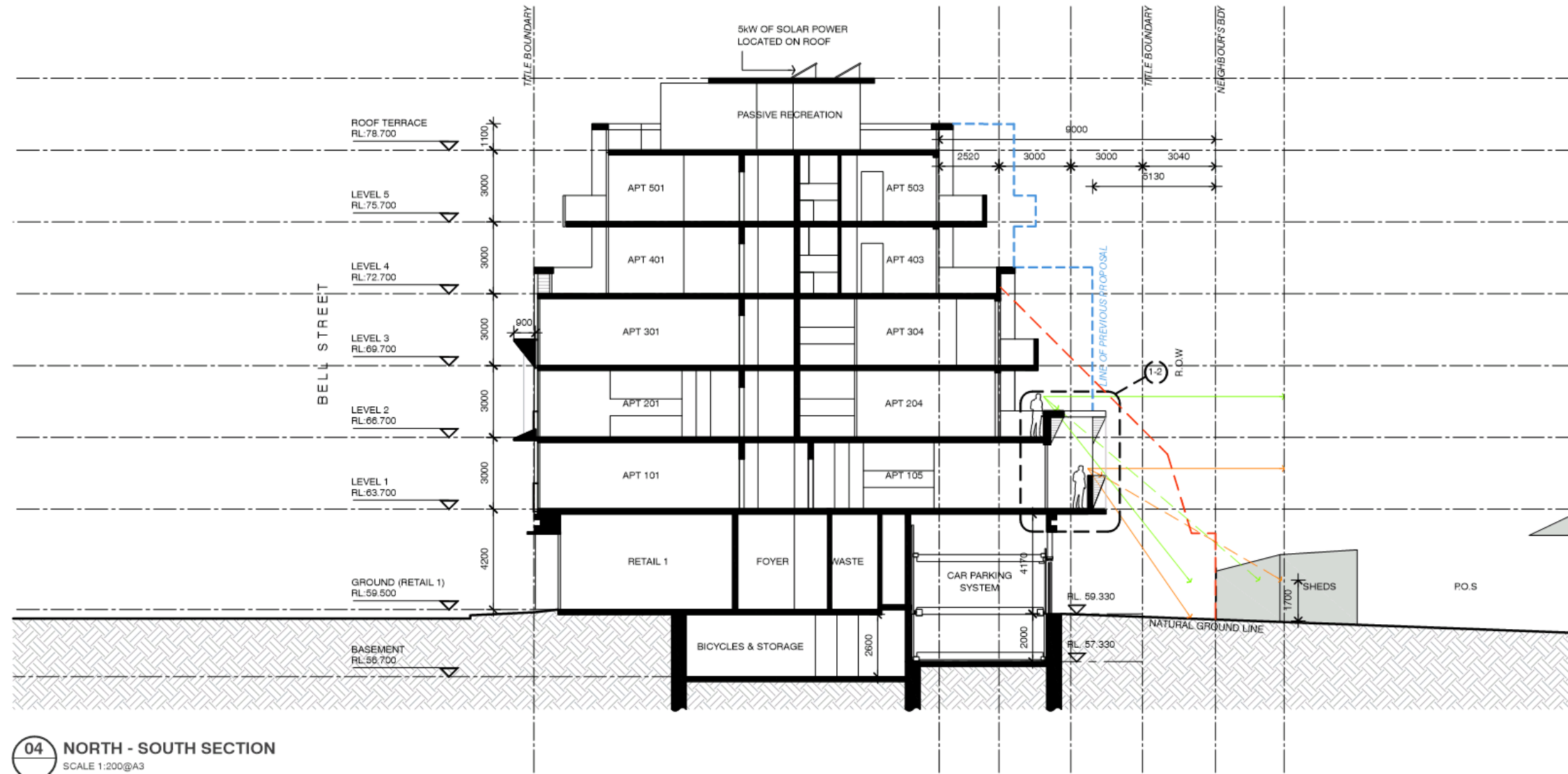
PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
EAST ELEVATION & WEST ELEVATION



ISSUE		
TOWN PLANNING ISSUE		
PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB
PROJECT NO	DWG NO	REVISION
181903	TP22	B





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304/91 MURPHY ST, RICHMOND VIC 3121
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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

0 1 2 5M SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

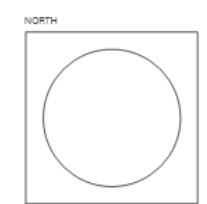
LEGEND

- LEVEL 1 OVERLOOKING / SCREENING
- LEVEL 2 OVERLOOKING / SCREENING

RECEIVED
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
SECTION & OVERLOOKING DIAGRAMS

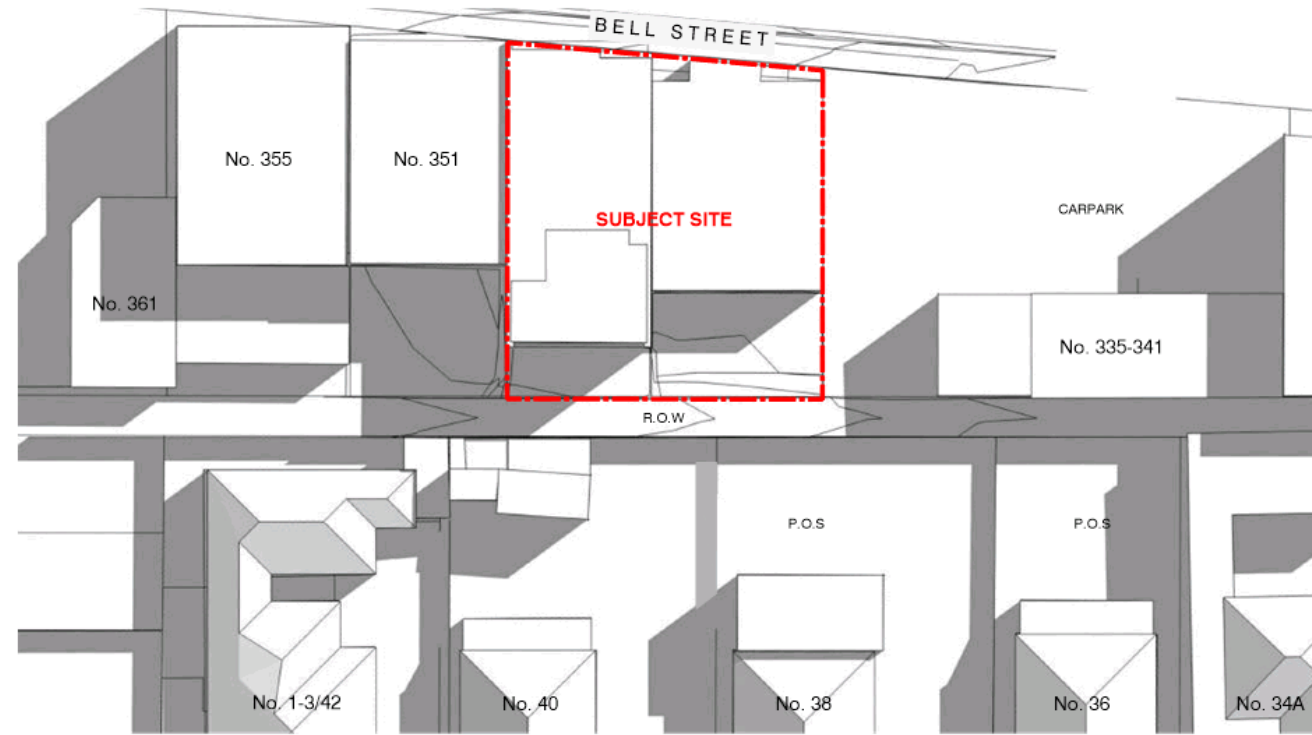


ISSUE
TOWN PLANNING ISSUE

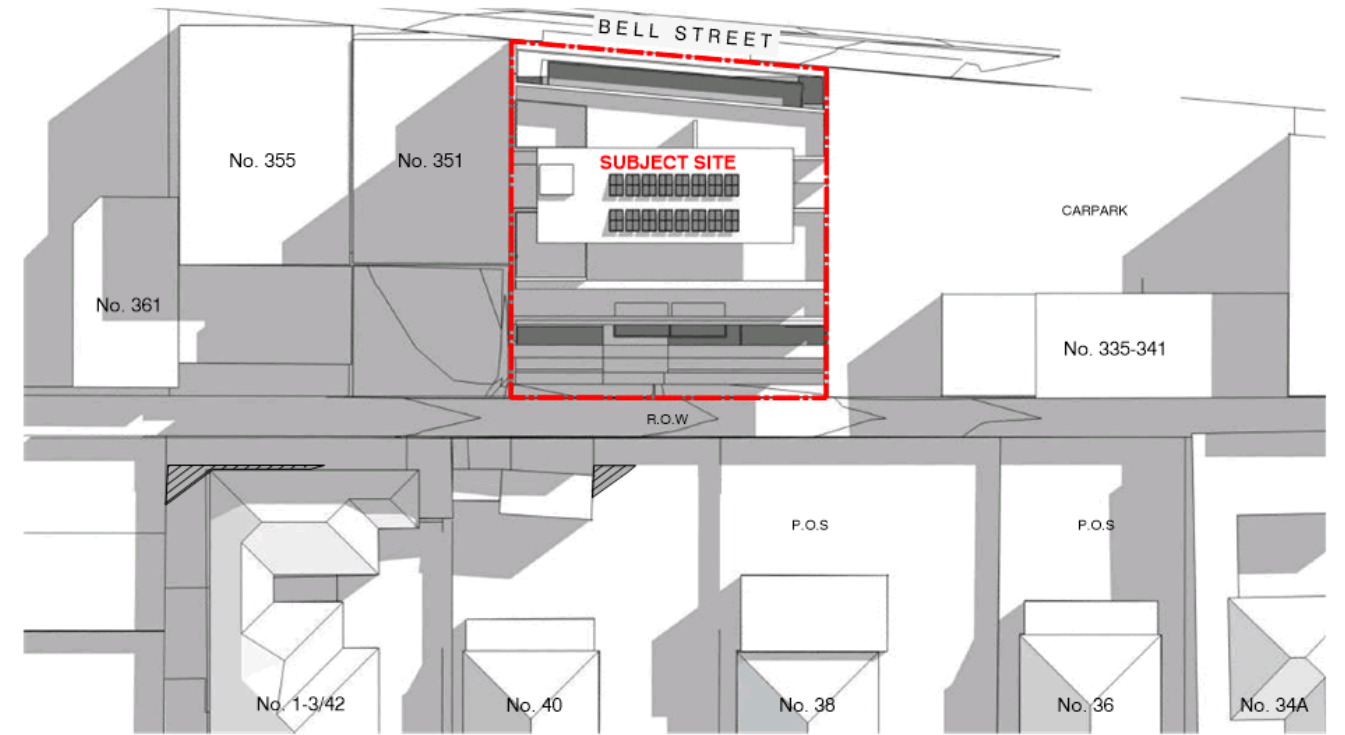
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PROJECT NO	DIWG NO	REVISION
181903	TP30	B

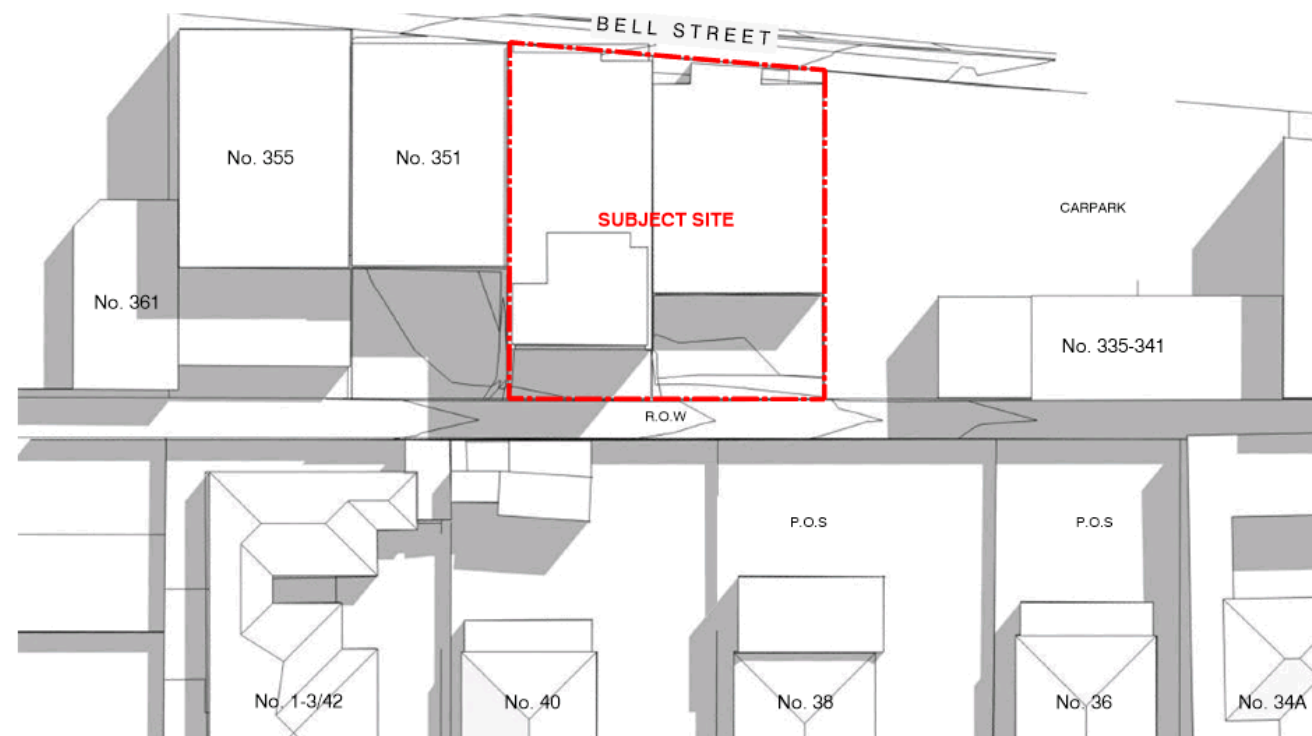




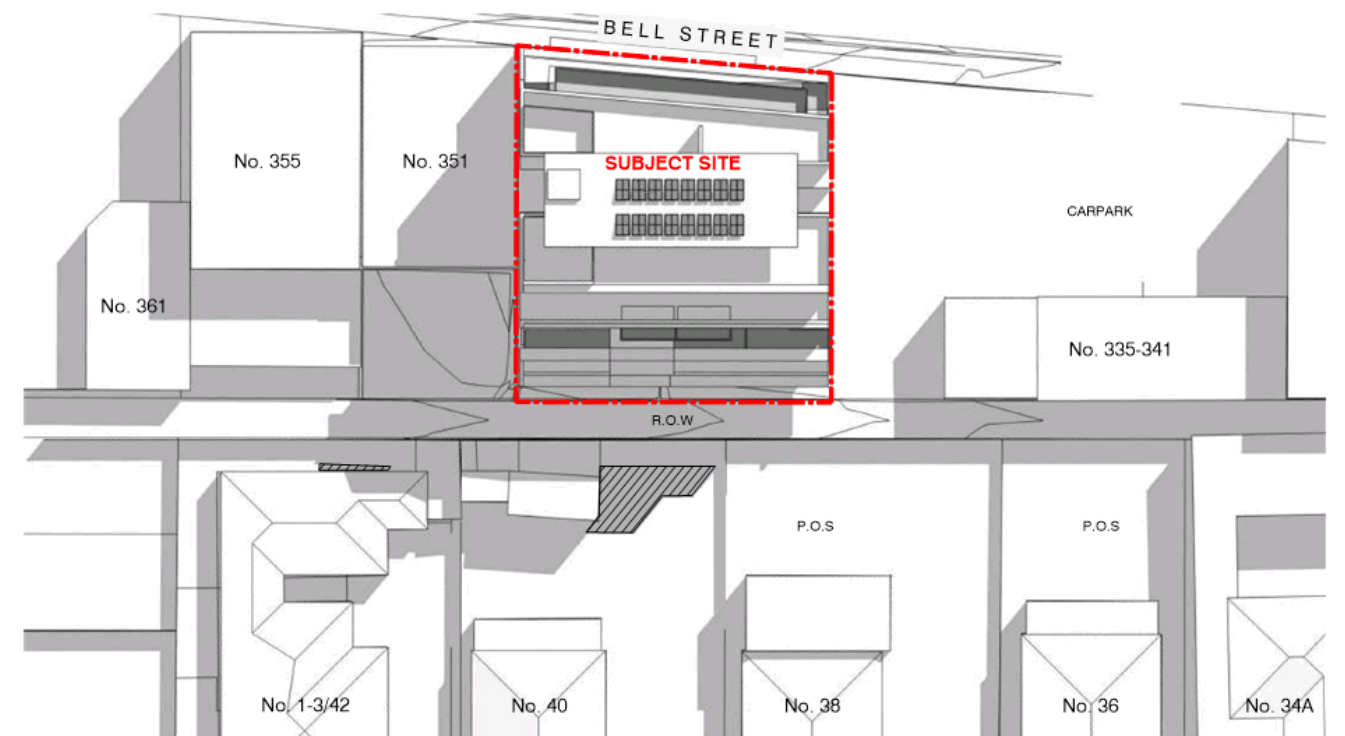
01 EXISTING SHADOWS - SEPTEMBER 22 9AM
SCALE 1:500@A3



02 PROPOSED SHADOWS - SEPTEMBER 22 9AM
SCALE 1:500@A3



03 EXISTING SHADOWS - SEPTEMBER 22 10AM
SCALE 1:500@A3



04 PROPOSED SHADOWS - SEPTEMBER 22 10AM
SCALE 1:500@A3

CACTUS ARCHITECTS
304/01 MURPHY ST, RICHMOND VIC 3121
P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
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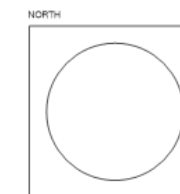
LEGEND

- EXISTING SHADOWS
- PROPOSED ADDITIONAL SHADOWS TO PROPERTIES

RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
SHADOW DIAGRAMS
9AM & 10AM



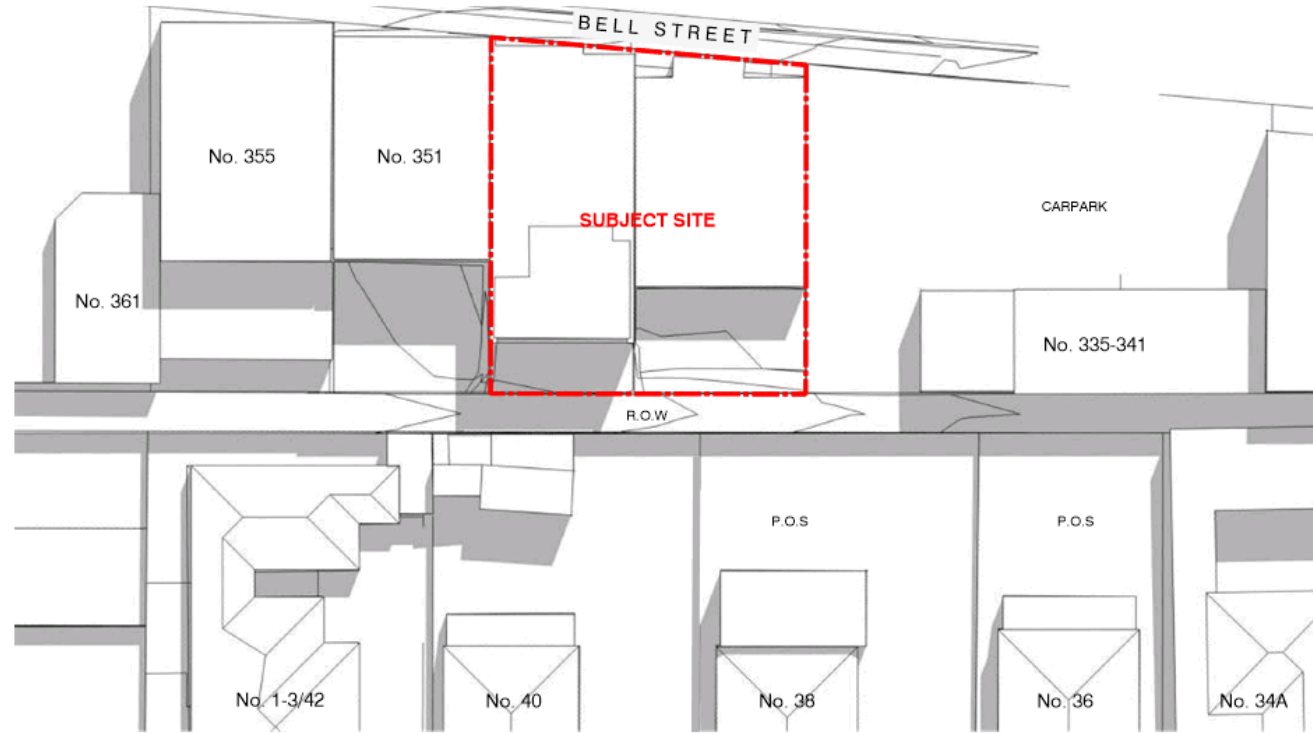
ISSUE

TOWN PLANNING ISSUE

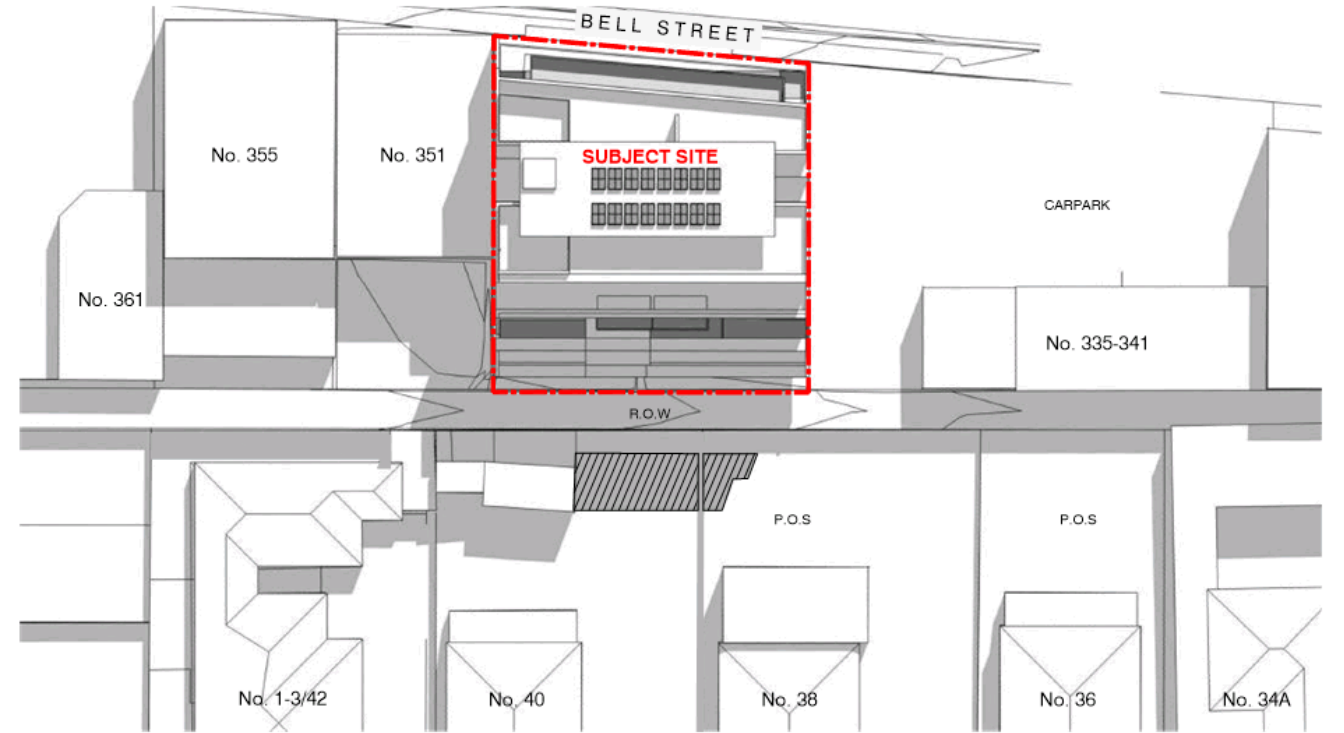
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PROJECT NO	DWG NO	REVISION
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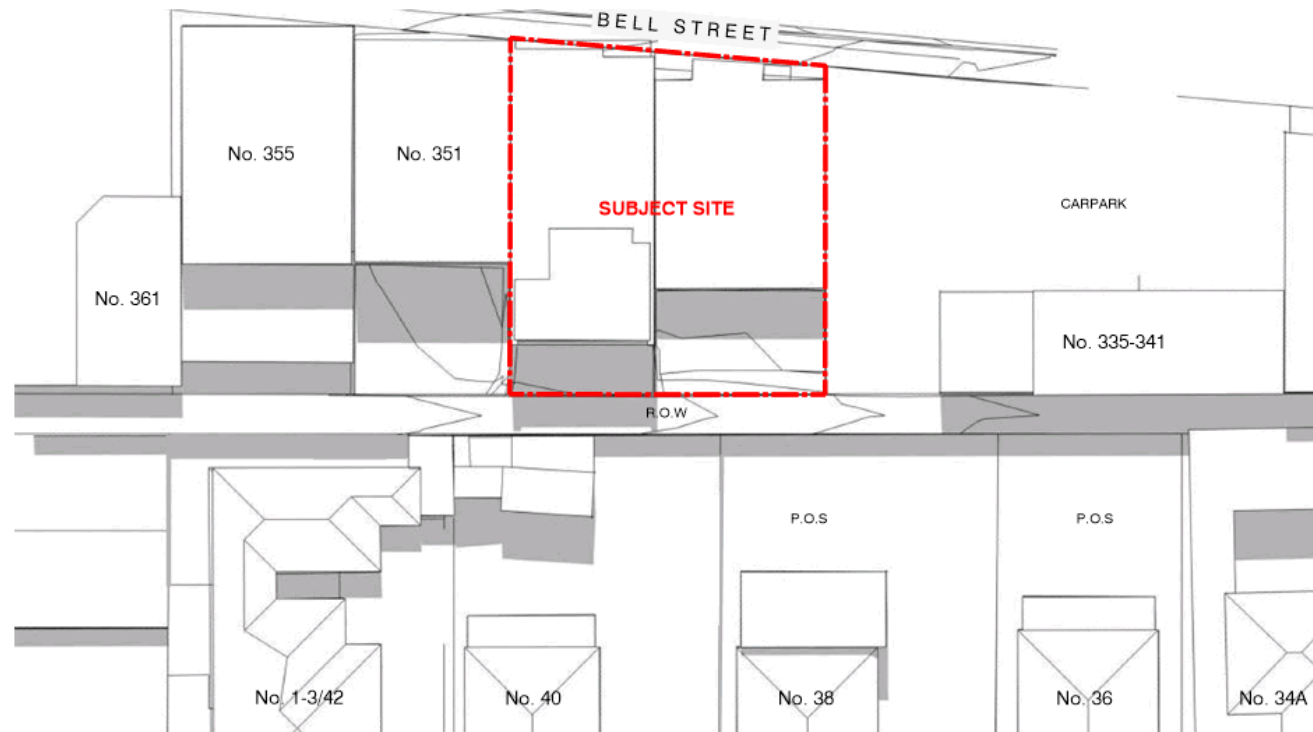




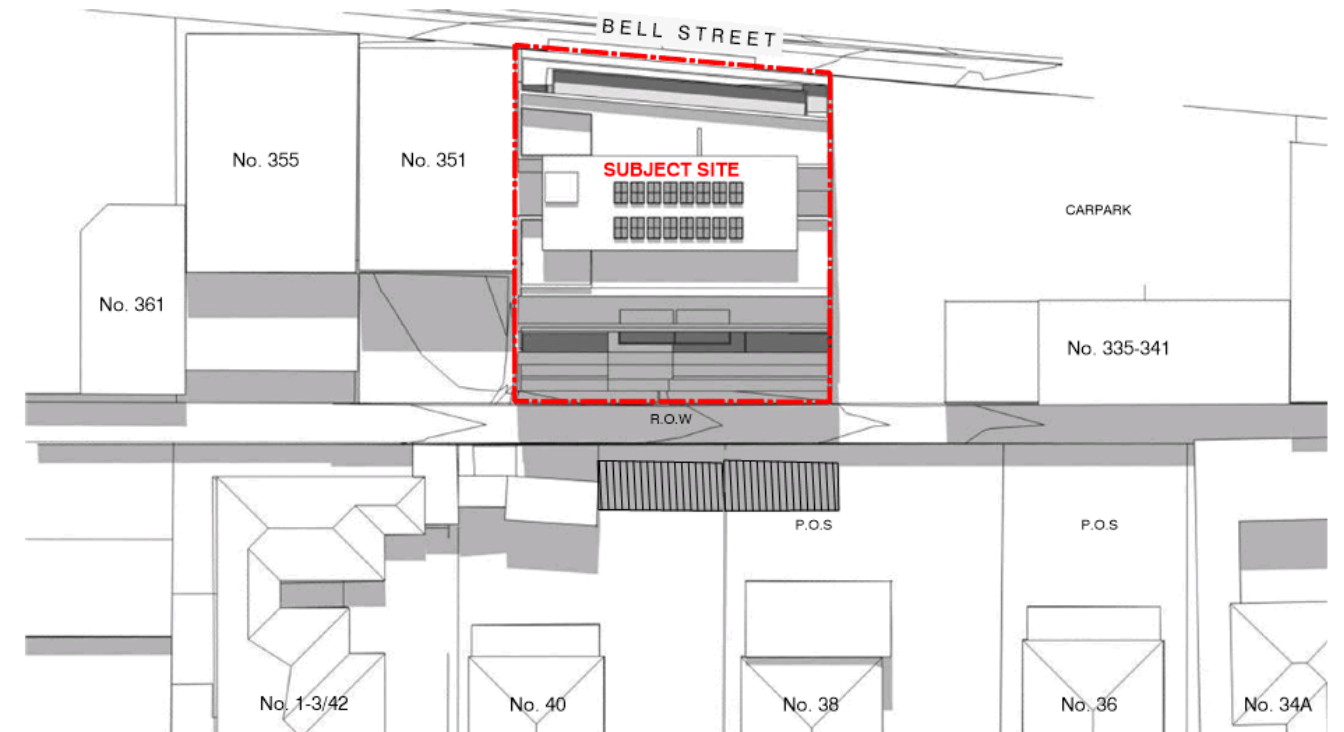
01 EXISTING SHADOWS - SEPTEMBER 22 11AM
SCALE 1:500@A3



02 PROPOSED SHADOWS - SEPTEMBER 22 11AM
SCALE 1:500@A3



03 EXISTING SHADOWS - SEPTEMBER 22 12PM
SCALE 1:500@A3



04 PROPOSED SHADOWS - SEPTEMBER 22 12PM
SCALE 1:500@A3

CACTUS ARCHITECTS
304/01 MURPHY ST, RICHMOND VIC 3121
P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

0 5 10 30M
SCALE 1:500@A3, 1:250@A1

REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

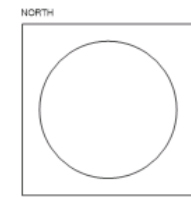
LEGEND

- EXISTING SHADOWS
- PROPOSED ADDITIONAL SHADOWS TO PROPERTIES

RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
SHADOW DIAGRAMS
11AM & 12PM

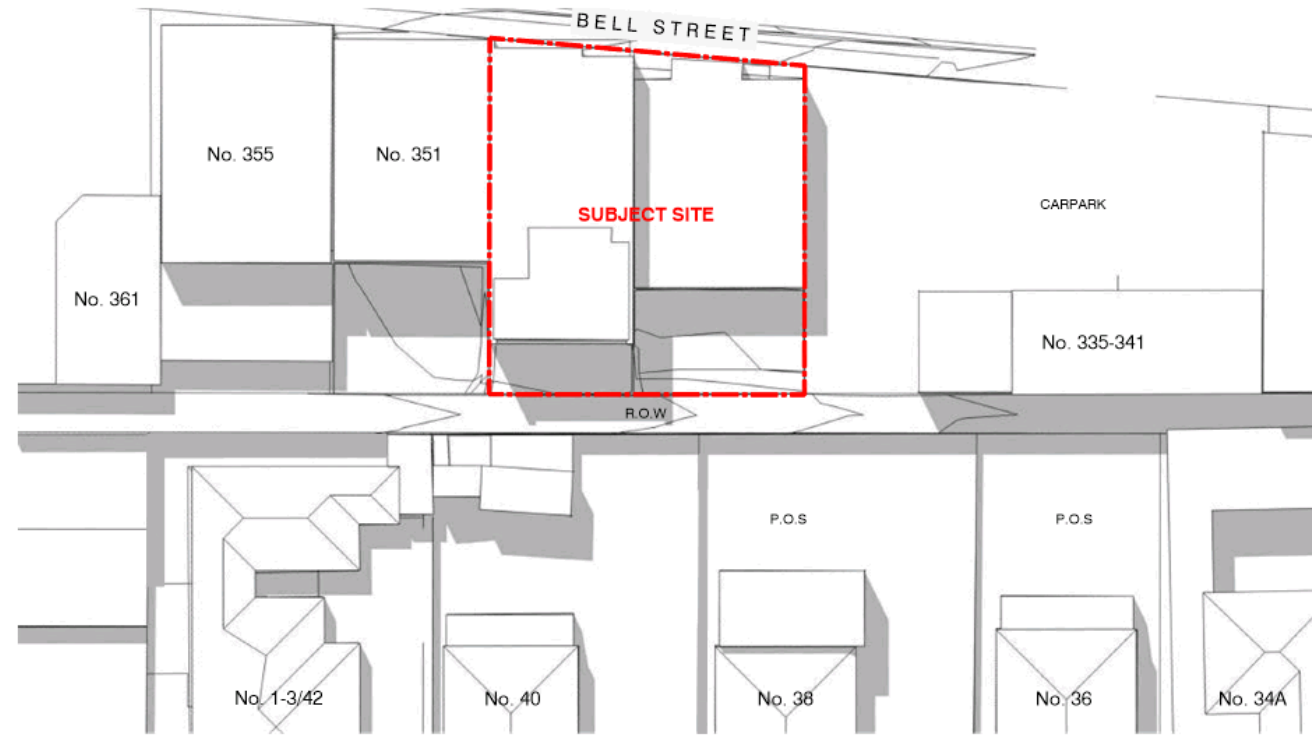


ISSUE
TOWN PLANNING ISSUE

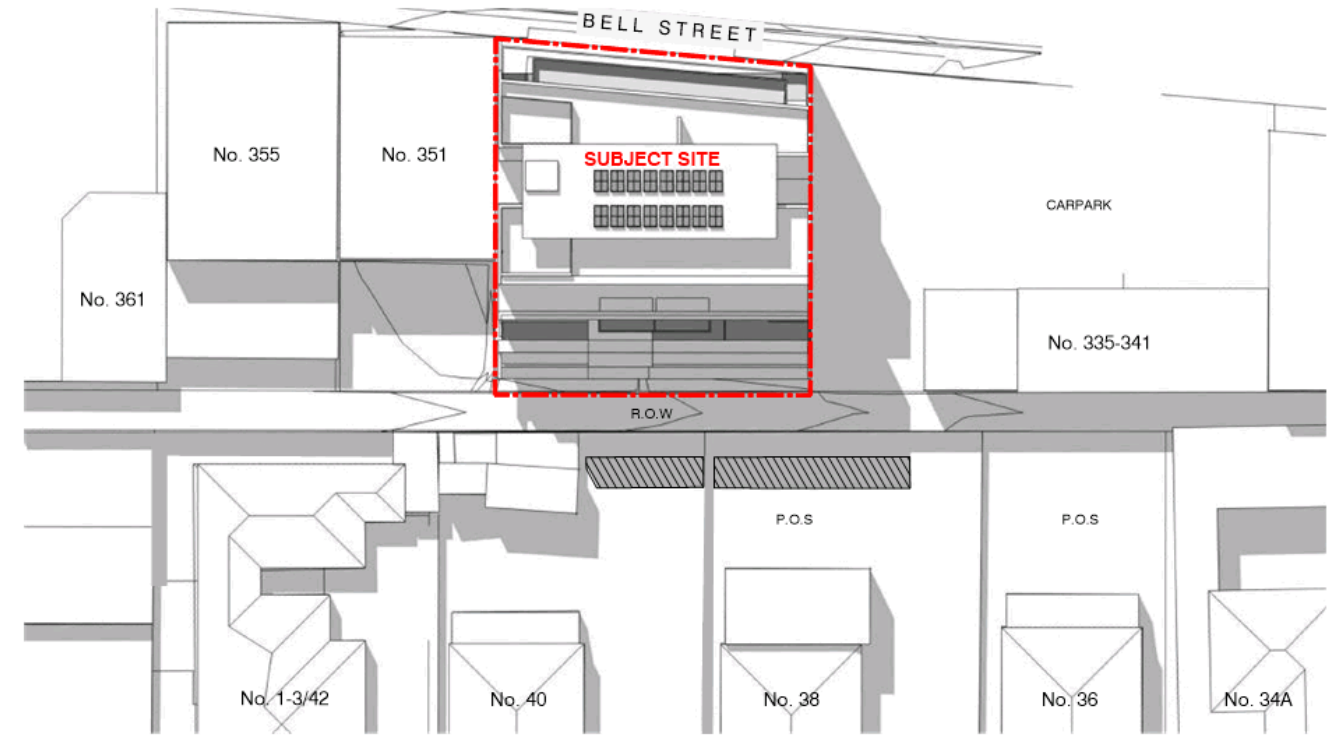
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PROJECT NO	DWG NO	REVISION
181903	TP41	B

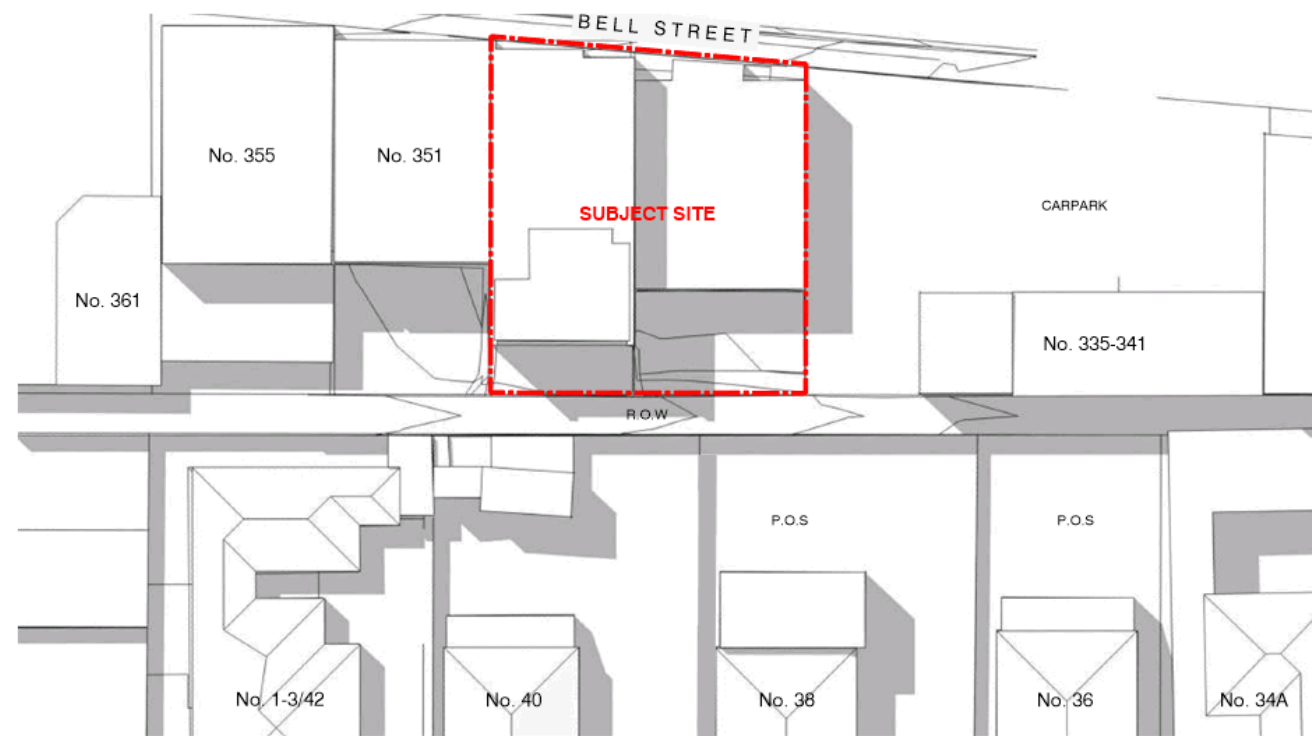




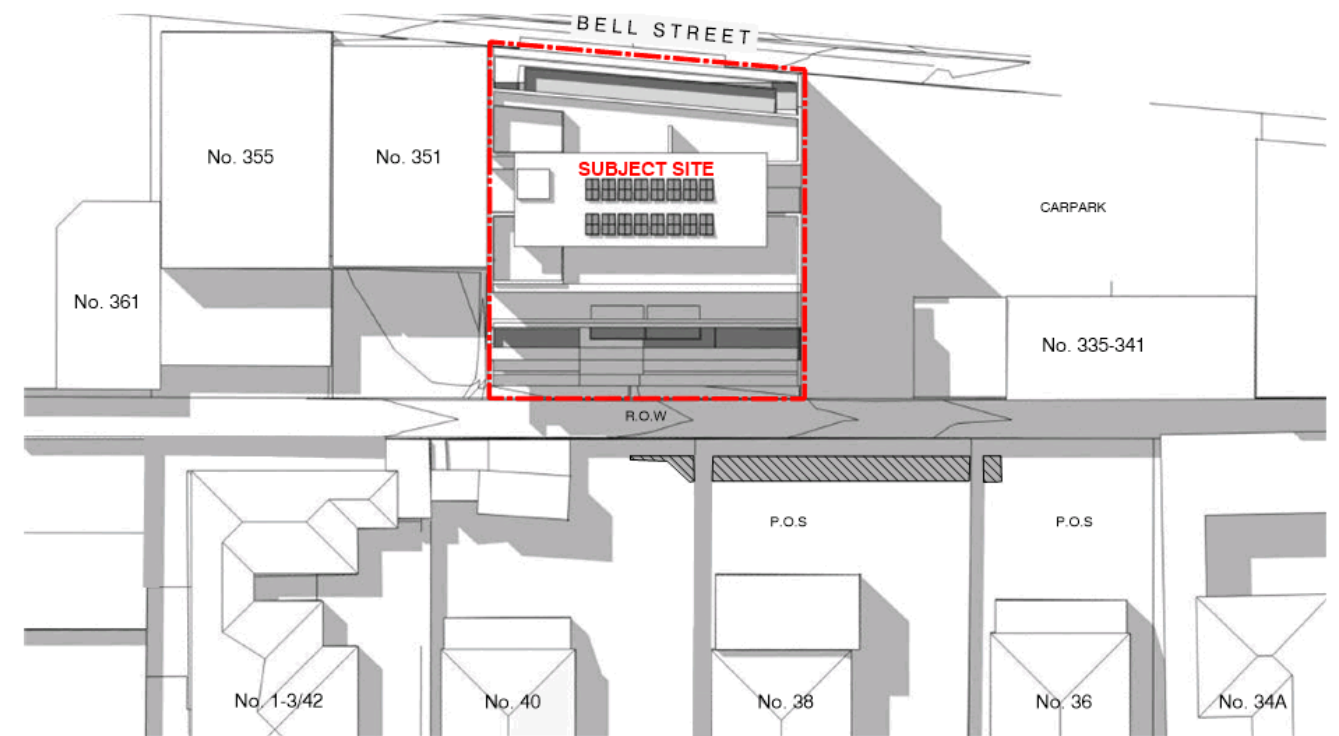
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SCALE 1:500@A3



