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AGENDA

Planning Committee Meeting to be held on
Tuesday 15 June 2021 at 6.30pm.

**This Planning Committee Meeting will be held
virtually**

The meeting will be available for the public to watch through
livestreaming via Councils website www.darebin.vic.gov.au



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

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

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

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

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



English

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

Arabic

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

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

Table of Contents

Item Number		Page Number
1.	MEMBERSHIP	1
2.	APOLOGIES.....	1
3.	DISCLOSURES OF CONFLICTS OF INTEREST	1
4.	CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE	1
5.	CONSIDERATION OF REPORTS	2
	5.1 Application for Planning Permit D/727/2020	
	57 Martin Street, Thornbury.....	2
6.	OTHER BUSINESS	47
	6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS	
	47
7.	CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	70
8.	CLOSE OF MEETING.....	70

Agenda

1. MEMBERSHIP

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

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 10 May 2021 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/727/2020 57 Martin Street, Thornbury

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
57 Martin Developer Nominee	Exors Pietro Pignatelli	Common Ground Pty Ltd Eco Results Mud-Office Tree Logic Pty Ltd

SUMMARY

- The applicant has lodged an appeal with the Victorian Civil and Administrative Tribunal against Council’s failure to determine the application with the prescribed timeframe. Therefore, this item relates to forming Council’s position on the application.
- The proposal includes the construction of six (6) double storey dwellings, with each dwelling containing three (3) bedrooms.
- The private open spaces are located at ground level to the west of the respective dwellings.
- The maximum height of the development is 7.25 metres.
- The development includes eight (8) car parking spaces provided via the constructed right of way (ROW) adjoining the rear of the subject site, as follows:
 - Four (4) spaces are located within two (2) car stackers.
 - Four (4) spaces are provided as conventional car parking space.
- The site is zoned General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay.
- The mandatory garden area requirement is 35%. The proposal achieves a garden area of 35.5%.
- There is no restrictive covenant on the title for the subject land.
- 12 objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that Council form the position to support the application.

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:

- Assets and Capital Delivery Unit
 - City Design Unit
 - City Designer
 - Climate Emergency and Sustainable Transport
 - ESD Officer
 - Property Services Unit
 - Tree Management Unit
- This application was not required to be referred to external authorities.

Recommendation

That Planning Committee forms the position to support Planning Permit Application D/727/2020 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. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as: TP100, Proposed Floor Plans – Ground, dated 08.01.2021; TP101, Proposed Floor Plan- Level 01, dated 08.01.2021; TP102, Proposed Roof Plan, dated 08.01.2021; TP200, Proposed Elevations, dated 08.01.2021; TP210, Proposed Detail Elevation, dated 08.01.2021; TP500, Proposed Materials, dated 03.12.2020; all prepared by Common Ground) but modified to show:
 - (a) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
 - (b) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Conditions No.'s 4 and 5 of this Permit.
 - (c) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit.
 - (d) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
 - (e) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
 - (f) Any modifications required as a result of the approved Car Parking Management Plan required by Condition No. 9 of this Permit.
 - (g) Any modifications required as a result of the approved Acoustic Report required by Condition No. 11 of this Permit.
 - (h) Details of the fences on the eastern and western boundaries (except within 6.1 metres of the southern boundary of the land) in accordance with Condition No. 12 of this Permit.
 - (i) Additional north facing windows to the first floor of TH06 in accordance with the plan identified as 'Design Consideration 2 – North Facing Windows', received by Council on 5 March 2021.

- (j) An additional south facing window to the first floor of TH01 in accordance with the plan identified as 'Design Consideration 03 – South Facing Window', received by Council on 5 March 2021.
- (k) The following in accordance with the plan identified as 'Design Consideration 5 – Bicycle Parking, received by Council on 5 March 2021:
 - i. One (1) additional car parking space, by providing an additional car stacker;
 - ii. Four (4) additional 'ned kelly' bicycle parking racks; and
 - iii. A vehicular turntable, if required for vehicular access.
- (l) Alterations to the pedestrian entry to the site to provide two (2) 'towel rail' bicycle racks in accordance with the plan identified as 'Design Consideration 5 – Bicycle Parking, received by Council on 5 March 2021.
- (m) The air conditioning units of Dwellings 2-6 relocated to the roofs of the respective dwellings. The units must be centrally located and not visible from the adjoining properties.
- (n) The timber batons of the front fence altered to improve the extent of visible permeability to allow views through the fence into the front garden area.
- (o) The front fence with a maximum height of 1.5 metres, as measure above natural ground level of the adjoining Martin Street nature strip/pedestrian path.
- (p) The external storage to TH01 with a minimum volume of 6.0 cubic metres. The height of the storage must not exceed the height of the west boundary fence.
- (q) A minimum of 25% of the car stackers able to accommodate a vehicle height of at least 1.8 metres.
- (r) The decking within the secluded private open spaces reduced to allow greater garden area/soil volume proximate the canopy trees to ensure long-term tree viability.
- (s) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
 - (i) co-located where possible;
 - (ii) located or screened to be minimally visible from the public realm;
 - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
 - (iv) integrated into the design of the building.
- (t) The location of gas, water and electricity meters. Where meters would be visible from the public realm, these are to be:
 - (i) co-located where possible;
 - (ii) positioned on a side boundary or adjacent to the accessway; and
 - (iii) screened from view using either landscaping or durable screening that integrates with the development.

Where screening is to be utilised a dimensioned section diagram and a material/colour sample must be included. Screens must be constructed of durable materials and be integrated with the design of the development.

- (u) The screening to the east and west facing first floor habitable room windows to have a minimum height of 1.7 metres, as measured from the finished floor level.

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. Before plans are endorsed under Condition No. 1 of this Permit, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be generally in accordance with the plans identified as: Dwg No. 1, Cover, Specifications, Details; Dwg No. 2, Landscape Plan, Exterior Surfaces, Key; Dwg No. 3, Planting Plan TH01-TH03 & Planting Schedule; all dated 21.01.21, and prepared MUD-OFFICE, but modified to show:
 - (a) Tree protection measures in accordance with Condition No. 4, and 5 of this Permit.
 - (b) Any modifications relating to landscaping required as a result of the *Sustainable Design Assessment* required by Condition No. 6 of this Permit)
 - (c) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit)
 - (d) A minimum provision of:
 - i. 2x medium canopy trees within the front setback
 - ii. 3x small 'upright' trees along the front entrance
 - iii. 6x small 'upright' trees within the secluded private open spaces (1 each per dwelling)

All canopy trees must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and 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 decking and freestanding structure for climbing plants.
- (f) Type and details of lawn must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
- (g) The proposed Crepe Myrtle & Olive within the secluded private open spaces replaced with a more upright species given confined garden area.
- (h) Jacaranda(s) replaced with native species

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

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

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

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

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

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

Tree	Location	TPZ (radius from the base of the tree trunk)
Tree 1*	Nature strip	3.2 metres
Tree 2 *	Nature strip	2.0 metres
Tree 5*	East adjoining property	2.0 metres
Tree 10*	East adjoining property	2.0 metres
Tree 11*	East adjoining property	2.0 metres
Tree 16	Northern end of the east adjoining property, proximate the common property with the site.	2.0 metres
*as defined in Arboricultural Assessment and Report, Tree Logic Ref. 011126, dated 30 October 2020 and prepared by Tree Logic.		

5. The following tree protection measures must be implemented for trees identified for retention and protection by the arboricultural assessment required by Condition No. 4 of this Permit:
 - (a) Tree protection measures must be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.
 - (b) Tree protection fencing must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed or unless otherwise agreed by the Responsible Authority in writing.
 - (c) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a Tree Protection Zone (TPZ). The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.
 - (d) Except with the written consent of the Responsible Authority:
 - (i) The area within the TPZ and Tree Protection Fencing (TPF) must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.
 - (ii) The area within the TPZ must be provided with 100mm layer of coarse mulch.
 - (iii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (iv) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
 - (e) Any pruning works must be carried out in accordance with the Australian Standard AS4373 - 2007: Pruning of Amenity Trees and undertaken by a suitably qualified arborist.
 - (f) The construction of the crossover (and any other buildings and works within a TPZ) must be undertaken under the supervision and direction of a qualified arborist.
 - (g) Open space areas within the TPZs must remain at or above existing grade and remain permeable.
 - (h) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
 - (i) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.

-
- (j) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
6. The Sustainable Design Assessment (SDA) to be endorsed and which will then form part of this Permit is the SDA submitted with the application (identified as *Sustainable Design Assessment, Report No: 2020-2326-SDA, dated 21 January 2021 and prepared by Ecoresults*) or as otherwise determined to the satisfaction of the Responsible Authority.
- The requirements of the endorsed Sustainable Design Assessment (SDA) must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
- (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
 - (i) An assessment using an industry recognised stormwater tool;
 - (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
 - (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
 - (iv) A plan illustrating where all impervious surfaces will be treated and drained;
 - (v) A construction and maintenance schedule;
 - (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
 - (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;
- The requirements of the endorsed Stormwater Management System Report must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A Builder's Guide* (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:
- (a) Erosion and sediment.
 - (b) Stormwater.
 - (c) Litter, concrete and other construction wastes.
 - (d) Chemical contamination.
- The requirements of the endorsed Site Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

9. Before plans are endorsed under Condition No. 1 of this Permit, a Car Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Parking Management Plan will be endorsed and will then form part of this Permit. The Car Parking Management Plan must include:
- (a) Allocation of car parking spaces according to vehicle size and type;
 - (b) Ongoing maintenance of the car stacker system and vehicular turntable (if utilised).
 - (c) Instructions to owners/occupiers about the operation of the car stacker system;
 - (d) Communicating to prospective residents about the availability of car stacker spaces and sizes; and
 - (e) Specific make and model of all proposed car stackers.

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

10. The car stacker/s and vehicular turntable (if utilised) must be routinely serviced and maintained to the satisfaction of the Responsible Authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.
11. Before plans are endorsed under Condition No. 1 of this Permit, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will then form part of this Permit. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must include recommended acoustic attenuation measures and treatments to ensure that:
- (a) Noise levels associated with the mechanical car stackers, vehicular turntable (if utilised), roller doors and the use of the car parking area do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

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

12. The development must not be occupied until a fence/s to a minimum height of 1.8 metres above natural ground level is erected along the east and west property boundaries, except within 6.1 metres of the southern property boundary. The fence must be constructed to the satisfaction of the Responsible Authority.

If the existing fence/s on the eastern and western boundaries with a height less than 1.8 metres is structurally sound, the fence height may be increased by the addition of a free-standing, self-supporting trellis adjacent to the fence to the required height. If used, such trellis must be a maximum of 25% visually permeable and be fixed, permanent, durable and of materials, finishes and colour that will blend in with the development.

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

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

14. Before the use starts, 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 located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.
15. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
16. The land must be drained to the satisfaction of the Responsible Authority.
17. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
 - (a) concealed in service ducts or otherwise hidden from view; or
 - (b) located and designed to integrate with the development,to the satisfaction of the Responsible Authority.
18. No plant, equipment, services or structures 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.
19. Any plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.
20. A clothesline must be provided to each dwelling. Clotheslines must not be visible from Martin Street.
21. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
22. Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat;
 - (d) drained;to the satisfaction of the Responsible Authority.
23. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
24. Before the occupation of the development all 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.
25. This Permit will expire if either:
 - (a) The development does not start within three (3) years from the date of this Permit; or
 - (b) The development is not completed within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
 - (a) Before this Permit expires;

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

NOTATIONS

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

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the [insert development or use or both] they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the use and/or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N6. This planning permit is to be attached to the "statement of matters affecting land being sold", under Section 32 of the *Sale of Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

INTRODUCTION AND BACKGROUND

No relevant planning history exists for the site.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is regular in shape and measures 62.79 metres in length and 15.24 metres in width with a site area of 956.92 square metres.
- The land is located on the northern side of Martin Street, approximately 390 metres to the east of High Street, Thornbury.
- The site contains a single storey brick dwelling with a tiled roof. Several outbuildings are located to the north (behind) the existing dwelling.
- To the north of the site is a right-of-way. Beyond the right-of-way is a two (2) storey building associated with a set of attached dwellings that front Clarendon Street, Thornbury.

- To the south of the site, on the opposite side of Martin Street, are various single storey weatherboard dwellings with corrugated metal roofs.
- To the east of the site is a medium density housing development comprised of two (2) double storey dwellings, facing the street, and one (1) single storey dwelling towards the rear of the property. The property includes vehicular access from Martin Street. The secluded private open spaces of the dwellings predominantly adjoin the common boundary with the site.
- To the west of the site is a medium density housing development comprised of nine (9) single storey attached dwellings. The property includes vehicular access from Martin Street. The secluded private open spaces of the dwellings predominantly adjoin the common boundary with the site.
- There are no on-street parking restrictions on Martin Street.
- The site has excellent access to public transport including a tram stop located approximately 410 metres walking distance on High Street, and a bus stop located 190 metres walking distance on Clarendon Street.
- The site is located approximately 2.25 metres to the east of the Principal Public Transport Network.
- The site is located 390 metres from the nearest activity centre of Thornbury Village.

Proposal

- The construction of six (6) double storey attached dwellings.
- Each dwelling contains three (3) bedrooms and incorporates a traditional dwelling configuration with ground floor living/dining/kitchen spaces and bedrooms at first floor.
- Private open space is located at ground level to the west of the dwellings.
- The maximum height of the development is 7.25 metres.
- Eight (8) car parking spaces are provided via the constructed right of way (ROW) adjoining the rear of the subject site, as follows:
 - Four (4) spaces are located within two (2) car stackers.
 - Four (4) spaces are provided as conventional car parking space

Objections summarised

- Overdevelopment
- Visual bulk
- Inadequate car parking
- Overshadowing
- Overlooking
- Traffic
- Inaccurate information on local conditions regarding the site and the location of the Principal Public Transport Network (PPTN)
- Noise
- Loss of vegetation
- Negatively affect financial return

Officer comment on summarised objectionsOverdevelopment

The proposal is not considered an overdevelopment of the site as it achieves key development indicators including building height, setbacks, secluded private open space and garden area. The surrounding built form context also includes several multi residential housing developments, including the properties to the east and west of the site which provide three and nine dwellings respectively. The proposal is considered a suitable fit within the streetscape context and achieves a suitable balance between limiting off-site amenity impacts and achieving the State Government's housing objectives which seek an increase in housing density in areas with proximate access to public transport and services.

Visual bulk

The visual impact of the proposal is not unreasonable, particularly in the context of the adjacent medium density housing development located either side of the site. The setback of the proposal from the side boundaries achieves the objectives of Rescode and allows sufficient space for a suitable landscape response to soften the view of the proposal from adjacent properties, particularly to the west of the site.

Inadequate car parking

Subject to conditions requiring one (1) additional car parking space and additional bicycle facilities being provided, the proposal achieves its required car parking needs.

Overshadowing

The proposal will not result in an increase to existing shadowing to the garden areas of properties located to the west of the site (between 9am-3pm on 22 September as per the requirements of Rescode).

The proposal will result in a very minor increase in shadowing to the garden of 2/59 Martin Street, located to the east of the site. The increase in shadow equates to 1 square metre at 2pm. This is considered reasonable for the following reasons:

- A 1 square metre increase in shadow at 2pm is very minor.
- The existing shadow cast over the garden of 2/59 Martin Street is largely the result of this property's verandah which occupies approximately 50% of the garden.

On this basis, the level of shadow cast over 2/59 Martin Street is deemed as not unreasonable and is largely the result of the owner's decision to include a verandah structure over a large portion of their own garden. The proposal is therefore deemed to achieve the objective of Standard B21 (Overshadowing) of Clause 55 of the Darebin Planning Scheme.

Overlooking

There are overlooking opportunities from selected first floor windows into neighbouring gardens and habitable room windows. This is addressed through a condition requirement to introduce screening measures to proposed habitable room windows to a height of 1.7 metres, in accordance with Standard B22 (Overlooking) of the Darebin Planning Scheme.

Traffic

The additional traffic generated by the proposed development will not be significant and can reasonably be accommodated within the surrounding street network and adjoining constructed right-of-way.

The additional traffic generated by the proposed development will not result in a safety issue as the constructed right of way is already utilised by vehicles and the additional vehicle movements will be minimal.

Inaccurate information regarding the location of the Principal Public Transport Network (PPTN)

It is acknowledged that the site is located outside the PPTN and therefore does not qualify for the lower recommended car parking rates which apply to sites within the PPTN. The car parking assessment, including visitor car parking, has been undertaken on the basis of the site's location outside the PPTN. Refer to the assessment under Clause 52.06 (Car parking) for further information.

Noise

The proposal will not result in any unreasonable noise impacts beyond that reasonably expected within a residential area. A condition of approval will require the submission of an acoustic report to ensure noise from the mechanical plant is minimised.

Loss of vegetation

The removal of vegetation does not require a planning permit. The proposed development will include sufficient landscaping opportunities to provide canopy trees which will maintain the garden setting of the area.

Negatively affect financial return

Fluctuations in property prices and financial implications are a not relevant consideration in assessing medium density development under the provisions of the *Planning & Environment Act 1987*, or the Darebin Planning Scheme and therefore cannot be considered by Council.