02 PROPOSED SHADOWS - SEPTEMBER 22 1PM
SCALE 1:500@A3



03 EXISTING SHADOWS - SEPTEMBER 22 2PM
SCALE 1:500@A3



04 PROPOSED SHADOWS - SEPTEMBER 22 2PM
SCALE 1:500@A3

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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

0 5 10 30M
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B	21.01.19	RESPONSE TO COUNCIL RFI	IB

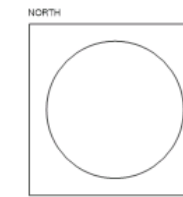
LEGEND

- EXISTING SHADOWS
- PROPOSED ADDITIONAL SHADOWS TO PROPERTIES

RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
SHADOW DIAGRAMS
1PM & 2PM



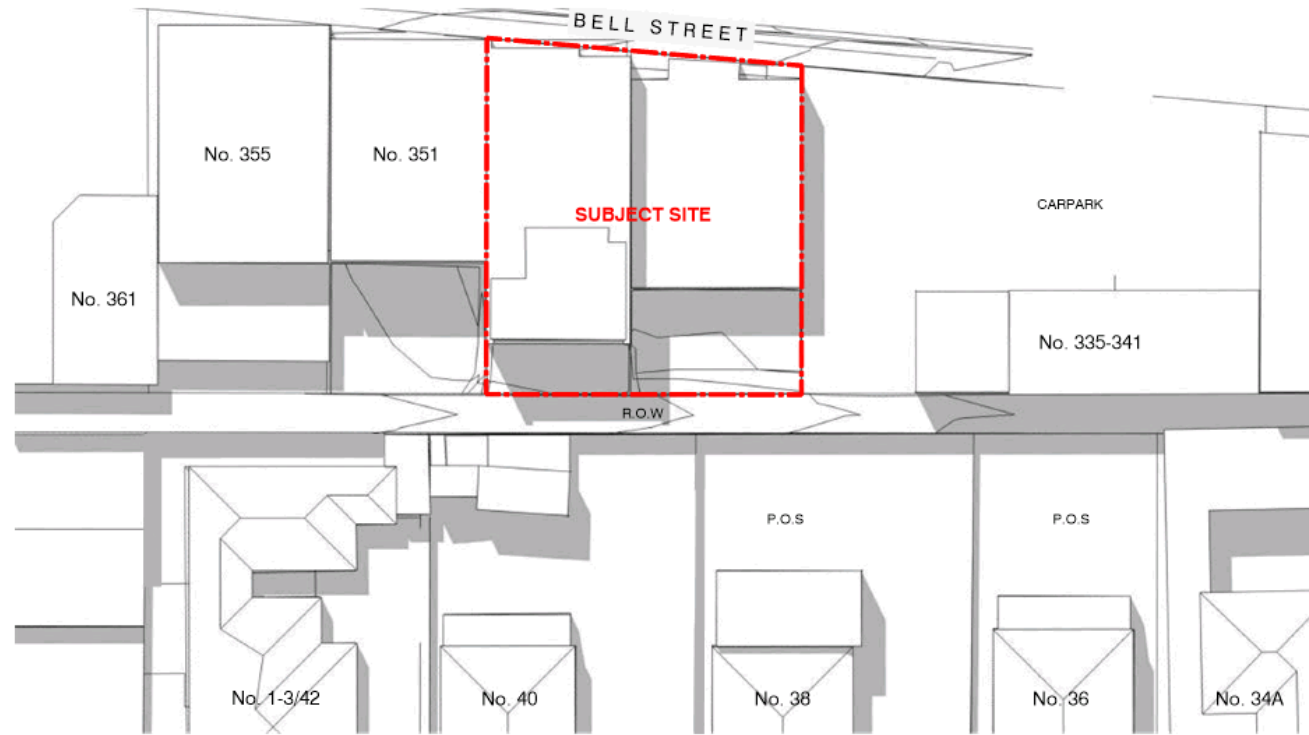
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TOWN PLANNING ISSUE

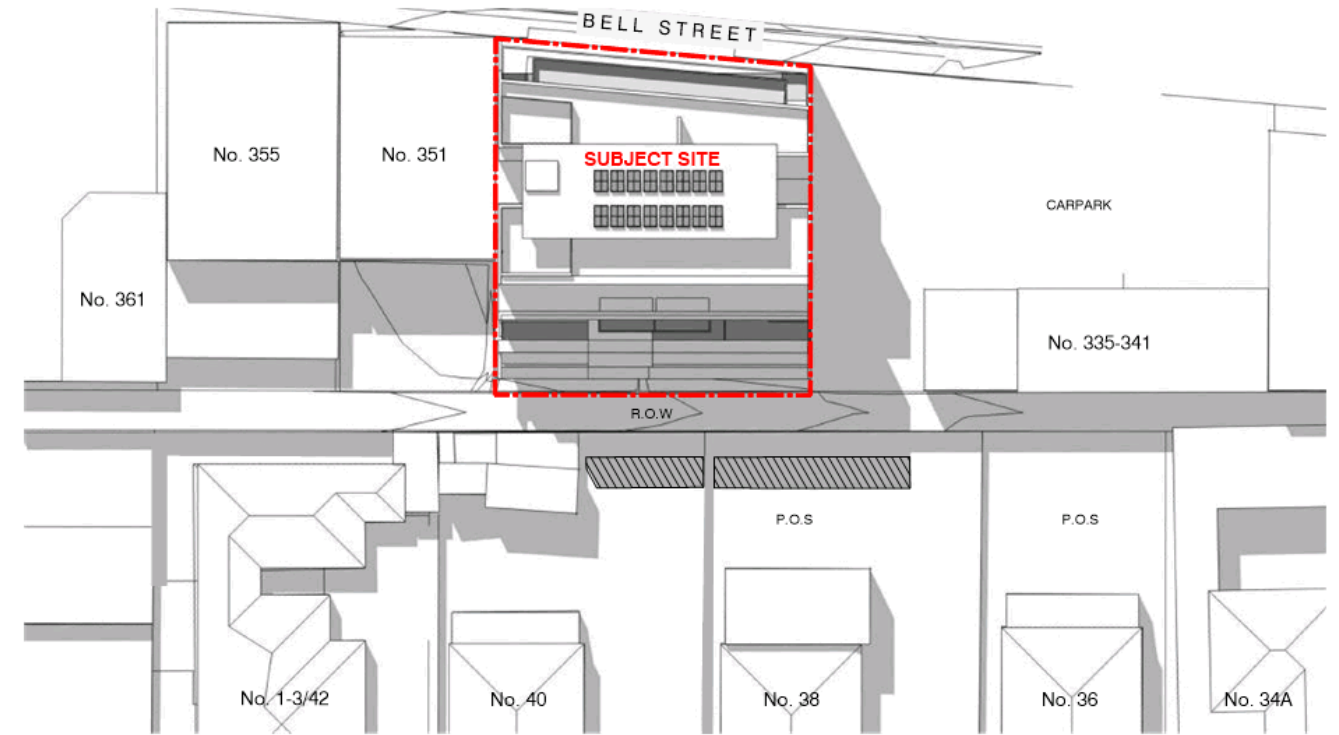
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PROJECT NO	DWG NO	REVISION
181903	TP42	B

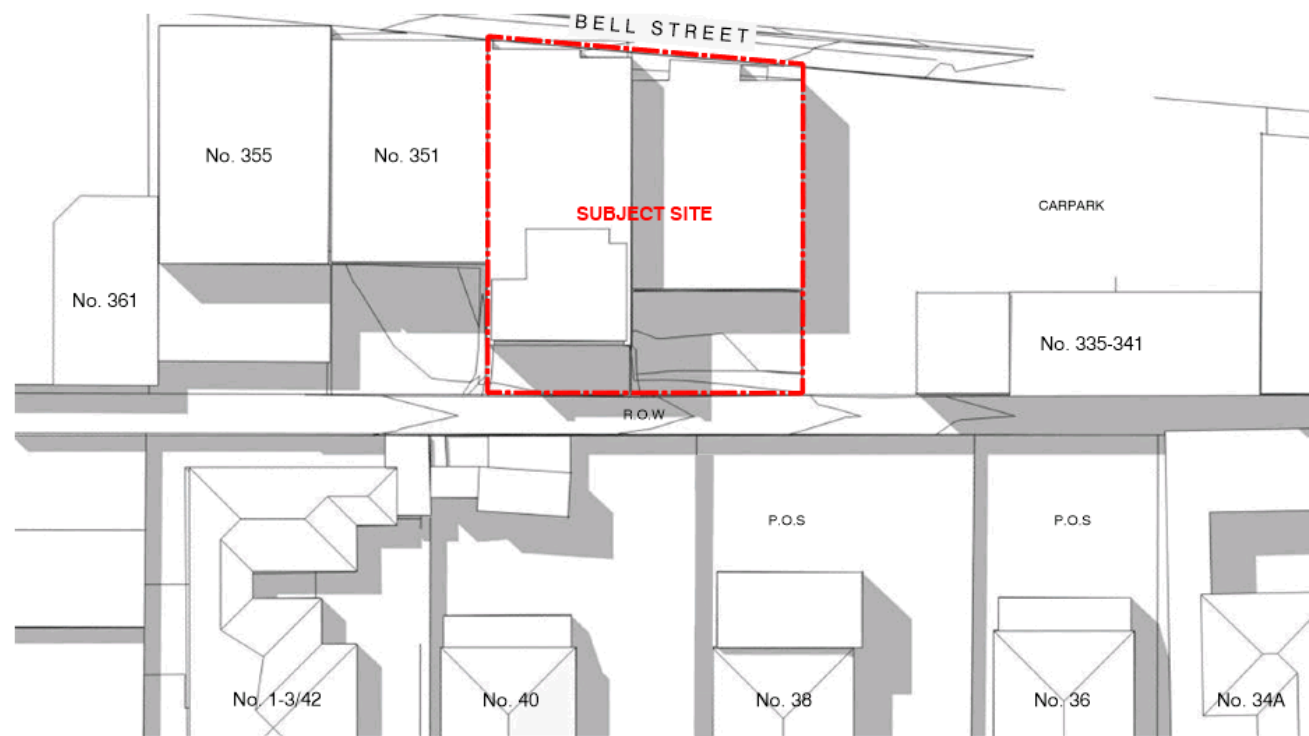




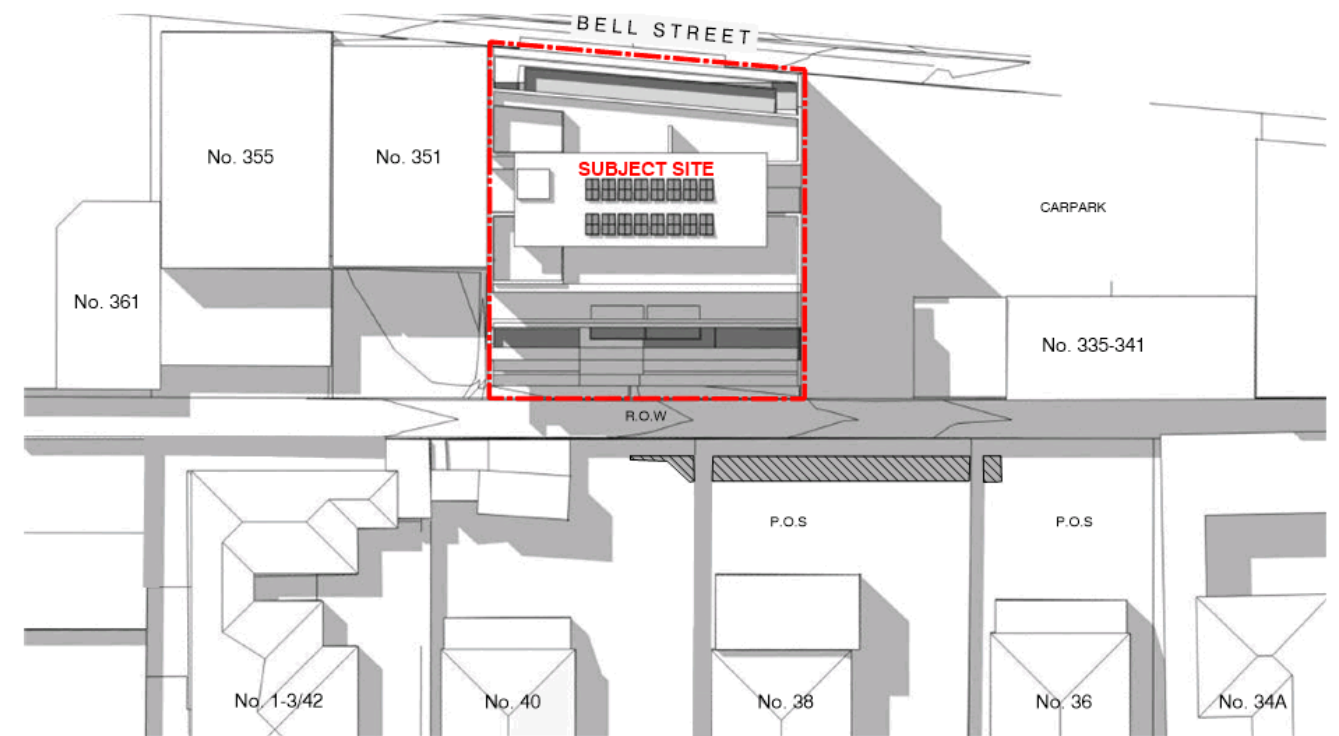
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SCALE 1:500@A3



02 PROPOSED SHADOWS - SEPTEMBER 22 1PM
SCALE 1:500@A3



03 EXISTING SHADOWS - SEPTEMBER 22 2PM
SCALE 1:500@A3



04 PROPOSED SHADOWS - SEPTEMBER 22 2PM
SCALE 1:500@A3

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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

0 5 10 30M
SCALE 1:500@A3, 1:250@A1

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B	21.01.19	RESPONSE TO COUNCIL RFI	IB

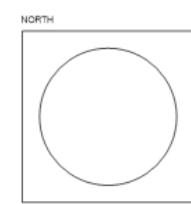
LEGEND

- EXISTING SHADOWS
- PROPOSED ADDITIONAL SHADOWS TO PROPERTIES

RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
SHADOW DIAGRAMS
3PM



ISSUE

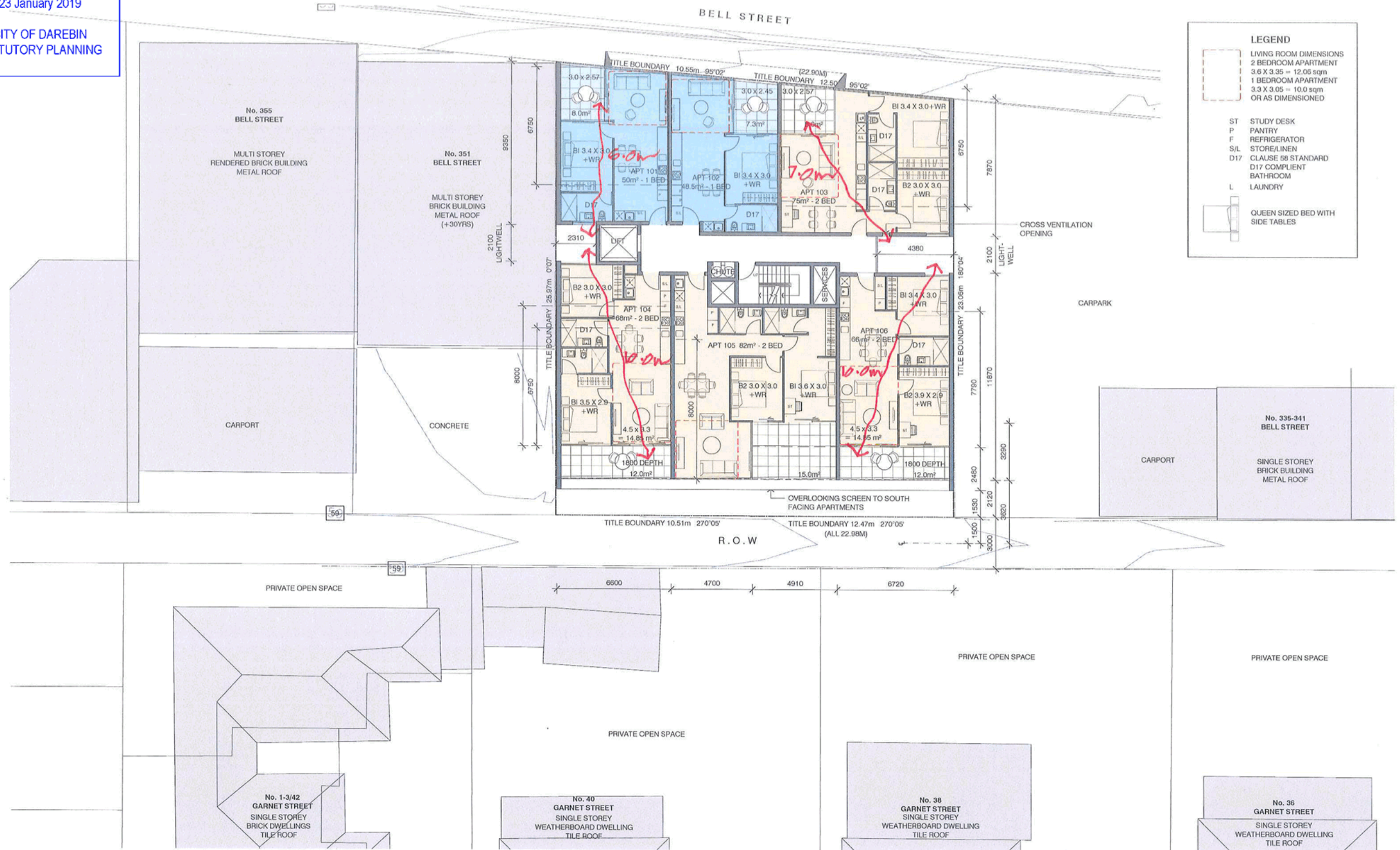
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PLOT DATE	SCALE	DRAWN
21.01.2019	1:500	IB

PROJECT NO	DWG NO	REVISION
181903	TP43	B



RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING



LEGEND

- LIVING ROOM DIMENSIONS
- 2 BEDROOM APARTMENT
- 3.6 X 3.35 = 12.06 sqm
- 1 BEDROOM APARTMENT
- 3.3 X 3.05 = 10.0 sqm
- OR AS DIMENSIONED

- ST STUDY DESK
- P PANTRY
- F REFRIGERATOR
- S/L STORE/LINEN
- D17 CLAUSE 59 STANDARD
- D17 COMPLIANT BATHROOM
- L LAUNDRY

QUEEN SIZED BED WITH SIDE TABLES

CLAUSE 59 STANDARD D27 VENTILATION PATHS

CACTUS ARCHITECTS
304/91 MURPHY ST, RICHMOND VIC 3121
P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

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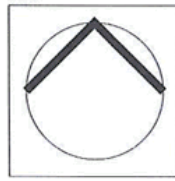
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B	21.01.19	RESPONSE TO COUNCIL RFI	IB

LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
LEVEL 1 PLAN



ISSUE

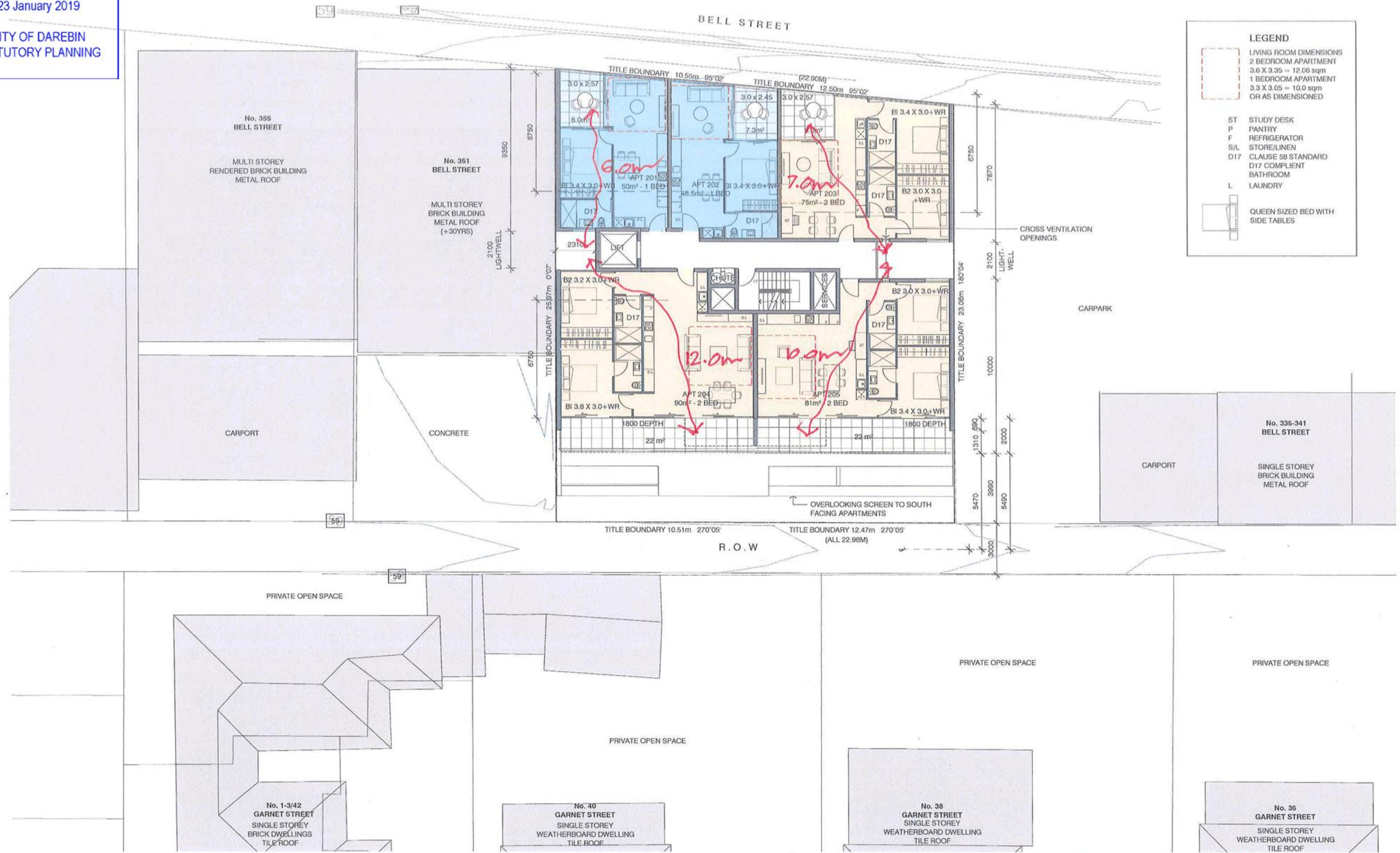
TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB

PROJECT NO	DWG NO	REVISION
181903	TP12	B



RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING



LEGEND

LIVING ROOM DIMENSIONS
2 BEDROOM APARTMENT
3.6 X 3.35 = 12.06 sqm
1 BEDROOM APARTMENT
3.3 X 3.05 = 10.0 sqm
OR AS DIMENSIONED

ST STUDY DESK
P PANTRY
F REFRIGERATOR
S/L STORE/LINEN
D17 CLAUSE 59 STANDARD
D17 COMPLIANT
BATHROOM
L LAUNDRY

QUEEN SIZED BED WITH
SIDE TABLES

CLAUSE 59 STANDARD D27 VENTILATION PATHS

CACTUS ARCHITECTS
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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

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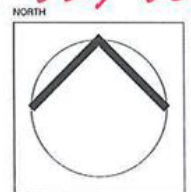
REV	DATE	DESCRIPTION	DW
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
LEVEL 2 PLAN

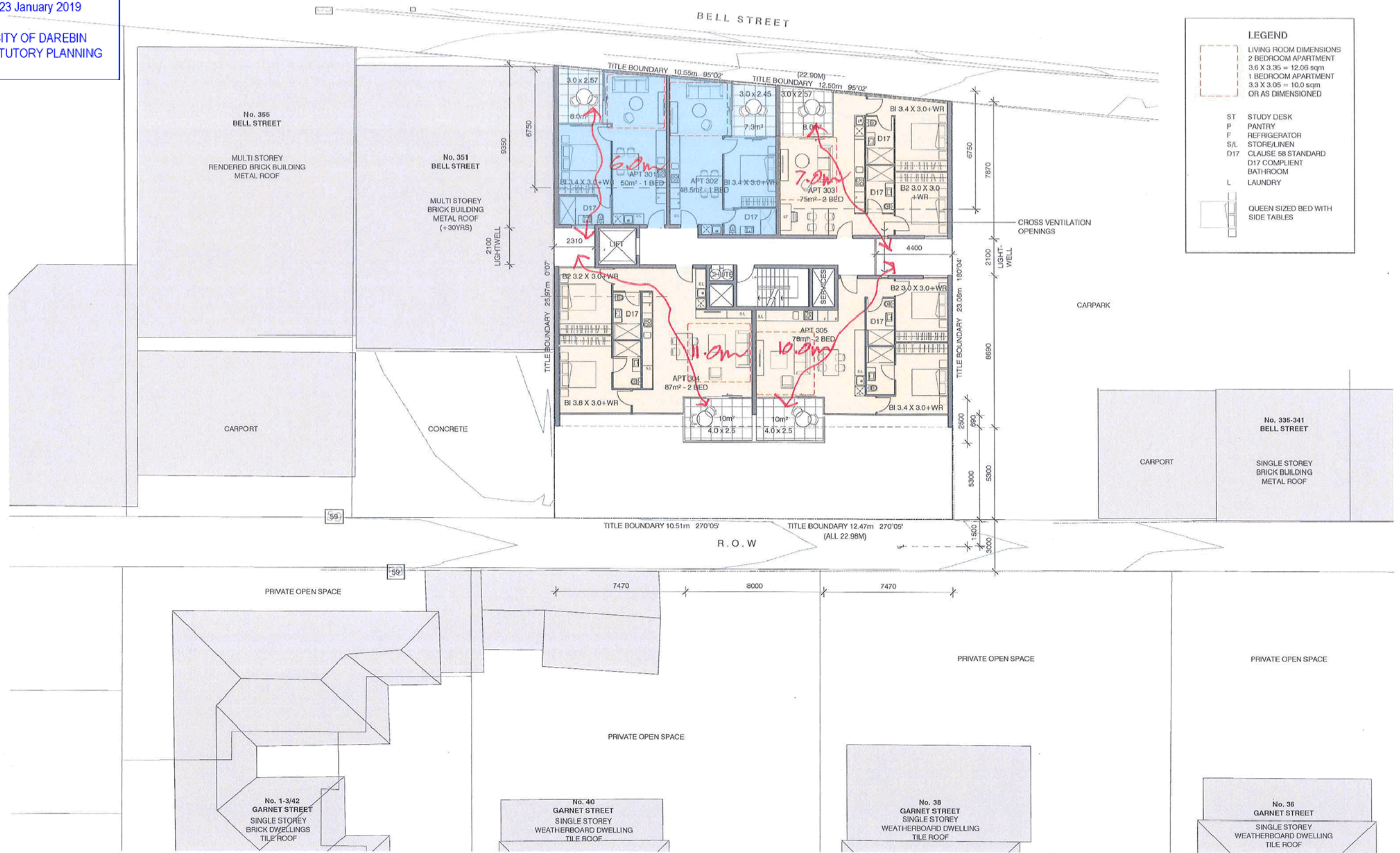


ISSUE
TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB
PROJECT NO	DWG NO	REVISION
181903	TP13	B



RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING



LEGEND

LIVING ROOM DIMENSIONS
 3.6 X 3.35 = 12.06 sqm
 1 BEDROOM APARTMENT
 3.3 X 3.05 = 10.0 sqm
 OR AS DIMENSIONED

ST STUDY DESK
 P PANTRY
 F REFRIGERATOR
 S/L STORE/LINEN
 D17 CLAUSE 58 STANDARD
 D17 COMPLIANT
 BATHROOM
 L LAUNDRY

QUEEN SIZED BED WITH
 SIDE TABLES

CLAUSE 58 STANDARD D27 VENTILATION PATHS

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CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
 DRAWINGS NOT TO BE SCALED.

0 1 2 5M
 SCALE 1:200@A3 / 1:100@A1

REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

LEGEND

- RETAIL TENANCY
- 2 BEDROOM APARTMENT
- 1 BEDROOM APARTMENT
- PASSIVE RECREATION

PROJECT
MIXED USE DEVELOPMENT
 345-349 BELL STREET, PRESTON

DRAWING
LEVEL 3 PLAN



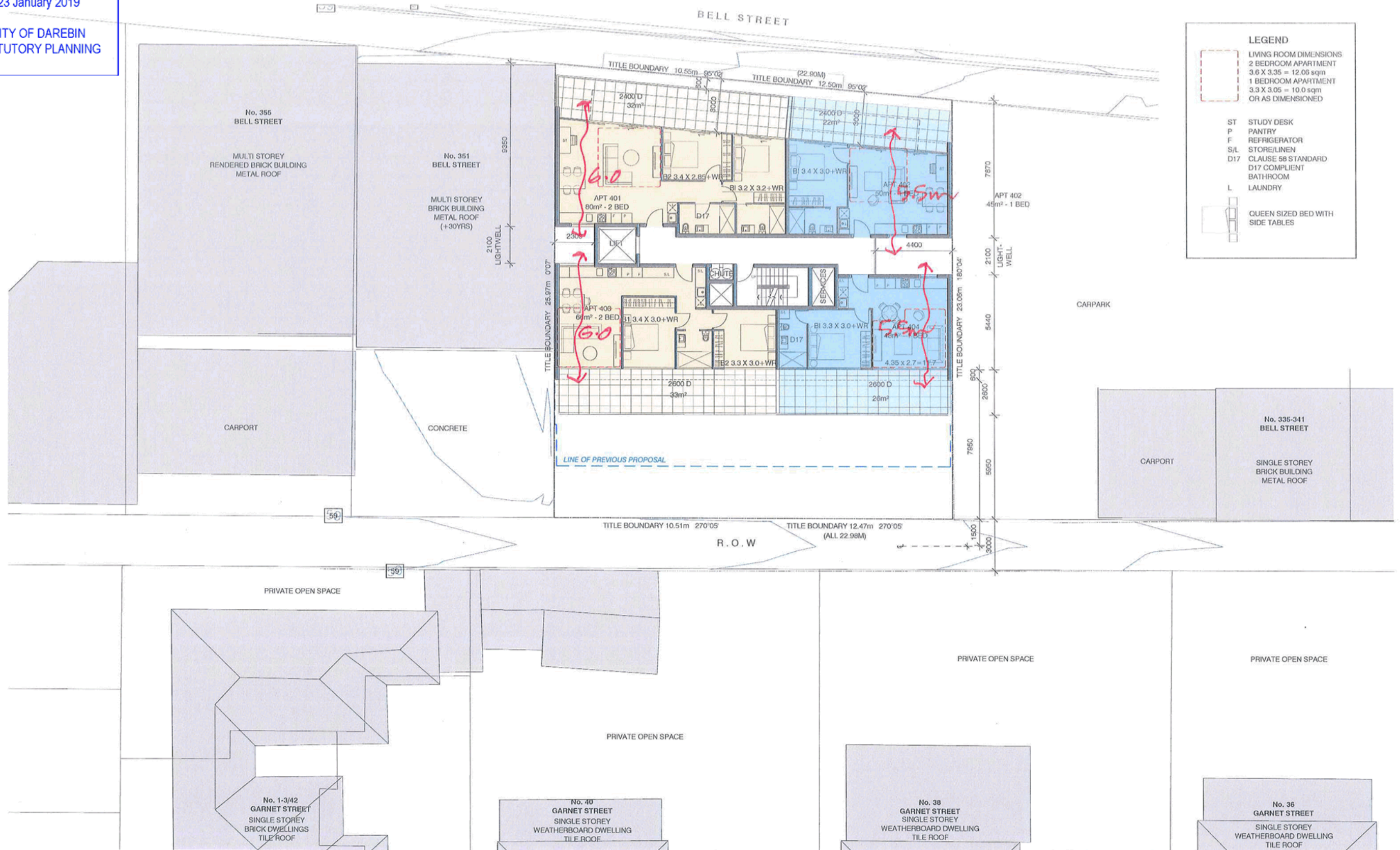
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PROJECT NO	DWG NO	REVISION
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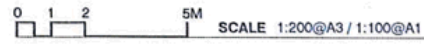
RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING



CLAUSE 58 STANDARD D27 VENTILATION PATHS

CACTUS ARCHITECTS
304/91 MURPHY ST, RICHMOND VIC 3121
P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

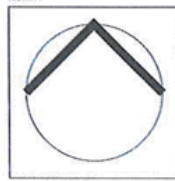


REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

- LEGEND
- RETAIL TENANCY
 - 2 BEDROOM APARTMENT
 - 1 BEDROOM APARTMENT
 - PASSIVE RECREATION

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
LEVEL 4 PLAN



ISSUE

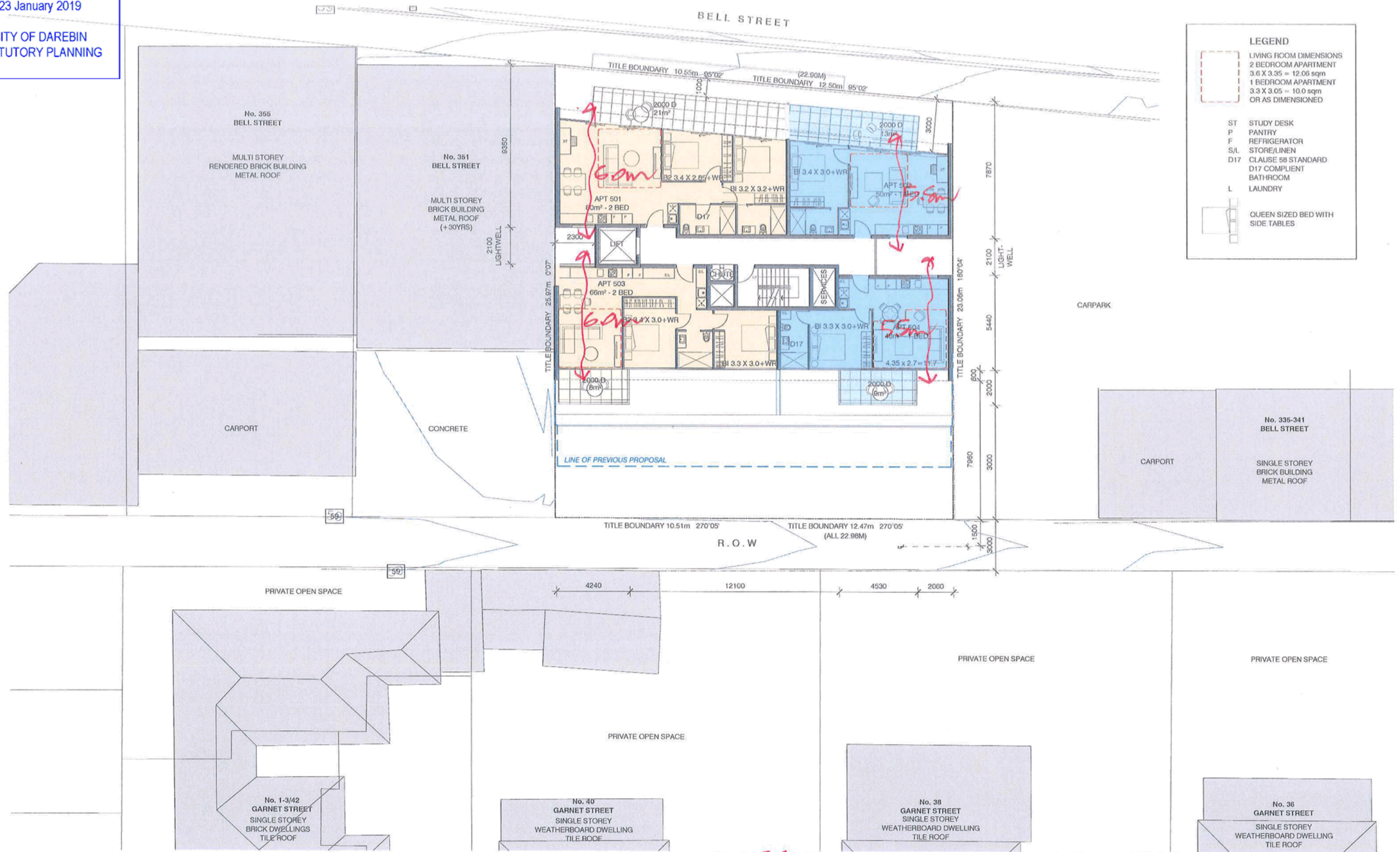
TOWN PLANNING ISSUE

PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	BD

PROJECT NO	DWG NO	REVISION
181903	TP15	B



RECEIVED ON
23 January 2019
CITY OF DAREBIN
STATUTORY PLANNING



CLAUSE 58 STANDARD D17 VENTILATION PATHS

CACTUS ARCHITECTS
304/91 MURPHY ST, RICHMOND VIC 3121
P: 03 9429 9191 W: cactusarchitects.com.au

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE.
DRAWINGS NOT TO BE SCALED.

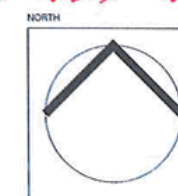
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REV	DATE	DESCRIPTION	DWN
A	19.07.18	TOWN PLANNING SUBMISSION	MG
B	21.01.19	RESPONSE TO COUNCIL RFI	IB

LEGEND
 RETAIL TENANCY
 2 BEDROOM APARTMENT
 1 BEDROOM APARTMENT
 PASSIVE RECREATION

PROJECT
MIXED USE DEVELOPMENT
345-349 BELL STREET, PRESTON

DRAWING
LEVEL 5 PLAN



ISSUE		
TOWN PLANNING ISSUE		
PLOT DATE	SCALE	DRAWN
21.01.2019	1:200	IB
PROJECT NO	DWG NO	REVISION
181903	TP16	B



**5.2 APPLICATION FOR PLANNING PERMIT
192 Edwardes Street Reservoir**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Planning and Design 31 Enfield Avenue PRESTON VIC 3070	George & Helen Grammatoglu 192 Edwardes Street RESERVOIR 3073	n/a

SUMMARY

It is recommended that the application be supported subject to the included conditions:

- Development of nine (9) attached double storey dwellings.
- All dwellings provide a similar layout comprising two (2) bedrooms with first floor living spaces and balconies overlooking Best Street or Edwardes Street.
- One (1) car parking space is provided to each dwelling.
- No visitor car parking is provided. This represents a reduction of one (1) space.
- The site is zoned Residential Growth Zone (Schedule 4) and is affected by the Design and Development Overlay (Schedule 18). The Zone allows for a maximum building height of four (4) storeys (13.5 metres).
- The two storey development is considered acceptable given the site context, as the neighbouring lots are unlikely to be consolidated given they are already development for medium density housing.
- Garden Area requirements do not apply within the Residential Growth Zone.
- There is no restrictive covenant on the title for the subject land.
- Twelve objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clauses 43.02 and 55 of the Darebin Planning Scheme.

CONSULTATION:

- Public notice was given via signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Capital Works Unit, Transport Management and Planning Unit and the ESD officer.
- This application was not required to be referred to external authorities.

Recommendation

That Planning Permit Application D/832/2018 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

- (1) Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as: TP01, TP02 and TP03, dated 30.10.2018 and prepared by Planning & Design) but modified to show:
 - a) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 4 of this Permit).
 - b) A landscape plan in accordance with Condition No. 5 of this Permit.
 - c) A comprehensive schedule of construction materials, external finishes and colours (including colour samples). Construction materials are to be low maintenance. External materials and finishes (including glazing) are to be of a low reflectivity level.
 - d) Replace smooth render finish (SR1) to the framing elements of the balconies serving dwellings 1, 2, 3, 6 and 7 with zinc cladding (ZC) - single lock standing seam vertical and finished in white.
 - e) Replace smooth render finish (SR2) with zinc cladding (ZC) - single lock standing seam vertical (finished in the same grey colour as shown on plan).
 - f) Remove the render finish (SR1) to the roof and apply the zinc (ZC) roofing material to the entire roof.
 - g) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
 - h) External operable sun shading devices (excluding roller shutters) to all west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness.
 - i) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors where not located directly under an eave or overhang. Where sun shading devices are being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not extend within 1 metre of a property boundary.
 - j) Window operation on all elevation plans. Window operation must not increase overlooking of secluded private open space and/ or habitable room windows. Casement, sliding, sash and or louver windows must be provided to maximise ventilation.

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

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

- The development is not completed within five (5) years of the date of this Permit. As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:

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

- (4) Before the development starts, a Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The SDA must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SDA.

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

- (5) Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:

- a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
- b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
- d) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
- e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
- f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
- g) Hard paved surfaces at all entry points to dwellings.

- h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - i) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - j) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
- (6) The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
- (7) The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
- (8) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
- (9) All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
- (10) Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
- The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.
- (11) The land must be drained to the satisfaction of the Responsible Authority.
- (12) 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.
- (13) 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.
- (14) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.