PLANNING ASSESSMENT

Clause 21.03 - Darebin Housing Strategy

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

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

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

Housing (Clause 21.03)

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

- *A diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character. Typically areas include some medium density and small apartment development, but the predominant dwelling stock is single to double storey dwellings.*

- *Have some stand-alone or small clusters of heritage sites, including along strategic corridors, however are generally unaffected by extensive heritage recognition.*
- *Are located:*
 - *within an 800-metre walkable catchment of an activity centre*
 - *generally within an 800-metre walkable catchment of train, tram or SmartBus services.*

The proposed development of six (6) double storey dwellings is considered to be an acceptable level of development envisaged in this context, given the site area and location in proximity to services and public transport.

The scale and form of proposal is characteristic of the local area and is not considered to be a substantial change for the site and surrounding area. This level of change is supported under Clause 21.03 of the Darebin Planning Scheme. Furthermore, the site is located in an established area, proximity to services and facilities.

Complies

Neighbourhood Character Precinct Guideline Assessment - Precinct C2

Vegetation

The proposal includes sufficient landscaping opportunities with the front and side setbacks to strengthen the garden setting of the area.

A concept landscape plan has been submitted with the application. Council's City Design Unit has advised the landscape plan is generally suitable subject to conditions.

Complies subject to condition

Siting

The building is set back from Martin Street sufficiently to provide a front garden area, including the provision of multiple canopy trees.

The car parking is located at the rear of the site, accessible via the right of way, which minimises the loss of front garden area and dominance of car parking structures within the streetscape.

Complies

Materials and design detail

The proposed presentation of the development is contemporary and provides visual interest through the simple form, high quality materials and restrained articulation.

A condition of approval will require additional articulation through an additional first floor window fronting the street.

Complies subject to conditions

Front boundary treatment

A 1.5-metre-high timber baton front fence is proposed which should allow adequate visibility of the front garden space and street facing dwelling. A condition of approval will require further details of the timber batons to ensure visibility through the fence is achieved.

It is noted that due to the slope of the land the western portion of the front fence increases to a height exceeding 1.8 metres, which is not suitable as it will prevent views of the front garden area and is inconsistent with the streetscape. A condition of approval will require the fence to have a maximum height of 1.5 metres.

Complies subject to condition

Clause 52.06 Car Parking

Number of Parking Spaces Required

	Requirement	Number of dwellings	Car spaces required	Car Space proposed
3 Bedroom Dwellings	2 to each dwelling	6	12	8
Visitors	1 for every 5 dwellings	6	1	0
		TOTAL	13	8

The application includes a reduction of the car parking requirements from 13 spaces to eight (8) spaces. Whilst the reduction to eight (8) spaces is not considered suitable, the applicant has submitted a revised car parking provision which provides nine (9) car parking spaces. This revised reduction is considered appropriate due to the following:

- The provision of nine (9) spaces equates to 1.5 car parking spaces per dwelling, which is consistent with car ownership of occupants of three (3) bedroom dwellings in the area.
- The site has excellent access to public transport in the form of trams and buses which will reduce the demand for car parking.
- The site is proximate to Thornbury Village activity centre, which reduces the reliance on vehicles to access amenities.
- The applicant has informally submitted a revised layout which will provide a total of nine (9) occupant bicycle spaces and two (2) visitor bicycle spaces which will encourage alternative transport to and from the site.
- The site is only 2.25 metres beyond the Principle Public Transport Network, which is considered minimal and sufficiently proximate to encourage the use of public transport to and from the site.
- Unrestricted car parking is available proximate the site on Martin Street.

Design Standards for Car parking

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

The provision of a turntable, as detailed in an informal submission, will ensure adequate access to the car parking spaces.

A condition of approval will require at least 25% of the mechanical car parking spaces to be able to accommodate a vehicle height of at least 1.8 metres.

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 55.04-1 – Standard B17 – Side and Rear Setbacks

Boundary	Dwelling	Wall Height	Required Setback	Proposed Setback
Northern	6	6.815 metres	1.96 metres	13.36 metres
Eastern	1	6.77 metres	1.95 metres	1.8 metres
Western	1	6.62 metres	1.91 metres	3.125 metres

The upper levels, where opposite the secluded private open space of the adjoining properties, are sufficiently set back from the boundaries to minimise amenity impacts arising from visual bulk.

The encroachment of the Dwelling 1 first floor into the required east boundary setback is considered suitable as it is not opposite any windows or secluded private open space areas of the dwelling on the adjoining property.

The 2.5 metre setback of the Dwelling 6 first floor from the east boundary, which is opposite the secluded private open space of the Dwelling known as 2/59 Martin Street, is sufficient to minimise visual bulk impacts as the secluded private open space extends the entire width of the adjoining property.

Complies with the Objectives

Clause 55.04-2 – Standard B18 – Wall on Boundaries

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

Boundary & length	Maximum length allowable	Proposed length
Northern: 15.24 metres	11.31 metres	15.24 metres
Eastern: 62.79 metres	23.1975 metres	13.36 metres
Western: 62.79 metres	23.1975 metres	13.36 metres

The west boundary wall height does not exceed an average of 3.2 metres and a maximum of 3.6 metres to comply with the standard.

The east boundary wall height is an average of 3.25 metres and a maximum of 3.5 metres. The average wall height of the east boundary wall is suitable as the majority of the wall abuts either an existing wall or a car parking space on the adjoining property, therefore the amenity impacts are sufficiently minimised.

The north boundary wall height is an average of 3.7 metres and a maximum of 4.1 metres. The height and length of the north boundary wall is suitable as the wall abuts a right-of-way therefore the amenity impacts are sufficiently minimised.

Complies with the objectives

Clause 55.04-5 – Standard B21 – Overshadowing

The proposal will not result in an increase in the extent of overshadowing to the private open spaces of the west adjoining properties between 9am-3pm on 22 September.

The proposal will not result in an increase in the extent of overshadowing to the private open spaces of the majority of the east adjoining properties between 9am-3pm on 22 September. The proposal will result in an increase of overshadowing of the east adjoining property’s (known as 2/59 Martin Street, Thornbury) secluded private open space by 1 square metre at 2pm, resulting in 9 square metres of sunlight access, and 7 square metres at 3pm.

It is considered reasonable for the extent of overshadowing to be slightly reduced, and not comply with the requirements of the Standard, due to the adjoining dwelling including a large pergola that occupies approximately 50% of the seclude private open space. However, the extent of reduction, and remaining area of sunlight, is not considered reasonable. A condition of approval will require that the proposal not increase overshadowing at 2pm. This will ensure the proposal does not reduce access to sunlight for a minimum of 5 hours between 9am-3pm.

Complies with the Objective subject to conditions

Clause 55.04-6 B22 Overlooking

The ground floors of the proposed dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary. Details of the east and west boundary fences have not been provided. A condition of approval will require these fences to have a minimum height of 1.8 metres to sufficiently limit overlooking from the ground floors.

All upper storey windows are appropriately designed and/or screened to ensure no overlooking. A condition of approval will require the screening to be to a minimum height of 1.7 metres above the finished floor level.

Complies subject to conditions

Clause 55.05-4 B28 Private Open Space

	Total POS	Secluded POS	Minimum dimension of secluded POS
Dwelling 1	101 square metres	25 square metres	3.0 metres
Dwelling 2	33 square metres	29 square metres	3.0 metres
Dwelling 3	33 square metres	29 square metres	3.0 metres
Dwelling 4	33 square metres	29 square metres	3.0 metres
Dwelling 5	33 square metres	29 square metres	3.0 metres
Dwelling 6	33 square metres	29 square metres	3.0 metres

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

Whilst the total private open space provided to Dwellings 2-6 is less than that required by Standard B28, it is considered sufficient for the expected service and recreational needs of the occupants of the three (3) bedroom dwellings due to the following:

- The dwellings are provided with under cover bicycle parking within the rear car parking area, therefore the secluded private open space will not need to accommodate bicycles.
- The dwellings are provided with external storage within the rear car parking area, therefore the secluded private open space will not need to accommodate storage sheds.
- A condition of approval will require the air conditioning units to be relocated to the roofs of the dwellings, which will increase the useable area of the secluded private open spaces.

Complies with the objectives subject to condition

Clause 55.06-1 – Standard B31 – Design Detail

The design detail of the development respects preferred character of the area through high quality materials, focused articulation and simple form. A condition of approval will require an additional street facing window to be provided to the first floor of dwelling 1 to provide additional articulation.

The car parking is located at the rear of the property and is not visible from the street.

Complies subject to conditions.