- (15) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather sealcoat; and
 - d) Drained

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

- (16) Before the development is occupied vehicular crossings must be constructed to align with approved driveway to the satisfaction of the Responsible Authority. The redundant crossing to Best Street must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

NOTATIONS

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

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

INTRODUCTION AND BACKGROUND

No planning history applies to the site.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is regular in shape and measures 20.12 metres in width and 51.82 metres in depth with a site area of 1041 square metres.
- The site is located on north east corner of Edwardes Street and Best Street, Reservoir.
- The site presently comprises a single storey dwelling fronting Edwardes Street. Vehicle access to the dwelling is provided from Edwardes Street adjacent the east boundary.
- The rear of the site is fenced off and comprises a large single storey building constructed on the east boundary with a large car parking and access space to its west. An auto electricians and a joinery business operate from this building. Business identification signs are provided on the side fence facing Best Street which identify each business. A double crossover to Best Street provides vehicle access to the rear of the site.
- The site forms part of the Reservoir Structure Plan, with a Residential Growth Zone and Design and Development Overlay in place which encourage residential development of up to 4-storeys in height.
- To the north of the site is No. 2 Best Street which comprises five (5) single storey dwellings. A common driveway separates the dwellings from the common boundary of the site. All dwellings provide a rear garden to their north away from the common boundary. Unit 1 is located immediately to the north of the site and is setback at least 3.4 metres from the common boundary.
- To the south of the site on the opposite side of Edwardes Street is a mix of single and double storey dwellings. More recent medium density housing is also present. A dental clinic is located opposite the site on the corner of Edwardes Street and Willoughby Street.
- To the east of the site is No.190 Edwardes Street. The site comprises three (3) single storey dwellings. The rear gardens are located to the north and north east of each dwelling away from the common boundary of site. Secondary courtyards are provided adjacent the common boundary. The garage of Unit 1, the larger part of Unit 2 and the carport of Unit 3 are constructed on the common boundary.
- To the west of the site on the opposite side of Best Street is a double storey dwelling fronting Edwardes Street. Vehicle access is to the rear of the site directly to Best Street. Further north on Best Street are a mix of single and double storey dwellings. A number of more recent medium density housing developments are also present.
- The site is well served by public transport, being approximately 1km from Reservoir Train Station. Bus services operate on Edwardes Street. Tram services are available approximately 2km to south on Gilbert Road.
- Parking on both sides of Edwardes Street and Best Street is unrestricted.
- Edwardes Park is located 150 metres to the west of the site.

Proposal

- Development of nine (9) attached double storey dwellings.

- All dwellings provides a similar layout comprising two (2) bedrooms with first floor living spaces and balconies overlooking Best Street or Edwardes Street.
- One (1) car parking space is provided to each dwelling.
- No visitor car parking is provided. This represents a reduction of one (1) space.
- The dwellings are finished in brick at ground level with cladding and render at the first floor level.
- A series of balconies present to Best Street with gable forms above.
- Each balcony is between 8.3 and 10 square metres in area.
- Vehicle access is from Edwardes Street. The existing double crossover to Best Street is to be removed.

Objections summarised

Twelve objections were received against the application:

- Car parking
- Traffic
- Design / Neighbourhood Character
- Front setback
- Height
- Too many units in the street
- Asbestos

Officer comment on summarised objections

Car parking

A full complement of car parking is provided for the nine (9) dwellings in accordance with Clause 52.06 (Car parking) of the Darebin Planning Scheme.

(1) A reduction of one (1) visitor car parking space is sought under this application. This is deemed appropriate having regard to the availability of on-street car parking within the vicinity of the site, the reinstatement of the crossover to Best Street which will increase the on-street car parking supply, the fact that the car parking reduction is associated with short-term visitor parking demands and the availability of public transport in proximity to the site.

Traffic

Traffic associated with the development is considered incremental and the adjacent road network has capacity to accommodate the additional vehicle movements associated with the proposal.

Design / Neighbourhood Character

The design of the proposal accords with the Darebin Planning Scheme. This is achieved with an attached two storey form with compliant setbacks, active frontages to Edwardes Street and Best Street and a discrete car parking location away from the street frontage. Gable roof forms are consistent with neighbourhood character and the use of brick to the ground level facades provides a common thread with nearby dwellings.

Front setback

The proposal provides a 300mm reduction to the recommended setbacks to both street frontages at first floor level. This is deemed is a minor incursion into the recommended setbacks under this standard and does not result in unreasonable visual bulk when viewed from each street. Given the proposal rises to just 2-storeys where the DDO allows development up to 4-storeys this is deemed an appropriate outcome from a neighbourhood character perspective.

Height

The two storey height of the proposal is compliant with the requirements of the zone which allows for heights of up to four storeys for site and adjacent sites fronting Edwardes Street.

Too many units in the street

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

Asbestos

Asbestos is regulated by the State Government. Applicants must follow stringent guidelines to ensure the safe of removal of asbestos. This process sits outside the planning permit process.

PLANNING ASSESSMENT**Clause 32.07 - Residential Growth Zone**

The purpose of this zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.*
- *To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.*

The decision guidelines under Schedule 3 to this clause are:

- *Whether the development seeks to achieve the development outcomes encouraged through the Residential Built Form Guidelines, 2014.*
- *Whether the development incorporates design measures to maximise rear setbacks from the secluded private open space of adjoining properties in the Neighbourhood and General Residential Zones.*
- *The potential and ability to consolidate lots to create larger development sites.*

The development is considered appropriate with regard to these provisions as follows:

- The proposal will contribute to providing housing at increased densities.
- The proposal provides housing in a location that has good access to public transport and is proximate to a Major Activity Centre, parks and services.
- As the site abuts a General Residential Zone to the north the provision of a two storey scale provides an appropriate transition to this area.
- The development is identified in *the Residential Growth Zone Built Form Design Guidelines, 2014* as an Alternative Development Form which is appropriate for a site with a frontage of less than 22 metres. The proposal generally satisfies the relevant design guidelines for an Alternative Development form as set out in the above document.
- The proposal gives due consideration to the existing amenity of adjacent lots, in terms of primary outlooks and private open spaces.
- The proposal provides a 300mm reduction to the recommended setbacks to both street frontages at first floor level. This is deemed is a minor incursion into the recommended setbacks under this standard and does not result in unreasonable visual bulk when viewed from the street. Given the proposal rises to just 2-storeys where the DDO allows development up to 4-storeys this is deemed an appropriate outcome from a neighbourhood character perspective.
- The proposal provides a rear boundary setback of 3.025 metres at ground level and 3.17 metres at first floor level. While the first setback is non-compliant with the recommended 5.5 metre set back, in the context of the adjacent driveway and the fact that the proposal rises to just two storeys provides a more than reasonable outcome on balance. The setbacks would comply those required pursuant to Rescode Standard B17.
- Schedule 4 of the RGZ sets a four (4) storey maximum height for the site equating to an indicative 13.5 metre overall height. The proposed dwellings are two (2) storeys and 8.04 metres in height. The proposed height is considered appropriate.
- The lots neighbouring the subject site are unlikely to be consolidated to create larger developments given they comprise medium density housing developments. The proposal is considered appropriate given these circumstances.

Clause 43.02 Design and Development Overlay

The site is within the Reservoir Residential Growth Area (Schedule 18) and the site is within Precinct A: Edwardes Street.

As a two-storey, nine (9) townhouse development the proposal is not fully consistent with the contemplated long-term change that is envisioned for Precinct A as it could be seen as an underdevelopment as the policy allows for buildings of up to four (4) storeys. However, given the existing context in that the site is surrounded by unit developments it is unlikely that neighbouring sites could be developed for Garden Apartments as outlined above. The proposed townhouse development is therefore considered appropriate for this site.

As such the proposed development satisfies the requirements of this overlay as follows:

General Requirements:

- The proposed development has been designed to have regard for the amenity of neighbouring properties with a good level of articulation, appropriate upper level setbacks and areas along the side and rear setbacks for landscaping.

- All dwellings front either Edwardes Street or Best Street.
- The habitable rooms within the development have direct daylight access and cross ventilation.
- The development provides a contemporary design with a mix of architectural features including framed balconies, fenestration and window sills to give a domestic appearance. Timber soffits add to the quality of the appearance.
- The materials comprising brick, timber and cladding, are recognisably domestic and are appropriate within the neighbourhood setting.
- A condition of approval is imposed to reduce the amount of render and increase the amount of vertical seam cladding which is applied to the external façades. The plans also depict render to sections of the roof which appears to be a drafting error. This will be corrected via a condition on the permit.

Street Frontage

- The mass of the building is loaded toward each street frontage.
- The pedestrian entries are visible from the each street frontage.

Building Height and Setback Requirements

- The front, rear and side setback requirements specified under the Schedule to the zone are addressed under the Clause 55 assessment.

Access and Parking

- Vehicle access to the development will be gained via the existing crossover to Edwardes Street. The removal of the crossover to Best Street will avail additional on street car parking.
- The garages are located to the rear of each dwelling and will not dominate the streetscape.

Clause 55 Assessment

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

Clause 55.02-1 B1 Neighbourhood Character

The development responds appropriately to the surrounding built form context. The development is adequately setback from the interfacing street to allow for the provision of a front garden in keeping with surrounding residential properties. The upper storey is setback from neighbouring residential properties to minimise the impact on the secluded private open space of dwellings to the north and east.

The two storey height of the proposed development is not consistent with the preferred four storey character of the area envisioned by policy, however it is compatible with adjacent single storey units to the north and east. The development provides a suitable transition to these neighbouring single storey dwellings.

Vehicle access is contained to one crossover to Edwardes Street. All vehicles will be able to enter and exit the site in a forward direction. The garages will be located behind the dwellings and will not dominate the streetscape.

The proposal provides an appropriate design response. This is achieved with an attached two storey form with compliant setbacks, frontages to Edwardes Street and Best Street and a discrete car parking location. Gable roof forms are consistent with neighbourhood character and the use of brick to the ground level facades provides a common thread with adjacent dwellings.

Complies

Clause 55.03-1 B6 Street setback

The recommended setback is 5.0 metres to Edwardes Street and 2.0 (side elevation) to 3.0 metres to Best Street.

The front setback to Edwardes Street is 5.0 metres at ground level and 4.7 – 5.45 metres at first floor level.

The dwellings fronting Best Street are setback 3.15 metres at ground level and 2.7 – 3.0 metre at first floor level.

Therefore the proposal provides a 300mm reduction to the recommended setbacks to both street frontages at first floor level. This is deemed is a minor incursion into the recommended setbacks under this standard and does not result in unreasonable visual bulk when viewed from the street or adjoining properties. Given the proposal rises to just 2-storeys where policy allows development up to 4-storeys the proposal is deemed an appropriate outcome from a neighbourhood character perspective.

Complies with objective

Clause 55.04-6 B17 Side and rear setbacks

All dwellings are setback from the north and east boundary in accordance with the requirements of this standard.

The Design and Development Overlay requires an alternative setback of 5.5 metres from the rear boundary (north) at first floor level. While the 3.17 metre set back is non-compliant with the Residential Growth Zone it would meet the requirements of Rescode Standard B17. In the context of the adjacent driveway and the fact that the proposal rises to just two storeys the proposal provides a more than reasonable outcome on balance.

Complies

Clause 55.04-6 B22 Overlooking

All upper storey windows are appropriately screened to ensure overlooking is minimised in accordance with the standard.

Complies

Clause 55.05-4 B28 Private Open Space

The development provides adequate private open space (pos) for the reasonable recreation and service needs of residents. This is achieved through the provision of at least 8 square metre balconies with a width of 1.8 to 2.0 metres and convenient access from a living room.

	Total POS	Secluded POS	Minimum dimension of secluded POS
Dwelling 1	95 square metres	10 square metres (Balcony)	2.0 metres
Dwelling 2	23.6 square metres	9.6 square metres (Balcony)	2.0 metres
Dwelling 3	24 square metres	9.6 square metres (Balcony)	2.0 metres
Dwelling 4	22.8 square metres	8.4 square metres (Balcony)	1.8 metres
Dwelling 5	22.7 square metres	8.3 square metres (Balcony)	1.8 metres
Dwelling 6	24 square metres	9.6 square metres (Balcony)	2.0 metres
Dwelling 7	24 square metres	9.6 square metres (Balcony)	2.0 metres
Dwelling 8	22.7 square metres	8.3 square metres (Balcony)	1.8 metres
Dwelling 9	22.7 square metres	8.3 square metres (Balcony)	1.8 metres

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

Complies

Clause 55.06-1 B31 Design Detail

The design detail of the development respects the existing and preferred neighbourhood character through: façade articulation; window and door proportions; the framing elements to balconies, soffit details and parapets.

In addition the garages are setback from the street frontages and are designed to be visually compatible with the development and the existing and preferred neighbourhood character.

Changes to the materials schedule are sought via conditions of approval. The conditions will reduce the amount of render and increase the amount of cladding which is applied to the external façade. The plans also depict render to sections of the roof which appears to be a drafting error. This will be corrected via a condition on the permit.

Complies subject to conditions

Clause 52.06 Car Parking

Number of Parking Spaces Required

One (1) car parking space is provided for each of the two bedroom dwellings, in accordance with Clause 52.06 (Car parking) of the Darebin Planning Scheme.

No visitor car parking space is provided where the one (1) space is recommended.

On consideration of the decision guidelines contained within Clause 52.06-6 of the Planning Scheme, the total number of car parking spaces is considered satisfactory in this instance, noting the following:

- The availability of on-street car parking within the vicinity of the subject site.
- The reinstatement of the crossover to Best Street will increase the on-street car parking supply by two (2) car parking spaces.
- The car parking waiver is associated with one (1) short-term visitor and;
- The availability of public transport in proximity to the subject site.

Design Standards for Car parking

The garaging and the accessways have appropriate dimension to enable efficient use and management.

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

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

Access dimensions to the car spaces comply with the standard.

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

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see assessment in the body of this report.	Y	Y
55.02-2	B2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		N/A as development contains less than 10 dwellings	Y	Y
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support the development	Y	Y
55.02-5	B5	Integration with the street		
		All dwellings appropriately integrate with Edwardes Street and Best Street.	Y	Y
55.03-1	B6	Street setback		
		Please see assessment in the body of this report.	N	Y
55.03-2	B7	Building height		
		8.065 metres (permitted height: 13.5 metres)	Y	Y
55.03-3	B8	Site coverage		
		62.2%	N	Y

Clause	Std		Compliance	
55.03-4	B9	Permeability		
		29.7%	Y	Y
55.03-5	B10	Energy efficiency		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties.	Y	Y
55.03-6	B11	Open space		
		N/A as the site does not abut public open space.	N/A	N/A
55.03-7	B12	Safety		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
55.03-8	B13	Landscaping		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
55.03-9	B14	Access		
		Access is sufficient and respects the character of the area.	Y	Y
55.03-10	B15	Parking location		
		Parking facilities are proximate to the dwellings they serve, the access is observable, habitable room windows are sufficiently set back from accessways.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Dwellings are set back in accordance with the requirements of this standard.	Y	Y
55.04-2	B18	Walls on boundaries		
		Boundary walls are not proposed	Y	Y
55.04-3	B19	Daylight to existing windows		
		Sufficient setbacks exist to allow adequate daylight	Y	Y
55.04-4	B20	North-facing windows		
		There are no north facing windows within 3.0 metres of the common boundary with the subject site.	Y	Y
55.04-5	B21	Overshadowing open space		
		Shadow cast by the development is within the parameters set out by the standard.	Y	Y
55.04-6	B22	Overlooking		
		Please see assessment in the body of this report.	Y	Y
55.04-7	B23	Internal views		
		There are no internal views	Y	Y
55.04-8	B24	Noise impacts		
		Noise impacts are consistent with those in a residential zone.	Y	Y
55.05-1	B25	Accessibility		
		The ground levels of the proposal can be made	Y	Y

Clause	Std		Compliance	
		accessible for people with limited mobility.		
55.05-2	B26	Dwelling entry		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	Y	Y
55.05-3	B27	Daylight to new windows		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
55.05-4	B28	Private open space		
		Please see assessment in the body of this report.	Y	Y
55.05-5	B29	Solar access to open space		
		Adequate solar access is provided to the west facing balconies.	Y	Y
55.05-6	B30	Storage		
		Sufficient storage areas are provided.	Y	Y
55.06-1	B31	Design detail		
		Please see assessment in the body of this report.	Y	Y
55.06-2	B32	Front fences		
		A 1.2 metre high front fence is proposed which is appropriate in the neighbourhood context.	Y	Y
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Sufficient areas for site services are provided.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
Capital Works	No objection, subject to condition included in recommendation
Transport Management and Planning	No objection, subject to condition included in recommendation
ESD officer	No objection, subject to condition included in recommendation

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.07 (Residential Growth Zone) – Construction of multiple dwellings.
- Clause 43.02 (Design and Development Overlay) – Buildings and works.
- Clause 52.06 (Car parking) – A reduction of one (1) visitor car parking space

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1
LPPF	21.05-1, 21.05-2, 21.05-3, 22.04
Zone	32.01
Overlay	45.06
Particular provisions	52.06, 55
General provisions	65.01
Neighbourhood Character Precinct	E6

POLICY IMPLICATIONS**Environmental Sustainability**

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

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

RELATED DOCUMENTS

- Nil

Attachments

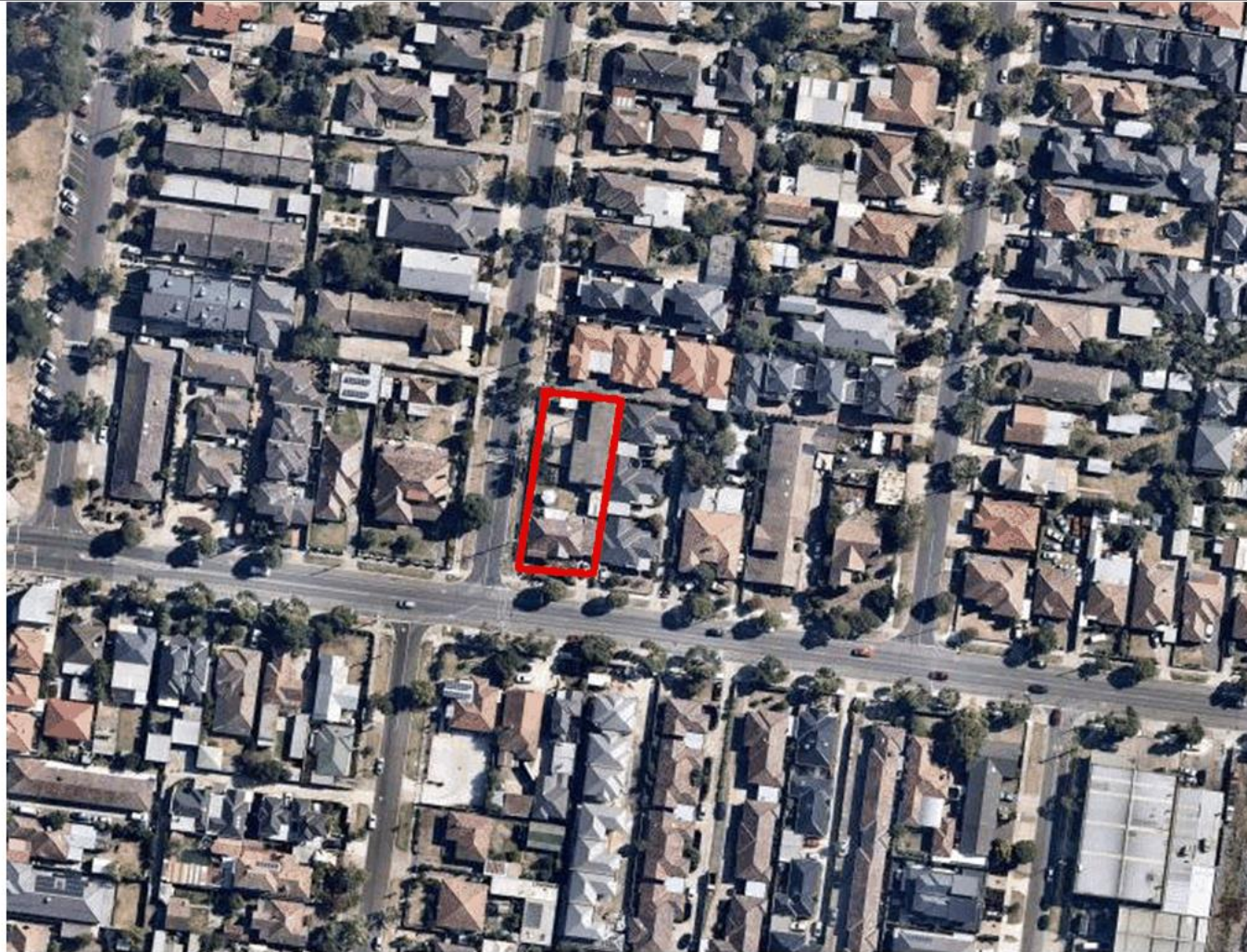
- Aerial Photo (**Appendix A**) [↓](#)
- Plans (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

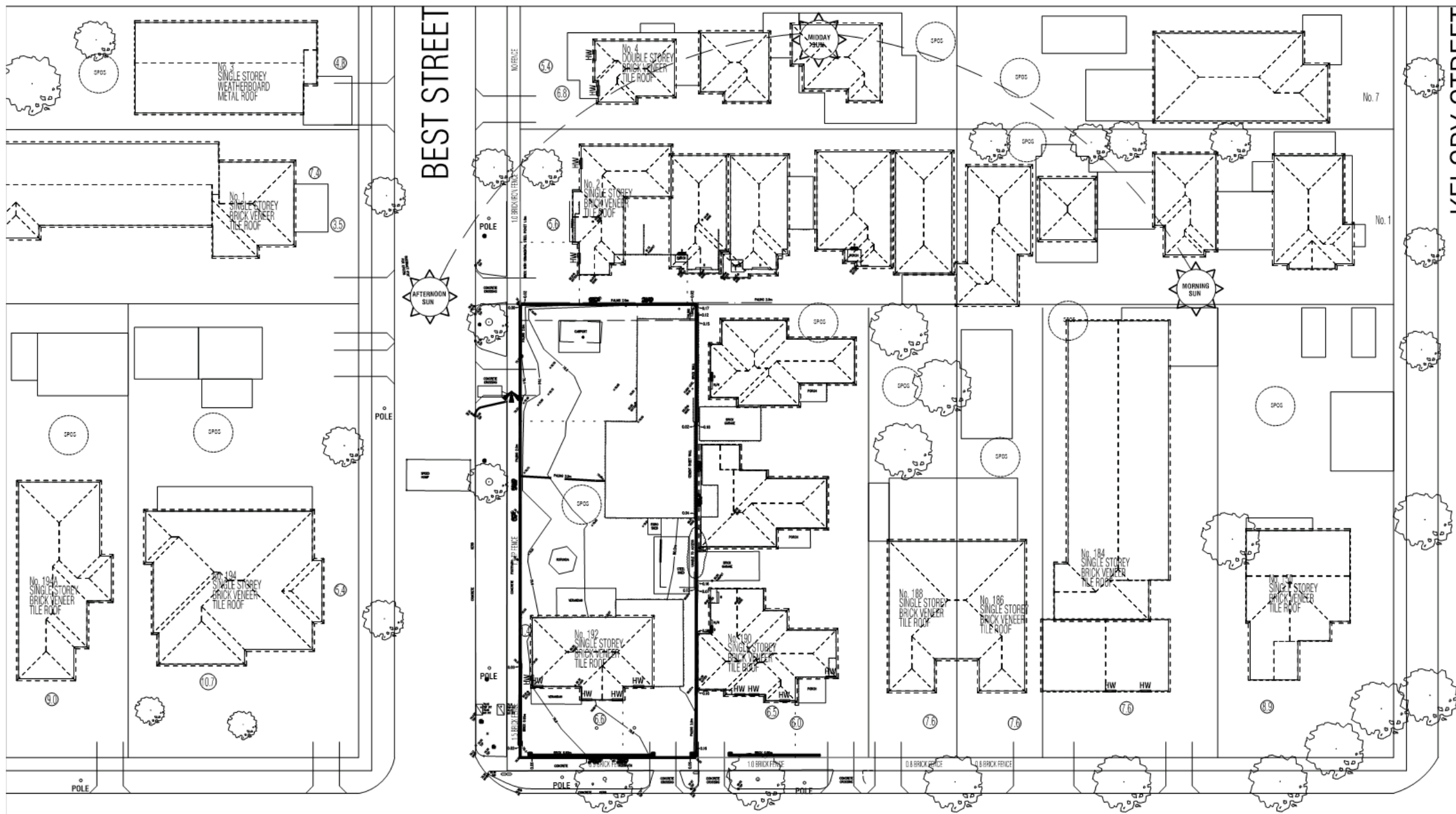
Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

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

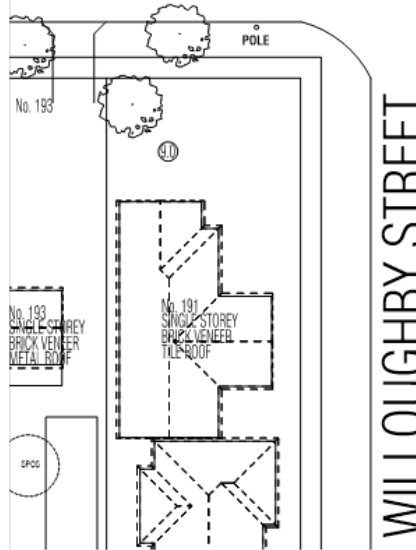
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EDWARDES STREET



WILLOUGHBY STREET

KELSBY STREET

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S.P.O. Page 1 of 11 THE OPEN SPACE

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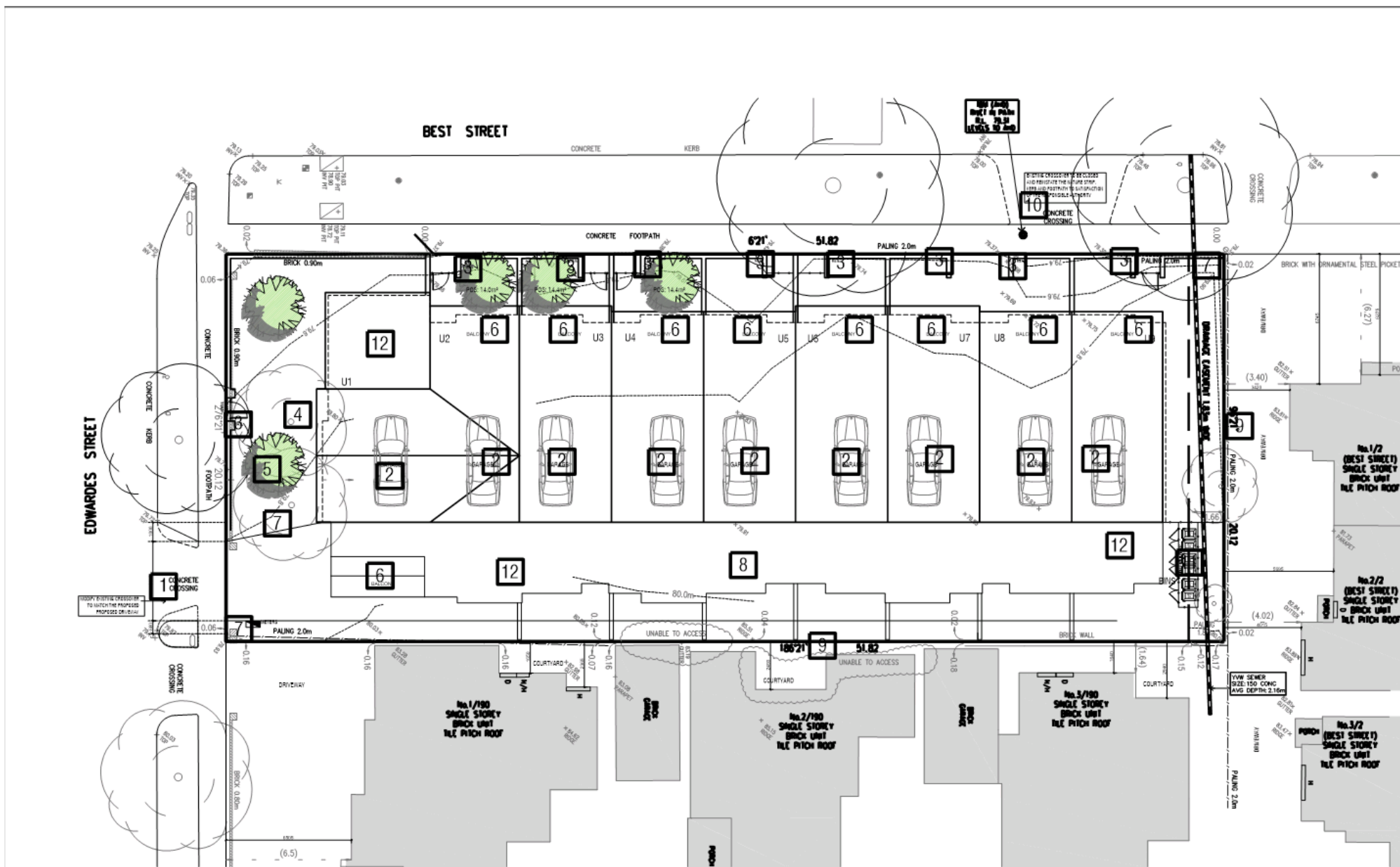
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**NEIGHBOURHOOD AND SITE
DESCRIPTION PLAN**
UNIT DEVELOPMENT
192 EDWARDES STREET, RESERVOIR



DESIGN RESPONSE

- 1** EXISTING CROSSOVER ALONG EDWARDES STREET TO BE MODIFIED TO SERVICE ALL UNITS.
- 2** PROPOSED VEHICLE STORAGE FOR ALL UNITS ARE LOCATED BEHIND THE LINE OF THE FRONT DWELLING TO HIDE THE DOMINANCE OF CAR PARKING STRUCTURES FROM THE STREET-SCAPE.
- 3** NEW MAILBOXES FOR ALL UNITS.
- 4** PROPOSED FRONT STREET SETBACK TO DEVELOPMENT IS SYMPATHETIC TO THE ADJOINING NEIGHBOURS.
- 5** LARGE LAWN AREA PROVIDES SPACE FOR LANDSCAPING.
- 6** OPEN SPACES TO UNITS ARE ORIENTED TOWARDS NORTH PROVIDING FUTURE RESIDENCES WITH EXCELLENT SOLAR ACCESS AND NORTH LIGHT. OPEN SPACE ON SITE FOR EACH DWELLING IS DISTRIBUTED TO THE REAR AND THROUGHOUT THE SITE. THE DEVELOPMENT WILL PROVIDE SUFFICIENT PRIVATE OPEN SPACE FOR THE REASONABLE RECREATION, SERVICE AND STORAGE NEEDS OF RESIDENTS. THE PRIVATE OPEN SPACES FOR ALL DWELLINGS ARE LOCATED OFF LIVING AREAS.
- 7** LANDSCAPING LOCATION TO PROVIDE SOFT BUFFER AND SCREENING BETWEEN THE ADJOINING PROPERTIES.
- 8** DRIVEWAYS HAVE BEEN DESIGNED WITH A TURNING CIRCLE TO ALLOW VEHICLES TO EXIT THE SITE IN A FORWARD DIRECTION.
- 9** THERE ARE NO PROPOSED WALLS TO BE BUILT TO ANY BOUNDARY FOR THIS DEVELOPMENT.
- 10** EXISTING CROSSOVER ALONG BEST STREET TO BE CLOSED UP AND NO LONGER USED.
- 11** THE DEVELOPMENT HAS BIN STORAGE LOCATION TOWARDS THE REAR OF THE LOT.
- 12** UPPER FLOOR LEVEL OF DWELLINGS SETBACK FROM SIDE BOUNDARIES TO REDUCE OVERSHADOWING AND VISUAL BULK TO ADJOINING PROPERTIES. UPPER LEVEL FOOTPRINT IS OFFSET WITHIN THE GROUND FLOOR ENVELOPE TO REDUCE VISUAL BULK AND CREATE A MORE GRADUAL TRANSITION BETWEEN THE SINGLE STOREY AND TWO-STOREY BUILDING FORM.

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DESIGN RESPONSE

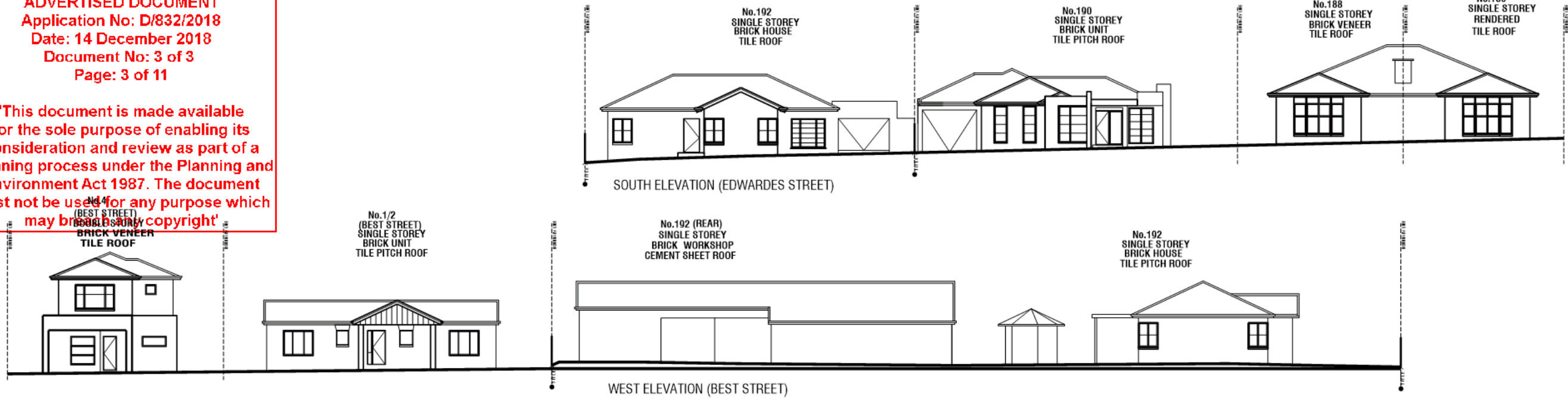
UNIT DEVELOPMENT
192 EDWARDES STREET,
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STREET ELEVATIONS

UNIT DEVELOPMENT
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SITE PHOTOS

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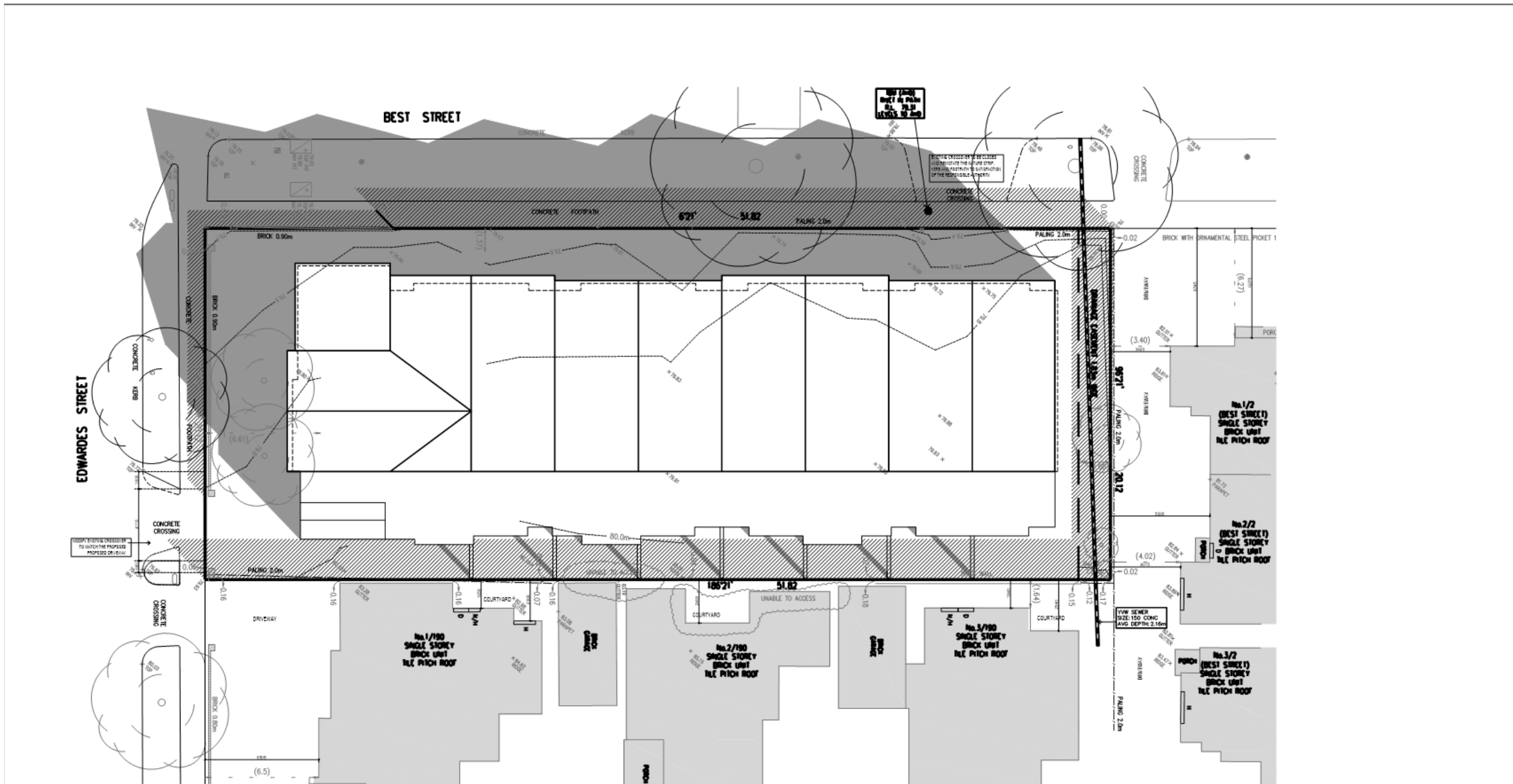
**V12 DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT**
Application No: D/832/2018
Date: 14 December 2018
Document No: 3 of 3
Page: 4 of 11

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PLEASE REFER TO NEIGHBOURHOOD AND SITE DESCRIPTION PLAN FOR PHOTO VIEW REFERENCES V01-V12

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LEGEND

- PROPOSED SHADOWS
- EXISTING SHADOWS



NORTH
 SHADOW DIAGRAM 9AM
 22nd OF SEPTEMBER

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PROPOSED SHADOW DIAGRAM

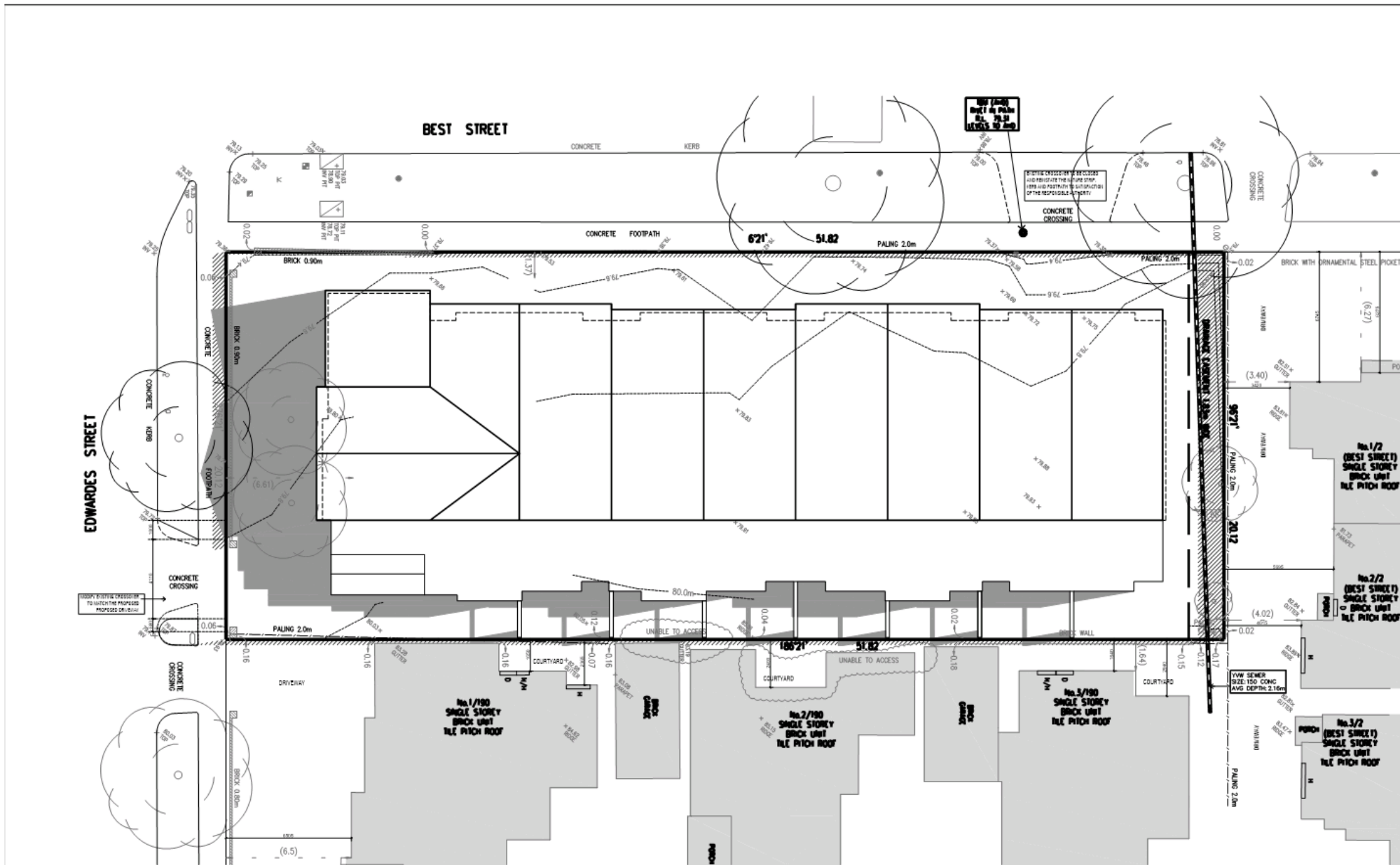
UNIT DEVELOPMENT
 192 EDWARDES STREET,
 RESERVOIR

SD01
 REV-

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LEGEND

- PROPOSED SHADOWS
- EXISTING SHADOWS

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NORTH
 SHADOW DIAGRAM 12PM
 22nd OF SEPTEMBER

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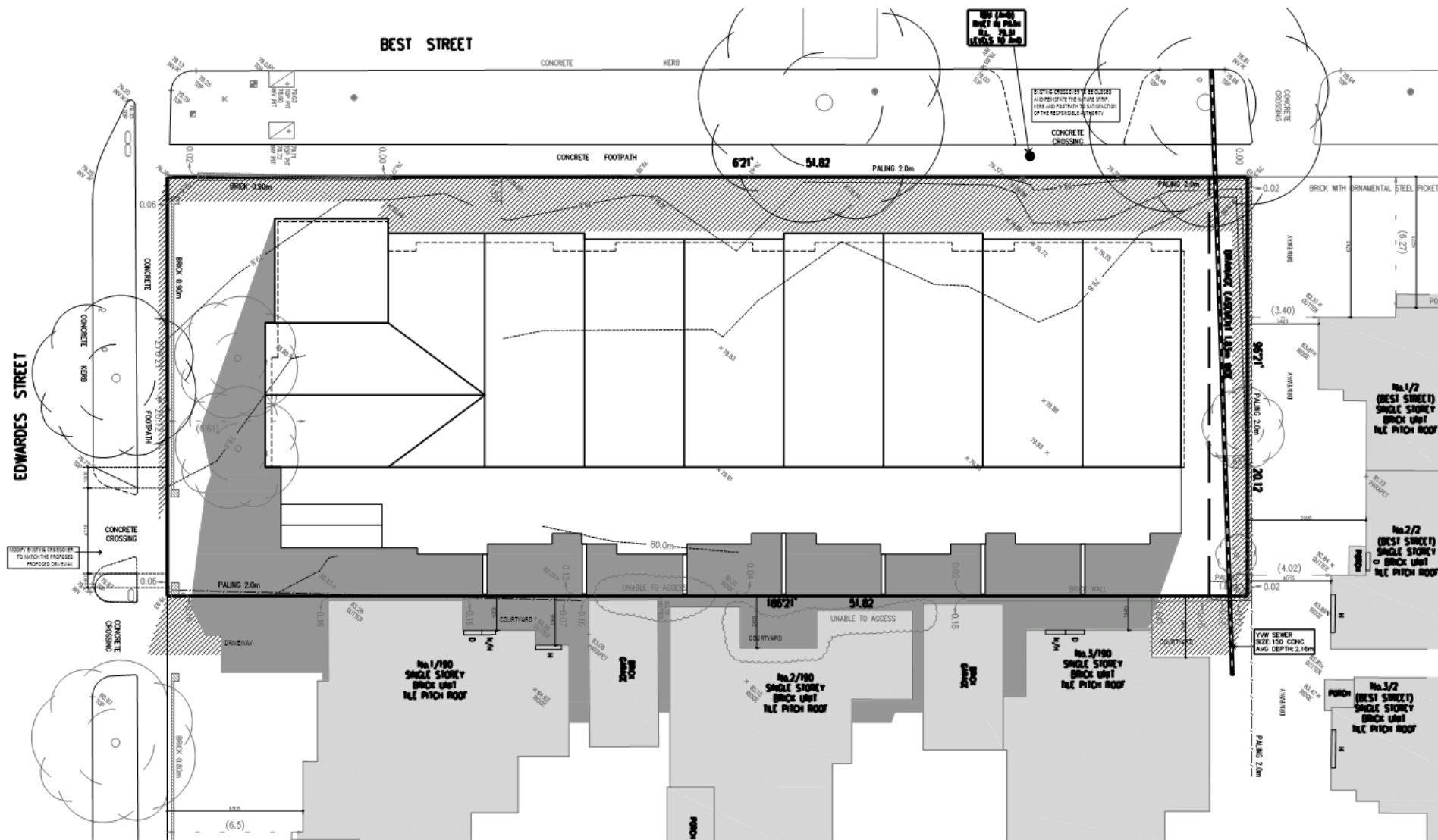
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PROPOSED SHADOW DIAGRAM

UNIT DEVELOPMENT
 192 EDWARDES STREET,
 RESERVOIR

SD02
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LEGEND

- PROPOSED SHADOWS
- EXISTING SHADOWS

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NORTH
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PROPOSED SHADOW DIAGRAM

UNIT DEVELOPMENT
 192 EDWARDES STREET,
 RESERVOIR

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AREA SCHEDULE:

UNIT 1	
GROUND FLOOR AREA:	38.1 m ²
FIRST FLOOR AREA:	67.8 m ²
GARAGE:	28.9 m ²
BALCONY:	10.2 m ²
TOTAL AREA:	15.6 SQ 145.0 m²
UNIT 2,4 & 7	
GROUND FLOOR AREA:	23.8 m ²
FIRST FLOOR AREA:	63.1 m ²
GARAGE:	27.4 m ²
BALCONY:	8.1 m ²
PORCH:	0.8 m ²
TOTAL AREA:	13.2 SQ 123.2 m²
POS:	14.0 m ²
UNIT 3,5,6,8 & 9	
GROUND FLOOR AREA:	23.8 m ²
FIRST FLOOR AREA:	60.2 m ²
GARAGE:	27.4 m ²
BALCONY:	8.1 m ²
PORCH:	0.8 m ²
TOTAL AREA:	12.9 SQ 120.3 m²
POS:	14.0 m ²
SITE	
SITE AREA:	1041.7 m ²
SITE COVERAGE:	62.2% 648.6 m ²
SITE PERMEABILITY:	29.7% 309.5 m ²
GARDEN AREA:	28.6% 297.5 m ²

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GROUND FLOOR PLAN

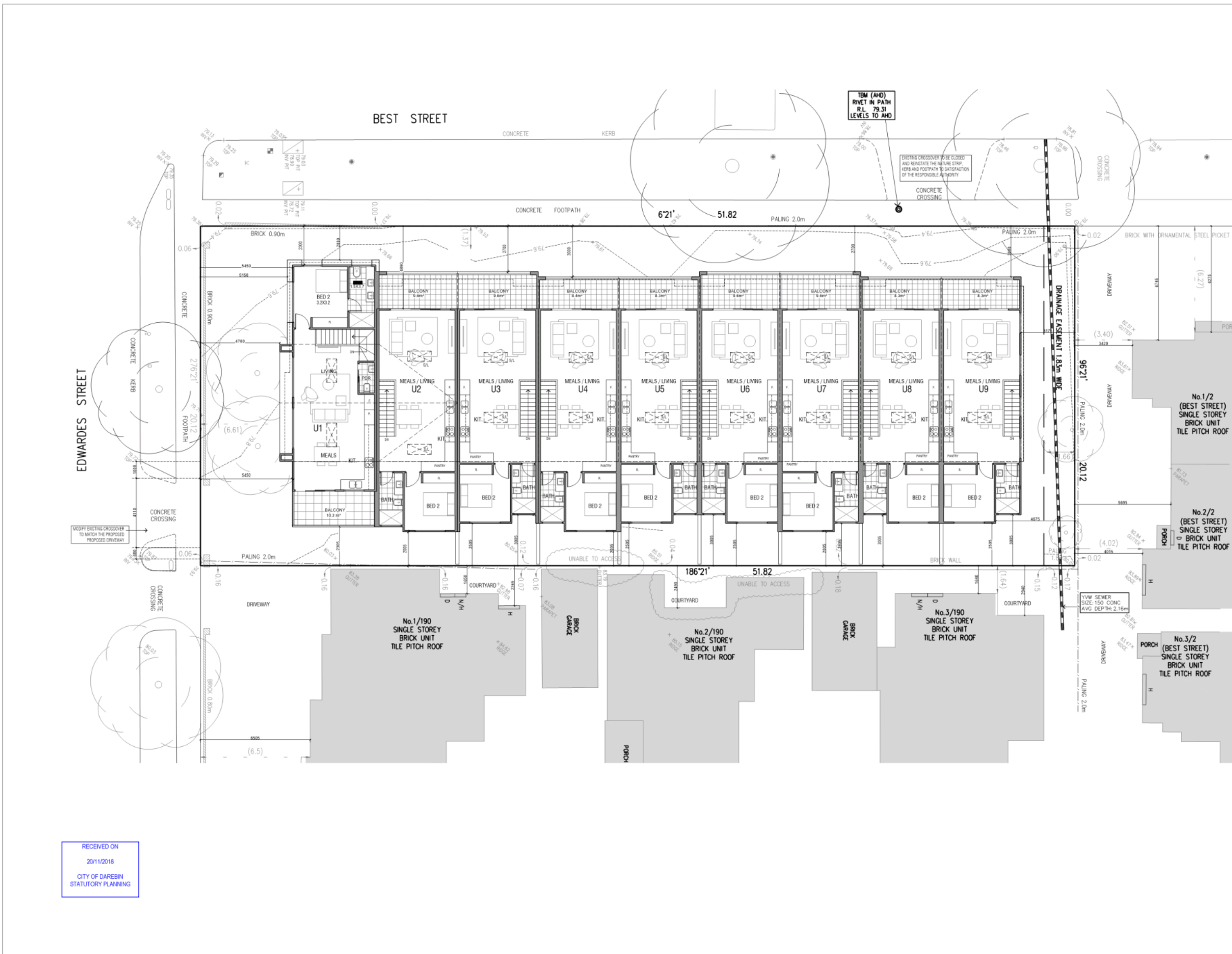
UNIT DEVELOPMENT
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 RESERVOR

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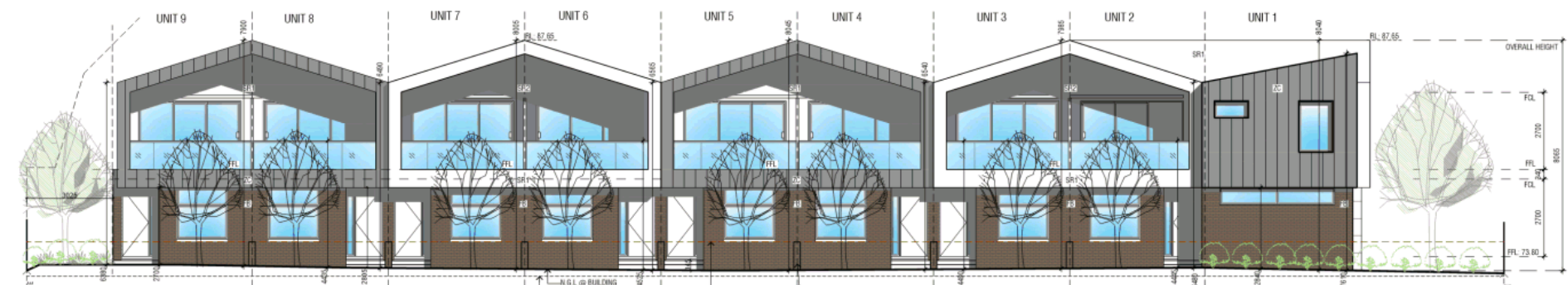
FIRST FLOOR PLAN

UNIT DEVELOPMENT
 192 EDWARDS STREET,
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TP02
 REV.

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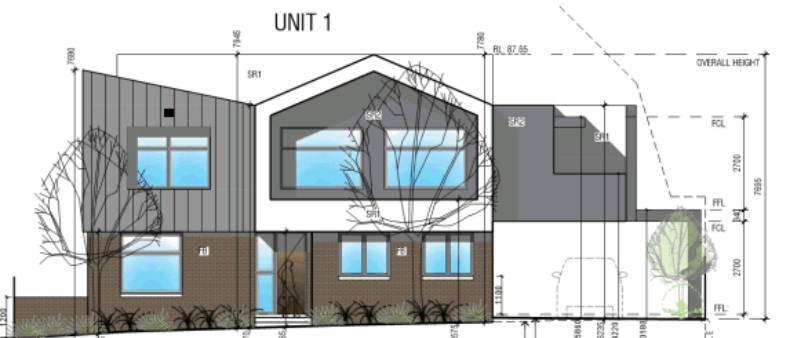
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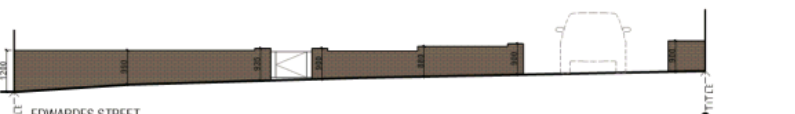
WEST ELEVATION
 SCALE 1:100



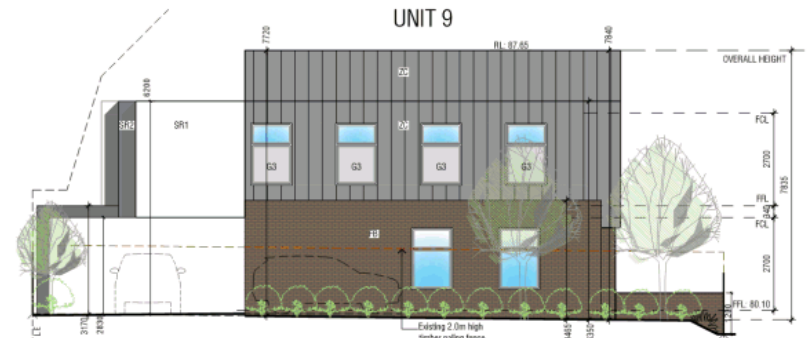
BEST STREET
 FENCE ELEVATION
 SCALE 1:100



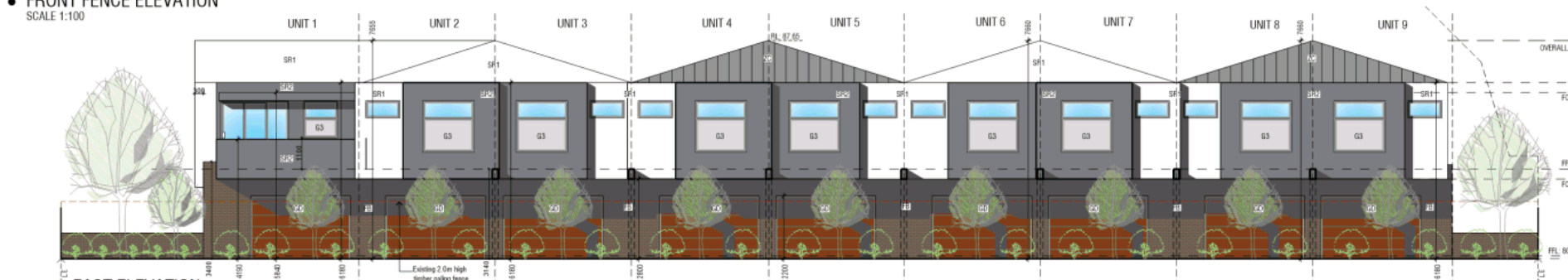
SOUTH ELEVATION
 SCALE 1:100



EDWARDES STREET
 FRONT FENCE ELEVATION
 SCALE 1:100



NORTH ELEVATION
 SCALE 1:100



EAST ELEVATION
 SCALE 1:100

- MATERIAL SCHEDULE:**
- SR1 SMOOTH RENDER FINISH 1 (WHITE)
 - SR2 SMOOTH RENDER FINISH 2 (BASALT)
 - FB FACEBRICK WALL
 - GD SELECTED GARAGE DOOR
 - ZC ZINC CLADDING - SINGLE LOCK STANDING SEAM VERTICAL
 - G1 OBS GLASS FIXED
 - G2 OBS GLASS - 150mm RESTRICTED AWNING
 - G3 FIXED OBSCURE GLAZING (NOT FILM) WITH A MAXIMUM TRANSPARENCY OF 25% TO A MINIMUM HEIGHT OF 1.7m ABOVE FINISHED FLOOR LEVEL
 - TP 1.8m HIGH TIMBER PAILING FENCE
- 1.1 m HIGH BRICK FENCE ALONG BOTH THE STREETS
- ALUMINIUM WINDOWS THROUGH-OUT
- COLORBOND GUTTERS, FASCIAS AND DOWNPIPES



3D View from junction



3D View from Edwardes street

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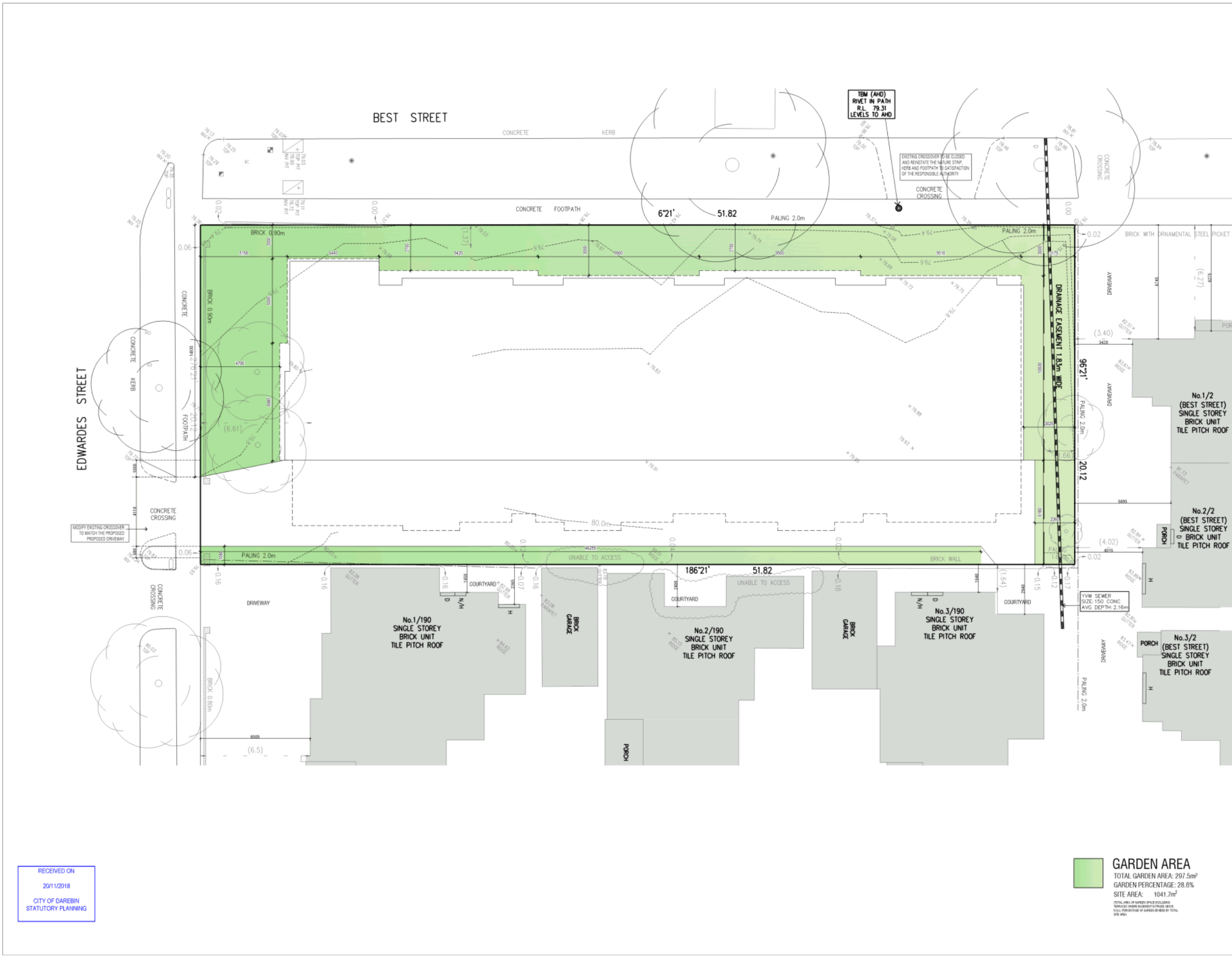
ELEVATIONS

UNIT DEVELOPMENT
 192 EDWARDES STREET,
 RESERVOIR

TP03
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GARDEN AREA
 TOTAL GARDEN AREA: 297.5m²
 GARDEN PERCENTAGE: 28.6%
 SITE AREA: 1041.7m²

TOTAL AREA OF GARDEN SPACE EXCLUDED THROUGHOUT THIS DOCUMENT IS 28.6% OF THE TOTAL SITE AREA.

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GARDEN AREA PLAN

UNIT DEVELOPMENT
 192 EDWARDS STREET,
 RESEVOIR

TP04
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**5.3 APPLICATION FOR PLANNING PERMIT
479 ST GEORGES ROAD THORNBURY**

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Velcotron Pty Ltd	Velcotron Pty Ltd	Urbis Pty Ltd (Planning) Arkham (Architecture) LID Consulting (Waste/SDA) Apex Engineers (Traffic)

SUMMARY

- It is recommended that the application be supported. The proposal is generally consistent with the objectives and standards of the Darebin Planning Scheme, subject to conditions.
- The application proposes a five storey mixed use development comprising office space at ground floor and six dwellings at the upper levels as follows:
 - Office: 65 square metres
 - Unit 1 (First Floor): three-bedroom dwelling
 - Unit 2 (First Floor): two bedroom dwelling
 - Unit 3 (Second Floor): three bedroom dwelling
 - Unit 4 (Second Floor): two bedroom dwelling
 - Unit 5 (Third Floor): three bedroom dwelling
 - Unit 6 (Fourth Floor): two bedroom dwelling
- Car parking is to be provided in the form of mechanical stackers at the rear of the site, providing eight (8) spaces. These are proposed to be allocated to the dwellings.
- A car parking reduction of one (1) space is sought for the Office and one (1) space is sought for one of the three-bedroom dwellings.
- The ground floor will accommodate office space and a residential entry foyer at the St Georges Road frontage of the building, with waste storage, mechanical stackers, storage units and bicycle parking at the rear of the building. The Ground Floor is split level with a 0.6 metre difference between the front and rear sections of the floor.
- To enable vehicle manoeuvrability the laneway will be widened by 2.0 metres at the rear of the site via a set back of the western Ground Floor wall.
- The development will have a contemporary design and comprises the use of horizontal textured concrete, composite panel cladding, painted concrete, perforated metal screens and aluminium window frames.
- The building will have a maximum overall height of 16.6 metres and 17.265 metres to rooftop plant and equipment.
- 12 objections were received against this application.

- The site is zoned Commercial 1 Zone and is affected by the Design and Development Overlay Schedule 16 and the Development Contributions Plan Overlay Schedule 1 (expired).
- The Certificate of Title indicates that a restrictive covenant applies to the land. The covenant restricts the use of the land for quarrying, brickmaking operations or digging and carrying away or removal of any marlstone earth gravel or sand from the land. It is considered that the proposed development will not breach the intended terms of the covenant.

CONSULTATION:

- Public notice was given via a sign posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Transport Engineering and Strategy Unit, Infrastructure and Capital Delivery Unit, Public Places and ESD Officer.
- This application was not required to be referred to external authorities.

Recommendation

That Planning Permit Application D/360/2018 be supported and a Notice of Decision to Grant a Permit be issued for the construction of a five-storey mixed use development comprising an office and six (6) dwellings; a reduction in the car parking requirement, subject to the following conditions:

- (1) Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as Drawings AO3 Site/Ground Plan, AO4 Plans Sheet 1 of 2, AO5 Plans Sheet 2 of 2, AO6 Detailed Plans Sheet 1 of 2, AO7 Detailed Plans Sheet 2 of 2, AO8 Elevations/Sections, AO9 Sections/Streetscape Diagram, Revision A dated 19/11/2018 and received by Council on 22/11/2018) but modified to show:
 - a) In place of fixed obscure glazing, all north, east and west facing habitable room windows with outlook into the northern light court provided with fixed external screens to a height of 1.7 metres above finished floor level, with a maximum visual permeability of 25%; and the west facing window of Bedroom 1 of Unit A2 and the western window of the living area of Unit 4 provided with external screens comprising fixed louvers to a height of 1.7 metres above finished floor level, angled to ensure there is no overlooking, in accordance with Clause 55.04-6 of the Darebin Planning Scheme
 - b) Deletion of screening measures to Bedroom 2 and 3 of Unit A5 and Bedroom 2 of Unit A6.
 - c) Details of the visual permeability of the 1.7 metre high screens to the western balcony areas of Unit A2 and Unit A4. Visual permeability must be no greater than 25%.
 - d) To improve natural ventilation, all awning type openable windows shown to habitable rooms replaced with either sliding, double hung or casement type windows.
 - e) To improve natural daylight and energy efficiency of the development, the provision of floor to ceiling glass blocks in place of a solid wall to the western wall of the common staircase adjoining the southern light court.

-
- f) The 1:3 ramp shown to the west side of the lift/stair lobby and the double doors opening into the ramp deleted. In place of the ramp, the provision of stairs with a bicycle wheeling channel to the side of the stairs is to be provided.
- g) The canopy extension over the footpath with a 0.75 metre setback from the kerb edge on St Georges Road, and with a minimum head height clearance of 3 metres above the level of the footpath.
- h) All roof plant and all other plant and equipment shown, located and screened to be minimally visible from adjacent properties and the public realm. Solar hot water tanks are to be flush mounted on the roof / not elevated on stands. Screening of plant and equipment is not to affect the operation of any solar panels.
- i) A high quality textured finish (other than paint) such as textured or embossed concrete to the section of the wall constructed on the eastern side of the southern boundary, visible above parapet of the building on 477 St Georges Road.
- j) The walls to the north side of the east-facing balconies of Units A1, A3 and A5 with a minimum height of 1.7 metres above finished floor level.
- k) The specification of ground mounted U-racks capable of accommodating seven (7) bicycles in place of the Cora Expo 7510 bicycle parking rails at Ground Floor. The bicycle parking facilities/space must be fully dimensioned and detailed in accordance with Australian Standard AS 2890.3 2015 Parking facilities Part 3: Bicycle parking facilities, in accordance with Condition No.14 of this Permit.
- l) Provision of dimensions confirming that 50% of the dwellings (Accessible Dwellings) have a main bedroom door opening of at least 850mm in accordance with Clause 58.05-1 of the Darebin Planning Scheme.
- m) Provision of dimensions demonstrating that 50% of the dwellings (Accessible Dwellings) have accessible bathrooms in accordance with Table D4 of Clause 58.05-1 of the Darebin Planning Scheme. Dimensions of the circulation areas within the bathrooms and the bathroom doorway widths must be specified.
- n) To improve daylight outcomes, the provision of an operable skylight over the lift lobby area in front of the entrance of Unit A6.
- o) With reference to Drawings AO6 and AO7 Revision A dated 19.11.2018, correction made to the internal dimensions of the dwellings as follows:
- Type D Apartment (Unit A5) – Bedroom 1, east-west dimension corrected.
 - Type B Apartment (Unit A2) – Bedroom 1, correction required to east-west dimension and north-south dimension to be made consistent with the dimension line.
 - Type C Apartment (Unit A4) – east-west dimension corrected.
- p) A single communal antenna for the development (refer also to Condition No. 11 of this Permit). The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
- q) The provision of a Car Stacker Management Plan, in accordance with Condition No. 14 of this Permit.
- r) A landscape plan in accordance with Condition No. 4 and No.12 of this Permit.
- s) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 7 of this Permit).
- t) Modifications and specifications in accordance with the Acoustic Report (refer to Condition No. 8 of this Permit).

- u) A comprehensive schedule of construction materials, external finishes and colours (including colour samples). The schedule must specify non-reflective roofing material.

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

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

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

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- (4) Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
 - a) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants within planter beds shown.
 - b) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
 - c) Details of irrigation
 - d) Provision of a maintenance and landscape management plan, in accordance with Condition No.12 of this Permit
 - e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking
 - f) Hard paved surfaces at all entry points to dwellings
 - g) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc
 - h) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds)
 - i) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided
 - j) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers
 - k) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information

-
- (5) The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
- (6) 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.
- (7) Before the development starts, a revised *Sustainable Design Assessment (SDA)* generally in accordance the document identified as *Sustainable Design Assessment prepared by lid Consulting dated 20/04/2018* detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The document and associated development plans are to be amended as follows:
- a) Provide adjustable and externally installed sun-shading devices that can fully screen east and west facing windows/glazed doors during the summer.
 - b) Publish the BESS Report
 - c) BESS Water: Remove the star rating of the washing machine.
 - d) BESS: Revise connecting the water tank to irrigation as there is insufficient planting proposed.
 - e) BESS Water: Provide revised assessment of the use the 5000 litre water tank
 - f) BESS Energy: Provide legible copy of Page 7 of 22 of the Report.
 - g) BESS Energy: Install solar PV panels for common area electricity.
 - h) BESS Transport: The number of bicycle parking facilities to be consistent with the development plans.
 - i) BESS Urban Ecology: Draw the floor wastes on each balcony.
 - j) BESS Innovation: Remove from the BESS tool and resubmit.
- The development must be constructed in accordance with the requirements/recommendations of the SDA to the satisfaction of the Responsible Authority.
- Prior to the occupation of the development, a report from the author of the SDA, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the SDA have been implemented in accordance with the approved Plan.
- (8) Before development starts, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:
- a) Noise emissions associated with the operation of tram lines and road traffic do not impact adversely on the amenity of the dwellings.
 - b) Dwellings are to be designed to achieve the following noise levels:
 - i. Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii. Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

- c) Noise emissions from the development (including the operation of plant & lifts, the operation of the mechanical stacker system, the operation of the roller door to the car park, the use of the car park and the transmission of noise between dwellings) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

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

- (9) Prior to the occupation of the development:

- a) Plans detailing the construction and surfacing of damaged and unmade sections of the Right of Way, including drainage of the right of way, abutting the western boundary of the property, commencing from the northern end of the property and continuing south to Harold Street must be submitted to and approved by Council.
- b) The right of way abutting the western boundary of the property, commencing from the northern end of the property and continuing south to Harold Street must be repaired, constructed and surfaced in accordance with the approved plans.

All works must be to the satisfaction of the responsible authority, and at the full cost of the owner/developer.

- (10) Waste storage and collection must be undertaken by a private contractor in accordance with the approved management plan identified as Waste Management Plan prepared by lid Consulting dated 30/04/2018 (amended 13/09/2018) and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

Waste bins must not be left on Harold Street for collection or remain on Harold Street after the waste is collected.

- (11) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.

- (12) Before the development starts, a Landscape Management Plan detailing the proposed *balcony landscape* must be submitted to the satisfaction of the Responsible Authority and be approved by the Responsible Authority. The Landscape Management Plan must be prepared by a suitably qualified person and must incorporate:

- a) Site analysis details such as:
- i. Climatic factors (wind, rainfall, solar radiation and air temperature)
 - ii. Local environment
- b) Green wall (as relevant) establishment details such as:
- iii. Weight loading
 - iv. Access
 - v. Construction layers including sectional diagrams
 - vi. Support structures
 - vii. Waterproofing
 - viii. Irrigation and plant nutrition
 - ix. Vegetation

- x. lighting
- c) A maintenance planning schedule including:
 - xi. required maintenance tasks (establishment, routine, cyclic, reactive/emergency, renovation)
 - xii. access requirements/ agreements.
 - xiii. irrigation and plant nutrition
- (13) Before the development 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 Responsible Authority may request the site assessment be reviewed by a suitably qualified environmental auditor nominated by the Responsible Authority and at the cost of the owner/developer.

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 *development* 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 development commences all management measures of the site assessment or conditions of the Statement of Environmental Audit must be complied with. 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. 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 *development is occupied*, bicycle racks must be provided on the land to the satisfaction of the Responsible Authority. The seven bicycle parking spaces on the site must be allocated as follows:

- i. One space for each dwelling (six spaces)
- ii. One space for the office

- (15) Before the development commences, a Car Stacker Management Plan covering matters of access and safety (e.g. access to controls, access to stacking mechanism and queuing of cars); residential amenity (including noise and vibration); location of subject premises (including the ambient noise environment and suitability of location); and maintenance of car stackers (including by whom, to what standard and how enforced), etc. must be prepared to the satisfaction of the Responsible Authority. When approved the Car Stacker Management Plan will be endorsed and will then form part of this permit.

The car stacker(s) must be constructed, maintained and managed in good working order and in accordance with the requirements/ recommendations of the Car Stacker Management Plan to the satisfaction of the Responsible Authority.

- (16) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.

- (17) All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.

- (18) 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.

- (19) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

- (20) The land must be drained to the satisfaction of the Responsible Authority.

- (21) 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.

- (22) 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.

- (23) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.

- (24) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
- a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all weather sealcoat; and
 - d) Drained

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

- (25) Before the development is occupied, vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.

NOTATIONS

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

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

INTRODUCTION AND BACKGROUND

The history of the site includes the following planning permit applications:

- D/89/2003 – planning permit issued on 18/7/2003 for a mixed use development comprised of four apartments an office and a reduction to the car parking requirement. The permit was amended on 5/3/2004. The permit was extended on four occasions and has now expired.
- D/494/2009 – Application for a 5-lot subdivision was withdrawn on 12/07/2010.
- D/383/2010 – Application for development of the land for 8 dwellings was lapsed on 7/12/2010.
- D/903/2010 – Planning permit issued on 8/6/2011 for construction of buildings and works for a four storey building comprising eight (8) dwellings and an office, and a reduction is the standard car parking requirement. Plans in association with the permit were endorsed on 13/6/2013. The Permit was extended on three occasions with the last extension of time approved on 9/11/2016, allowing the development to commence by 22 July 2017 and be completed by 22 July 2019. This permit has expired.
- Valuations information indicates that the site has been used as a butcher and factory in the past.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is slightly irregular in shape with a frontage of 8.84 metres, a depth of approximately 35.5 metres and an area of approximately 313 square metres.
- The land is located within the Commercial 1 Zone (C1Z) and is affected by the Design and Development Overlay Schedule 16 (DDO16) and the Development Contributions Plan Overlay Schedule 1 (DCPO1 – the contributions plan has expired).
- The subject site is located on the west side of St. Georges Road approximately 20 metres south of the intersection with Hutton Street. The land was previously used as a shop.
- The site is vacant and has a right of way access to Harold Street to the south.
- To the east is St Georges Road. The eastern side of St Georges Road, opposite the subject site, is occupied by a petrol station, single storey dwellings and two storey commercial premises on the corner of St Georges Road and Hutton Street.
- To the west, beyond the Right of Way, is the rear yard area and outbuildings of the single storey dwelling at 87 Hutton Street.
- To the north is a six (6) storey mixed use development built to the common boundary. The southern side of the upper level balconies, the mid-block light court as well as the boundary walls of this building interface with the subject site.
- To the south is a single storey brick shop built partially to the common boundary and set back 1.062 metres toward the rear. The open space at the rear is currently used for storage.
- On-street parking on St Georges Road is subject to a *1P 9am-3pm Mon-Fri* restriction on the western side (site frontage).
- The site is located within a recognised transport corridor (St Georges Road) and substantial housing change area. The site has convenient access to tram Route 11 and 112, walking access to Thornbury train station located approximately 500 metres to the east; and the retail spine along High Street 650 metres to the east.

Proposal

- The development proposes a mixed use building with an office of 65 square metres fronting St Georges Road; and six dwellings at the upper floors.
- Pedestrian entry is to be via St Georges Road, with the foyer entrance at the south-east side of the street frontage.
- Vehicle entry is to be via the 3.0 metre wide laneway at the rear. The rear of the Ground Floor will accommodate a mechanical car parking stacker providing eight (8) car parking spaces. All car parking on site is to be allocated to the dwellings. No car parking is provided for the Office use, and a three-bedroom dwelling also seeks a waiver of one car parking space.
- Bicycle parking, waste storage and residential storage units are also provided at Ground Floor within the service areas.
- A 5000 litre underground rainwater tank is proposed to the east side of the mechanical stacker system.
- There are to be two dwellings per floor on the First and Second Floor levels; and one dwelling on each of the Third and Fourth Floor levels. The development will provide a mix of two and three bedroom dwellings in equal numbers.
- Private open space is to be provided in the form of balconies oriented to St Georges Road or to the rear laneway.
- The building is set back from the north and south boundaries of the site to provide a 1.5 metre wide light court to the north and a 1.24 metre light court to the south. The northern light court is located to coincide with the light court to the apartment development on the adjoining northern property.
- The development will provide a staggered setback from the rear boundary while maintaining a four-storey street wall to St Georges Road.
- The development will have a maximum overall height of 16.6 metres and a contemporary design.

Objections summarised

- The development height not in accordance with the Design and Development Overlay Schedule 16 (DDO16)
- Noise impacts from vehicle access along the laneway, use of mechanical stacker system, roller door and waste collection.
- Noise transmission between the simultaneous light-well with 85 Hutton Street
- Northern and southern light courts not appropriately sized
- Reduced daylight to adjoining northern and southern property
- Overshadowing
- Entrance lacking in sense of address and safety
- Safety at the rear of the site compromised
- Use of laneway will affect adjoining businesses for pick-up and deliveries
- Insufficient car parking
- Vehicle manoeuvrability is problematic
- Services not shown
- Roof services will be an eyesore to adjoining upper floor dwellings

- Glare from use of zinc on roof
- Poor architectural design
- Property devaluation
- Obstruction of views
- Structural damage to adjoining buildings during construction
- Impacts on the entrance to No.94A Harold Street from the right of way
- The right of way is not wide enough for vehicle access
- Waste vehicles will need to back up or down the right of way
- The perspective drawing incorrectly shows a roller door at ground floor of 85 Hutton Street.
- Office not appropriate in a residential development

Officer comment on summarised objectionsThe development height not in accordance with Design and Development Overlay Schedule 16 (DDO16)

The DDO16 specifies:

- A minimum frontage width of 15 metres in the Commercial 1 Zone.
- A 5-storey height limit (17 metres).
- A rear building envelope of 45 degrees.
- A four (4) storey street wall.
- Active frontage to St Georges Road.

The development provides a maximum building height of 16.6 metres excluding rooftop plant and equipment. The maximum allowable building height is 17 metres with rooftop plant and equipment allowed to exceed 17 metres provided it is not visible from the public realm. Rooftop areas over the lift/stair exceed 17 metres, but this is allowed as it will not be visible to the public realm or properties to the rear of the site.

Clause 2.1.1 to the DDO16 states “*that land should be consolidated to enable higher densities and create favourable conditions for high quality development outcomes*” and further states that “*where a development does not achieve the frontage width requirements, it must demonstrate, to the satisfaction of the Responsible Authority, how the proposal intends to achieve exemplary design outcomes. Such a development may not be eligible to build to the maximum height*”. It is noted that the site frontage width vs height relationship is a preferred and not a mandatory requirement. Based on the design response, it is considered that the five (5) storey development achieves a high level of compliance with policy (subject to minor conditions), does not result in overdevelopment given that only six (6) dwellings are proposed across four (4) levels that are predominantly front and rear loaded, provides contextually appropriate urban design and streetscape presentation commensurate with the adjoining northern development, activates the frontage to St Georges Road with a commercial use and integrates areas for services, car parking, bicycle parking and waste storage to satisfactorily meet the needs of occupants.

It is also noted that a development with less height, say three (3) or four (4) storeys, would not necessarily result in a higher quality development. The scale of the proposed building is considered appropriate in regards to the neighbouring six (6) storey development and its appearance in the streetscape. The development cannot be refused on height grounds alone in an area that is designated as a five storey built form precinct.

Noise impacts from vehicle access along the laneway, use of mechanical stacker system, roller door and waste collection

Any noise emanating from the use of mechanical stackers and roller door will be within reasonable limits and in accordance with industry standards that regulate fit for function and suitability within the context of multi-storey development. The development will be designed and constructed, subject to conditions, in accordance with the recommendations of an Acoustic Report to ensure that dwellings within the development and adjoining sites are protected unreasonable noise impacts.

Vehicle noise resulting from the use of the right of way for the purpose of vehicle access and waste collection will be intermittent and an expected by-product of any property sharing an interface with the right of way. Use of the right of way for vehicle access and waste collection is consistent with the purpose of the right of way which equally services all properties abutting the right of way.

In accordance with Council's Crossover policy and Standard D11 of Clause 58, the number of access points to a road in a Road Zone should be minimised in order to avoid disruption to traffic along a major thoroughfare. The right of way is preferred over St Georges Road (Road Zone Category 1) as the vehicle access point to the site. Vehicle access openings to a road zone are discouraged where a property has access to a Right of Way.

The design response to take vehicle access from the rear is therefore consistent with policy direction and is a logical design response.

Noise transmission between the simultaneous light-well with 85 Hutton Street

The proposed use is predominantly residential and will have noise impacts consistent with those normal to a residential use, unlike an industrial use which would create noise impacts that are not normal to a residential zone. Speech, laughter, music etc. are noises associated with people living their lives and are all part of life in an urban area.

Furthermore, the transmission of any noise between the two properties would not be dissimilar to noise transmission within the development itself where light courts are shared by multiple dwellings' windows which have outlook to the same light court.

The above notwithstanding, it is predominantly the proposed development's bedrooms, study nooks and bathrooms that rely on the northern light court for daylight or ventilation. These are traditionally considered to be quiet spaces. There are no primary orientation of balconies or living area windows to the northern light court. Therefore, any noise impacts are considered to be within acceptable parameters for a residential development.

Northern and southern light courts not appropriately sized

The light court to the north has a width of 1.5 metres at Level 1 and Level 2; and 2.0 metres at Level 3 and Level 4. The proposed widths allow for light courts in accordance with the relevant standard in Clause 58 of the Scheme. It is noted that only bedrooms rely on the light court for daylight access. Living and dining area windows are oriented to the front or rear of the site.

To the south, the light courts have a width of 1.24 metres and again are compliant with the relevant daylight standard in Clause 58 of the Scheme. The southern light court services some bedrooms, bathrooms, laundry areas as well as secondary sources of daylight for kitchen, dining and living areas.

Refer to further discussion under Clause 58 in later sections of this report.

Reduced daylight to adjoining northern and southern property

The land to the south is a single-storey building and the land is in the Commercial 1 Zone. Council has assigned this property, under the Australian Valuation Property Classification Code, a shop use category. The shop windows are oriented to St Georges with some windows to the rear of the building oriented to the side setback. The development proposes boundary to boundary construction with two light courts to the south boundary. Whilst the proposed walls on the southern boundary would affect daylight to the adjoining windows, the windows are not associated with a residential use and are not afforded the same level of amenity protection as a dwelling. This notwithstanding, the setback of the adjoining windows from common boundary vary between 0.99-1.062 metres and this will maintain an acceptable light court with an average width of 1 metre and an area of 3 square metres open to the sky. In some areas this light court is increased by the simultaneous light courts proposed by the development.