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see assessment in the body of this report.	Y	Y
55.02-2	B2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		N/A as development contains less than 10 dwellings.	N/A	N/A
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development	Y	Y
55.02-5	B5	Integration with the street		
		Dwelling 1 appropriately integrates with the street subject to ensuring the front fence has a maximum height of 1.5 metres.	Y	Y
55.03-1	B6	Street setback		
		The required setback is 6.1 metres, the dwellings are set back 6.1 metres from the street frontage.	Y	Y
55.03-2	B7	Building height		
		7.25 metres	Y	Y
55.03-3	B8	Site coverage		
		64%	N	Y
55.03-4	B9	Permeability		
		22%	Y	Y

Clause	Std		Compliance	
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.	Y	Y
55.03-7	B12	Safety		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
55.03-8	B13	Landscaping		
		Adequate areas are provided for appropriate landscaping. A landscape plan has been provided and is generally suitable subject to conditions.	Y	Y
55.03-9	B14	Access		
		Access provided via the rear right-of-way.	Y	Y
55.03-10	B15	Parking location		
		Parking facilities are proximate to the dwellings they serve. The parking facilities are sufficiently secure.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Please see assessment in the body of this report.	N	Y
55.04-2	B18	Walls on boundaries		
		Please see assessment in the body of this report.	N	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 southern boundary of the subject site.	N/A	N/A
55.04-5	B21	Overshadowing open space		
		Please see assessment in the body of this report.	N	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. Air conditioning units are located a ground level and set back sufficiently from the boundaries to minimise noise impacts. A condition of approval will require the submission of an acoustic assessment to ensure noise from the car stackers does not unreasonably impact the amenity of the surrounding properties.	Y	Y

Clause	Std		Compliance	
55.05-1	B25	Accessibility		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
55.05-2	B26	Dwelling entry		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	Y	Y
55.05-3	B27	Daylight to new windows		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
55.05-4	B28	Private open space		
		Please see assessment in the body of this report.	N	Y
55.05-5	B29	Solar access to open space		
		Sufficient depth is provided for adequate solar access.	Y	Y
55.05-6	B30	Storage		
		Sufficient storage areas are provided. A condition of approval will confirm the external storage for TH01 has a minimum capacity of 6.0 cubic metres,	Y	Y
55.06-1	B31	Design detail		
		Please see assessment in the body of this report.	Y	Y
55.06-2	B32	Front fences		
		As previously discussed, conditions of approval will be included relating to the height and openness of the fence.	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
Assets and Capital Delivery Unit	No objection, subject to conditions included in recommendation.
City Design Unit	No objection, subject to condition included in recommendation.
City Designer	No objection, subject to condition included in recommendation.
Climate Emergency and Sustainable Transport	No objection, subject to condition included in recommendation.
ESD Officer	No objection, subject to condition included in recommendation.

Department/Authority	Response
Property Services Unit	No objection
Tree Management Unit	No objection, subject to conditions included in recommendation.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08-5 (General Residential Zone) – A permit is required to construct two or more dwellings on a lot.
- Clause 52.06-3 (Car Parking) – A permit is required to reduce the number of car parking spaces required under Clause 52.06-5

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1
LPPF	21.05-1, 21.05-2, 21.05-3, 22.04
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 55
General provisions	65.01
Neighbourhood Character Precinct	C2

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

Attachments

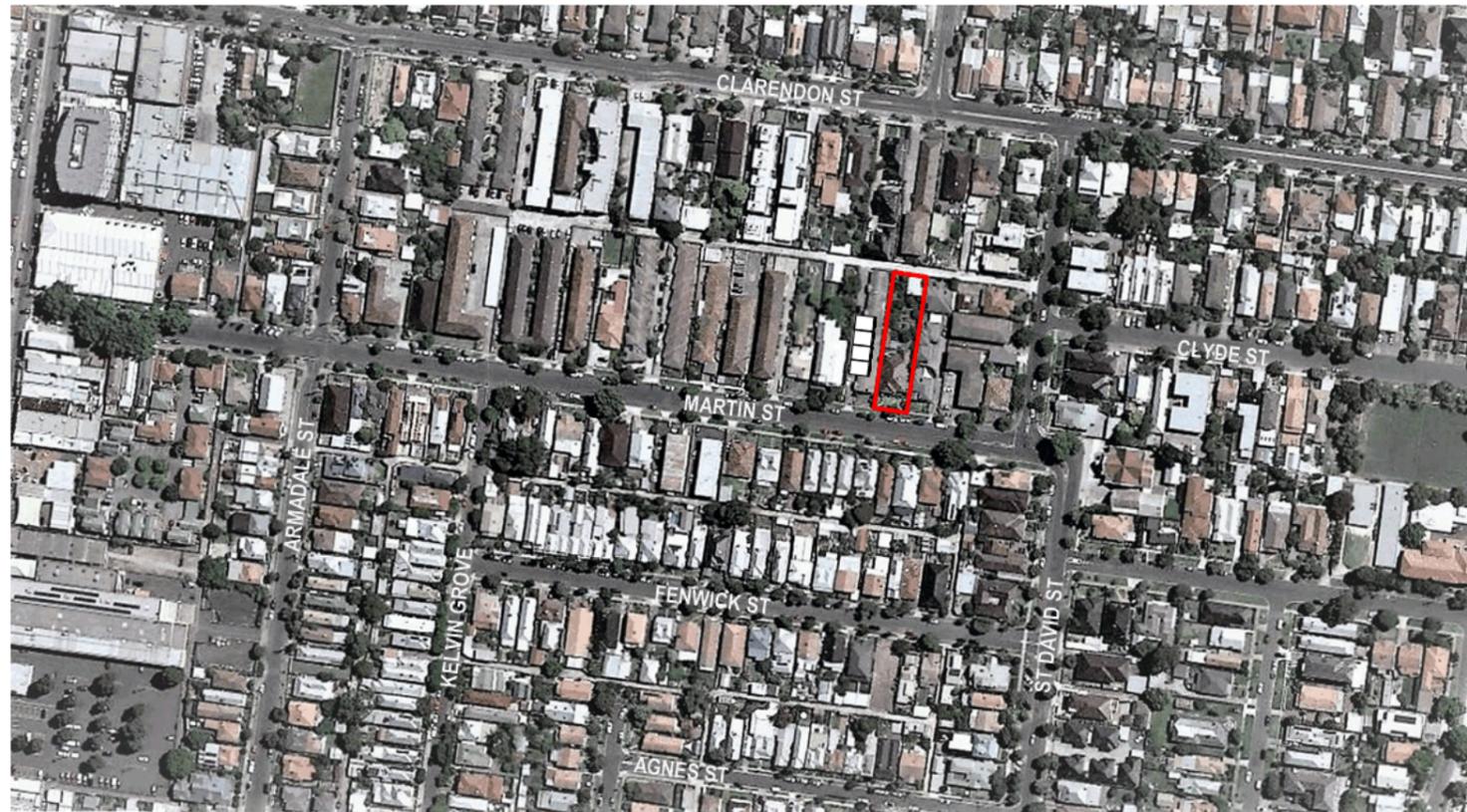
- Aerial - 57 Martin Street, Thornbury - D/727/2020 (**Appendix A**)
- Advertised Plans - 57 Martin Street, Thornbury - D/727/2020 (**Appendix B**)
- Proposed Amendments - 05/03/2021 - 57 Martin Street, Thornbury - D/727/2020 (**Appendix C**)

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any general or material 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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57 MARTIN STREET THORNBURY

DRAWING LIST

SITE PLANS		
TP 001	EXISTING SITE PLAN AND DEMOLITION PLAN	TP2
TP 002	SITE PLAN AND DESIGN RESPONSE PLAN	TP2
FLOOR PLANS		
TP 100	PROPOSED FLOOR PLANS - GROUND	TP2
TP 101	PROPOSED ROOF PLAN - LEVEL 01	TP2
TP 102	PROPOSED ROOF PLAN	TP2
TP 110	GARDEN AREA PLAN	TP1
ELEVATIONS		
TP 200	PROPOSED ELEVATIONS	TP2
TP 210	PROPOSED DETAIL ELEVATIONS	TP1
SECTIONS		
TP 300	PROPOSED SECTIONS	TP2
TP 310	PROPOSED OVERLOOKING SCREEN DETAILS	TP1
SHADOW ANALYSIS		
TP 400	SHADOW DIAGRAMS - SHEET 01	TP2
TP 401	SHADOW DIAGRAMS - SHEET 02	TP2
MATERIALS		
TP 500	PROPOSED MATERIALS	TP1

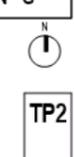
DEVELOPMENT SUMMARY

SITE AREA: 957 m²
 SITE COVERAGE: 813 m² 84%
 GARDEN AREA: 340 m² 35%

DWELLING	DESCRIPTION	NSA	S.P.O.S	FRONT GARDEN	CAR
TH 01	3 BED TOWNHOUSE	136 m ²	27 m ²	77 m ²	2
TH 02	3 BED TOWNHOUSE	128 m ²	30 m ²	4 m ²	2
TH 03	3 BED TOWNHOUSE	128 m ²	30 m ²	4 m ²	1
TH 04	3 BED TOWNHOUSE	128 m ²	30 m ²	4 m ²	1
TH 05	3 BED TOWNHOUSE	128 m ²	30 m ²	4 m ²	1
TH 06	3 BED TOWNHOUSE	130 m ²	30 m ²	4 m ²	1