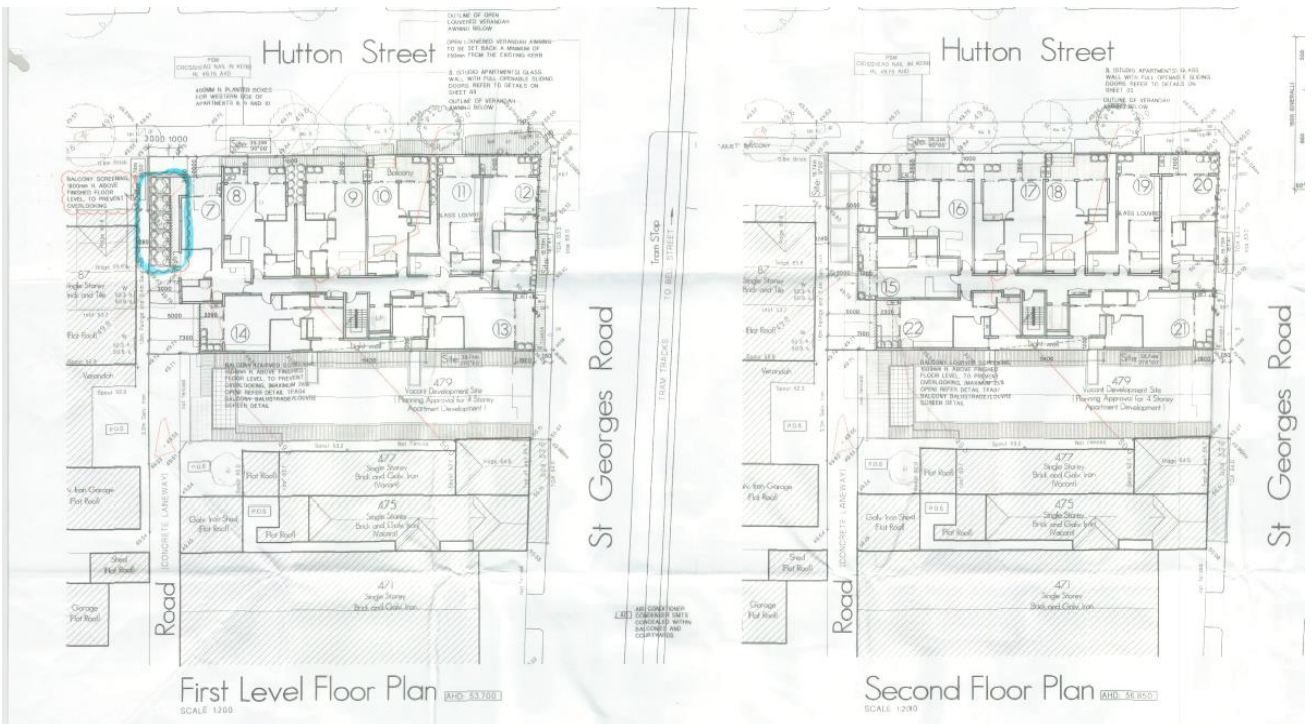
The dwellings in the adjoining site to the north comprising a six-storey mixed use development at No.85 Hutton Street, currently enjoy southerly views and abundant daylight due to the subject site being left vacant over a long period of time; however this condition is temporary and residents of the northern site must expect a reduction in existing amenity that is currently borrowed from the subject site given the relevant planning policy framework which encourages similar apartment development.

At the time of approval of the above-mentioned northern development, the subject site had approval for a four-storey development under D/903/2010 (see Plan A below).

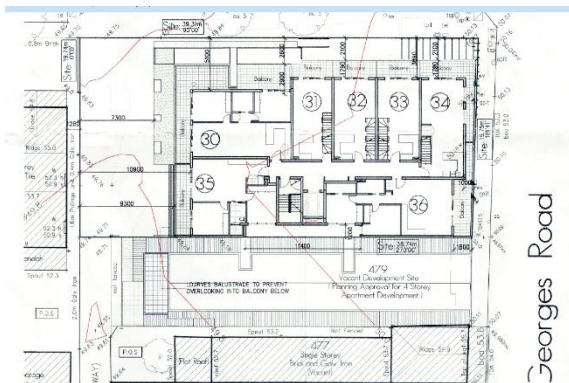
The six (6) storey development at 85 Hutton Street was subsequently approved under D/243/2012 (see Plan B below). The endorsed plans associated with D/243/2012 acknowledge the future presence of a four-storey building on the subject site with walls built to the common boundary for the majority of the first and second floor levels; and only recessed toward the rear of the site for the third level. Whilst Planning Permit D/903/2010 has expired, the current permit application seeks one level higher than that previously approved development. Therefore any impact on habitable room windows to the north, including rights to views, would have been considered in the approval given to the adjoining northern development under planning permit D/243/2012, with the exception of the two penthouse levels which cleared the height of the four (4) storey development approved on the subject site. Nevertheless, in viewing the plans for the penthouse levels (see Plans C & D below), only three bedrooms associated with apartments 35 and 36 would be affected by the current proposal, but still maintain in excess of policy-based light court requirements; the sixth level exceeds the height of the current development proposal and would continue to enjoy existing amenity conditions. The overall impact from the proposal is therefore not considered to be unreasonable and within the scope of what can be expected for the subject site. In many ways, the impact from the current proposal is substantially less than the previously approved four (4) storey proposal.



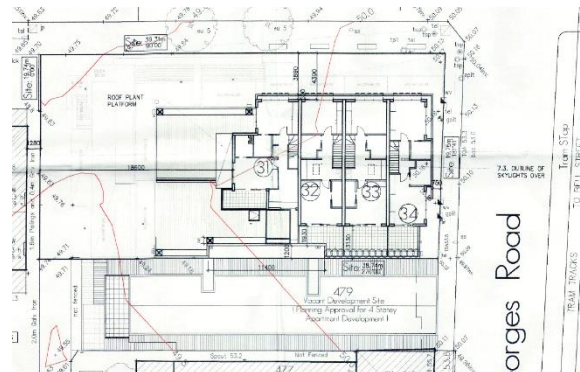
Plan A: Approval under D/903/2010 for 479 St Georges Road



Plan B: Approval under D/243/2012 for 481 St Georges Road (now known as 85 Hutton Street)



Plan C: Penthouse Level 481 St Georges Road



Plan D: Upper Penthouse Level 481 St Georges Road

Overshadowing

Overshadowing of adjoining private open space is not a relevant planning consideration for an apartment development under Clause 34.01 (Commercial 1 Zone), Clause 58 or Clause 43.02 (Design and Development Overlay) of the Darebin Planning Scheme.

Under the Commercial 1 Zone at Clause 34.01-8, the consideration of overshadowing impacts of a development are limited to existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone. There are no solar facilities which will be affected by the proposal. The rear building envelope requirement set out by the DDO16 is intended to limit amenity impacts to adjoining residential uses.

Overshadowing impacts are referenced in Local Policy under Clause 22.06-3.8 with the objective to ensure that multi-level development minimises unreasonable overshadowing and overlooking of residential development. The overshadowing from the development is not considered to be unreasonable given compliance with the relevant policy and with the rear envelope requirement of the DDO16. Refer to detailed discussion of overshadowing in later sections of this report.

Entrance lacking in sense of address and safety

The Office and Apartment entrances are considered to provide an appropriate sense of address and weather protection. The recess at the apartment entry is not excessively deep to create an unsafe space.

Safety at the rear of the site compromised

Given that the site is currently vacant and the proposed development will have the effect of increased surveillance to the rear via balconies and windows, it is not considered that the development will have a direct effect on lack of safety and security at the rear of the site.

Use of laneway will affect adjoining businesses for pick-up and deliveries

The right of way is available for use by all abutting properties as detailed on the title of the land. No single property has sole use rights and the right of way is not intended for parking of vehicles or delivery trucks. Short term parking for deliveries or pickups is generally an accepted practice.

Insufficient car parking

Car parking is to be provided in the form of mechanical stackers at the rear of the site, providing eight (8) spaces in total. These are proposed to be allocated to the dwellings. A car parking reduction of one (1) space is sought for the Office and one (1) space is sought for one of the three-bedroom dwellings. The extent of waiver sought is not considered to be unreasonable given the site's location in the Principal Public Transport Network Area plan.

Vehicle manoeuvrability is problematic

Vehicle manoeuvrability has been assessed by Council based on the electronic swept path analysis provided with the application. Vehicle manoeuvrability is considered to be convenient and all vehicles will be able to enter and exit the right of way in a forwards direction.

Services not shown

All proposed service areas are shown in allocated areas on the Ground Floor Plan and Roof Plan. Sufficient areas have been set aside to locate services and will not be directly visible to the public realm.

Roof services will be an eyesore to adjoining upper floor dwellings

The adjoining northern apartment development is six (6) storeys. The proposed development is one (1) storey less at five (5) storeys in height. Services on the rooftop of the development may be visible to the south-facing windows of dwellings on upper most level of the adjoining development. However rooftop services can be appropriately screened subject to conditions.

Glare from use of zinc on roof

The drawings have not specified roofing material. A condition of any approval can request non-reflective roofing material be used.

Poor architectural design

The architectural design is considered to be of appropriate quality within the context of the streetscape and adjoining development. It provides a cohesive continuum of the adjoining northern development. The internal layout provides generous room and circulation dimension and an appropriate level of daylight, ventilation and balcony areas.

Property devaluation

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

Obstruction of views

This matter is not a relevant consideration under the Darebin Planning Scheme in that no Design and Development Overlay applies which might require the protection of, or sharing of view lines. Furthermore, the Tribunal has consistently held that there is no legal entitlement to a view.

Structural damage to adjoining buildings during construction

This is not a relevant consideration under the Darebin Planning Scheme. Asset protection, including protection of adjoining and Council property is dealt with under the Building Regulations before the commencement of construction.

Impacts on the entrance to No.94A Harold Street from the right of way

Planning Permit D/564/2007 issued on 25/01/2008 allowed use of the premises for the purpose of a music recording studio and waiver of the car parking associated with the use of the premises as a caretaker's dwelling. The caretaker's dwelling is located on the first floor and the recording studio is located on the ground floor. The plans endorsed with the application show that pedestrian access to the premises is indeed via the right of way, yet there are not projections into the right of way approved by the endorsed plans.

Nevertheless, any existing projections such as the steps to the doorway located in the right of way land have not interfered with the use of the right of way by other vehicles to date. As the Right of Way is shared with vehicles and pedestrians, and given the 3.05 metre width of the Right of Way would limit the speed of vehicles; is therefore considered unlikely that the use of the Right of Way by abutting properties for vehicle access poses a safety risk to the music recording studio tenants.

The right of way is not wide enough for vehicle access

The width of the Right of Way at 3.05 metres is considered to be suitable for vehicle access, given that the standard width of an accessway under Clause 52.06 of the Darebin Planning Scheme is 3.0 metres.

Waste vehicles will need to back up or down the right of way

The Waste Management Plan submitted with the application specifies that waste vehicles will not traverse the Right of Way and will collect waste from Harold Street.

The perspective drawing incorrectly shows a roller door at ground floor of 85 Hutton Street

The site visit conducted confirms that there is no western roller door at the ground of the adjoining northern development. The Site Plan also confirms this. The perspective drawing provides a 3-D rendition of the front and rear of the development as it will present to St Georges Road and the Right of Way. The urban context and design response plans, alongside the floor plans and elevations are used to assess the development and its relationship with adjoining site conditions. The perspective drawing provides supporting information only; an artist's impression of the development rather than a technical document, and accordingly will not form part of the endorsed plans.

Office not appropriate in a residential development

Use of land for the purpose of an office in the Commercial 1 Zone is as of right. Hence the planning scheme control considers it appropriate to have an office without planning permission. Accommodation is also as of right, provided the frontage at ground floor does not exceed 2 metres. As the frontage slightly exceeds 2 metres, a permit is required to use land for accommodation. Both dwellings and office use are considered appropriate in the zone.

PLANNING ASSESSMENT

Clause 13.03-1 – Use of contaminated and potentially contaminated land

The objective of the clause is to ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

Council must require the applicant to provide adequate information on the potential for contamination to have adverse effects on the future land use, where the subject land is known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel.

Council records that the land may have been used as a 'factory', although full details of the nature of the use are not available.

It is therefore considered sufficient to request, in the first instance, an environmental investigation of the site to gauge the level of contamination, if any and as relevant. This may be addressed via conditions.

Clauses 15.01-1 and 15.01-2 – Urban Design

The objectives of the above State policy coincide with and duplicate many of the requirements and objectives of both the Design and Development Overlay Schedule 16 which provide specific requirements for this precinct. Furthermore, Planning must consider, "as relevant", the Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017). It is considered that the relevant content and principles of the Guidelines are adequately considered in other sections of this report. Due to the scale of the development and size of the site (approximately 300 square metres), the majority of the standards and principles are not relevant to the proposal.

Clause 21.03 – Housing

The Strategic Housing Framework Plan illustrates the directions for residential land use and development in Darebin as set by the Darebin Housing Strategy (2013). This framework provides greater certainty as to where growth and change can be expected and the preferred scope of housing change in terms of the intensity and type of residential development to be encouraged in different areas. The framework plan also identifies three (3) Housing Change Areas, which apply to all land in the municipality that currently has a zoning that permits residential uses. These housing change areas are Minimal Housing Change, Incremental Housing Change and Substantial Housing Change. Being situated along a transport corridor, the subject site is located in a Substantial Housing Change area within the Framework plan. Residential, commercial and designated activity centres that have the capacity to accommodate substantial residential development over time. Substantial Change Areas will support increased residential densities and increased housing diversity. It is expected that the character of these areas will change substantially in the future. The site is therefore considered suitable for a substantial increase in housing density.

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

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

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

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

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

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

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

It is considered that the proposed mixed-use development of a five (5) storey building is appropriate for a Substantial Housing Change area. The proposal is considered to be largely acceptable within policy context.

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

It is policy to ensure that the design of development at interfaces between Substantial Change and Incremental or Minimal Change Areas, or between Incremental and Minimal Change Areas, provides a sensitive transition, with particular consideration given to:

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

The proposal, as discussed elsewhere in this report, provides an appropriate transition in scale to the adjoining residential and commercial land uses, and avoids unreasonable amenity impacts appropriate to the nature of the use.

Complies

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

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

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

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

As the site is within a local convenience centre and has direct access to the Principal Public Transport Network there is policy support for these areas to accommodate increased densities and dwelling diversity, so that the character of the area will change over time and that existing character should not limit the ability to provide increased densities.

Complies

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

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

The proposed development is considered to meet policy objectives identified above in regard to the extent of impact it will have on surrounding residential land. It provides appropriate articulation and transition in building heights, with no overshadowing or solar access impacts on the adjacent dwellings located in the General Residential Zone (GRZ2).

Complies

Clause 21.04 – Economic Development

This policy is to enhance the viability of retail/activity centres in the municipality and places activity centres in a hierarchy. It generally encourages intensive use and development in and around activity centres and supports the accommodation of residential or mixed-use development. Additionally, retention and development of active frontages in activity centres is encouraged.

The Darebin Economic Land Use Strategy (2014) - a reference document at Clause 21.04-3 of the Planning Scheme - indicates that the site is in the St Georges Rd Precinct (No. 55). The core role/function of the precinct is as follows:

Mix of activities, including service industry, small manufacturing, wholesale supplies, some commercial (eg accountants); has convenience component at northern edge with bakery and milk bar; BP petrol filling and audio centre opposite; lots of run-down properties.

Clause 21.04-3 provides a number of policies with which use and development should comply. The proposal is considered to be acceptable in that:

- Mixed use developments development is encouraged in and around activity centres.
- Intensive development (including commercial and residential development) is to be facilitated in and around activity centres.
- Policy is to facilitate a higher intensity of activity in and around neighbourhood centres and local centres
- There is an active frontage at ground floor, with access to the dwellings from the side. Additionally, a canopy is incorporated in the design for weather protection.

It is also noted that the residential entry does not dominate the street frontage and car parking, bicycle parking and waste storage are located away from the public realm. With the intensification of development/use on the site, the proposal is consistent with the desired outcome of increased use of existing services and facilities in the area.

It is considered that the proposal complies with the policy requirements of Clause 21.04.

Complies

Clause 22.06 - Multi Residential and Mixed Use Development

This policy applies to multi-dwelling apartment developments in the Commercial 1 Zone. The policy was written prior to the adoption of Clause 58 Apartment Design Guidelines and aimed to provide guidance on gaps in policy relating to apartment developments. It is considered that the objectives and intent of the policy is now covered by Clause 58 and replicates many of the policy considerations covered by the Design and Development Overlay as well as Clause 58. A separate assessment (other than Overlooking and Overshadowing which are not picked by Clause 58) is therefore not considered necessary. Overlooking and overshadowing assessments are included later in this report.

Clause 34.01 – Commercial 1 Zone

Purpose of the Zone

The site is located in a Commercial 1 zone where the purpose is

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

Use

The office use does not require a permit. Whilst the residential use requires a permit, this is due to the residential frontage to St Georges Road at Ground Floor slightly exceeding 2 metres. The residential entry does not dominate the frontage and use of land for the purpose of dwellings is not contrary to the purpose of the zone. The slightly wider entry for the apartments still allows the commercial use (office) to maintain a strong and active presence in the street.

Buildings and Works

A permit is required for buildings and works under Clause 34.01-4 of the Scheme.

Whilst less weight is placed on amenity considerations in a Commercial 1 Zone than in a Residential Zone, this is generally the case where there is no direct abuttal with residential zoned land. Amenity considerations are expressed via the application of overlay controls such as the DDO in this instance, to protect the amenity of directly adjoining residential zoned land.

Immediately abutting residential uses in a Commercial zone can expect to experience some loss of amenity to allow efficient use of the site, however consideration needs to be given to equitable development on such sites where they are undeveloped. Any impact on the adjoining northern residences are expected and reasonable on the basis that these dwellings have enjoyed borrowed amenity due to the vacant nature of the subject site to date.

Decision Guidelines

The zoning controls include decision guidelines when assessing planning permit applications for use and buildings and works. The following is a summary assessment against the decision guidelines:

- As can be seen above, the site is located in a local convenience centre, where policy encourages redevelopment for commercial and more intense residential purposes. The proposal provides additional housing in an area capable of supporting increased densities. It provides appropriate retail and residential uses of the site, with an active façade and an appropriate design. The residential use is appropriate for the site and area, given the site is in an established residential and commercial precinct. In this respect, the proposal complies with the State and Local Planning Policy Framework, and the Municipal Strategic Statement.
- Although the site is in a Commercial 1 Zone, it is adjacent to a residential zone to the west. Nevertheless, it is sensitive to impacts on the adjacent dwellings as the site is separated from the adjacent dwellings by a Right of Way, so that the development form and scale is appropriate (see discussion under the DDO assessment in following sections of this report). In addition, the building provides an appropriate transition to the dwellings to the west through compliance (subject to conditions) with the rear building envelope requirement.
- The design provides adequate movement for pedestrians as well as vehicle access from the rear, via the Right of Way.
- Car parking provision is considered in later sections of this report, acknowledging that the car parking reduction sought has been considered acceptable as the evidence based justification of the deficiency of two (2) spaces is able to be absorbed by the surrounding street networks.

- The proposal provides an active façade with a commercial office frontage and awning extension commensurate with the adjoining development. Appropriate access is provided to the street frontage for the shop and the entry for the residential use is to the side. Adequate articulation is provided in the design, with appropriate setbacks and varied materials to the front, sides and rear. To the north, the development will abut the adjoining development, with the exception of light courts which will not be visible from the street. To the south, with the exception of the light courts, it is expected that any future development of the adjoining site will result in simultaneously constructed walls on the common southern boundary, especially the section of built form toward the St Georges Road boundary. In the interim, the development provides a combination of flat painted finish over concrete and textured concrete finish to the south wall. The southern wall proposed on the eastern end of the southern boundary is to have a painted finish. As this wall will be directly visible over the single storey adjoining building at 477 St Georges Road, a higher quality finish to this wall, such as textured concrete, would be expected. The proposed treatments are otherwise considered acceptable.
- The design provides space for storage of garbage and recyclables in the bin store area.
- In looking at the effect on the adjoining residential zone, the following is considered:
 - Overlooking to the west is addressed by screening of balconies and windows within a 9 metre radius of adjoining sensitive areas/windows. Screens are shown to a height of 1.7 metres above finished floor level, but require further details and specifications to be shown (refer to assessment in later sections of this report)
 - Overshadowing to the west will occur in the mornings; however, after 10:00am and in the afternoon, the proposal does not adversely affect residential land to the west.

Overlooking is managed through screening and overshadowing impacts are within reasonable limits (see assessment later in this report).

- The site has access to drainage and utilities.
- The dwellings are provided with appropriate solar and/or daylight access from the north, east and west.
- The relevant objectives, standards and decision guidelines of Clause 58 are addressed in later sections of this report.

Clause 43.02 Design and Development Overlay Schedule 16 (DDO16) – St Georges Road Corridor:

The subject site is within the Ballantyne Street to Miller Street Precinct on Map 6 of Schedule 16 to the DDO. The following design requirements apply to the site under the DDO:

- A height limit of five (5) storeys (a maximum height of 17 metres)
- Rear building envelope of 45 degrees, including the Right of Way
- Active frontages to St Georges Road.



Diagram E: South Elevation showing 45 degree rear building envelope and maximum 17 metre building height.

The development provides a five (5) storey building and is set back from the rear boundary (including the 3.05 metre wide laneway) in accordance with the 45 degree building envelope, as seen in the Diagram E above). The majority of the front façade at Ground Floor is comprised of glazing to present an active frontage to St Georges Road.

The design objectives encourage urban redevelopment that achieves higher densities via lot consolidation and encourage high quality development. Design objectives are also to promote active modes of transport, support activating areas along St Georges Road and improve visual amenity, via high quality urban design and architecture. Development is to achieve a balance between intensification and off-site amenity impacts. In addition, the cumulative effect of development is to lead to the creation of high quality design outcomes, including ensuring similar future development potential on adjoining land. A high standard of pedestrian amenity is to be achieved. Other objectives encourage adaptable building layouts, transition in scale along the side streets, dwelling diversity. In addition, rear building setbacks are not to be visually dominant to adjoining residential sites and are to be sympathetic to the topography of the land, stepping up or down with the fall of the land.

Parking and access design objectives are to provide bicycle and vehicle parking and access and maximise the retention of existing on street car parking spaces and avoid proliferation of vehicle crossovers.

These objectives are discussed below.

2.1 General Building Envelope Requirements:

Clause 2.1.1 this Overlay indicates that land in the Commercial 1 zone should have a minimum frontage width of 20 metres. The subject site does not achieve the frontage width requirements; however, this is not mandatory and site consolidation cannot be imposed and a development proposal cannot not be refused on the basis of the frontage width. Importantly this Clause notes that:

- *Where a development does not achieve the frontage width requirements above, it must demonstrate, to the satisfaction of the Responsible Authority, how the proposal intends to achieve exemplary design outcomes. Such a development may not be eligible to build to the maximum height.*

A lesser frontage width may be acceptable provided all other policy considerations are met and a high quality development is achieved. In this instance, the frontage width is considered to be acceptable in that the development provides a high level of compliance with policy. The proposal provides a balance between available site width and development opportunity and is not considered to constitute an overdevelopment based on the site width. It also provides a built form character to St Georges Road that is a harmonious continuum of the adjoining northern development, and for all intents and purposes, presents as a consolidated extension the adjoining building.

Clause 2.1.3 Building Setbacks

In a Commercial 1 or Mixed Use Zone 1, the front setback from St Georges Road should be zero for the first four (4) storeys. The proposal provides a street wall with a height of four (4) storeys inclusive of the balcony balustrades and a 2.565 metre recess at the fifth level.

Where active frontages are required to St Georges Road, the street wall should be constructed boundary to boundary. The four (4) storey street wall is constructed to the southern boundary, with a combination of balconies and walls providing solid and void elements. With regard to the northern boundary, the development sidles up to the balconies of the northern development and provides a simultaneous balcony area which would be separated by a party wall from the adjoining balconies. This is considered to be an appropriate design response given the context.

The site interfaces a residential site beyond the Right of Way to the rear. The 3.05 metre wide Right of Way provides appropriate separation at the ground floor level, plus a 2.2 metre setback into the site increases this separation by widening of the Right of Way for vehicle manoeuvrability.

The first floor of the development must be set back by 5.5 metres (including a laneway). The cumulative setbacks of 3.05 metres (right of way) and the 2.45 metres to the first floor balcony edge result in a 5.5 metre setback which complies with the requirement.

The proposed dwellings are appropriately oriented towards front and rear boundaries, to provide a high level of unobstructed daylight access to the main living areas and at least one bedroom in each dwelling.

Centrally located bedrooms rely on the side setbacks (light courts) for daylight access. The width of the northern light court is increased from 1.5 metres to 2.0 metres at the upper level to increase daylight penetration to the lower levels. It is considered that the proposed dwellings will have appropriate levels of amenity, daylight and outlook (subject to conditions to ensure screens for overlooking are comprised of angled louvers rather than obscure glazing).

The provisions under the DDO require that development is designed and sited so that adjacent lots can be developed in a similar manner, creating a cumulative development pattern (i.e. consistent street edge, mid-lot separation of built form, and/or light court locations and side setbacks as described in this schedule). If the adjoining allotment to the south were to be developed in a manner encouraged by the DDO, the amenity, daylight and outlook of the proposed dwellings would not be significantly impaired. The layout has acceptable regard to the future development of adjoining sites and will not fetter development opportunity to the south.

Clause 2.1.4 Site Coverage

Site coverage, permeability and walls on boundary requirements are as follows:

- Site coverage of 100% is allowed in the Commercial 1 Zone, the proposal provide a site coverage of 100%.
- Permeability of 0% is allowed in the Commercial 1 Zone, the proposal provides 0% permeable surfaces.
- Boundary walls may be constructed along 100% of the side boundary in the Commercial 1 Zone; walls on boundaries are intermittent and correspond to light courts on the adjoining site.

The policy encourages maximum development opportunity. With the exception of the rear setback of 2.2 metres, the development fully covers the remainder of the site area at Ground Floor. Boundary walls are maximised with the exception of areas set aside for service light courts to the side boundaries. The development is consistent with the intent of this policy.

2.2 Building Design requirements

The building mass is directed towards St Georges Road. The proposal allows a commercial space at ground level and the floor to ceiling height of 3.2 metres at ground level is commercial capable. The proposal also provides a variety of residential layouts that cater for diverse living arrangements and family size.

The building design requirements encourage visual interest to be derived from articulation, with a suitable ratio of solid and void elements; well-considered horizontal and vertical building elements; visual interest through fenestration, balconies and architectural features. The building design achieves a fine grain streetscape rhythm and the façade is articulated with simplicity and integrity, utilising a limited palette of materials.

The proposal maintains an appropriate shopfront and a continuous street edge from boundary to boundary at ground level. The windows and balconies to the upper floor levels also activate the public realm. A verandah is shown to the front to provide weather protection. Conditions will ensure it is set back from the kerb by 0.75 metres. Site services such as metres are located in an alcove at the residential entry facing inwards rather than to the street. The residential entry does not dominate the frontage. Privacy screening to upper level rear and side windows can be designed to integrate into the building and allow distant views (subject to conditions), whilst preventing overlooking and allow for a high level of direct daylight access.

As the site has a frontage to St Georges Road, further measures should be shown to mitigate impacts from noise sources such as the road, trams etc. In addition, noise from the lift to adjacent habitable areas and any noise impacts from the mechanical stacker system must be addressed. An acoustic report will be requested via conditions.

Clause 2.3 Access and parking

The proposal provides appropriate and clear pedestrian access from the front. The common areas are legible and convenient. Bicycle parking is clearly located and conveniently accessible from the rear. Accessibility between the rear and front section of the ground floor is reliant on a ramp at mid-block achieved via a ramp having a gradient of 1:3 which is too steep under the relevant Australian Standard (which requires a maximum ramp gradient of 1:14).

Stairs in lieu of the ramp with a bicycle wheeling channel (See Diagram F below) to the side is an option that is supported by Council's Transport Engineering and Strategy Unit and may be requested via conditions of any approval. However such an arrangement may not be suitable for accessibility between the car parking area and lift lobby under the Building Regulations, and an exemption would need to be sought on the basis that the Office use (for which an accessible car parking space is required) is sought to be waived by this application. It is therefore likely that the exemption would be granted under the Building Regulations.



Photo F: Example of bicycle wheeling channel adjacent to stairs

Bicycle parking is provided in a dedicated area at ground floor. Cora Expo type bicycle parking rack is proposed and accommodates seven (7) bicycles which equates to one (1) space per dwelling and one (1) space for the Office use. It is Council's preference that individual ground mounted U-racks are provided allowing both wheels and/or the body of bicycles to be locked. This modification can be requested via conditions of any approval.

Car parking and vehicle access is discussed in detail in later sections of this report under Clause 52.06.

Clause 5.0 Decision guidelines

In view of the decision guidelines, the objectives and design requirements of the Schedule are considered to be met, in particular:

- The land achieves dwelling density commensurate with the size of the allotment and is balanced against internal amenity considerations.
- The proposal achieves an acceptable quality design outcomes.
- The development is of acceptable architectural quality and contributes to the quality of the streetscape and pedestrian environment.
- The proposal provides an acceptable design response, with: adaptable floor layouts; front and rear facing dwellings (reducing the reliance on side facing light courts for primary habitable rooms); siting and massing that allows for replication on adjoining sites, with a positive cumulative effect.
- The pedestrian access is logical, with appropriate straight sightlines.
- The objective of the rear setback requirement specified in sub-Clause 6.0 is considered to be satisfied.
- There is no vehicle access directly to St Georges Road.
- The development achieves a transition in scale at the zoning interface.

Clause 58.05-3 Standard D19 – Private Open Space

Under this standard, 8 square metres of balcony area with a minimum dimension of 2 metres for a two-bedroom dwelling; and 12 square metres of balcony area with a minimum dimension of 2.4 metres for a three bedroom dwelling is required.

The units are provided the following balcony areas:

Dwelling	Balcony Area	Balcony Width
A1 (3B)	10 square metres	2.05 to 2.175 metres
A2 (2B)	10 square metres	2.0 metres
A3 (3B)	10 square metres	2.05 to 2.175 metres
A4 (2B)	13 square metres	2.01 to 2.46 metres
A5 (3B)	20 square metres	2.71 to 2.91 metres
A6 (2B)	15 square metres	2.2 metres

*2B = two-bedroom dwelling
 *3B = three-bedroom dwelling

There is space available for the inclusion of A/C units on the balconies as necessary, however these services are currently shown at rooftop rather than on balconies.

Units A1 and A3 which provide three bedroom accommodation do not meet the minimum area of 12 square metres and width of 2.4 metres required under the standard. This due to:

- The front boundary is not square to the side boundaries and the balcony areas are squared off with the building rather than following the angle of the front boundary. Whilst it would be possible to have an irregular shaped balcony to achieve the minimum requirements, on balance the areas and dimensions are considered to be functional and do not include high screens to the edge. A sense of spaciousness and views are available on these two balconies.
- The dimensions and areas available do not include the planter boxes to the edge of the balcony. The planter boxes provide a valuable contribution to the balcony experience and it would not be reasonable to request their removal to achieve compliance.
- The remaining dwellings substantially exceed the minimum private open space requirement.

Complies with Objective

Clause 22.06-3.8 - Amenity Impacts, Including Overshadowing and Overlooking

Overlooking:

Under Clause 22.06-3.8 development should minimise unreasonable overshadowing and overlooking of residential development

There is potential for overlooking to the north and west toward residential properties/dwellings. Toward the south, there is no residential property or dwelling and no screens are shown to windows facing south. To the east is St Georges Road.

To the north, all habitable room windows are shown with fixed obscure glazing to a height of 1.7 metres, with clear operable awning windows above the obscure section of glazing. These measures would sufficiently limit any overlooking to the north; however fixed external screens would be preferred to allow a greater level of operability to windows for ventilation purposes. This can be requested via conditions of any approval.

There is insufficient information regarding operability and screening to windows which have sideways (east or west) views into the northern light court. Details can be requested via conditions.

The northern side of the eastern balconies of Units A1, A3 and A5 show a wall on the northern boundary. This wall will separate these balconies from adjoining balconies to the north. The walls must have a minimum height of 1.7 metres to prevent overlooking. This can be requested via conditions.

To the west, rear balconies are screened to a height of 1.7 metres above finished floor level with perforated metal screens (FO5). However the visual permeability of the screens need to be specified as maximum 25% permeable to comply with the standard. The balcony screens will sufficiently limit any views from the glazed doors and windows adjacent to the balcony areas.

West-facing habitable room windows at first floor and second floor levels are set back less than 9 metres from the secluded private open space area of the adjoining residential property to the west (No.87 Hutton Street) and are therefore shown with fixed obscure glazing to a height of 1.7 metres above finished floor level. This measure will sufficiently limit overlooking but once again, the type of screening is considered inappropriate in terms of internal amenity and conditions can request external louvered screens to these windows.

The third and fourth level west facing habitable room windows are also shown with obscure glazing to a height of 1.7 metres above finished floor level. However these windows are outside of the 9 metre radius of No.87 Hutton Street's secluded private open space area and the windows are not required to be screened under policy. To improve internal amenity to the development, conditions of approval can request the removal of the screening to these windows, namely to Unit A5's Bedroom 2 and Bedroom 3 western windows and Unit A6's Bedroom 2 window.

Complies subject to conditions

Overshadowing:

There will be overshadowing effects during the morning period toward the secluded private open space area of the adjoining property to the west of the Right of Way (No.87 Hutton Street). Most of the overshadowing will occur between 9:00 am and 10:00 am, as shown on the shadow diagrams accompanying the application, and does not exceed the overshadowing already created by the six storey development to the north.

Whilst shadow diagrams have not been provided for 10:00am, Council's assessment indicates that at 10:00 am and thereafter, the overshadowing from the development will not exceed the overshadowing from the boundary fence of No.87 Hutton Street. The existing level of daylight will be maintained between 10:00am and 3:00pm, for a period of 5 hours. This outcome complies with policy.

Complies

CLAUSE 58 ASSESSMENT

Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if the apartment development is in the Commercial 1 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

A development must meet all of the objectives of this clause and should meet all of the standards of this clause.

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 respects the preferred urban context anticipated by the <i>Design and Development Overlay Schedule 16 for the St Georges Road Corridor</i> and responds to the features and constraints of the site.	Y	Y
58.02-2	D2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme, subject to conditions, as discussed throughout this report.	Y	Y
58.02-3	D3	Dwelling diversity		
		N/A as development contains less than 10 dwellings. Nevertheless, the development provides a mix of two and three bedroom dwellings in equal numbers.	N/A	N/A
58.02-4	D4	Infrastructure		
		Adequate infrastructure exists to support new development on this site.	Y	Y
58.02-5	D5	Integration with the street		
		The development provides adequate vehicle and pedestrian links that maintain and enhance local accessibility. The development is oriented to front the adjoining road. Canopy coverage is provided at the frontage to provide weather-protection to pedestrians. Condition of approval will request changes to the internal access ramp to ensure appropriate accessibility is available in the design (refer to discussion under the DDO16 earlier in this report).	Y	Y
58.03-1	D6	Energy Efficiency		
		The Sustainable Design Assessment submitted with the application has been assessed and supported subject to conditions (refer to Referral comments table later in this report). The development is considered to be generally energy efficient and will not unreasonably impact on the energy efficiency of adjoining properties.	Y	Y

Clause	Std		Compliance	
		<p>Due to the east-west orientation of the site and requirement to load dwellings to the front and rear, as well as the presence of a six storey building directly to the north of the site, it is not possible to orientate dwellings to the north and incorporate effective northerly windows into the development.</p> <p>The Sustainable Design Assessment submitted with the application has been assessed and considered to be acceptable subject to changes to the BESS report required by the ESD Officer.</p>		
58.03-2	D7	Communal Open Space		
		The development proposes less than 40 dwellings, there is no requirement to provide communal open space (COS) in the development.	N/A	N/A
58.03-3	D8	Solar Access to Communal Outdoor Open Space		
		N/A	N/A	N/A
58.03-4	D9	Safety		
		Entrances to dwellings are not obscured or isolated from the street and internal hallways. Planting which creates unsafe spaces is avoided. The development is designed to provide good lighting and visibility. Whilst natural surveillance of car parks and internal accessways is not available except through upper floor surveillance, the development may voluntarily install security systems, as appropriate and necessary. Private spaces within development are protected from inappropriate use as public thoroughfares.	Y	Y
58.03-5	D10	Landscaping		
		<p>The minimum threshold for providing deep soil areas and canopy trees on a site is 750 square metres. The subject site has an area substantially less than the minimum threshold and is not required to provide deep soil planting.</p> <p>Planter boxes are indicated within the balcony and terrace areas of the dwellings.</p> <p>Details of landscaping can be requested via conditions to ensure that an appropriate level of greening of the façade and facades is available to soften the development's presentation to the street and to offset the heat island effect.</p>	Y	Y
58.03-6	D11	Access		
		<p>The objective is to ensure the number and design of vehicle crossovers respects the urban context.</p> <ul style="list-style-type: none"> • Vehicle access is appropriately taken via the Right of Way at the rear and avoids opening to St Georges Road zoned Road Zone Category 1. • The Right of Way is widened to allow appropriate vehicle manoeuvrability. 	Y	Y

Clause	Std		Compliance	
		<ul style="list-style-type: none"> Use of the Right of Way maximises the retention of on-street car parking spaces and avoids new opening that could potentially impact existing street trees. The development does not specifically show provision for access for service, emergency and delivery vehicles; however there is ample area on the St Georges Road frontage for emergency and service vehicles to be accommodated, as well as Right of Way access as necessary. 		
58.03-7	D12	Parking Location		
		Parking facilities are proximate to the dwellings they serve. The access is observable. There are no habitable room windows directly adjoining the accessway.	Y	Y
58.03-8	D13	Integrated water and stormwater management		
		<p>The development proposes use of alternative water sources such as rainwater, stormwater and recycled water to reduce the impact of stormwater run-off on the drainage system and filtration of sediment and waste from stormwater prior to discharge from the site.</p> <p>A 5,000 litre underground rainwater collection tank is proposed.</p> <p>Additional requirements as per ESD officer requirements and Infrastructure and Capital Delivery Unit requirements can be addressed via conditions to ensure there is appropriate stormwater retention and detention systems on site.</p>	Y	Y
58.04-1	D14	Building setback		
		Building setbacks are covered in the assessment under the Design and Development Overlay Schedule 16 in earlier sections of this report. The requirements of the Overlay override any requirements in this clause.	Y	Y
58.04-2	D15	Internal Views		
		The windows in the development are designed and located to limit views into the private open space and habitable room windows of dwellings within the same development.	Y	Y
58.04-3	D16	Noise Impacts		
		<p>The objective is to contain noise sources in developments that may affect existing dwellings and to protect residents from external and internal noise sources.</p> <p>The site is located adjacent to a road zone and tramline (St Georges Road). The dwellings fronting St Georges Road should be protected through noise attenuation measures incorporated into windows,</p>	Y	Y

Clause	Std		Compliance	
		<p>doors and wall construction.</p> <p>Internally, the dwellings are designed to avoid the location of noise sensitive rooms adjacent to the lift and stair core, with the exception of Unit A6 which would not be affected by the use of the lift at the lower levels.</p> <p>The mechanical stacker systems are generally designed to operate silently, however given the stackers and roller door are located directly below Unit A2, some noise attenuation may be required to protect the dwelling from mechanical noise.</p> <p>Any plant and equipment on the rooftop would need to be located and screened to attenuate against unreasonable noise disturbance to adjoining dwellings.</p> <p>Whilst the site does not adjoin a noise influence area specified in Table D3, it is nevertheless considered appropriate to request the provision of noise attenuation to dwellings as the site adjoins a road zone and tramway. A detailed acoustic report prepared can be requested via conditions.</p>		
58.05-1	D17	Accessibility		
		<p>The development shows that at least 50 per cent of dwellings are capable of achieving accessibility (Type B, Type C and Type D Apartments identified as Units A2, A4 and A5) by providing:</p> <ul style="list-style-type: none"> • A clear opening width of 920mm where at least 850mm is required at the entrance to the dwelling. • A clear opening of 850mm for the main bedroom of the dwellings, subject to conditions requesting that door dimensions be shown. • A main bedroom with access to an adaptable bathroom is shown. • A clear path with a minimum width of 1.2 metres connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. However dimensions of the circulation areas of the accessible bathrooms and their doorways have not been shown and will be requested via conditions (to comply with Table D4). 	Y	Y
58.05-2	D18	Building Entry and Circulation		
		<p>Entries to each of the dwellings and the building:</p> <ul style="list-style-type: none"> • Is visible and easily identifiable. • The entrances provide shelter, a sense of personal address and a transitional space around the entry. <p>The layout and design of the development,</p>	Y	Y

Clause	Std		Compliance	
		<ul style="list-style-type: none"> • Clearly distinguishes between the entrances to residential and office space. • Provides sufficient area of windows/glazing to the building entrance/s and lift areas, given that the lift lobby has direct sightlines with the glazed entry area. • Provides visible, safe and attractive stairs from the entry level to encourage use by residents, subject to conditions to provide natural lighting to the stair core through glass blocks. • The common areas and corridors at First and Second level are provided with a window for daylight and ventilation. It would be possible to provide a light tube or skylight over the entry area of Unit A6 at the fourth level to improve daylight and ventilation to this level. This can be requested via conditions. • Common areas on each floor only service one or two dwellings and therefore provide clear and legible entry experience without risk of loss of sightlines to the entrances relative to the lift lobby. 		
58.05-3	D19	Private Open Space		
		Refer to assessment earlier in the body of this report.	N	Y
58.05-4	D20	Storage		
		<p>Under this standard, a total of 14 cubic metres of storage with at least 9 cubic metres within the dwelling for a two bedroom unit; and a total of 18 cubic metres of storage with at least 12 cubic metres within the dwelling for a three bedroom dwelling is required to be provided.</p> <p>As detailed in the Storage Summary on Drawing AO46, and the detailed floor plans including storage within the dwellings, the dwellings are provided with 6 cubic metres of external storage at Ground Floor level and internal storage via walk-in-ropes, kitchen cupboards, pantries etc. to achieve the minimum requirements of the standard.</p>	Y	Y
58.06-1	D21	Common Property		
		The development clearly delineates public, communal and private areas. Common property is functional and capable of efficient management.	Y	Y
58.06-2	D22	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</p>	Y	Y

Clause	Std		Compliance	
		<p>appropriately integrated with the design of the development and provide high quality urban design outcomes. Services are also located at the rear of the site and accessible via the Right of Way.</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>		
58.06-3	D23	Waste and Recycling		
		<p>The objectives are to ensure dwellings are designed to encourage waste recycling; that waste and recycling facilities are accessible, adequate and attractive; and waste facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</p> <p>Waste bins in the development will be stored at Ground Floor within a dedicated and secure enclosure and readily accessible by lift and stair.</p> <p>The Waste Management Plan (WMP) submitted with the application proposes private waste collection, weekly for general waste and fortnightly for recycleable waste for the dwellings. Eight x 240 litre shared bins are proposed for this purpose. Office-related waste is also to be collected privately and separate bins for the Office (2 x 80 litre bins) are located in the same bin enclosure.</p> <p>The private waste contractor is to be responsible for collecting bins directly from the bin store area, moving bins along the laneway to the waste vehicle (parked on Harold Street) and returning bins to the bin store immediately after collection. No bins will be left on Harold Street or the laneway at any time.</p> <p>For the above waste management plan to operate effectively, the section of laneway to the south of the subject site which is currently unmade, must be made good to Council's satisfaction. This may be requested via conditions.</p>	Y	Y
58.07-1	D24	Functional Layout		
		<p>The objective is to ensure dwellings provide functional areas that meet the needs of residents. To this end, minimum internal bedroom and living room dimensions are specified in Table D7 and Table D8.</p>	Y	Y

Clause	Std	Compliance		
		<p>Bedrooms and living areas of the dwellings meet or exceed the minimum internal room dimensions specified in Table D7 and D8, as follows:</p> <ul style="list-style-type: none"> • Main bedroom: 3 metres x 3.4 metres • Other bedrooms: 3 metres x 3 metres <p>Additional areas outside of the minimum is included to accommodate a wardrobe in the bedrooms.</p> <p>Living areas (excluding dining and kitchen areas) for 2 or more bedroom dwellings is required to have a 3.6 metre minimum width and provide a minimum area of 12 square metres. The following is provided in the development:</p> <ul style="list-style-type: none"> • Unit A1 (3B): 4.4m x 4.1m = 18 square metres • Unit A2 (2B): 5.78m x 5.01m = 28.9 square metres • Unit A3 (3B): 4.4m x 4.1m = 18 square metres • Unit A4 (2B): 5.6m x 5.0m = 28 square metres • Unit A5 (3B): 8.2m x 4.2m = 34 square metres + 10 square metres • Unit A6 (2B): 5.6m x 4.3m = 25 square metres <p>It is noted that there are some minor errors detected on some of the room dimensions, which do not affect compliance but affect the rights of potential purchasers. Correction is required to:</p> <ul style="list-style-type: none"> • Bedroom 1 Type D Apartment (Unit A5) – east-west dimension of 3.6 metres is not achieved. • Bedroom 1 Type B Apartment (Unit A2) – correction required to east-west dimension, and north-south dimension not consistent with dimension line. • Type C Apartment (Unit A4) – east-west dimension is less than actual dimension and should be larger. 		
58.07-2	D25	Room Depth		
		<p>The objective is to allow adequate daylight into single aspect habitable rooms.</p> <p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</p> <p>Units A1-A4 have a floor to ceiling height of 2.55 metres allowing a maximum room depth of 6.375 metres. All living room depths are less than 6 metres to comply with the standard, not including kitchen areas which have separate windows on the opposite wall. Bedroom sizes do not exceed 6.375 metres.</p> <p>Units A5 & A6 have a floor ceiling height of 2.65 allowing a maximum room depth of 6.625 metres. These two dwellings have dual aspect living rooms</p>	Y	Y

Clause	Std		Compliance	
		and the bedroom sizes do not exceed 6.625 metres.		
58.07-3	D26	Windows		
		All habitable rooms have a window on an external wall of the building. There are no battle-ax daylight arrangements in the development.	Y	Y
58.07-4	D27	Natural Ventilation		
		The objective is to encourage natural ventilation of dwellings and to allow occupants to effectively manage natural ventilation of dwellings. To this end the design and layout of dwellings should maximise openable windows and doors.	Y	Y
		The breeze path analysis has been submitted with the application to demonstrate that the development includes at least 40% of dwellings that achieve effective cross-ventilation that has: <ul style="list-style-type: none"> • A maximum breeze path through the dwelling of between 5-18 metres. The above breezepaths rely on the operability of windows facing into the northern and southern light courts, such as those associated with bedrooms, study nooks, laundry and toilets. Currently all windows are shown as awning windows, which do not optimise natural ventilation due to limited openable area. A condition of any approval can request alternative openable windows, such as sliding or sash windows; or louvered windows to non-habitable rooms.		