T O W N P L A N N I N G

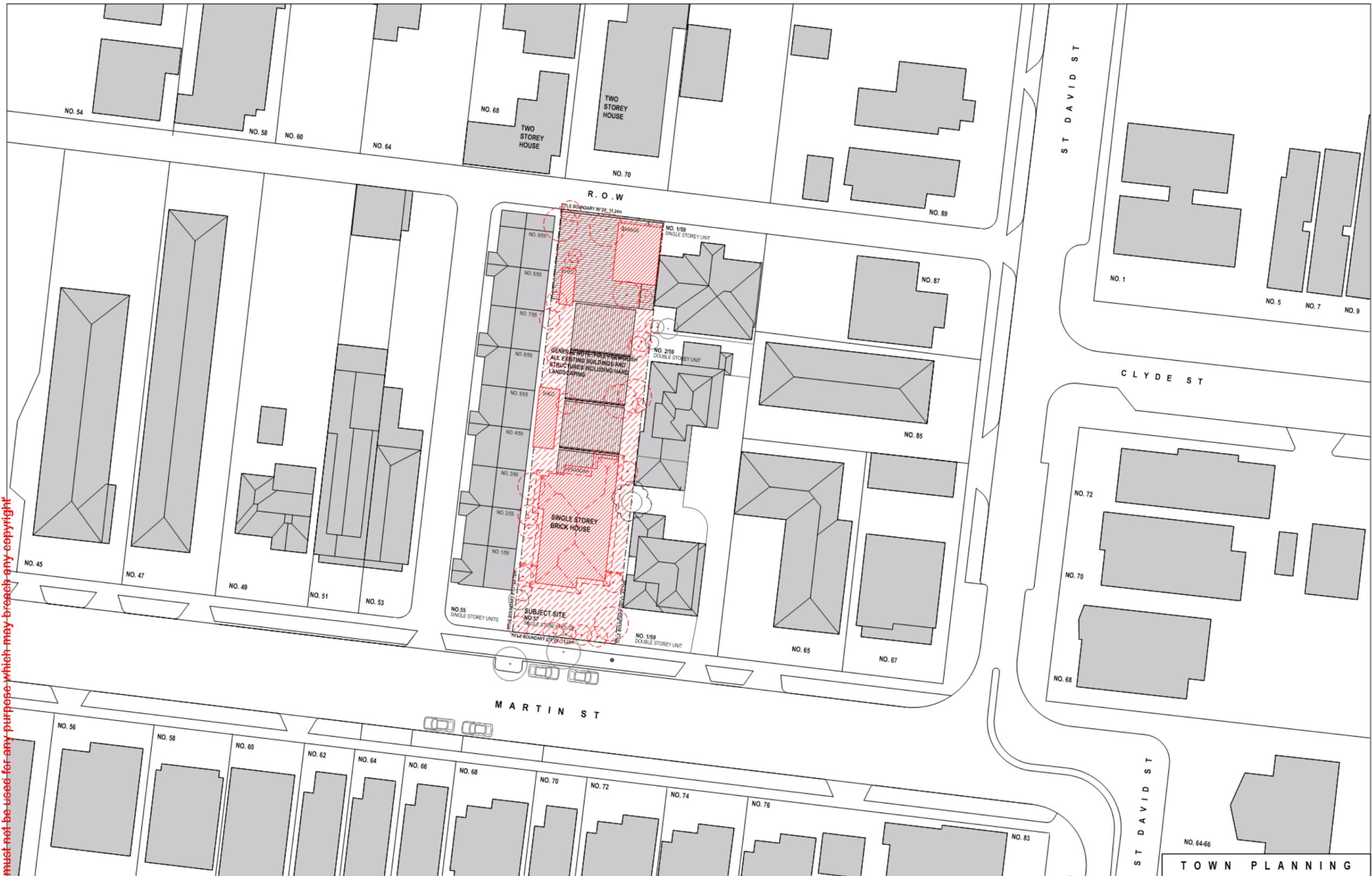
PROJECT
57 MARTIN STREET THORNBURY
 DRAWING
LOCALITY PLAN
 DRAWING NUMBER
TP000
 STATUS
FOR INFORMATION
 SCALE
1:1500 AT A1
 Derby City Council Received 1/02/2021



COMMON GROUND
PTY LTD

REV	DATE	DESCRIPTION
01	08/02/21	ISSUE FOR INFORMATION
02	08/02/21	ISSUE FOR INFORMATION

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REV	DATE	DESCRIPTION
01	01/12/20	ISSUE FOR INFORMATION
02	01/12/20	ISSUE FOR INFORMATION

GENERAL ABBREVIATIONS		DRAWING LEGEND	
AC	AIR CONDIT TONES CONDENSER	[Red Hatched]	EXISTING BUILDINGS TO BE DEMOLISHED
BF	BR FLOORING GREEN BATTLE	[Dashed]	EXISTING FENCELINE
BS	BR GENERAL WASTE	[Circle with X]	EXISTING POWER POLE
BR	BR RECYCLING	[Circle with dot]	EXISTING STREETLIGHT POLE
BS	BRK STORE	[Circle with dot]	EXISTING PARKING SPACE
BS	BRK STORE DOUBLE BACK	[Circle with X]	EXISTING TREE TO BE DEMOLISHED
CL	RETRACTABLE CLOTHES LINE	[Circle with dot]	EXISTING TREE TO BE RETAINED
EL	EXTERNAL LIGHT SENSOR OPERATED		
FA	FIBRE ARMING		
FG	FIBRE GLAZING		
HWN	HABITABLE W/ FLOOR		
IB	IBR, IBOR		
NGL	NATURAL GROUNDLINE		
OS	OSICURE GLAZING		
PS	PRIVACY SCREEN		
RAL	RETRACTABLE AWNING		
RWH	RAIN WATER HEAD		
SK	SKY LIGHT		
SP	SOLAR PANEL		
S-P/S	SEMI-PRIVATE OPEN SPACE		
TW	TWELLING HD		
WT	WATER TAP		
WV	WATER TAP UNDERGROUND		

COMMON GROUND PTY LTD

PROJECT: 57 MARTIN STREET THORNBURY
 DRAWING: EXISTING SITE PLAN AND DEMOLITION PLAN
 DRAWING NUMBER: TP001
 STATUS: FOR INFORMATION
 SCALE: 1:250 AT A1
 DATE: 14/06/2021

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- ESD SCHEDULE OF COMMITMENTS**
TO BE READ IN CONJUNCTION WITH WITH THE SUSTAINABLE DESIGN ASSESSMENT (SDA)
- BUILDING FABRIC:**
- Minimum 7.0 star average NatHERS rating for the dwellings will be achieved
 - Based on preliminary NatHERS energy rating results below for 3 of the dwellings A BESS weighted average of 7.2 stars has been calculated
- SOLAR PV:**
- A 2.64kw (lessor of inverter and panels) solar PV system will be provided
 - System to be oriented East
 - System to be angle at 22 degrees
- LIGHTING:**
- LED downlights and other high efficiency light fittings to be used throughout
 - The development will achieve a maximum illumination power density of 4W/sqm or less
 - External lighting will be controlled by a motion detector
- APPLIANCES:**
- 3 star electric heating and cooling systems
 - 5 star gas instantaneous Hot Water System
 - 3 star WELS rated dishwashers
 - Private outdoor clothesline within private space of each dwelling
- WATER:**
- 5 star WELS rated basin taps in kitchens and bathrooms
 - 4 star WELS rated toilets
 - 3 star WELS rated shower heads (flow between 6.0 and 7.5 L/min)
 - Water Efficient landscaping will be provided
- WSUD:**
- Toilets in each dwelling connected to a 2,000L rainwater tank
 - Tanks and any associated filtration to be specified by civil/services engineer so as to be appropriate for the intended usage of harvested water
 - Selected fittings and appliances to be suitable for the RWT/filtration system specified
 - See detailed WSUD measures required to achieve the STORM score below
- IEQ:**
- Double glazing or better will be used in all habitable rooms
 - Appropriate cross flow ventilation has been provided to all habitable rooms (including the use of operable skylights where shown on plans)
- SHADING:**
- Eaves provided to western ground floor windows
 - Retractable awnings to western windows on both levels to provide vertical shading
- TRANSPORT:**
- 8 secure bike parking spaces for Residents (6) and visitors (2)
 - Provision will be made in the switchboard of each garage EV charging infrastructure
- URBAN ECOLOGY:**
- A tap and floor waste will be provided in every courtyard to encourage planting
- WASTE:**
- Facilities are provided for on-site management of food and garden waste
 - A green waste bin will be provided for each dwelling which now includes collecting food scraps as part of the existing green waste bin service

REV	DATE	DESCRIPTION
01	15/06/2021	ISSUE FOR INFORMATION
02	15/06/2021	ISSUE FOR INFORMATION

GENERAL ABBREVIATIONS		DRAWING LEGEND	
AC	AIR CONDIT TONES CONDENSER	⊖	EXISTING STREET TREE TO BE RETAINED
AF	APR. FLOORING	⊕	EXISTING ELECTRICAL POLE
AG	APR. GENERAL WASTE	⊕	EXISTING STREETLIGHT POLE
BR	BIN, RECYCLING	⊕	EXISTING STREETLIGHT POLE
BS	BIKE STORE	⊕	EXISTING STREETLIGHT POLE
BS2	BIKE STORE, DOUBLE BACK	⊕	EXISTING STREETLIGHT POLE
CL	CL. RETRACTABLE CLOTHES LINE	⊕	EXISTING STREETLIGHT POLE
EL	EXTERNAL LIGHT SENSOR OPERATED	⊕	EXISTING STREETLIGHT POLE
FA	FIBRE AWNING	⊕	EXISTING STREETLIGHT POLE
FG	FIBRE GLAZING	⊕	EXISTING STREETLIGHT POLE
H WIN	HABITABLE WINDOW	⊕	EXISTING STREETLIGHT POLE
IB	IBR. SIGN	⊕	EXISTING STREETLIGHT POLE
NGL	NATURAL GROUNDLINE	⊕	EXISTING STREETLIGHT POLE
OS	OBSCURE GLAZING	⊕	EXISTING STREETLIGHT POLE
PS	PRIVACY SCREEN	⊕	EXISTING STREETLIGHT POLE
RA	RETRACTABLE AWNING	⊕	EXISTING STREETLIGHT POLE
RWH	RAIN WATER HEAD	⊕	EXISTING STREETLIGHT POLE
SP	SOLAR PANEL	⊕	EXISTING STREETLIGHT POLE
S-P	SEMI-PRIVATE OPEN SPACE	⊕	EXISTING STREETLIGHT POLE
TP	TOWN PLANNING	⊕	EXISTING STREETLIGHT POLE
WT	WATER TANK, UNDERGROUND	⊕	EXISTING STREETLIGHT POLE

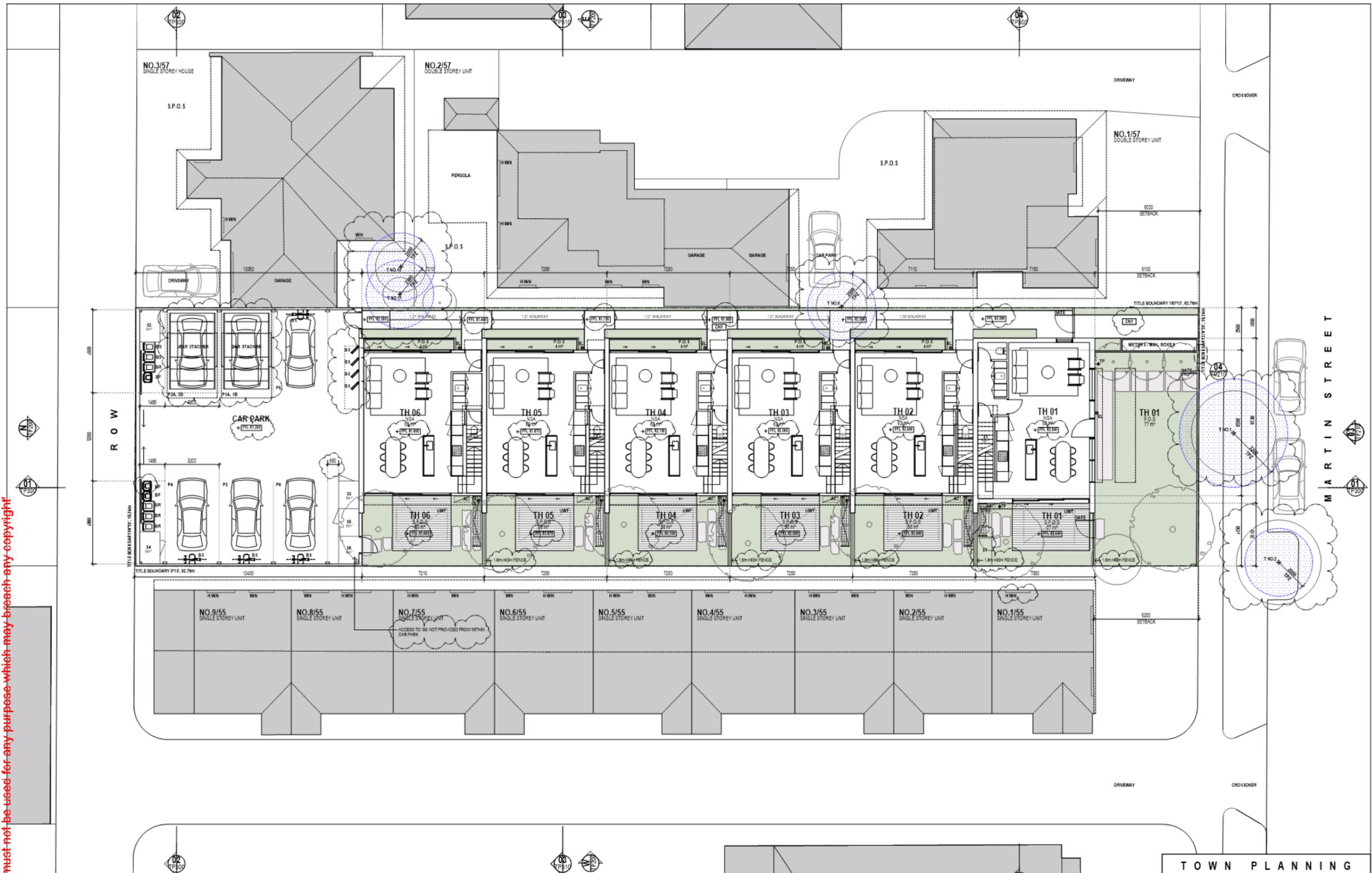
COMMON GROUND
PTY LTD

PROJECT: 57 MARTIN STREET THORNBURY
SITE PLAN AND DESIGN RESPONSE PLAN
 DRAWING NUMBER: TP002
 STATUS: FOR INFORMATION
 SCALE: As indicated AT A1
 Date: 15/06/2021

TOWN PLANNING

TP2

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<p>REV. DATE. DESCRIPTION</p> <p>01. 20/02/2021. INITIAL PLAN</p> <p>02. 03/03/2021. CORRECT PLAN</p>	<p>GENERAL ABBREVIATIONS</p> <p>AC AIR CONDIT. UNIT CONDENSER</p> <p>BF BK. FLOOR</p> <p>BS BK. GENERAL WASTE</p> <p>BR BK. RECYCLING</p> <p>BS BK. STORE</p> <p>BSD BK. STORE DOUBLE BACK</p> <p>CL RETRACTIBLE CLOTHES LINE</p> <p>EL EXTERNAL LIGHT SENSOR OPERATED</p> <p>FA FIBRE ARRANGING</p> <p>FG FIXED GLAZING</p> <p>HWN HABITABLE INDOOR</p> <p>IB BALE BOX</p> <p>NSL NATURAL GROUNDLINE</p> <p>OS OBLIQUE GLAZING</p> <p>PS PRIVACY SCREEN</p> <p>RA RETRACTABLE AWNING</p> <p>RWH RAIN WATER HEAD</p> <p>SK SKIDWAY</p> <p>SP SOLAR PANEL</p> <p>S-P-OB SECLUDED PRIVATE OPEN SPACE</p> <p>SW SWELLING PD.</p> <p>TP GARDEN TAP</p> <p>UNT WATER TANK UNDERGROUND</p>	<p>MATERIAL LEGEND</p> <p>BR1 BRICKS AND PARTED BRICK</p> <p>CNT CONCRETE PAVING SLAB</p> <p>FA FABRIC AWNING</p> <p>FR ROOF SHEETING</p> <p>MS METAL SHEET WHITE</p> <p>MT GALVANISED METAL ARBOUR</p> <p>TV1 TIMBER VERTICAL GLAZING</p> <p>TS1 TIMBER SCREEN NATURAL</p> <p>TS2 TIMBER SCREEN PAINTED</p> <p>CS1 CONCRETE RENDER</p> <p>WS1 WEATHERBOARD PAINTED</p>	<p>DRAWING LEGEND</p> <p>○ EXISTING TREE TO BE RETAINED</p> <p>○ TREE PROTECTION ZONE</p> <p>○ PROPOSED TREE</p> <p>⊕ EXISTING ELECTRICAL POLE</p> <p>⊕ EXISTING STREETLIGHT POLE</p>
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COMMON GROUND
PTY LTD