Clause 52.06 Car Parking

Number of Parking Spaces Required

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

Use	Rate	Number/Area	Requirement
Dwelling	1 to each 1&2 bedroom dwelling	3	6
	2 to each 3+ bedroom dwelling	3	3
Dwelling Visitor	1 space to each 5 dwellings	6	0*
Shop	3* spaces to each 100 square metres net floor area	64.8 square metres	1*
Total Requirement			10

*The site is located in the Principal Transport Network Area which has the effect of reducing the requirement to provide residential visitor car parking to zero, and Office car parking from 3.5 spaces/100square metres to 3.0 spaces/100square metres.

The applicant has proposed to provide eight (8) car parking spaces, and is therefore seeking a total waiver of 2 car spaces, including one resident and one Office parking space.

As per Clause 52.06-6 of the Planning Scheme:

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The applicant has submitted an assessment of the car parking demand and concludes that the proposed provision of car parking is satisfactory based on the following:

- Both residential and commercial components will likely have long-stay car parking demands for the car spaces provided on-site (i.e. residents for the residential component and the employees for the commercial component). The short-stay parking demands will be due to the occasional visitors to the residential component and the clients to the office component. However, these parking demands will not be realised on-site since they will likely be accommodated within the kerbside public parking spaces within the site vicinity.
- The site is well connected by public transportation services (buses, trams and trains)
- Car ownership rates in Thornbury against those in Greater Melbourne (top) and City of Darebin (bottom) for the year 2016, the percentage of households with more than 1 vehicle is considerably less in Thornbury compared to both Greater Melbourne and the City of Darebin. Therefore, the provision of at least 1 car space per residential unit within the proposed development is deemed satisfactory.

In terms of any traffic impact, the applicant has submitted a Traffic Impact assessment report which estimates that the proposed development will generate some 41 vehicle movements per day and 5 weekday peak hour vehicle trips. This level of additional traffic generation is not expected to adversely impact on the operation of the surrounding street network.

Design Standards for Car parking

Access will be provided from the rear laneway. There will be no loss of on-street car parking. The proposed access arrangements meet the access objectives and Council's Vehicle Crossing Policy.

The car parking access and design have been assessed and deemed to satisfy the requirements of Clause 52.06-9 – Design Standard 1.

All car parking spaces will be provided within car stackers. The suitability will be discussed further below.

Mechanical parking may be used to meet the car parking requirement provided:

- *At least 25% of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8m.*
- *Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.*

- *The design and operation is to the satisfaction of the responsible authority.*

The applicant proposes two car stacker products;

- Trendvario 4000-180 (3 spaces)
- Trendvario 4300-200 (5 spaces)

It is noted that the 4000-180 model will be the only car stacker that can accommodate a car height of 1800mm on the Upper Floor. Therefore two vehicles with car heights of 1800mm can be accommodated within the development. This equates to 25% (2 out of 8) which complies with the above design standard.

A Car Stacker Management Plan will be requested via conditions to ensure that the stackers are allocated, maintained and managed to ensure effective use.

Bicycle Parking Requirement

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

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

Use	Rate		Employee / Resident Requirement	Visitor / Shopper Requirement
	Employee / Resident	Visitor / Shopper		
Dwelling (four or more storeys)	1 resident space to each 5 dwellings	1 visitor space to each 10 dwellings	1	1
Office (if net floor area >1000 square metres)	1 to each 300 square metres	1 to each 1000 square metres	0	0
Total Requirement			1	1

The applicant has proposed to provide seven (7) bicycle parking spaces. All bicycle parking will be located on the ground level using the CORA Expo 7510 rails accommodating 7 spaces.

These devices only allow the front wheel to be locked. It is recommended that racks shall allow the front, rear wheels and the frame to be locked using u-locks or cable. This accords with Australian Standard 2890.1:2015. A condition can be included to request U-shaped bicycle rails capable of accommodating seven bicycles, dimensioned in accordance with Australian Standard AS 2890.3 1993 Parking facilities Part 3: Bicycle parking facilities.

It was previously recommended that the stairs between the ground floor foyer and the bicycle parking be converted into a ramp. The ramp has been provided but shown with a gradient of 1:3 which is far too steep for pedestrians and cyclists. The maximum grade for a pedestrian ramp is 1:14.

A condition of any permit issued can request the deletion of the steep ramp and the provision of stairs with a bicycle wheeling track adjacent to the stairs.

The doors opening into the ramp/stair area should be removed to allow ease of access. This can be requested via conditions.

REFERRAL SUMMARY

Department/Authority	Response
Infrastructure and Capital Delivery	<p>No objection, subject to condition included in recommendation. Stormwater from the site is to be connected and drained in accordance with Council requirements.</p> <p>Officer's comments: The applicant has been advised of the Infrastructure and Capital Delivery Unit's requirements in a letter dated 5 July 2018.</p>
Transport Engineering and Strategy	<p>No objection, subject to condition included in recommendation as follows:</p> <ul style="list-style-type: none"> • The proposed bicycle parking devices only allow the front wheel to be locked. It is recommended that racks shall allow the front, rear wheels and the frame to be locked using u-locks or cable. This accords with Australian Standard 2890.1:2015. • It was previously recommended that the stairs between the ground floor foyer and the bicycle parking have been converted into a ramp. The ramp has been graded 1:3 which is far too steep for pedestrians and cyclists. The maximum grade for a pedestrian ramp is 1:14. • Transport also queries the location of the doors that open into the ramp. <p>Officer's comments: The above matters are to be addressed via conditions. The bicycle parking and ramp issue is discussed earlier in this report under the DDO assessment.</p>
ESD Officer	<p>No objection, subject to condition included in recommendation:</p> <ul style="list-style-type: none"> • Adjustable and externally installed sun-shading devices that can fully screen east and west facing windows/glazed doors during the summer. • Provision of external screens in place of fixed obscure glazing to respond to potential for overlooking to the west and north.

	<ul style="list-style-type: none"> • Install glass blocks to the western wall of the common stairwell. • Preference for ground level rather than underground rainwater tank. • Consider a combined retention and detention water tank to save on underground piping. • External awning for the full length of the site. • Revisions required to the BESS report • It may not be practical to transport bins along the laneway • Council may be able to collect both commercial and residential waste from St Georges Road. <p>Officer’s Comments:</p> <p>With the exception of changes to proposed waste collection and rainwater tank, as the waste management plan and underground rainwater tank are considered to be acceptable, the remaining comments above may be addressed via conditions.</p>
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PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 34.01-1 (Commercial 1 Zone) – A permit is required to use land for accommodation if any frontage at ground floor level exceeds 2 metres.
- Clause 34.01-4 (Commercial 1 Zone) - A permit is required to construct a building or construct or carry our works.
- Clause 43.02 (Design and Development Overlay - Schedule 16) - A permit is required to construct a building or construct or carry out works.
- Clause 52.06 (Car Parking) – A permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.01-1S, 11.01-R1, 11.02-1S, 11.03-1S, 11.03-1R, 13.07-1S, 15, 15.01-1S, 15.01-5S, 15.02-1S, 16, 17, 17.02, 18, 19, 19.01, 19.02, 19.03
LPPF	21.01-2, 21.01-4, 21.01-6, 21.02, 21.02-3, 21.02-4, 21.03, 21.04, 21.05, 22.06, 22.12
Zone	34.01
Overlay	43.02, 45.06
Particular provisions	52.06, 52.07, 52.34, 55 (as relevant), 58
General provisions	65.01

POLICY IMPLICATIONS

Environmental Sustainability

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

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

RELATED DOCUMENTS

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

Attachments

- Aerial (**Appendix A**) [↓](#)
- Development Drawings (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

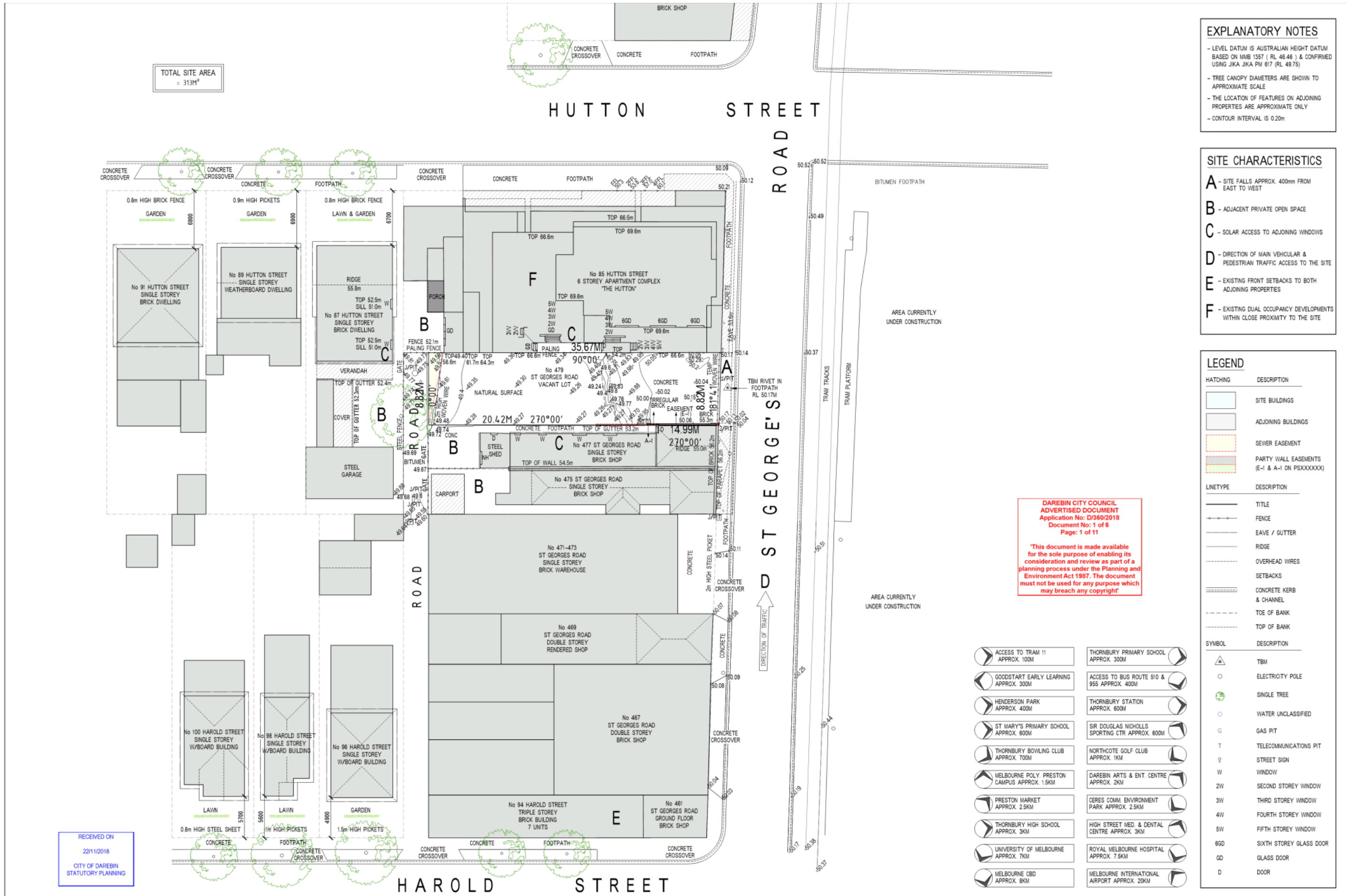
Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

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

479 St Georges Road, Thornbury



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EXPLANATORY NOTES

- LEVEL DATUM IS AUSTRALIAN HEIGHT DATUM BASED ON MMB 1357 (RL 46.46) & CONFIRMED USING JKA JKA PM 617 (RL 49.75)
- TREE CANOPY DIAMETERS ARE SHOWN TO APPROXIMATE SCALE
- THE LOCATION OF FEATURES ON ADJOINING PROPERTIES ARE APPROXIMATE ONLY
- CONTOUR INTERVAL IS 0.20m

SITE CHARACTERISTICS

- A** - SITE FALLS APPROX. 400mm FROM EAST TO WEST
- B** - ADJACENT PRIVATE OPEN SPACE
- C** - SOLAR ACCESS TO ADJOINING WINDOWS
- D** - DIRECTION OF MAIN VEHICULAR & PEDESTRIAN TRAFFIC ACCESS TO THE SITE
- E** - EXISTING FRONT SETBACKS TO BOTH ADJOINING PROPERTIES
- F** - EXISTING DUAL OCCUPANCY DEVELOPMENTS WITHIN CLOSE PROXIMITY TO THE SITE

LEGEND

HATCHING	DESCRIPTION
[Hatching]	SITE BUILDINGS
[Hatching]	ADJOINING BUILDINGS
[Hatching]	SEWER EASEMENT
[Hatching]	PARTY WALL EASEMENTS (E-1 & A-1 ON PSXXXXXX)

LINE/TYPE	DESCRIPTION
[Line]	TITLE
[Line]	FENCE
[Line]	EAVE / GUTTER
[Line]	RIDGE
[Line]	OVERHEAD WIRES
[Line]	SETBACKS
[Line]	CONCRETE KERB & CHANNEL
[Line]	TOE OF BANK
[Line]	TOP OF BANK

SYMBOL	DESCRIPTION
[Symbol]	TBM
[Symbol]	ELECTRICITY POLE
[Symbol]	SINGLE TREE
[Symbol]	WATER UNCLASSIFIED
[Symbol]	GAS PIT
[Symbol]	TELECOMMUNICATIONS PIT
[Symbol]	STREET SIGN
[Symbol]	WINDOW
[Symbol]	SECOND STOREY WINDOW
[Symbol]	THIRD STOREY WINDOW
[Symbol]	FOURTH STOREY WINDOW
[Symbol]	FIFTH STOREY WINDOW
[Symbol]	SIXTH STOREY GLASS DOOR
[Symbol]	GLASS DOOR
[Symbol]	DOOR

**DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT**
Application No: D360/2018
Document No: 1 of 6
Page: 1 of 11

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- ACCESS TO TRAM 11 APPROX. 100M
- GOODSTART EARLY LEARNING APPROX. 300M
- HENDERSON PARK APPROX. 400M
- ST MARY'S PRIMARY SCHOOL APPROX. 600M
- THORNBUARY BOWLING CLUB APPROX. 700M
- MELBOURNE POLY. PRESTON CAMPUS APPROX. 1.5KM
- PRESTON MARKET APPROX. 2.5KM
- THORNBUARY HIGH SCHOOL APPROX. 3KM
- UNIVERSITY OF MELBOURNE APPROX. 7KM
- MELBOURNE CBD APPROX. 8KM
- THORNBUARY PRIMARY SCHOOL APPROX. 300M
- ACCESS TO BUS ROUTE 510 & 955 APPROX. 400M
- THORNBUARY STATION APPROX. 600M
- SIR DOUGLAS NICHOLLS SPORTING CTR APPROX. 600M
- NORTHCOTE GOLF CLUB APPROX. 1KM
- DAREBIN ARTS & ENT. CENTRE APPROX. 2KM
- CERES COMM. ENVIRONMENT PARK APPROX. 2.5KM
- HIGH STREET MED. & DENTAL CENTRE APPROX. 3KM
- ROYAL MELBOURNE HOSPITAL APPROX. 7.5KM
- MELBOURNE INTERNATIONAL AIRPORT APPROX. 20KM

RECEIVED ON
22/11/2018
CITY OF DAREBIN
STATUTORY PLANNING

#	DATE	DESCRIPTION	CHECK
A	18/11/18	101 RESPONSE	10

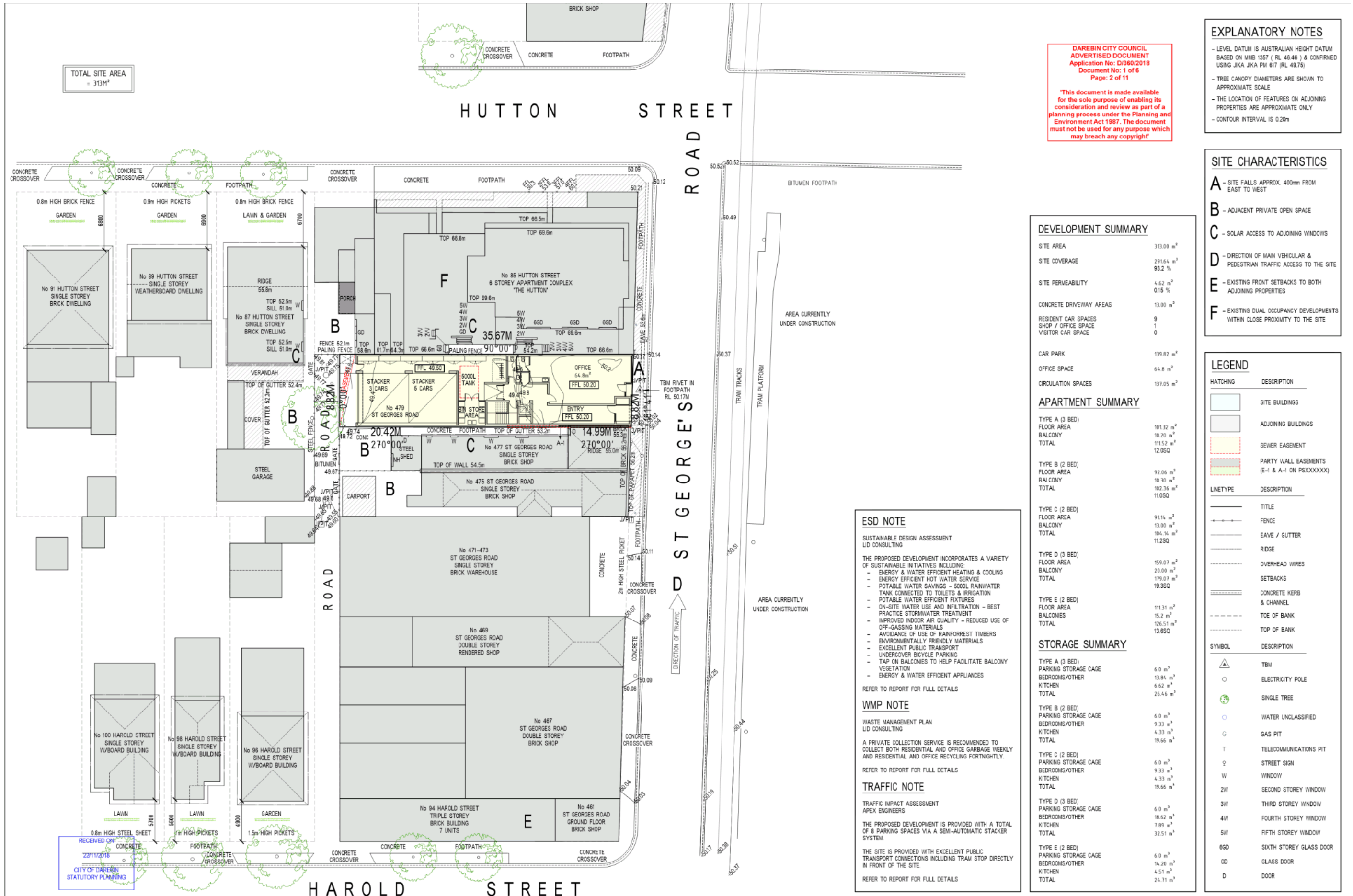
IT IS THE OWNER/BUILDERS RESPONSIBILITY TO READ THESE ARCHITECTURAL DOCUMENTS IN CONJUNCTION WITH THE RELEVANT ENGINEERING DOCUMENTS, ENERGY REPORTS, SOIL TEST, PROPERTY INFORMATION STATEMENT, POINT OF PROVISION, PERMIT, PLANNING PERMIT AND ANY OTHER RELEVANT DOCUMENTS. DRAWINGS ARE TO BE READ, NOT SEALED. WRITTEN DIMENSIONS TAKE PRECEDENCE. OWNER/BUILDER ARE TO CHECK AND VERIFY ALL SITE LEVELS, CUTS AND DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORKS, INCLUDING ORDERING OF MATERIALS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE RELEVANT BUILDING DESIGNER PRIOR TO ANY FURTHER WORK COMMENCING. NO ASSUMPTIONS ARE TO BE MADE UNDER ANY CIRCUMSTANCES.

NOT FOR CONSTRUCTION

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[ARCHITECTURE][TOWN PLANNING][PROJECT MANAGEMENT][SUSTAINABILITY]

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PROJECT TYPE/ADDRESS MULTI-APARTMENT BUILDING DEVELOPMENT 479 ST GEORGES ROAD THORNBUARY VICTORIA	DRAWING TITLE NEIGHBOURHOOD AND SITE DESCRIPTION PLAN
CLIENT VELCOTRON PL	DRAWING DATE NOV 2018
	PROJECT NUMBER AD17-061
	DRAWING SCALE 1:200
	DRAWING NUMBER A01
	REVISION A



**DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT**
Application No: D/360/2018
Document No: 1 of 6
Page: 2 of 11

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DEVELOPMENT SUMMARY

SITE AREA	313.00 m ²
SITE COVERAGE	291.64 m ² 93.2 %
SITE PERMEABILITY	4.62 m ² 0.15 %
CONCRETE DRIVEWAY AREAS	13.00 m ²
RESIDENT CAR SPACES	9
SHOP / OFFICE SPACE	1
VISITOR CAR SPACE	0
CAR PARK	139.82 m ²
OFFICE SPACE	64.8 m ²
CIRCULATION SPACES	137.05 m ²

APARTMENT SUMMARY

TYPE A (3 BED)	
FLOOR AREA	101.32 m ²
BALCONY	10.20 m ²
TOTAL	111.52 m ² 12.05SQ
TYPE B (2 BED)	
FLOOR AREA	92.06 m ²
BALCONY	10.30 m ²
TOTAL	102.36 m ² 11.05SQ
TYPE C (2 BED)	
FLOOR AREA	91.14 m ²
BALCONY	13.00 m ²
TOTAL	104.14 m ² 11.25SQ
TYPE D (3 BED)	
FLOOR AREA	159.07 m ²
BALCONY	28.00 m ²
TOTAL	179.07 m ² 19.35SQ
TYPE E (2 BED)	
FLOOR AREA	111.31 m ²
BALCONIES	15.2 m ²
TOTAL	126.51 m ² 13.65SQ

STORAGE SUMMARY

TYPE A (3 BED)	
PARKING STORAGE CAGE	6.0 m ³
BEDROOMS/OTHER	13.84 m ³
KITCHEN	6.62 m ³
TOTAL	26.46 m ³
TYPE B (2 BED)	
PARKING STORAGE CAGE	6.0 m ³
BEDROOMS/OTHER	9.33 m ³
KITCHEN	4.33 m ³
TOTAL	19.66 m ³
TYPE C (2 BED)	
PARKING STORAGE CAGE	6.0 m ³
BEDROOMS/OTHER	9.33 m ³
KITCHEN	4.33 m ³
TOTAL	19.66 m ³
TYPE D (3 BED)	
PARKING STORAGE CAGE	6.0 m ³
BEDROOMS/OTHER	18.62 m ³
KITCHEN	7.89 m ³
TOTAL	32.51 m ³
TYPE E (2 BED)	
PARKING STORAGE CAGE	6.0 m ³
BEDROOMS/OTHER	14.20 m ³
KITCHEN	4.51 m ³
TOTAL	24.71 m ³

LEGEND

HATCHING	DESCRIPTION
[Hatched Box]	SITE BUILDINGS
[Solid Box]	ADJOINING BUILDINGS
[Dashed Box]	SEWER EASEMENT
[Dotted Box]	PARTY WALL EASEMENTS (E-1 & A-1 ON PSXXXXXX)
LINETYPE	
[Solid Line]	TITLE
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[Dotted Line]	TOE OF BANK
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SYMBOL	
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[Circle]	WATER UNCLASSIFIED
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[5W]	FIFTH STOREY WINDOW
[6GD]	SIXTH STOREY GLASS DOOR
[GD]	GLASS DOOR
[D]	DOOR

ESD NOTE

SUSTAINABLE DESIGN ASSESSMENT
LID CONSULTING

THE PROPOSED DEVELOPMENT INCORPORATES A VARIETY OF SUSTAINABLE INITIATIVES INCLUDING:

- ENERGY & WATER EFFICIENT HEATING & COOLING
- ENERGY EFFICIENT HOT WATER SERVICE
- POTABLE WATER SAVINGS - 5000L RAINWATER TANK CONNECTED TO TOILETS & IRRIGATION
- POTABLE WATER EFFICIENT FIXTURES
- ON-SITE WATER USE AND INFILTRATION - BEST PRACTICE STORMWATER TREATMENT
- IMPROVED INDOOR AIR QUALITY - REDUCED USE OF OFF-GASSING MATERIALS
- AVOIDANCE OF USE OF RAINFOREST TIMBERS
- ENVIRONMENTALLY FRIENDLY MATERIALS
- EXCELLENT PUBLIC TRANSPORT
- UNDERCOVER BICYCLE PARKING
- TAP ON BALCONIES TO HELP FACILITATE BALCONY VEGETATION
- ENERGY & WATER EFFICIENT APPLIANCES

REFER TO REPORT FOR FULL DETAILS

WMP NOTE

WASTE MANAGEMENT PLAN
LID CONSULTING

A PRIVATE COLLECTION SERVICE IS RECOMMENDED TO COLLECT BOTH RESIDENTIAL AND OFFICE GARBAGE WEEKLY AND RESIDENTIAL AND OFFICE RECYCLING FORTNIGHTLY.

REFER TO REPORT FOR FULL DETAILS

TRAFFIC NOTE

TRAFFIC IMPACT ASSESSMENT
APEX ENGINEERS

THE PROPOSED DEVELOPMENT IS PROVIDED WITH A TOTAL OF 8 PARKING SPACES VIA A SEMI-AUTOMATIC STACKER SYSTEM.

THE SITE IS PROVIDED WITH EXCELLENT PUBLIC TRANSPORT CONNECTIONS INCLUDING TRAM STOP DIRECTLY IN FRONT OF THE SITE.

REFER TO REPORT FOR FULL DETAILS

#	DATE	DESCRIPTION	CHECK
A	18/11/18	RPI RESPONSE	SD

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PROJECT TYPE/ADDRESS
MULTI-APARTMENT BUILDING DEVELOPMENT
479 ST GEORGES ROAD
THORNBURY VICTORIA

CLIENT
VELCOTRON PL

DRAWING TITLE
DESIGN RESPONSE PLAN

DRAWING DATE
NOV 2018

PROJECT NUMBER
AD17-061

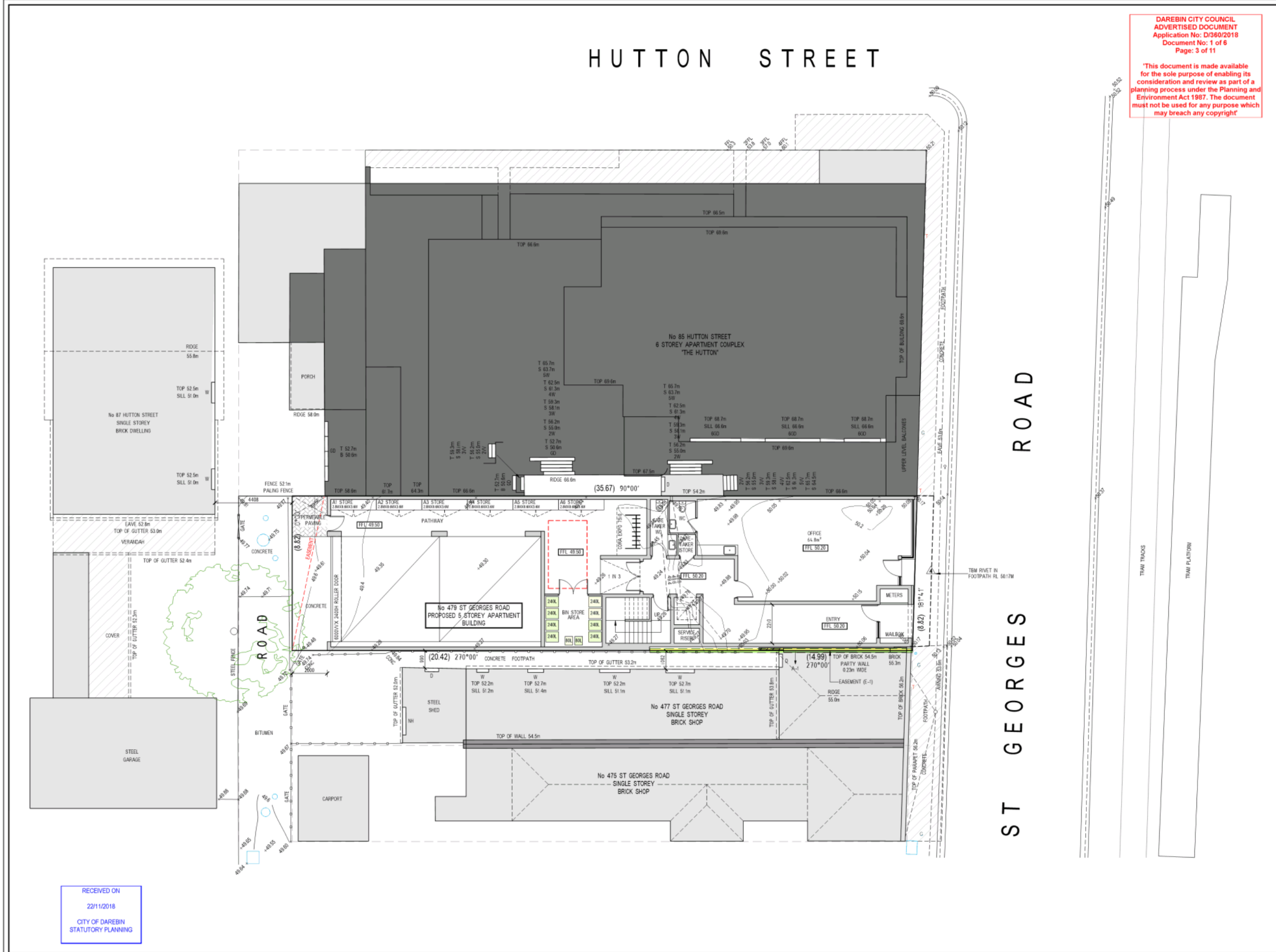
DRAWING NUMBER
A02

DRAWING STATUS
TP

DRAWING SCALE
1:200

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A

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 Application No: D1360/2018
 Document No: 1 of 6
 Page: 3 of 11

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DEVELOPMENT SUMMARY	
SITE AREA	313.00 m ²
SITE COVERAGE	291.64 m ² 93.2 %
SITE PERMEABILITY	4.62 m ² 0.15 %
CONCRETE DRIVEWAY AREAS	13.00 m ²
RESIDENT CAR SPACES	9
SHOP / OFFICE SPACE	1
VISITOR CAR SPACE	0
CAR PARK	139.82 m ²
OFFICE SPACE	64.8 m ²
CIRCULATION SPACES	137.05 m ²
APARTMENT SUMMARY	
TYPE A (3 BED)	
FLOOR AREA	101.32 m ²
BALCONY	18.20 m ²
TOTAL	119.52 m ² 2,850
TYPE B (2 BED)	
FLOOR AREA	92.66 m ²
BALCONY	10.30 m ²
TOTAL	102.96 m ² 11,050
TYPE C (2 BED)	
FLOOR AREA	91.54 m ²
BALCONY	13.91 m ²
TOTAL	105.45 m ² 11,250
TYPE D (3 BED)	
FLOOR AREA	159.07 m ²
BALCONY	20.00 m ²
TOTAL	179.07 m ² 19,350
TYPE E (2 BED)	
FLOOR AREA	111.31 m ²
BALCONIES	15.2 m ²
TOTAL	126.51 m ² 13,650
STORAGE SUMMARY	
TYPE A (3 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	13.84 m ²
KITCHEN	4.62 m ²
TOTAL	24.46 m ²
TYPE B (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	9.33 m ²
KITCHEN	4.33 m ²
TOTAL	19.66 m ²
TYPE C (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	9.33 m ²
KITCHEN	4.33 m ²
TOTAL	19.66 m ²
TYPE D (3 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	18.62 m ²
KITCHEN	7.89 m ²
TOTAL	32.51 m ²
TYPE E (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	16.20 m ²
KITCHEN	4.51 m ²
TOTAL	26.71 m ²
ESD NOTE	
SUSTAINABLE DESIGN ASSESSMENT LEO CONSULTING	
THE PROPOSED DEVELOPMENT INCORPORATES A VARIETY OF SUSTAINABLE INITIATIVES INCLUDING: - ENERGY & WATER EFFICIENT HEATING & COOLING - ENERGY EFFICIENT HOT WATER SERVICE - POTABLE WATER SAVINGS - 5000L RAINWATER TANK CONNECTED TO TOILETS & IRRIGATION - POTABLE WATER EFFICIENT FIXTURES - ON-SITE WATER USE AND INFILTRATION - BEST PRACTICE STORMWATER TREATMENT - IMPROVED INDOOR AIR QUALITY - REDUCED USE OF OFF-GASSING MATERIALS - AVOIDANCE OF USE OF RAINFOREST TIMBERS - ENVIRONMENTALLY FRIENDLY MATERIALS - EXCELLENT PUBLIC TRANSPORT - UNDERCOVER BICYCLE PARKING - TAP ON BALCONIES TO HELP FACILITATE BALCONY VEGETATION - ENERGY & WATER EFFICIENT APPLIANCES	
REFER TO REPORT FOR FULL DETAILS	
WMP NOTE	
WASTE MANAGEMENT PLAN LEO CONSULTING	
A PRIVATE COLLECTION SERVICE IS RECOMMENDED TO COLLECT BOTH RESIDENTIAL AND OFFICE GARBAGE WEEKLY AND RESIDENTIAL AND OFFICE RECYCLING FORTNIGHTLY.	
REFER TO REPORT FOR FULL DETAILS	
TRAFFIC NOTE	
TRAFFIC IMPACT ASSESSMENT APEX ENGINEERS	
THE PROPOSED DEVELOPMENT IS PROVIDED WITH A TOTAL OF 8 PARKING SPACES VIA A SEM-AUTOMATIC STACKER SYSTEM.	
THE SITE IS PROVIDED WITH EXCELLENT PUBLIC TRANSPORT CONNECTIONS INCLUDING TRAM STOP DIRECTLY IN FRONT OF THE SITE.	
REFER TO REPORT FOR FULL DETAILS	

RECEIVED ON
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 CITY OF DAREBIN
 STATUTORY PLANNING

#	DATE	DESCRIPTION	CHECK
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PROJECT TYPE/ADDRESS
 MULTI-APARTMENT BUILDING DEVELOPMENT
 479 ST GEORGES ROAD
 THORNBUURY VICTORIA

CLIENT
 VELCOTRON PL

DRAWING TITLE
 SITE / GROUND PLAN

DRAWING DATE
 NOV 2018

PROJECT NUMBER
 AD17-061

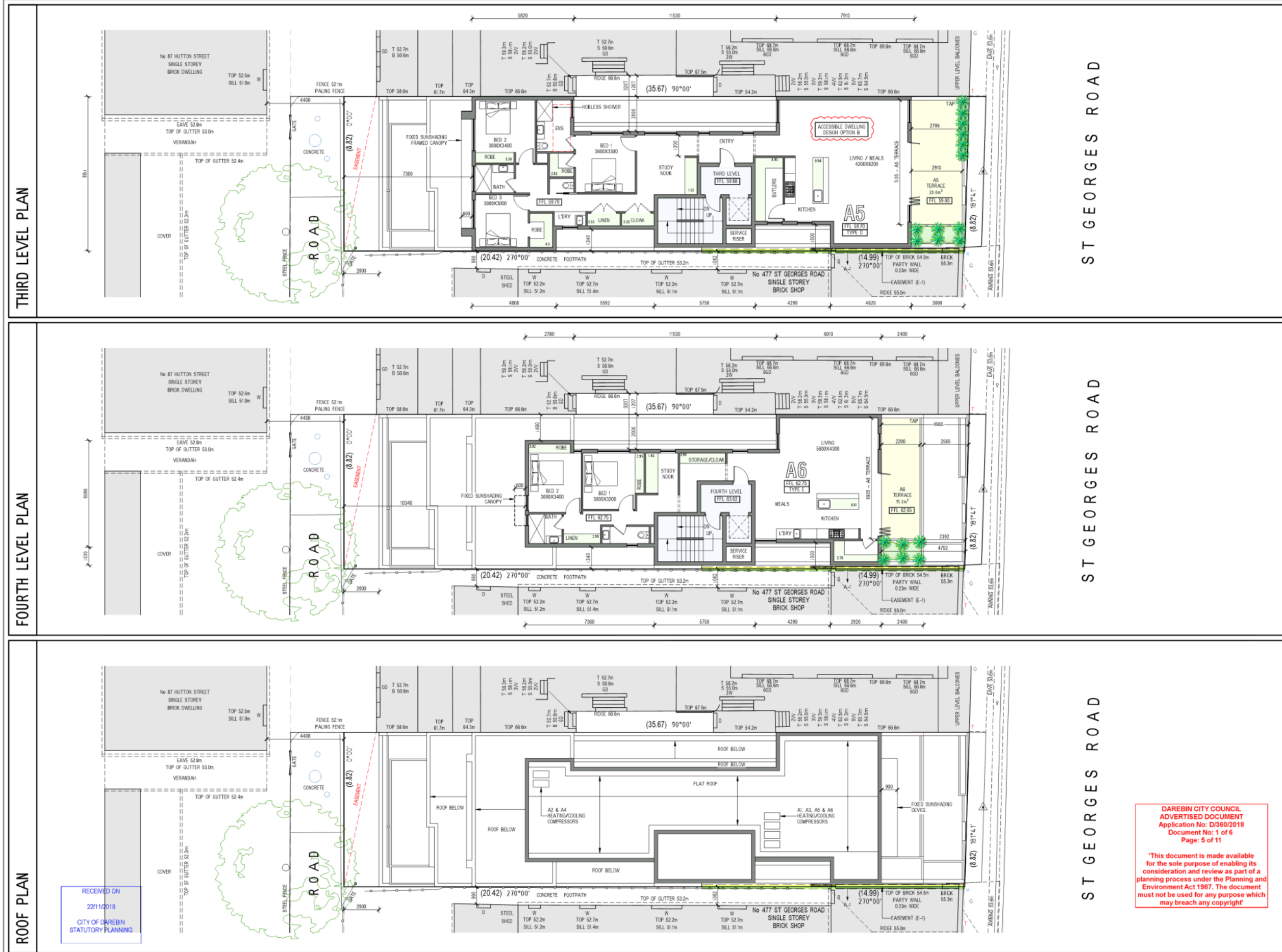
DRAWING STATUS
 TP

DRAWING NUMBER
A03

DRAWING SCALE
 1:100

REVISION
 A





DEVELOPMENT SUMMARY	
SITE AREA	313.00 m ²
SITE COVERAGE	291.64 m ²
SITE PERMEABILITY	4.62 m ²
CONCRETE DRIVEWAY AREAS	13.00 m ²
RESIDENT CAR SPACES	8
SHOP / OFFICE SPACE	1
VISITOR CAR SPACE	0
CAR PARK	199.82 m ²
OFFICE SPACE	64.8 m ²
CIRCULATION SPACES	197.05 m ²
APARTMENT SUMMARY	
TYPE A (3 BED)	
FLOOR AREA	101.32 m ²
BALCONY	10.20 m ²
TOTAL	111.52 m ²
TYPE B (2 BED)	
FLOOR AREA	92.06 m ²
BALCONY	10.30 m ²
TOTAL	102.36 m ²
TYPE C (2 BED)	
FLOOR AREA	91.54 m ²
BALCONY	13.91 m ²
TOTAL	105.45 m ²
TYPE D (3 BED)	
FLOOR AREA	159.07 m ²
BALCONY	20.00 m ²
TOTAL	179.07 m ²
TYPE E (2 BED)	
FLOOR AREA	111.31 m ²
BALCONIES	15.2 m ²
TOTAL	126.51 m ²
STORAGE SUMMARY	
TYPE A (3 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	13.84 m ²
KITCHEN	4.62 m ²
TOTAL	24.46 m ²
TYPE B (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	9.33 m ²
KITCHEN	4.33 m ²
TOTAL	19.66 m ²
TYPE C (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	9.33 m ²
KITCHEN	4.33 m ²
TOTAL	19.66 m ²
TYPE D (3 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	18.62 m ²
KITCHEN	7.89 m ²
TOTAL	32.51 m ²
TYPE E (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	16.20 m ²
KITCHEN	4.51 m ²
TOTAL	26.71 m ²
ESD NOTE	
SUSTAINABLE DESIGN ASSESSMENT LED CONSULTING	
THE PROPOSED DEVELOPMENT INCORPORATES A VARIETY OF SUSTAINABLE INITIATIVES INCLUDING: - ENERGY & WATER EFFICIENT HEATING & COOLING - ENERGY EFFICIENT HOT WATER SERVICE - POTABLE WATER SAVINGS - 5000L RAINWATER TANK CONNECTED TO TOILETS & IRRIGATION - POTABLE WATER EFFICIENT FIXTURES - ON-SITE WATER USE AND INFILTRATION - BEST PRACTICE STORMWATER TREATMENT - IMPROVED INDOOR AIR QUALITY - REDUCED USE OF OFF-GASSING MATERIALS - AVOIDANCE OF USE OF RAINFOREST TIMBERS - ENVIRONMENTALLY FRIENDLY MATERIALS - EXCELLENT PUBLIC TRANSPORT - UNDERCOVER BICYCLE PARKING - TAP ON BALCONIES TO HELP FACILITATE BALCONY VEGETATION - ENERGY & WATER EFFICIENT APPLIANCES	
REFER TO REPORT FOR FULL DETAILS	
WMP NOTE	
WASTE MANAGEMENT PLAN LED CONSULTING	
A PRIVATE COLLECTION SERVICE IS RECOMMENDED TO COLLECT BOTH RESIDENTIAL AND OFFICE GARBAGE WEEKLY AND RESIDENTIAL AND OFFICE RECYCLING FORTNIGHTLY	
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TRAFFIC NOTE	
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REFER TO REPORT FOR FULL DETAILS	

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Application No: D/360/2018
Document No: 1 of 6
Page: 5 of 11

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PROJECT TYPE/ADDRESS
MULTI-APARTMENT BUILDING DEVELOPMENT
479 ST GEORGES ROAD
THORNHURST VICTORIA

CLIENT
VELCOTRON PL

DRAWING TITLE
PLANS (SHEET 2 OF 2)

DRAWING DATE
NOV 2018

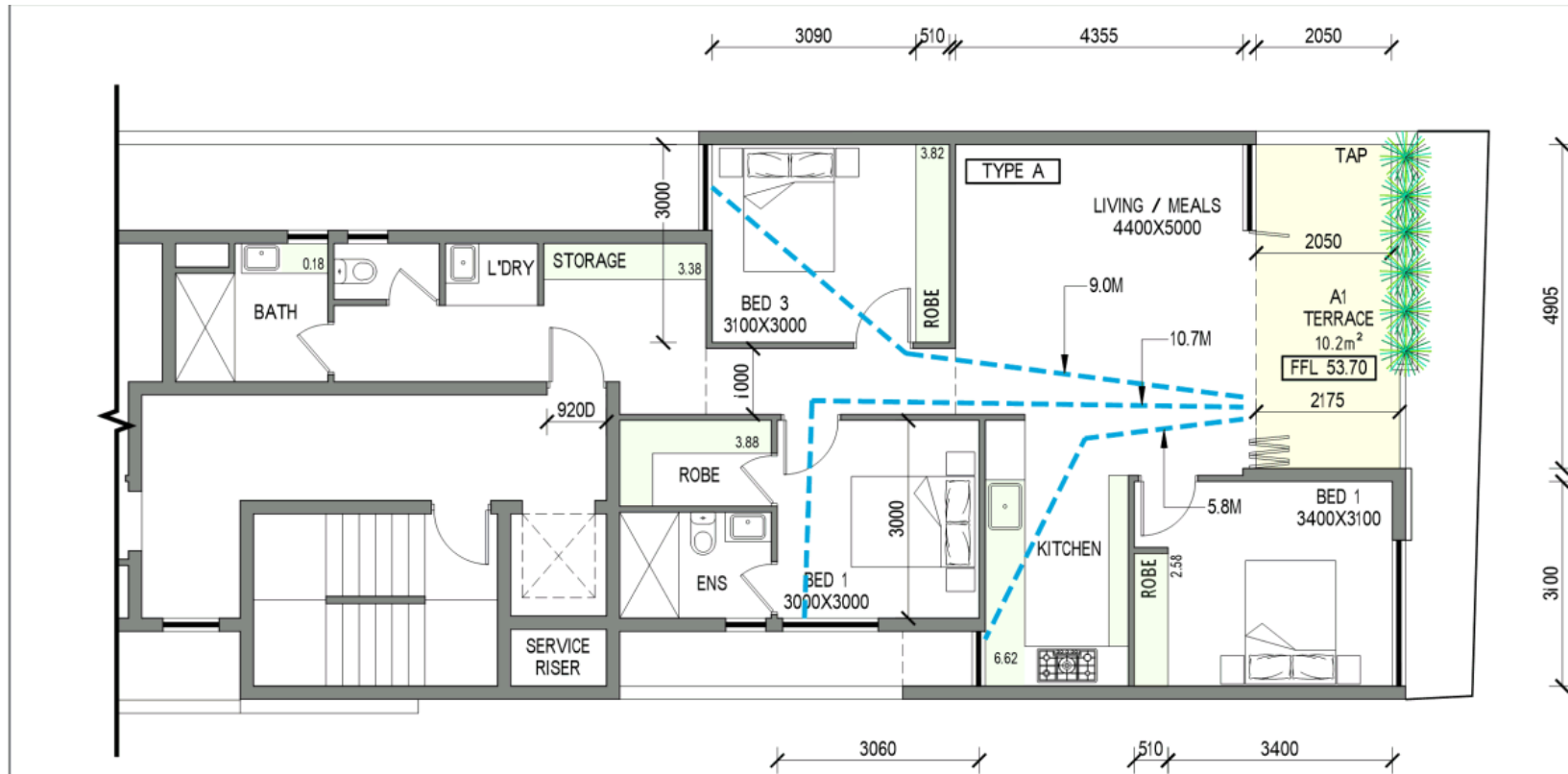
PROJECT NUMBER
AD17-061

DRAWING NUMBER
A05

DRAWING STATUS
TP

DRAWING SCALE
1:100

REVISION
A



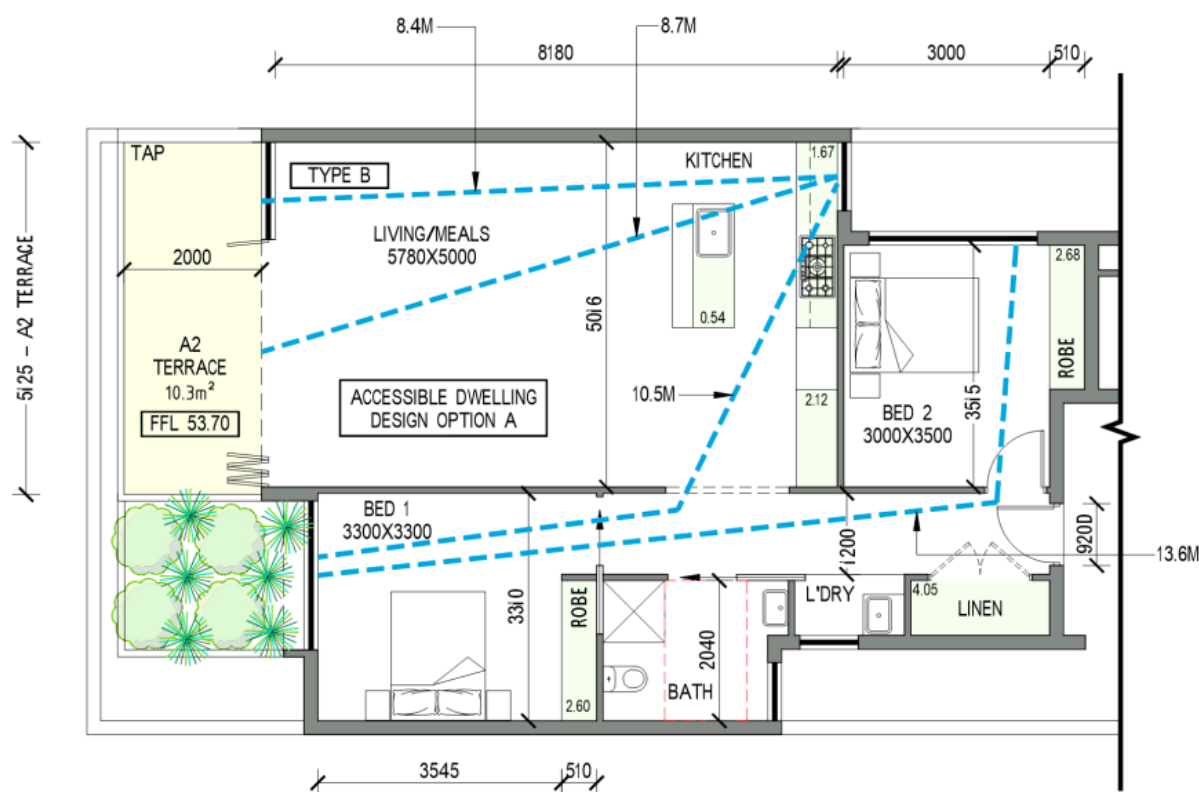
TYPE A APARTMENT

1:50

STORAGE SUMMARY		APARTMENT SUMMARY	
TYPE A (3 BED)		TYPE A (3 BED)	
PARKING STORAGE CAGE	6.0 m ²	FLOOR AREA	101.32 m ²
BEDROOMS/OTHER	13.84 m ²	BALCONY	10.20 m ²
KITCHEN	4.42 m ²	TOTAL	111.52 m ²
TOTAL	24.26 m ²		
TYPE B (2 BED)		TYPE B (2 BED)	
PARKING STORAGE CAGE	6.0 m ²	FLOOR AREA	92.08 m ²
BEDROOMS/OTHER	9.33 m ²	BALCONY	10.39 m ²
KITCHEN	4.33 m ²	TOTAL	102.36 m ²
TOTAL	19.66 m ²		
TYPE C (2 BED)		TYPE C (2 BED)	
PARKING STORAGE CAGE	6.0 m ²	FLOOR AREA	91.16 m ²
BEDROOMS/OTHER	9.33 m ²	BALCONY	13.60 m ²
KITCHEN	4.33 m ²	TOTAL	104.14 m ²
TOTAL	19.66 m ²		
TYPE D (3 BED)		TYPE D (3 BED)	
PARKING STORAGE CAGE	6.0 m ²	FLOOR AREA	159.07 m ²
BEDROOMS/OTHER	18.62 m ²	BALCONY	20.69 m ²
KITCHEN	3.89 m ²	TOTAL	179.87 m ²
TOTAL	32.51 m ²		
TYPE E (2 BED)		TYPE E (2 BED)	
PARKING STORAGE CAGE	6.0 m ²	FLOOR AREA	111.31 m ²
BEDROOMS/OTHER	14.20 m ²	BALCONIES	15.2 m ²
KITCHEN	4.51 m ²	TOTAL	126.51 m ²
TOTAL	24.71 m ²		

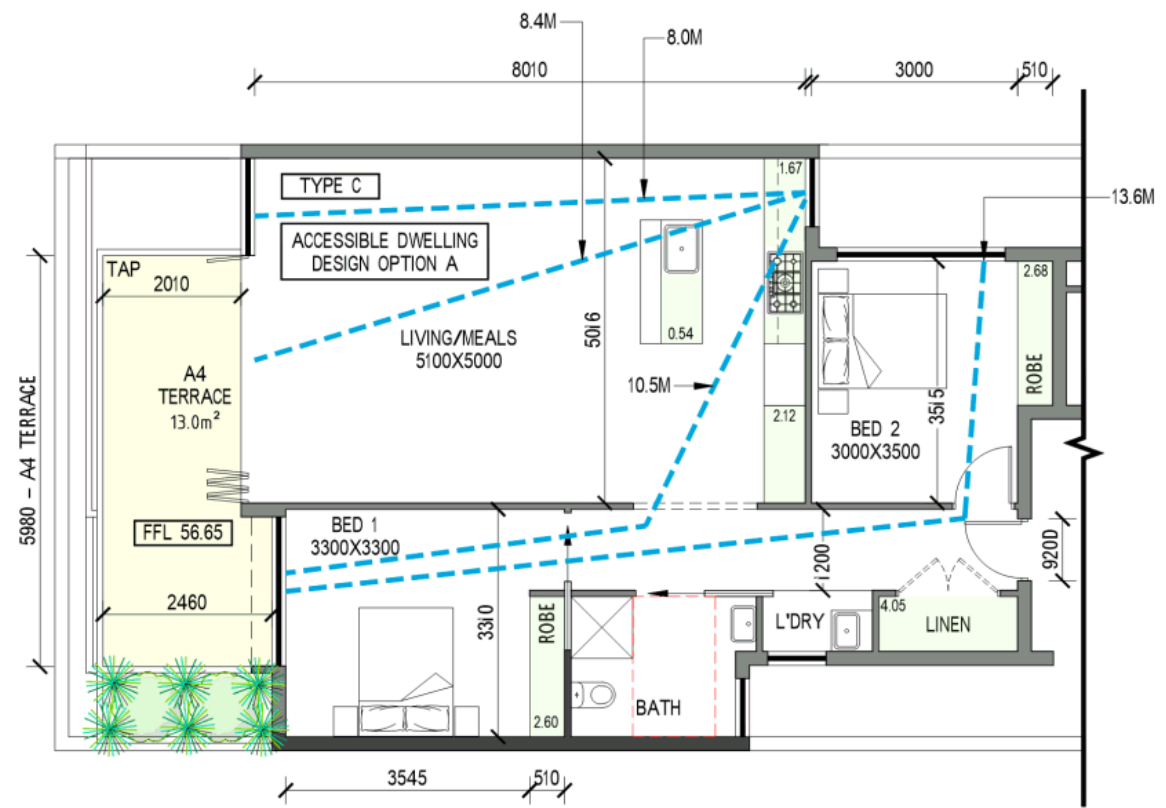
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 Application No: D/360/2018
 Document No: 1 of 6
 Page: 6 of 11

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TYPE B APARTMENT (ACCESSIBLE)

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TYPE C APARTMENT (ACCESSIBLE)

1:50

#	DATE	DESCRIPTION	CHECK
A	18/11/18	RPI RESPONSE	SD

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PROJECT TYPE/ADDRESS
 MULTI-APARTMENT BUILDING DEVELOPMENT
 479 ST GEORGES ROAD
 THORNHURBY VICTORIA

CLIENT
 VELCOTRON PL

DRAWING TITLE
 DETAILED PLANS (SHEET 1 OF 2)

DRAWING DATE
 NOV 2018

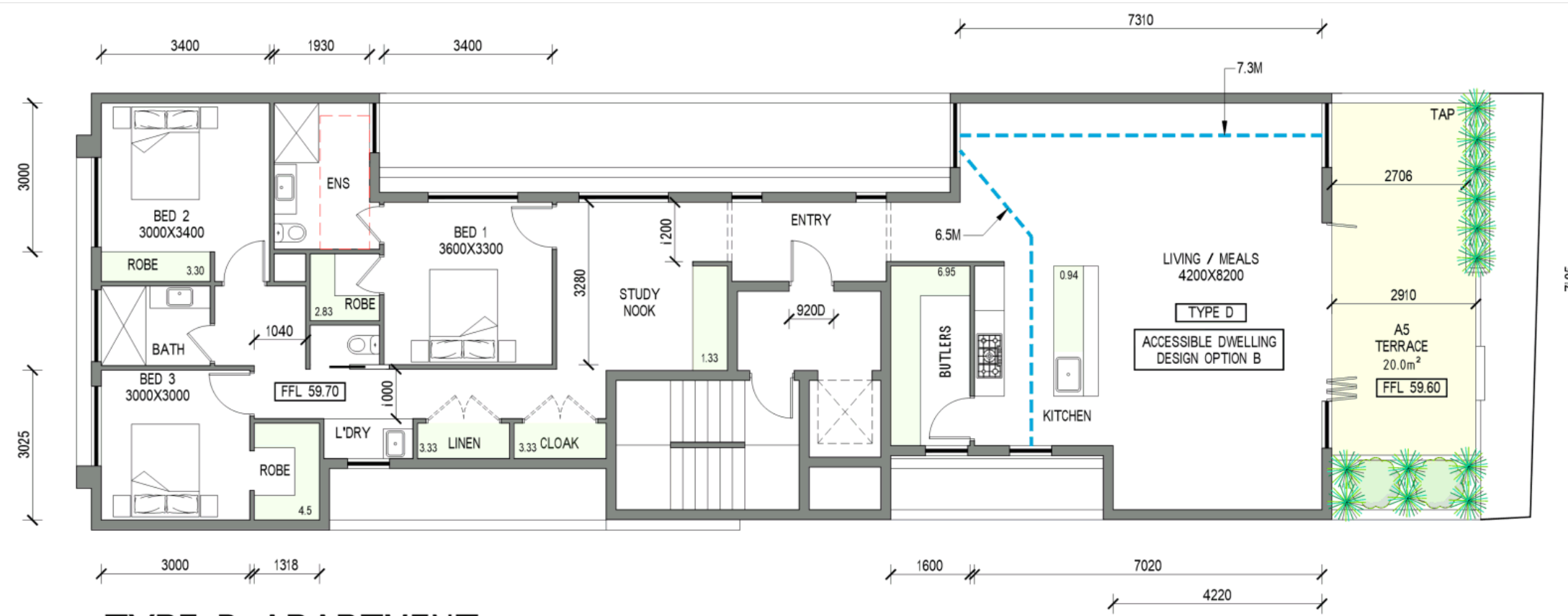
DRAWING STATUS
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PROJECT NUMBER
 AD/7-061

DRAWING NUMBER
A06

DRAWING SCALE
 1:50

REVISION
 A



TYPE D APARTMENT

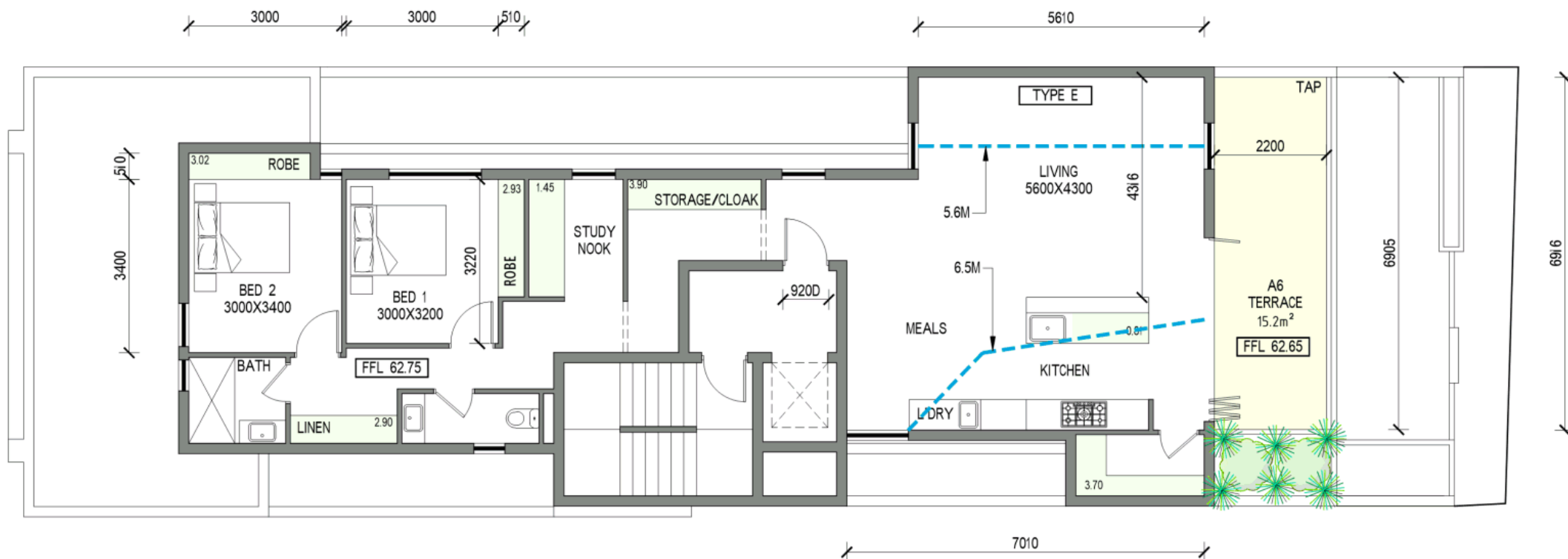
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APARTMENT SUMMARY	
TYPE A (3 BED)	
FLOOR AREA	101.32 m ²
BALCONY	10.20 m ²
TOTAL	111.52 m ²
TYPE B (2 BED)	
FLOOR AREA	92.08 m ²
BALCONY	10.38 m ²
TOTAL	102.46 m ²
TYPE C (2 BED)	
FLOOR AREA	91.16 m ²
BALCONY	13.60 m ²
TOTAL	104.76 m ²
TYPE D (3 BED)	
FLOOR AREA	159.07 m ²
BALCONY	20.00 m ²
TOTAL	179.07 m ²
TYPE E (2 BED)	
FLOOR AREA	111.31 m ²
BALCONIES	15.20 m ²
TOTAL	126.51 m ²

STORAGE SUMMARY	
TYPE A (3 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	19.84 m ²
KITCHEN	6.62 m ²
TOTAL	26.46 m ²
TYPE B (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	9.33 m ²
KITCHEN	4.33 m ²
TOTAL	19.66 m ²
TYPE C (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	9.33 m ²
KITCHEN	4.33 m ²
TOTAL	19.66 m ²
TYPE D (3 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	18.62 m ²
KITCHEN	7.86 m ²
TOTAL	32.51 m ²
TYPE E (2 BED)	
PARKING STORAGE CAGE	6.0 m ²
BEDROOMS/OTHER	16.20 m ²
KITCHEN	4.51 m ²
TOTAL	26.71 m ²

**DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT**
Application No: D/360/2018
Document No: 1 of 6
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TYPE E APARTMENT

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#	DATE	DESCRIPTION	CHECK
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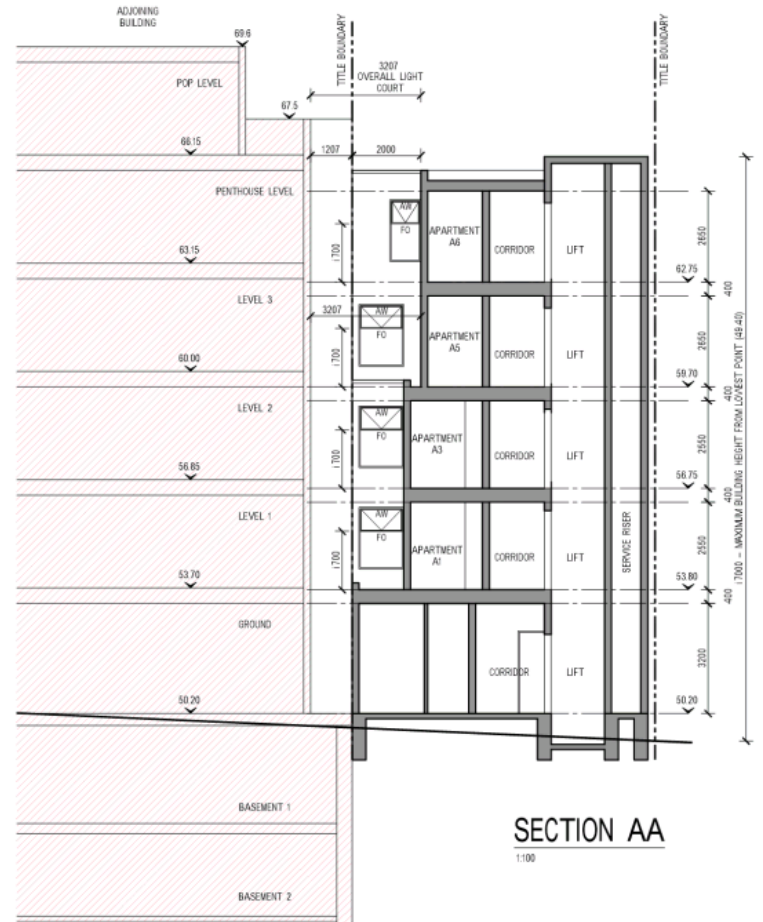
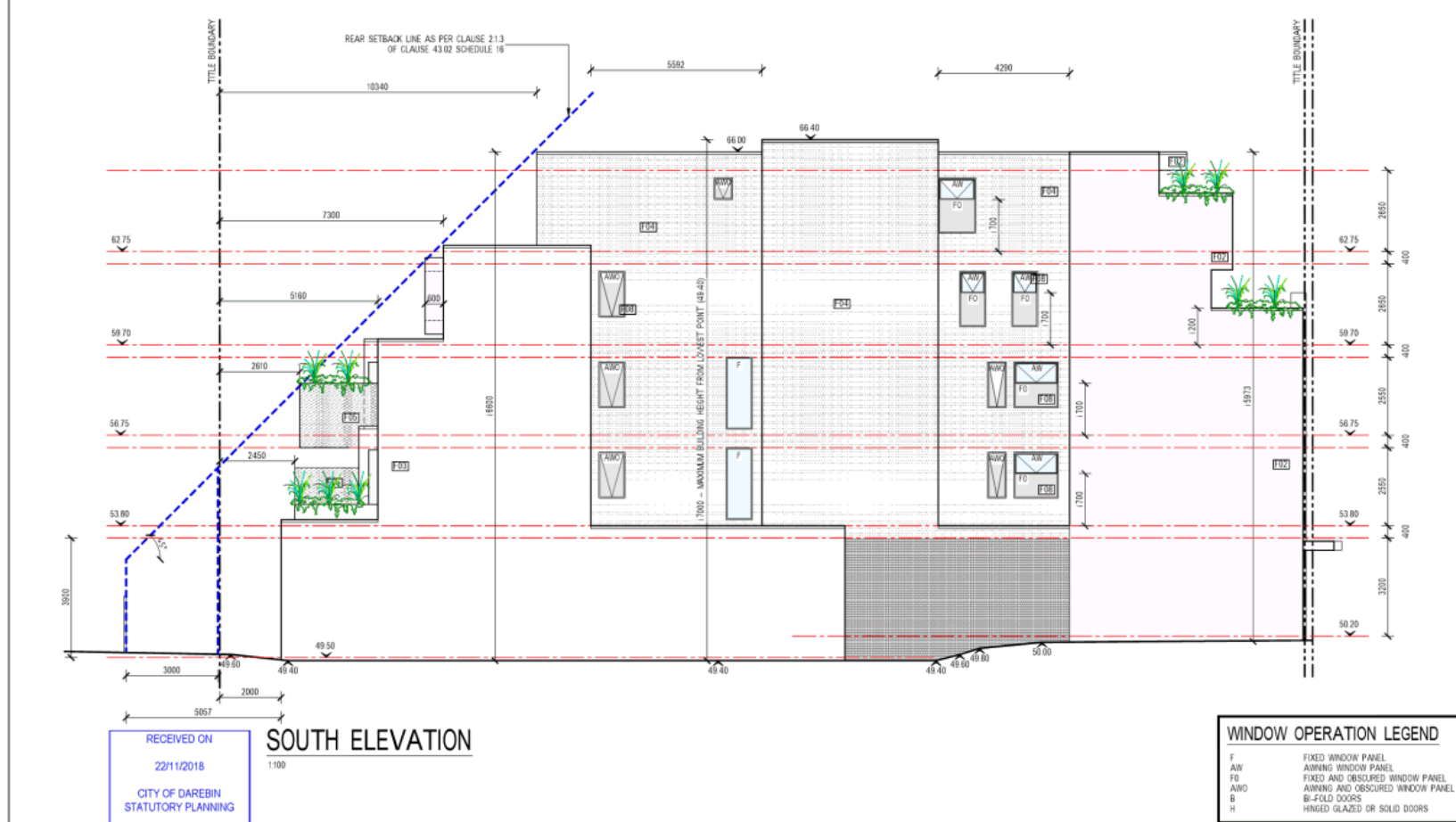
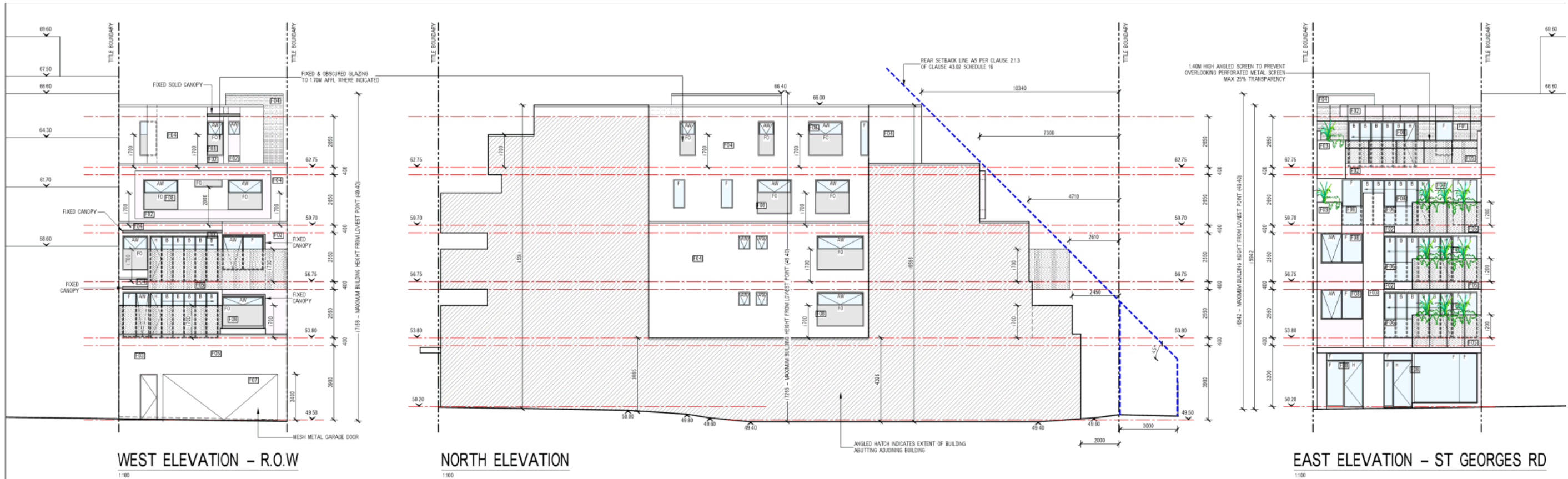
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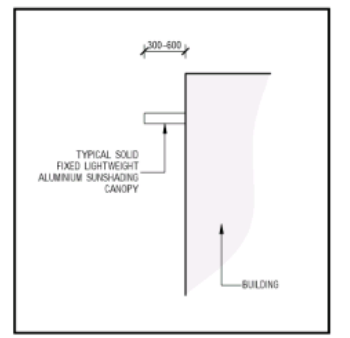
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PROJECT TYPE/ADDRESS MULTI-APARTMENT BUILDING DEVELOPMENT 479 ST GEORGES ROAD THORNURBY VICTORIA	DRAWING TITLE DETAILED PLANS (SHEET 2 OF 2)
CLIENT VELCOTRON PL	DRAWING DATE NOV 2018
	PROJECT NUMBER AD17-061
	DRAWING STATUS TP
	DRAWING NUMBER A07
	DRAWING SCALE 1:50
	REVISION A



DAREBIN CITY COUNCIL
 ADVERTISED DOCUMENT
 Application No: D/360/2018
 Document No: 1 of 6
 Page: 8 of 11

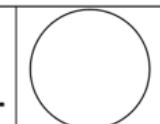
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A	18/11/18	RRI RESPONSE	SD

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PROJECT TYPE/ADDRESS
 MULTI-APARTMENT BUILDING DEVELOPMENT
 479 ST GEORGES ROAD
 THORNBURY VICTORIA

CLIENT
 VELCOTRON PL

DRAWING TITLE
 ELEVATIONS / SECTIONS

DRAWING DATE
 NOV 2018

PROJECT NUMBER
 AD/7-061

DRAWING STATUS
 TP

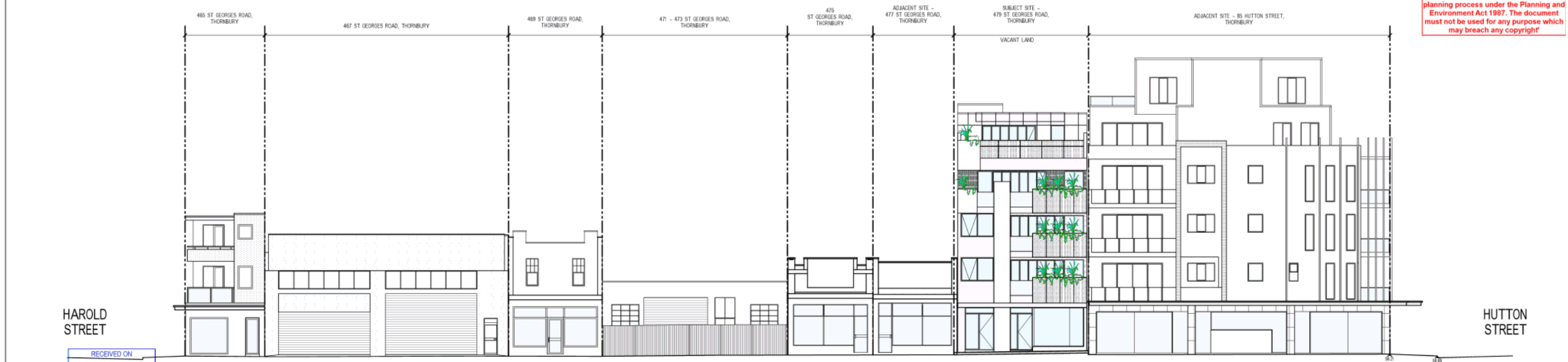
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Application No: D360/2018
Document No: 1 of 6
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STREETSCAPE DIAGRAM
ST GEORGES ROAD - NOT TO SCALE

#	DATE	DESCRIPTION	CHECK
A	19/11/18	RII RESPONSE	SD

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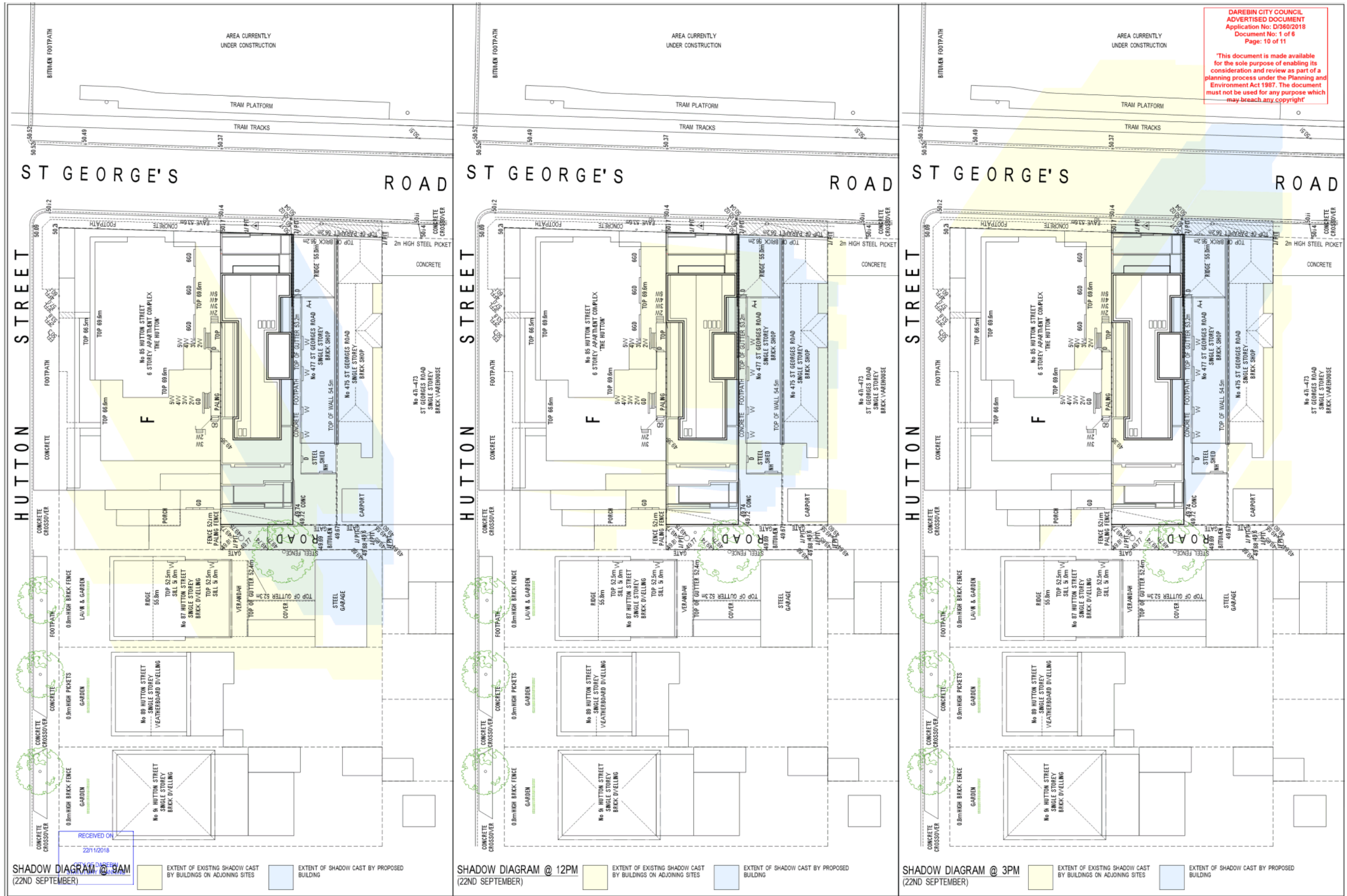
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PROJECT TYPE/ADDRESS: MULTI-APARTMENT BUILDING DEVELOPMENT, 479 ST GEORGES ROAD, THORNBUURY VICTORIA
CLIENT: VELCOTRON PL

DRAWING TITLE: SECTIONS, STREETSCAPE DIAGRAM
DRAWING DATE: NOV 2018
DRAWING STATUS: TP

PROJECT NUMBER: AD17-061
DRAWING SCALE: NTS
DRAWING NUMBER: **A09**
REVISION: A



DAREBIN CITY COUNCIL
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1	19/11	RRI RESPONSE	RD

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CLIENT VELCOTRON PL	DRAWING DATE NOV 2018
	PROJECT NUMBER AD17-061
	DRAWING SCALE 1:200
	DRAWING STATUS TP
	DRAWING NUMBER A10
	(BA) REVISION A



PERSPECTIVE IMAGE 01
STREETSCAPE



PERSPECTIVE IMAGE 02
REAR LANEWAY

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Application No: D/360/2018
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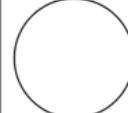
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#	DATE	DESCRIPTION	CHECK
A	18/11/18	RPI RESPONSE	SD

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PROJECT TYPE/ADDRESS MULTI-APARTMENT BUILDING DEVELOPMENT 479 ST GEORGES ROAD THORNBURY VICTORIA	DRAWING TITLE PERSPECTIVE IMAGES
CLIENT VELCOTRON PL	DRAWING DATE NOV 2018
	DRAWING STATUS TP
	PROJECT NUMBER AD17-061
	DRAWING SCALE NTS
	DRAWING NUMBER A11
	REVISION A

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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

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

Recommendation

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

Related Documents

- Nil

Attachments

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

Delegate Decisions before VCAT

SEPTEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/09/2018	D/612/2017	29 Beatty Street, Reservoir Cazaly	Medium density development comprising the construction of three (3) double storey dwellings on the lot (including a portion of the discontinued road to the rear)	Notice of Decision – Objector Appeal	Council's decision varied – Permit granted
Result	While the Applicant for Review was primarily concerned with the loss of access through part of a shared driveway, the Tribunal was not able to give the matter any significant weight. From a planning perspective, the Tribunal considered the matter straightforward and directed that a permit issue.				
5/09/2018 Compulsory Conference	D/29/2018	34 Tambo Crescent, Reservoir La Trobe	Proposed four (4) unit development	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes to address both Council's concerns. As such the parties were in a consent position that a permit could issue.				
10/09/2018	D/453/2017	779-785 Heidelberg Road, Alphington Rucker	Use and development of the land for the purpose of a nine (9) storey (plus four (4) basement levels) mixed use development comprised of a Food and Drink premises at Ground Floor and 39 dwellings above; use and development within a Public Acquisition Overlay	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	Notwithstanding the extent of change proposed by this development (which by the time of the hearing had been reduced to an 8 storey building), the Tribunal considered the proposal acceptable. First, notwithstanding the incremental change designation, the site qualified (under local policy) as a strategic opportunity site which elevated its potential for more intensive development. The Tribunal then went on to consider the planning context applicable to the site. It noted that there was an absence of specific policy applicable to the site. The Tribunal considered that in the absence of strategic work, it fell to VCAT to decide on "the height, form and design response that is acceptable. It then considered that at a proposed height of 8 storeys, height was acceptable. The Tribunal considered other aspects of the proposal and formed the view that it would generate no off site amenity impacts, no traffic or safety concerns, and that the proposal provided "excellent [internal] amenity".				