TOWN PLANNING

PROJECT: 57 MARTIN STREET THORNBURY

PROPOSED FLOOR PLANS - GROUND

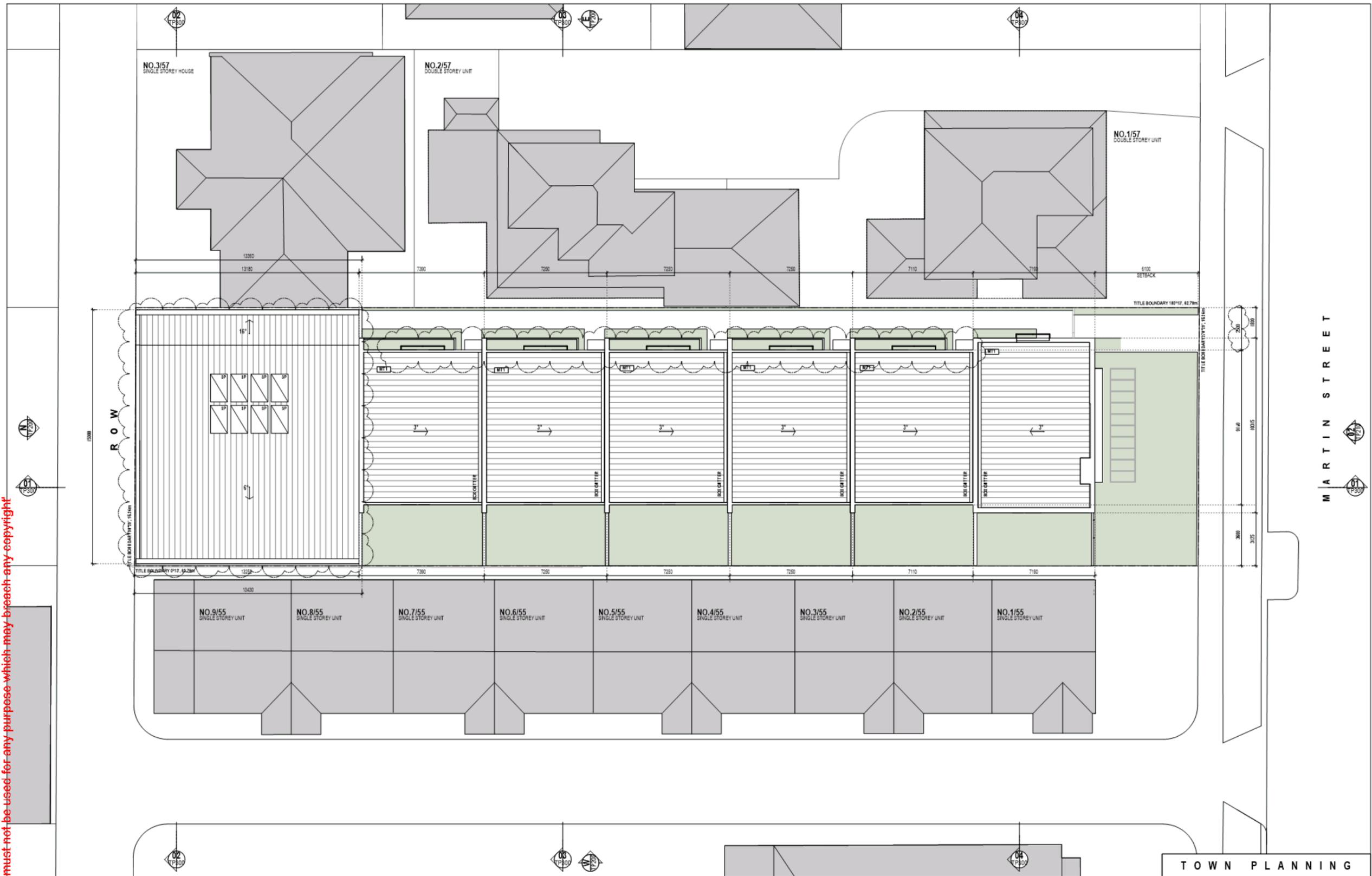
DRAWING NUMBER: TP100

STATUS: FOR INFORMATION

SCALE: As indicated AT A1

TP2

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REV.	DATE	DESCRIPTION
01	28/10/20	ISSUE FOR INFORMATION
02	28/10/20	ISSUE FOR INFORMATION

GENERAL ABBREVIATIONS		WATER & LEGEND	
AC	AIR CONDIT TONES CONDENSER	CGT	COGGEED AND PARTED BRICK
AF	FIN FLOOR AND GREEN WASTE	CS	CONCRETE PAVING SLAB
AG	IN GENERAL WASTE	FR	FABRIC FINISHING
BR	BRICK RECYCLING	RA	RETRACTABLE AWNING
BS	BRICK STORE	RWH	RAIN WATER HEAD
BS2	BRICK STORE DOUBLE RACK	SK	SKELIGHT
CL	RETRACTABLE CLOTHES LINE	SP	SOLAR PANEL
EL	EXTERNAL LIGHT SENSOR OPERATED	S-P-OB	SEMI-PRIVATE OPEN SPACE
FA	FABRIC AWNING	TP	TERRAZZO
FG	FIBRE GLAZING	TP*	TERRAZZO*
H-WN	HABITABLE WINDOW	TP	TERRAZZO
IB	INSULATION	UNT	UNDERGROUND
NSL	NATURAL GROUNDLINE		
OS	OBSCURE GLAZING		
PS	PRIVATE SCREEN		
RA	RETRACTABLE AWNING		
RWH	RAIN WATER HEAD		
SK	SKELIGHT		
SP	SOLAR PANEL		
S-P-OB	SEMI-PRIVATE OPEN SPACE		
TP	TERRAZZO		
TP*	TERRAZZO*		
UNT	UNDERGROUND		
		MT	METAL SHEET WHITE
		MT*	METAL SHEET WHITE*
		MTA	METAL ALUMINUM
		MTV	METAL VERTICAL GLAZING
		TS	TIMBER SCREEN NATURAL
		TS*	TIMBER SCREEN NATURAL*
		TS*	TIMBER SCREEN NATURAL*
		TS*	TIMBER SCREEN NATURAL*

COMMON GROUND
PTY LTD

TOWN PLANNING

PROJECT
57 MARTIN STREET THORBURY

PROPOSED ROOF PLAN

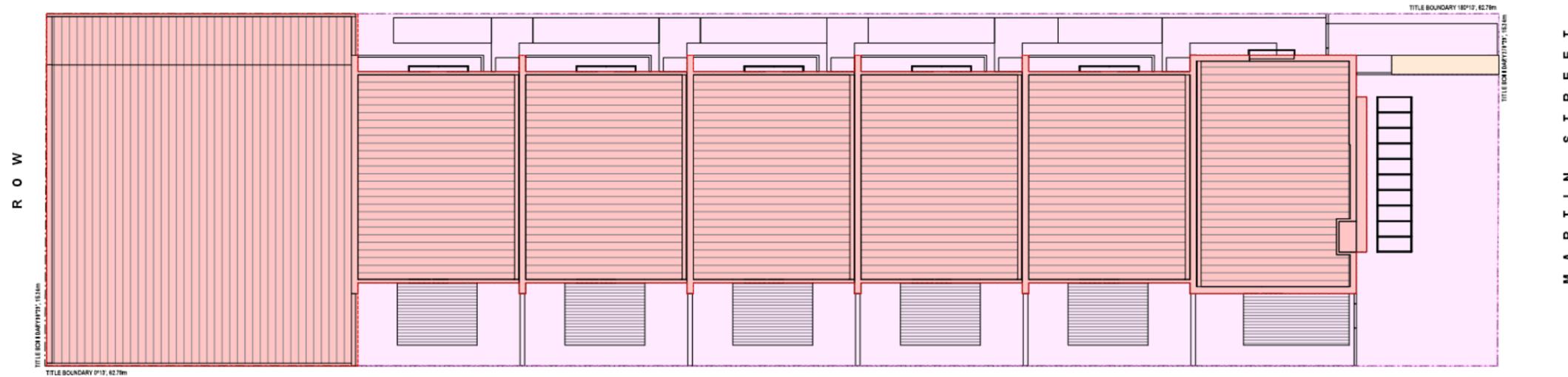
SHEDDING NUMBER
TP102

STATUS
FOR INFORMATION

SCALE
1:100 AT A1

TP2

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LEGEND	
	BUILT FORM FOOTPRINT AREA 613 m ²
	GARDEN AREA 340 m ²
	METERS / LETTER BOXES 5 m ²
TOTAL SITE AREA 957 m ²	
GARDEN AREA / TOTAL SITE 35%	
SITE COVERAGE 64%	