PLANNING COMMITTEE MEETING

13 MAY 2019

SEPTEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
11/09/2018 (Not required)	D/558/2017	145 Albert Street, Preston Cazaly	Construction of a medium density development consisting of two (2) double storey dwellings and two (2) three storey dwellings	Refusal – Applicant Appeal	Council's decision set aside (by consent)
Result	The Permit Applicant was willing to make changes to address Council's concerns. As such the parties were in a consent position that a permit could issue.				
11/09/2018	SEC/1/2018 / D/814/2014	2-6 McCutcheon Street, Northcote Rucker	Construction of a four storey building containing not more than 29 dwellings with basement car parking and reduction in visitor parking	S149 Appeal	No longer required - Resolved at Compulsory Conference
Result					
11/09/2018	D/249/2017	161 Westgarth Street, Northcote Rucker	Construction of two (2) double storey dwellings to the rear of the existing dwelling	Refusal – Applicant Appeal	Council's decision affirmed – No permit granted
Result	The Tribunal considered that there were fundamental and fatal problems with the Permit Applicant seeking to rely on a piece of land shown as a 'road' and carriageway easement on title documents. While the higher courts are the usual forum for resolving disputes such as these, the Tribunal considered that until the status of this land was clarified, there could be major implications for the design of the proposal. As to other aspects of the proposal, the Tribunal considered the proposal was otherwise acceptable.				

PLANNING COMMITTEE MEETING

13 MAY 2019

SEPTEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/09/2018 Compulsory Conference	D/848/2017	76 Murray Road, Preston Cazaly	Construction of three (3) triple storey dwelling	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes to address Council's concerns. As such the parties were in a consent position that a permit could issue.				
13/09/2018	D/410/2017	65 North Road, Reservoir La Trobe	Construction of two (2) double storey dwellings as shown on the plans	Refusal – Applicant Appeal	Adjourned to 16 October 2018
Result					
14/09/2018	D/510/2017	9 Army Avenue, Reservoir Cazaly	Construction of a medium density development consisting of a double storey dwelling to the rear of the existing dwelling	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	Prior to the hearing of this matter, the Permit Applicant circulated amended plans which reduced the scale of the proposal (and in particular the rear dwelling). As such, Council was of the view that a permit could now issue.				

PLANNING COMMITTEE MEETING

13 MAY 2019

SEPTEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/09/2018	D/619/2016	7-7A Harold Street, Preston Cazaly	Construction of a three (3) storey apartment development comprising 13 dwellings, plus basement car parking	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes to address Council's concerns. As such the parties were in a consent position that a permit could issue.				
21/09/2018	D/689/2017	22 Austral Avenue, Preston Cazaly	A medium density housing development comprising the construction of three (3) double storey dwellings	Refusal – Applicant Appeal	Council's decision affirmed – no permit granted
Result	The Tribunal affirmed Council's refusal as it considered the introduction of a third dwelling resulted in an overdevelopment of what was a relatively small site. The introduction of the third dwelling was considered by the Tribunal to introduce unacceptable visual bulk, in addition to constraining the secluded private open space for the remaining dwellings.				
21/09/2018 (Compulsory Conference)	D/878/2017	132 Flinders Street, Thornbury	Construction of two triple storey dwellings to the rear of the existing dwelling on the lot	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes to address Council's concerns. As such the parties were in a consent position that a permit could issue. However, prior to any permit being issued, due to changes to the design of the proposal, the Tribunal requires that notice be given to affected persons. If no party seeks to join, than a permit will issue. UPDATE: No parties sought to join following notice, so a permit was directed to be granted.				
27/09/2018	D/876/2017	9 Speight Street, Thornbury Rucker	Construction of two (2) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The critical concern for Council arose as a result of the contemporary, side by side configuration of the proposal. The Tribunal considered that the proposal was an acceptable response to its context and contributed to a preferred neighbourhood character.				

PLANNING COMMITTEE MEETING

13 MAY 2019

OCTOBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/10/2018	D/947/2017	141-143 Broadway, Reservoir La Trobe	Proposed medium density development consisting of six (6) double storey dwellings	Refusal – Applicant Appeal	No longer required – settled at Compulsory Conference
Result					
3/10/2018	D/862/2017	38 Grange Road, Alphington Rucker	Proposed construction of a three storey apartment building comprising residential dwellings above a common basement level, reduction in parking requirements and alteration of access to a road in a Road Zone Category 1	Refusal – Applicant Appeal	No longer required – settled at Compulsory Conference
Result					
4/10/2018	D/1083/2016	629, 631 and 631A Plenty Road, Preston Cazaly	Use and development of the land for a six (6) storey building comprising 27 dwellings and two (2) shops over basement car parking, a reduction of car parking requirements and waiver of loading/unloading requirements	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result					
By the time the case went to hearing, the issues in dispute between the parties had been narrowed significantly. Primarily, the case concerned interpretation of Standard D24 – the functional layout objective of the Clause 58 standards. Subject to a number of conditions requiring internal changes so as to achieve better compliance with Clause 58 and access to daylight, the Tribunal was satisfied the proposal was otherwise acceptable.					

PLANNING COMMITTEE MEETING

13 MAY 2019

OCTOBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/10/2018	D/127/2017	141-143 Spring Street, Reservoir Cazaly	Display of advertising signage	Refusal – Applicant Appeal	Council's Refusal Confirmed
Result	The Permit Applicant withdrew their appeal to the Tribunal prior to it being heard.				
15/10/2018	D/716/2017	314-318 Bell Street, Preston Cazaly	Proposed mixed use development comprising the construction of a six (6) storey building (plus basement) with shops on the ground floor and apartments above on land affected by the DDO and adjacent to a road in a road zone category 1	Refusal – Applicant Appeal	No longer required – resolved at Compulsory Conference
Result					
15/10/2018	D/515/2017	240 Rossmoyne Street, Thornbury Rucker	Medium density development comprising the construction of three (3) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	No longer required – resolved by way of Consent Order				
16/09/2018	D/410/2017	65 North Road, Reservoir La Trobe	Construction of two (2) double storey dwellings as shown on the plans	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	Prior to the hearing of this matter, the Permit Applicant circulated amended plans which resulted in Council now being supportive of the proposal. Notwithstanding this support, resident objectors remained opposed so a hearing was required. At the hearing, the Tribunal gave oral reasons directing the grant of a permit.				

PLANNING COMMITTEE MEETING

13 MAY 2019

OCTOBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
17/10/2018	D/145/2018	480 Gilbert Road, Preston Cazaly	A three (3) storey development comprising ten (10) dwellings and a reduction in the (visitor) car parking requirement, in accordance with the application material	Failure Appeal (Council subsequently determined it would have supported) – Applicant Appeal	No longer required – resolved at Compulsory Conference
Result					
18/10/2018 (Compulsory Conference)	D/186/2018	340-342 High Street, Northcote Rucker	Mixed use development comprising partial demolition of existing buildings, construction of a seven storey development and basements, comprising 24 apartments and four (4) commercial spaces on land covered by a Heritage Overlay and reduction of the standard car parking requirement	Failure Appeal - Subsequently resolved to Oppose (in line with Officer recommendation)	Council's deemed refusal set aside – Permit granted
Result	The Permit Applicant was willing to make changes to their proposal to address resident and Council concerns. As such, the parties were in a consent position a permit could issue.				
18/10/2018	D/29/2018	34 Tambo Crescent, Reservoir La Trobe	Proposed four unit development	Refusal – Applicant Appeal	No longer required – resolved at Compulsory Conference
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

OCTOBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
19/10/2018	D/503/2017	9 Normanby Avenue, Thornbury Rucker	Construction of a medium density development consisting of four (4) three storey dwellings	Refusal – Applicant Appeal	No longer required – settled at Compulsory Conference
Result					
19/10/2018	D/594/2017	17 Anderson Road, Thornbury Cazaly	Use of the land as an industry (printing and coating works with heated curing ovens)	Notice of Decision – Objector Appeal	Council’s decision set aside – No permit granted
Result	In the hearing of this matter, the Tribunal had concerns about the acoustic assessment relied upon by the Permit Applicant. The Permit Applicant was not able to assist the Tribunal with its queries about the acoustic assessment. The Permit Applicant declined an invitation to apply for an adjournment to bolster its case with expert evidence. As a result of the absence of this information, the Tribunal could not be satisfied the proposal would achieve an appropriate amenity outcome, and as such, set Council’s decision aside.				
29/10/2018	D/402/2017	4-8 Browning Street, Kingsbury La Trobe	Construction of four (4) three (3) storey (plus basement) residential buildings (student accommodation) and a reduction in the car parking requirement	Refusal – Applicant Appeal	Council’s decision affirmed – No permit granted
Result	The Tribunal was not troubled by issues of building height, garden area, internal amenity, off site amenity impacts or even car parking and traffic impacts. Rather, the Tribunal considered the what was proposed was simply too much for an area designated as minimal change in the planning scheme.				

PLANNING COMMITTEE MEETING

13 MAY 2019

NOVEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/11/2018	D/848/2017	76 Murray Road, Preston Cazaly	Construction of three (3) triple storey dwellings	Refusal – Applicant appeal	No longer required – resolved at Compulsory Conference
Result					
2/11/2018	PIR/48/2018	21 Newton Street, Reservoir Cazaly	Request for certificate of compliance for shared housing for a dwelling containing 10 habitable rooms including a common kitchen/meals area and common laundry	Refusal – Applicant appeal	Adjourned to 8 February 2019 UPDATE: Council's refusal affirmed.
Result	The Applicant withdrew their appeal prior to it being heard, as such Council's refusal is affirmed.				

PLANNING COMMITTEE MEETING

13 MAY 2019

NOVEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/11/2018	D/464/2017	457 Heidelberg Road, Fairfield Rucker	Use and development of the land for the purpose of a restaurant and office at Ground Floor and a dwelling at first floor; a reduction in the car parking requirement; buildings and works including demolition works (retrospective) in a Heritage Overlay	Refusal – Applicant appeal	Council's decision set aside – Permit granted
Result	While the permit was primarily about the ground floor restaurant and office, a dispute needed to be resolved by the Tribunal as to whether the Permit Applicant had established existing use rights for the dwelling at first floor (which was not expressly applied for in the permit application documents). The Tribunal held in this instance existing use rights did need to be established, and with the benefit of a previous owner's sworn evidence, the Tribunal was satisfied they existed.				
21/11/2018	D/521/2017	371 Station Street, Fairfield Rucker	Medium density development comprising the construction of four (4) dwellings and alteration of access to a road in a RDZ1	Refusal – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal was satisfied the proposal was an acceptable response to its main road context, where other medium density developments were appearing and a greater level of change was to be expected than compared to residential hinterlands. In particular, the design of the proposal with one crossover, space for landscaping and 'one dwelling' presentation to Station Street were matters the Tribunal had regard to in finding the proposal acceptable.				
22/11/2018 (Compulsory Conference) & 3/12/2018	D/681/2017	378 St Georges Road, Thornbury Cazaly	Proposed medium density development comprising the construction of eleven (11) dwellings, alterations to a road in a road zone category 1 and a waiver of the visitor parking requirements	Refusal – Applicant appeal	Amended plans to be prepared – Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant is to prepare amended plans responding to identified concerns ahead of a further Compulsory Conference on 3 December 2018. On 3 December 2018, the parties signed off on acceptable amended plans that addressed Council concerns.				

PLANNING COMMITTEE MEETING

13 MAY 2019

NOVEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
22/11/2018	D/433/2017	20 Walsh Avenue, Thornbury Rucker	Construction of a medium density development consisting of two (2) dwellings	Refusal – Applicant appeal	Council's decision affirmed – No permit granted
Result	The Tribunal provided oral reasons only. Subsequently, written reasons were provided at the request of the Permit Applicant. The written reasons disclose it was energy efficiency concerns that resulted in the proposal being refused – in particular, main living areas having very poor and minimal access to daylight.				
28/11/2018	D/107/2013	23-25 Clapham Street, Thornbury Rucker	Development of a three (3) storey (plus basement) building comprising 27 dwellings and a reduction to the car parking requirement	Refusal to grant Extension of Time – Applicant Appeal	Council's decision set aside – Extension granted
Result	The Tribunal provided oral reasons only.				
29/11/2018 (Compulsory Conference) and 13/12/2018	D/855/2017	3 Park Avenue, Preston Cazaly	Construction of four (4) double storey dwellings	Refusal – Applicant appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant is to prepare amended plans responding to identified concerns ahead of a further Compulsory Conference on 13 December 2018. UPDATE: Following further revisions to the plans and the giving of further notice, the parties were in a consent position that a permit could issue.				

PLANNING COMMITTEE MEETING

13 MAY 2019

DECEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/12/2018	D/692/2015/A	80 Alston Court, Thornbury Rucker	Amendment to previously approved medium density development comprising the construction of three (3) double storey dwellings. Amendments comprise - A total redesign of the development to provide a new medium density development comprising the construction of three (3), double storey dwellings as shown on the plans accompanying the application.	Conditions Appeal	Council's decision varied – Permit granted
Result	The primary dispute in this case centred on whether changes to the existing approved development could be supported (as a matter of law) when such changes went contrary to the mandatory garden area required (which was introduced into the scheme post the grant of the permit initially). The Tribunal supported Council's interpretation of the garden area requirement and upheld its conditions relating to same, yet varied and deleted other non contentious conditions.				
5/12/2018	D/186/2018	340-342 High Street, Northcote Rucker	Mixed use development comprising partial demolition of existing buildings, construction of a seven storey development and basements, comprising 24 apartments and four (4) commercial spaces on land covered by a Heritage Overlay and reduction of the standard car parking requirement	Failure Appeal (Subsequently formed position to oppose in line with Officer Recommendation)	No longer required – resolved at Compulsory Conference
Result					
13/12/2018	D/942/2017	48 Miranda Road, Reservoir La Trobe	Medium density development comprising the construction of four (4) double storey dwellings	Notice of Decision – Objector Appeal	Council's Decision Varied (By consent) – Permit granted
Result	The parties were able to resolve their dispute by way of consent order, therefore a contested hearing was no longer required.				

PLANNING COMMITTEE MEETING

13 MAY 2019

DECEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
5/12/2018	D/31/2017	39 Mason Street, Reservoir Cazaly	A medium density housing development comprised of the construction of two (2) double-storey dwellings	Conditions Appeal	Council's decision varied (by consent)
Result	The parties were willing to enter into consent orders resolving the dispute without the need for a contested hearing.				
5/12/2018 (Compulsory Conference) and 19/12/2018	D/578/2017	329-331 Plenty Road, Preston Cazaly	Proposed construction of twelve (12) dwellings	Refusal – Applicant Appeal	Amended Plans to be Circulated for a further compulsory conference on 19 December 2018 Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes which addressed Council concerns, as such the parties were in a position a permit could issue.				
11/12/2018	N/A (In City of Yarra)	582 Heidelberg Road, Alphington Rucker	Development of the land for the constructions of a multi-storey building, use of the land for dwellings and an indoor recreation facility (gymnasium) and reduction in the statutory car parking requirement	Refusal – Applicant Appeal	Vacated after Practice Day Hearing requested by resident parties
Result					
17/12/2018	D/23/2018	75 Alston Court, Thornbury Cazaly	Construction of two (2) double storey dwellings	Notice of Decision – Objector Appeal	Council's decision affirmed – Permit granted
Result	The Tribunal only oral reasons affirming Council's decision.				

PLANNING COMMITTEE MEETING

13 MAY 2019

DECEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
17/12/2018	D/879/2017	67-69 High Street, Preston Cazaly	An 8-storey development (+roof terrace) comprising 77 dwellings, two (2) commercial tenancies (640m ²), 86 bicycle spaces, a reduction in car parking (90 spaces provided) and the loading bay requirements	Refusal – Applicant appeal	Council's decision affirmed – No permit granted
Result	The Tribunal considered the proposal had a number of fatal flaws in the areas of internal amenity, daylight/overshadowing, noise and equitable development. Notwithstanding the Tribunal refusing the application, it did not agree with Council that a street setback was required.				
18/12/2018	2099	9 Christmas Street, Northcote Rucker	Buildings and works erected thereon in accordance with the endorsed plan and to be used for flats	Conditions appeal	No longer required – Conditions varied by way of consent order
Result	The Permit Applicant and Council were able to agree on an alternative wording for the condition under dispute. As such, the parties were able to resolve the matter without the need for a hearing by way of consent order.				

PLANNING COMMITTEE MEETING

13 MAY 2019

JANUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/1/2019	D/70/2018	43-45 Gilbert Road, Preston Cazaly	Construction of three (3) dwellings (2 double storey, 1 triple storey) on the lot	Refusal – Applicant Appeal	Adjourned to 21 February 2019 No longer required – Council’s decision set aside (by consent) – permit granted
Result	The Permit Applicant amended their plans prior to the hearing – as such, the parties were in a position to resolve the matter on the papers without the need for a hearing.				
14/01/2019 (Compulsory Conference)	D/279/2018	39 Rathmines Street, Fairfield Rucker	Construction of eight (8) triple storey dwellings (plus basement car park)	Refusal – Applicant Appeal	Proceeding to hearing in March
Result	The matter did not settle.				
16/01/2019 (Compulsory Conference)	D/444/2017	250 Arthur Street, Fairfield Rucker	A medium density housing development comprised of the construction of three (3) double storey dwellings and basement level car parking	Failure Appeal	Amended plans to be prepared – Matter settled
Result	See later entry				

PLANNING COMMITTEE MEETING

13 MAY 2019

JANUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
16/01/2019 & 26/02/2019	D/604/2017	288 Broadway, Reservoir La Trobe	Proposed erection of a colour LED screen on top of existing office roof for purposes of advertising	Refusal – Applicant Appeal	Council's refusal affirmed – No permit granted
Result	The Tribunal refused the application on the basis the size and type of sign was inconsistent with existing and preferred character, and also due to concerns about road safety (due to the sign's positioning near an intersection).				
17/01/2019 (Compulsory Conference)	D/955/2017	296 Plenty Road, Preston Cazaly	Construction of buildings and works in association with a 6-storey mixed-use development comprising 57 dwellings and 3 shop tenancies, use of land for dwellings, reduction in the statutory car park requirement; alternation of access to a road in a Road Zone Category 1	Failure Appeal	Matter did not settle – Proceeding to hearing
Result					
17/01/2019 (Compulsory Conference)	D/681/2017	378 St Georges Road, Thornbury Cazaly	Proposed medium density development comprising the construction of eleven (11) dwellings, alterations to a road in a road zone category 1 and a waiver of the visitor parking requirements	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The Permit Applicant was willing to make changes that addressed Council concerns. Notice of amended plans was then given; while two residents responded, they did not attend the resumed Compulsory Conference as ordered by VCAT. As such, they were struck out for failing to attend.				

PLANNING COMMITTEE MEETING

13 MAY 2019

JANUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/01/2019	D/532/2018	Lot 8 (No. 5) Nova Circuit, Bundoora La Trobe	Proposed medium density residential development including construction of two more dwellings, development in a heritage overlay, development under an approved development plan and a reduction in car parking	Failure Appeal	Council's Deemed Refusal Set Aside (by consent) – Permit Granted
Result	The parties were able to resolve the matter by consent without the need for a contested hearing.				
23/01/2019	D/637/2013/B	142 Darebin Road, Northcote Rucker	Amendment to endorsed plans allowing the conversion of the Unit 1 & 2 studies into bedrooms; and Amendment to the permit to allow a reduction in the requirements of Clause 52.06 (Car parking) of the Darebin Planning Scheme.	Refusal – Applicant appeal	Council's decision set aside – permit granted
Result	The Tribunal was satisfied the reduction in car parking was an acceptable outcome in light of their site inspections and the benefit of car parking survey evidence (which established there was capacity for on street parking in the area)				
23/01/2019	D/880/2017	93 Arundel Avenue, Reservoir La Trobe	Proposed medium density development for the construction of 5 double storey dwellings and a reduction of the standard car parking requirement (1 visitor space)	Refusal – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal was satisfied the proposal was an acceptable response for its unique context, being located at the western end of a residential area and adjacent to a 3-4 storey development. As such, a design response which drew from both contexts was considered acceptable.				

PLANNING COMMITTEE MEETING

13 MAY 2019

JANUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
25/01/2019	D/804/2017	4 Long Street, Reservoir La Trobe	Remove the Covenants contained in Transfer no. 1204036 and 1270746 from Certificate of Title Volume 08620 Folio 975	Refusal – Applicant appeal	Council’s decision affirmed – No permit granted
Result	The Tribunal could not be satisfied that beneficiaries of the covenant would not suffer any detriment of any kind. It considered the Permit Applicant’s task as akin to the pole vault without a pole to assist.				
29/01/2019	D/254/2018	288 St Georges Road, Thornbury Rucker	Proposed buildings and works comprising a first floor addition for the purpose of a storage/office area, as shown on the plans accompanying the application.	Refusal – Applicant appeal	Council’s Decision Set Aside – Permit Granted’
Result	The Tribunal provided oral reasons only.				
29/01/2019	N/A	582 Heidelberg Road, Alphington (Yarra Municipality)	Development of the land for the constructions of a multi-storey building, use of the land for dwellings and an indoor recreation facility (gymnasium) and reduction in the statutory car parking requirement	Refusal – Applicant appeal	Adjourned
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

JANUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
30/01/2019	D/578/2017	329-331 Plenty Road, Preston Cazaly	Proposed construction of twelve (12) dwellings	Refusal – Applicant appeal	No longer required
Result	Matter had settled by consent following Compulsory Conference				
31/01/2019	D/855/2017	3 Park Avenue, Preston Cazaly	Construction of four (4) double storey dwellings	Refusal – Applicant appeal	No longer required
Result	Matter had settled by consent following Compulsory Conference				

PLANNING COMMITTEE MEETING

13 MAY 2019

FEBRUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/02/2019 (Compulsory Conference)	D/94/2018	49 Darebin Boulevard. Reservoir La Trobe	Proposed construction of a second dwelling to the rear of the existing dwelling	Refusal – Applicant appeal	Matter did not settle
Result	The parties were unable to reach agreement as to a suitable design response for the second dwelling.				
14/02/2019	D/46/2015/A	235-239 Murray Road, Preston Cazaly	Use and develop the land for the purpose of a childcare centre; alterations of access to a road in a Road Zone Category 1; buildings and works in a Heritage Overlay and a reduction in the car parking requirements of Clause 52.06	Notice of Decision – Objector Appeal	Council’s decision affirmed – Permit amended
Result	The application was a proposal to construct shade sails over an existing child care centre. The Tribunal considered the proposal an acceptable outcome, especially in this time of climate change.				
14/02/2019	D/731/2017	27 Jenkin Street, Reservoir Cazaly	A medium density housing development comprised of the construction of three (3) double-storey dwellings	Refusal – Applicant Appeal	Council’s Refusal Set Aside (by consent) – Permit Granted
Result	Following lodgement of amended plans, the parties were in a position to resolve the appeal without the need for a contested hearing.				

PLANNING COMMITTEE MEETING

13 MAY 2019

FEBRUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/02/2019	D/120/2018	20 Butters Street, Reservoir Cazaly	Construction of two (2) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal considered that given the size of the site, its proximity to facilities and services, it would be difficult to fathom there would not be some level of change experienced on the site. To that end, the Tribunal was satisfied that subject to conditions reducing the extent of first floor form (adjacent a neighbour's secluded private open space) and changes to the front fence, the proposal was an acceptable outcome.				
20/02/2019	D/5/2018	14 Walton Avenue, Reservoir Cazaly	Proposed three double storey terraces with associated car parking	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal was satisfied the proposal was an acceptable outcome, especially when regard was had to the mixed character of Harold Street. The Tribunal was not persuaded there were any unreasonable off site amenity impacts stemming from the proposal.				
21/02/2019	D/70/2018	43-45 Gilbert Road, Preston Cazaly	Construction of three (3) dwellings (2 double storey, 1 triple storey) on the lot	Refusal – Applicant Appeal	No longer required (resolved by consent prior)
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

FEBRUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
22/02/2019	D/737/2017	295 Mansfield Street, Thornbury Cazaly	A medium density housing development comprised of a three (3) double-storey dwellings	Refusal – Applicant Appeal	Council’s decision set aside – Permit granted
Result	The Tribunal only provided oral reasons.				
22/02/2019	D/519/2017	8 Strettle Street, Thornbury Cazaly	Proposed construction of six dwellings and waiver of visitor car space	Refusal – Applicant Appeal	Council’s decision affirmed – no permit granted
Result	The critical failing of this proposal was the design response of locating 4 dwellings close towards the front of the site with a centralised driveway. This choice had the effect of pushing the dwellings closer to site boundaries meaning there was less area capable of accommodating landscaping. This, together with poor secluded private open space for the dwellings led the Tribunal to affirm Council’s refusal.				
26/02/2019	D/85/2018	1 McFarlane Street, Northcote Rucker	Construction of one (1) dwelling on a lot less than 300 square metres and on land affected by a Design and Development Overlay and Special Building Overlay	Refusal – Applicant Appeal	Council’s decision set aside – Permit granted
Result	While the Tribunal set aside Council’s decision, it did require changes to the proposal in respect of an increased front setback, a requirement for materials to be more subdued and more vertical window forms to ensure the proposal was more in keeping with the area.				

PLANNING COMMITTEE MEETING

13 MAY 2019

FEBRUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
26/02/2019	D/150/2018	187 Gooch Street, Thornbury Rucker	Proposed medium density housing development comprising the construction of a side-by-side development comprising two (2) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal provided only oral reasons.				
26/02/2019	D/444/2017	250 Arthur Street, Fairfield Rucker	A medium density housing development comprised of the construction of three (3) double storey dwellings and basement level car parking	Failure Appeal – Consent Orders Sent	No longer required – Council's decision set aside (by consent) – permit granted
Result	The parties were able to resolve the matter on the papers without the need for a contested hearing after the Permit Applicant was willing to amend their plans to address Council concerns.				
28/02/2019 (Compulsory Conference)	D/975/2017	422-426 Bell Street, Preston Cazaly	Construction of a six (6) storey (plus two (2) levels of basement and a roof terrace) mixed use building and a reduction in the car parking requirement associated with the use as 35 dwellings and 2 retail premises and alteration of access to a Road Zone - Category 1 on land affected by a Special Building Overlay and a Design and Development Overlay - Schedule 16	Refusal – Applicant Appeal	Matter did not settle
Result	The parties were unable to reach agreement on a suitable built form outcome for the site.				

PLANNING COMMITTEE MEETING

13 MAY 2019

MARCH 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/03/2019	D/188/2018	73 Union Street, Northcote Rucker	Construction of a single dwelling on a lot under 300sqm and within a Heritage Overlay	Notice of Decision – Objector Appeal	Council’s decision varied (by consent) – Permit granted
Result	The parties were in a position to resolve the appeal by consent and without the need for a contested hearing.				
6/03/2019 & 19/03/2019 (Compulsory Conference)	D/1007/2012	6-34 High Street, 31 Plenty Road, Preston Cazaly	An 18-storey building comprising 157 dwellings, six (6) retail/commercial tenancies (899sqm), 72 bicycle parking spaces and a reduction to the car parking (203 spaces) and loading requirements	Failure Appeal – Subsequently resolved to oppose	Matter did not settle
Result					
6/03/2019	D/722/2017	20 Carson Street, Reservoir La Trobe	Use and development of the land for the purpose of a single dwelling	Refusal – Applicant Appeal	Council’s decision set aside – Permit granted
Result	The Tribunal provided oral reasons only				

PLANNING COMMITTEE MEETING

13 MAY 2019

MARCH 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/03/2019	D/69/2018	3 Lane Crescent, Reservoir La Trobe	Construction of four (4) double storey dwellings	Refusal – Applicant Appeal	Council' decision set aside (by consent) – Permit granted
Result	The parties were in a position to resolve the appeal by consent and without the need for a contested hearing.				
6/03/2019	D/279/2018	39 Rathmines Street, Fairfield Rucker	Construction of eight (8) triple storey dwellings (plus basement car park)	Refusal – Applicant Appeal	Council's decision affirmed – No permit granted
Result	The Tribunal considered the proposal did not have a sufficient street setback to comfortably fit in the preferred future character of the area. The Tribunal also considered the proposal's built form through the site would be overwhelming to an adjoining property.				
7/03/2019	D/955/2017	296 Plenty Road, Preston Cazaly	Construction of buildings and works in association with a 6-storey mixed-use development comprising 57 dwellings and 3 shop tenancies, use of land for dwellings, reduction in the statutory car park requirement; alternation of access to a road in a Road Zone Category 1	Failure Appeal – Subsequently resolved to oppose, following amended plans, subsequently resolved to support	Decision Pending
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

MARCH 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/03/2019	D/736/2017	65 Jensen Road, Preston Cazaly	A medium density housing development comprised of the construction of five (5) dwellings and a reduction in the visitor car parking requirement	Failure Appeal	Council's (deemed) decision set aside – Permit granted
Result	The Tribunal considered the built form of the proposal acceptable and that internal and external amenity considerations had been taken into account. The Tribunal was also satisfied that the design of car parking arrangements was satisfactory.				
13/03/2019	D/555/2017/A	15 Osborne Grove, Preston Cazaly	Redesign of Unit 1 from reverse living to conventional living	Refusal – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal did not consider the fact the parties had previously mediated an outcome (which gave rise to the permit originally) was a prohibition on the grant of an amendment to the permit.				
19/03/2019 (Compulsory Conference)	N/A	582 Heidelberg Road, Alphington	Development of the land for the constructions of a multi-storey building, use of the land for dwellings and an indoor recreation facility (gymnasium) and reduction in the statutory car parking requirement		Vacated by the Tribunal with the consent of the parties
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

MARCH 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
27/03/2019 (Compulsory Conference)	D/502/2018	264-266 Raglan Street, Preston Cazaly	Proposed development of the land for a multi-storey mixed use building comprising 55 residential apartments and four (4) home-office units, and a reduction in car parking requirements	Failure Appeal	Council's (deemed) refusal set aside – Permit granted
Result	The permit applicant was willing to make changes to their proposal to address resident and Council concerns. As such, the parties were in a position for a permit to issue by consent.				
27/03/2019	D/94/2018	49 Darebin Boulevard, Reservoir La Trobe	Proposed construction of a second dwelling to the rear of the existing dwelling	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal only provided oral reasons.				

PLANNING COMMITTEE MEETING

13 MAY 2019

APRIL 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/04/2019	D/337/2018	151 Westgarth Street, Northcote Rucker	Use of the land as a medical centre and a reduction of ten car spaces on land in the General Residential Zone Schedule 2	Notice of Decision – Objector Appeal	Decision Pending
Result					
2/04/2019 (Compulsory Conference)	D/778/2017	22 Wood Street, Preston Cazaly	Removal of vegetation and the construction of three (3) five storey buildings (plus basement) used for a retirement village (167 apartments) and one (1) five storey building (plus basement) used for a residential age care facility (149 suites), road works associated with the extension of Wood Street and a reduction of the car parking requirement on land affected by the Design and Development Overlay Schedule 19 (DDO19), Environmental Significance Overlay Schedule 2 (ESO2), Special Building Overlay (SBO) and Land Subject to Inundation Overlay (LSIO).	Refusal – Applicant Appeal	
Result The matter did not settle.					
15/04/2019 (Compulsory Conference)	D/440/2018	791 Plenty Road, Reservoir Cazaly	The construction of nine (9) dwellings (eight (8) triple storey and one (1) double storey) and alteration of access to road in a Road Zone Category 1 on land in a Residential Growth Zone Schedule 1 and Design and Development Overlay Schedule 17	Refusal – Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

APRIL 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
(15/3/2019 Second CC) 17/04/2019	D/975/2017	422-426 Bell Street, Preston Cazaly	Construction of a six (6) storey (plus two (2) levels of basement and a roof terrace) mixed use building and a reduction in the car parking requirement associated with the use as 35 dwellings and 2 retail premises and alteration of access to a Road Zone - Category 1 on land affected by a Special Building Overlay and a Design and Development Overlay - Schedule 16	Refusal – Applicant appeal	Council's decision set aside (by consent) – Permit granted
Result	This hearing was not required as the Tribunal had listed the matter for a second compulsory conference on 15 March 2019. At this second compulsory conference, the parties were willing to agree to changes that meant a permit could issue.				
23/04/2019	D/1007/2012	6-34 High Street, 31 Plenty Road, Preston Cazaly	An 18-storey building comprising 157 dwellings, six (6) retail/commercial tenancies (899sqm), 72 bicycle parking spaces and a reduction to the car parking (203 spaces) and loading requirements		
Result					
29/04/2019 (Compulsory Conference)		582 Heidelberg Road, Alphington	Development of the land for the constructions of a multi-storey building, use of the land for dwellings and an indoor recreation facility (gymnasium) and reduction in the statutory car parking requirement		
Result	Darebin Council did not attend the Compulsory Conference.				

PLANNING COMMITTEE MEETING

13 MAY 2019

MAY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
14/05/2019	D143/2014/A	1 Burbank Drive, Reservoir La Trobe	An increase in wall height on the southern boundary of a medium density development	Notice of Decision – Objector Appeal	
Result					
17/05/2019	D/908/2012	1A Separation Street, Northcote Rucker	Extension of Time	Refusal – Applicant Appeal	
Result					
20/05/2019 (Compulsory Conference)	D/603/2018	109 Clyde Street, Thornbury Rucker	Proposed medium density development comprising the construction of three double storey dwellings	Refusal – Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

MAY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
20/05/2019	D/778/2017	22 Wood Street, Preston Cazaly	Removal of vegetation and the construction of three (3) five storey buildings (plus basement) used for a retirement village (167 apartments) and one (1) five storey building (plus basement) used for a residential age care facility (149 suites), road works associated with the extension of Wood Street and a reduction of the car parking requirement on land affected by the Design and Development Overlay Schedule 19 (DDO19), Environmental Significance Overlay Schedule 2 (ESO2), Special Building Overlay (SBO) and Land Subject to Inundation Overlay (LSIO).	Refusal – Applicant Appeal	
Result					
28/05/2019	D/66/2018	648 Plenty Road, Preston Cazaly	A mixed use development comprised of the construction of seven (7) dwellings (two and three-storey in height) and a shop at ground floor; a reduction in the car parking requirement; alteration of access to a road in a road Zone Category 1	Refusal – Applicant Appeal	
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

MAY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
31/05/2019	D/82/2018	115 Charles Street, Northcote Rucker	Partial demolition of the existing single storey dwelling and construction of buildings and works for a double storey extension on land affected by a Heritage Overlay (HO100)	Notice of Decision – Objector Appeal	
Result					
31/05/2019	D/581/2017	18 Kinkora Road, Reservoir Cazaly	A medium density housing development comprised of the construction of one (1) double storey dwelling and seven (7) triple storey dwellings	Notice of Decision – Objector Appeal	
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

Planning Committee Decisions before VCAT

SEPTEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/09/2018 Compulsory Conference	D/179/2017	43 Station Street, Fairfield Rucker	Partial demolition and alterations to the existing 'Carmalea' building; buildings and works comprising the construction of a four (4) storey residential development incorporating a total of 37 dwellings (social housing) on the site in conjunction with the existing heritage building; a reduction in the car parking requirements, and alteration of access to a road in a Road Zone, Category 1 on land located in the Residential Growth Zone and affected by a Heritage Overlay and Design and Development Overlay	Conditions Appeal	Matter did not settle
Result					
6/09/2018 Compulsory Conference	D/94/2017	386-392 Bell Street, Preston Cazaly	Demolition of an existing dwelling; Construction of a six (6) storey building (plus basement level and roof top level) comprising 39 dwellings and retail premises; A reduction in the car parking requirements; A waiver of loading and unloading requirements; on land affected by a Heritage Overlay (HO201)	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Vacated by parties at the Practice Day Hearing – No longer required
Result					
21/09/2018	D/335/2017	1 Mendip Road, Reservoir Cazaly	Use and development of the land for the purpose of six dwellings and one shop/office unit in a Commercial 1 Zone, within a part two, part three storey building and a reduction in the standard car parking requirement	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's Decision Set Aside – Permit Granted

PLANNING COMMITTEE MEETING

13 MAY 2019

SEPTEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
Result	The Tribunal considered that the scale and form of the proposal was expected to be different to its surrounds as the proposal was located in the Commercial 1 Zone, not the surrounding General Residential Zone. As such, the Tribunal Was satisfied the proposal, with its design and setbacks was an appropriate fit for the area. The Tribunal did however require changes (by condition) to improve internal layout of the commercial premises, to increase landscaping opportunities and to improve materials and finishes.				

PLANNING COMMITTEE MEETING

13 MAY 2019

OCTOBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
15/10/2018 and 1/11/2018	D/924/2017	1-3 Arthur Street, 68 St Georges Road, 396-402 Bell Street & 7 Arthur Street Cazaly	Buildings and works to facilitate alterations to the existing Restricted Place of Assembly (Darebin RSL); installation and use of an additional 15 electronic gaming machines; alterations to the current liquor license; alterations to access in a Road Zone Category 1; alteration to the existing internally illuminated business identification signage and a reduction of 31 car spaces	Refusal (in line with Officer Recommendation) – Applicant Appeal	Decision Pending
Result					
15/10/2018	D/94/2017	386-392 Bell Street, Preston Cazaly	Demolition of an existing dwelling; Construction of a six (6) storey building (plus basement level and roof top level) comprising 39 dwellings and retail premises; A reduction in the car parking requirements; A waiver of loading and unloading requirements; on land affected by a Heritage Overlay (HO201)	Refusal (contrary to Officer Recommendation) – Applicant Appeal	Council's refusal set aside – Permit granted
Result	The Tribunal provided oral reasons for its decision to grant a permit.				
17/10/2018	D/179/2018	43 Station Street, Fairfield Rucker	Partial demolition and alterations to the existing 'Carmalea' building; buildings and works comprising the construction of a four (4) storey residential development incorporating a total of 37 dwellings (social housing) on the site in conjunction with the existing heritage building; a reduction in the car parking requirements, and alteration of access to a road in a Road Zone, Category 1 on land located in the Residential	Conditions Appeal	Council's decision varied – Permit granted

PLANNING COMMITTEE MEETING

13 MAY 2019

OCTOBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
			Growth Zone and affected by a Heritage Overlay and Design and Development Overlay		
Result	The Permit Applicant and the Council were able to agree on a suitable wording for the conditions under review so as to ensure their enforceability. As such, the parties were in a position to resolve the matter on the papers without the need for a contested hearing.				

PLANNING COMMITTEE MEETING

13 MAY 2019

NOVEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
21/11/2018 (Compulsory Conference)	D/194/2018	43-47 Simpson Street, Northcote Rucker	Four (4) storey development (plus basement) comprising 19 dwellings, two (2) shops and a reduction to the car parking requirement	Refusal (contrary to Officer Recommendation) – Applicant appeal	Matter did not settle
Result					
28/11/2018	D/289/2017	249 Spring Street, Reservoir La Trobe	Development of the land with a four (4) storey apartment building comprising 14 dwellings and a reduction in the car parking requirement	Refusal (in line with Officer Recommendation) – Applicant appeal	Council's decision set aside – Permit granted
Result					
The Tribunal considered the proposal did not represent overdevelopment of the site and would not significantly impact equitable development opportunities for land to the south. The Tribunal was also satisfied with the proposal's response to the sensitive residential land to the west. Although the proposal represented an intensive built form and a housing change noticeable in the area, the Tribunal considered it consistent with the type of change envisaged in the planning scheme and reflects the aspirations sought for the Reservoir Activity Centre.					
30/11/2018 (Compulsory Conference)	D/870/2017	38 Arthurton Road, Northcote Rucker	Use and development of the land for a six (6) to seven (7) storey mixed use building comprising of a retail/food and drink premises, five (5) offices, 28 residential apartments and a childcare centre, with three (3) basement levels and a reduction of the standard car parking requirement.	Refusal (in line with Officer Recommendation) – Applicant appeal	Matter did not settle
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

NOVEMBER 2018					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
28/11/2018	D/107/2013	23-25 Clapham Street, Thornbury Rucker	Development of a three (3) storey (plus basement) building comprising 27 dwellings and a reduction to the car parking requirement	Refusal to grant Extension of Time – Applicant Appeal	Council's decision set aside – Extension granted
Result	The Tribunal provided oral reasons only.				

PLANNING COMMITTEE MEETING

13 MAY 2019

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

PLANNING COMMITTEE MEETING

13 MAY 2019

JANUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
No matters determined by the Committee are presently scheduled to be heard in January 2019					

PLANNING COMMITTEE MEETING

13 MAY 2019

FEBRUARY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/02/2019	D/194/2018	43-47 Simpson Street, Northcote Rucker	Four (4) storey development (plus basement) comprising 19 dwellings, two (2) shops and a reduction to the car parking requirement	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal was satisfied that the proposal was acceptable when regard was had to either the <i>repeat appeal</i> principles, or a fresh analysis of the proposal against the planning scheme. In approving the proposal, the Tribunal placed weight on the fact the land was in the Commercial 1 Zone and the approval of the development would result in improvements to existing conditions – namely, a quiet local centre.				

PLANNING COMMITTEE MEETING

13 MAY 2019

MARCH 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
No matters determined by the Committee are presently scheduled to be heard in March 2019					

PLANNING COMMITTEE MEETING

13 MAY 2019

APRIL 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
8/04/2019	D/870/2017	38 Arthurton Road, Northcote Rucker	Use and development of the land for a six (6) to seven (7) storey mixed use building comprising of a retail/food and drink premises, five (5) offices, 28 residential apartments and a childcare centre, with three (3) basement levels and a reduction of the standard car parking requirement.	Refusal (in line with Officer Recommendation) – Applicant Appeal	Decision Pending
Result					

PLANNING COMMITTEE MEETING

13 MAY 2019

MAY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
No matters determined by the Committee are presently scheduled to be heard in May 2019					

Matters completed and to be heard to 31/5/2019

7. URGENT BUSINESS

8. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

9. CLOSE OF MEETING