REV	DATE	DESCRIPTION

GENERAL ABBREVIATIONS		WATER & LEGEND	
AC	AIR CONDIT IONES CONDENSER	MB	MISSED AND PAINTED BRICK
AF	AIR FRESHENING UNIT	CS	CONCRETE PAVING SLAB
AG	AIR GROUNDING	FB	FABRIC FINISH
BI	BIN GENERAL WASTE	HW	HARDWARE
BS	BIN RECYCLING	RA	RETRACTABLE AWNING
BD	BIKE STORE	RWH	RAIN WATER HEAD
BS	BIKE STORE DOUBLE BACK	SK	SKIAST
CL	RETRACTABLE CLOTHES LINE	SP	SOLAR PANEL
EL	EXTERNAL LIGHT SENSOR OPERATED	S.P.S.B	SEMI-PRIVATE OPEN SPACE
FA	FABRIC FINISH	TP	TAP
FG	FIBRE GLASS	TP*	TAP*
H.W.	HABITABLE W/ FLOOR	WT	WATER TAP UNDERGROUND
IB	IBRICK		
NGL	NATURAL GROUNDLINE		
OS	OBSCURE GLAZING		
PS	PRIVATE SCREEN		
RA	RETRACTABLE AWNING		
RWH	RAIN WATER HEAD		
SK	SKIAST		
SP	SOLAR PANEL		
S.P.S.B	SEMI-PRIVATE OPEN SPACE		
TP	TAP		
TP*	TAP*		
WT	WATER TAP UNDERGROUND		

COMMON GROUND
PTY LTD

PROJECT
57 MARTIN STREET THORNBURY

STATUS
GARDEN AREA PLAN

DATE
TP110

STATUS
FOR INFORMATION

SCALE
1:100 AT A1

DATE
14/06/2021

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TOWN PLANNING

REV	DATE	DESCRIPTION
01	15/06/2021	ISSUE FOR INFORMATION

GENERAL ABBREVIATIONS		MATERIAL LEGEND	
AC	AIR CONDIT UNITS CONDENSER	BR	BAGGED AND PARTED BRICK
AF	AIR CONDIT UNITS FILTER	CB	CONCRETE PAVING SLAB
AG	AIR GENERAL WASTE	CF	FABRIC AWNING
AR	AIR RECYCLING	CH	CHIMNEY
BS	BIKE STORE	CS	CONCRETE SHEETING
BS2	BIKE STORE DOUBLE BAY	CS2	CONCRETE SHEETING
BS3	BIKE STORE TRIPLE BAY	CS3	CONCRETE SHEETING
CL	CLIMBING FRAME	CS4	CONCRETE SHEETING
CL2	CLIMBING FRAME	CS5	CONCRETE SHEETING
CL3	CLIMBING FRAME	CS6	CONCRETE SHEETING
CL4	CLIMBING FRAME	CS7	CONCRETE SHEETING
CL5	CLIMBING FRAME	CS8	CONCRETE SHEETING
CL6	CLIMBING FRAME	CS9	CONCRETE SHEETING
CL7	CLIMBING FRAME	CS10	CONCRETE SHEETING
CL8	CLIMBING FRAME	CS11	CONCRETE SHEETING
CL9	CLIMBING FRAME	CS12	CONCRETE SHEETING
CL10	CLIMBING FRAME	CS13	CONCRETE SHEETING
CL11	CLIMBING FRAME	CS14	CONCRETE SHEETING
CL12	CLIMBING FRAME	CS15	CONCRETE SHEETING
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CL14	CLIMBING FRAME	CS17	CONCRETE SHEETING
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CL34	CLIMBING FRAME	CS37	CONCRETE SHEETING
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CL97	CLIMBING FRAME	CS100	CONCRETE SHEETING

MATERIAL LEGEND	
BR	BAGGED AND PARTED BRICK
CB	CONCRETE PAVING SLAB
CF	FABRIC AWNING
CH	CHIMNEY
CS	CONCRETE SHEETING
CS2	CONCRETE SHEETING
CS3	CONCRETE SHEETING
CS4	CONCRETE SHEETING
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COMMON GROUND
PTY LTD

PROJ 021
57 MARTIN STREET THORNBURY
PROPOSED DETAIL ELEVATION
TP210
STATUS
FOR INFORMATION
SCALE
As indicated AT A1
Darling City Council Decision 4/00/200

TP1

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P.O.S 01
 EXISTING SUNLIGHT ACCESS 5m²
 PROPOSED SUNLIGHT ACCESS 5m²
 ADDITIONAL SHADOWS CAST 0m²
 01 PROPOSED SHADOW DIAGRAM 8AM
 1:300



P.O.S 01
 EXISTING SUNLIGHT ACCESS 8m²
 PROPOSED SUNLIGHT ACCESS 8m²
 ADDITIONAL SHADOWS CAST 0m²
 02 PROPOSED SHADOW DIAGRAM 10AM
 1:300



P.O.S 01
 EXISTING SUNLIGHT ACCESS 11m²
 PROPOSED SUNLIGHT ACCESS 11m²
 ADDITIONAL SHADOWS CAST 0m²
 03 PROPOSED SHADOW DIAGRAM 11AM
 1:300



P.O.S 01
 EXISTING SUNLIGHT ACCESS 13m²
 PROPOSED SUNLIGHT ACCESS 13m²
 ADDITIONAL SHADOWS CAST 0m²
 04 PROPOSED SHADOW DIAGRAM 12PM
 1:300

REV	DATE	DESCRIPTION
01	28/02/21	ISSUE FOR INFORMATION
02	28/02/21	ISSUE FOR INFORMATION

DRAWING LEGEND
 EXISTING S.P.O.S
 EXISTING SHADOWS TO S.P.O.S
 PROPOSED SHADOWS
 PROPOSED ADDITIONAL SHADOWS TO S.P.O.S

COMMON GROUND
 PTY LTD

T O W N P L A N N I N G

PROJECT
 57 MARTIN STREET THORBURY
 DRAWING
 SHADOW DIAGRAMS - SHEET 01
 DRAWING NUMBER
 TP400
 STATUS
 FOR INFORMATION
 SCALE
 As indicated AT A1
 Reshaping City Council Received 16/06/2021

TP2

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P.O.S 01
 EXISTING SUNLIGHT ACCESS 12m²
 PROPOSED SUNLIGHT ACCESS 12m²
 ADDITIONAL SHADOWS CAST 0m²
 01 PROPOSED SHADOW DIAGRAM 1PM
 1:300



P.O.S 01
 EXISTING SUNLIGHT ACCESS 12m²
 PROPOSED SUNLIGHT ACCESS 12m²
 ADDITIONAL SHADOWS CAST 0m²
 02 PROPOSED SHADOW DIAGRAM 1.45PM
 1:300



P.O.S 01
 EXISTING SUNLIGHT ACCESS 10m²
 PROPOSED SUNLIGHT ACCESS 9m²
 ADDITIONAL SHADOWS CAST 1m²
 03 PROPOSED SHADOW DIAGRAM 2PM
 1:300



P.O.S 01
 EXISTING SUNLIGHT ACCESS 8m²
 PROPOSED SUNLIGHT ACCESS 1m²
 ADDITIONAL SHADOWS CAST 7m²
 04 PROPOSED SHADOW DIAGRAM 3PM
 1:300

T O W N P L A N N I N G

PROJECT
57 MARTIN STREET THORBURY

SHADING
SHADOW DIAGRAMS - SHEET 02

DRAWING NUMBER
TP401

STATUS
FOR INFORMATION

SCALE
As indicated AT A1

TP2

COMMON GROUND
PTY LTD

DRAWING LEGEND

	EXISTING S.P.O.S
	EXISTING SHADOWS TO S.P.O.S
	PROPOSED SHADOWS
	PROPOSED ADDITIONAL SHADOWS TO S.P.O.S

REV.	DATE	DESCRIPTION
01	08/12/20	ISSUE FOR COMMENT
02	08/12/20	FOR PLANNING CONSULTATION

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TIMBER FRAMED WINDOWS



TM1
TIMBER CLADDING



RN1
SMOOTH SET NATURAL SAND AND CEMENT RENDER



BR1
BAGGED AND PAINTED BRICKWORK



FB1
FABRIC AWNING



WB1
PAINTED WEATHERBOARD



MT1
METAL ROOF SHEETING



MT2
METAL SHEET, WHITE



TM2
TIMBER SCREEN, NATURAL FINISH



TM3
TIMBER SCREEN, PAINTED FINISH, WHITE

T O W N P L A N N I N G

REV	DATE	DESCRIPTION
01	15/06/2021	ISSUE FOR INFORMATION

COMMON GROUND
PTY LTD

PROJECT
57 MARTIN STREET THORNBURY
DRAWING
PROPOSED MATERIALS
DRAWING NUMBER
TP500
STATUS
FOR INFORMATION
SCALE
1:2 AT A1

TP1

57 Martin Street, Thornbury

Urban Design Response

NEOMETRO™

Darebin City Council Received 05/03/2021

56 Shaftesbury Parade

The development typology proposed at 57 Martin Street is consistent with the recently finished Neometro project at 56 Shaftesbury.

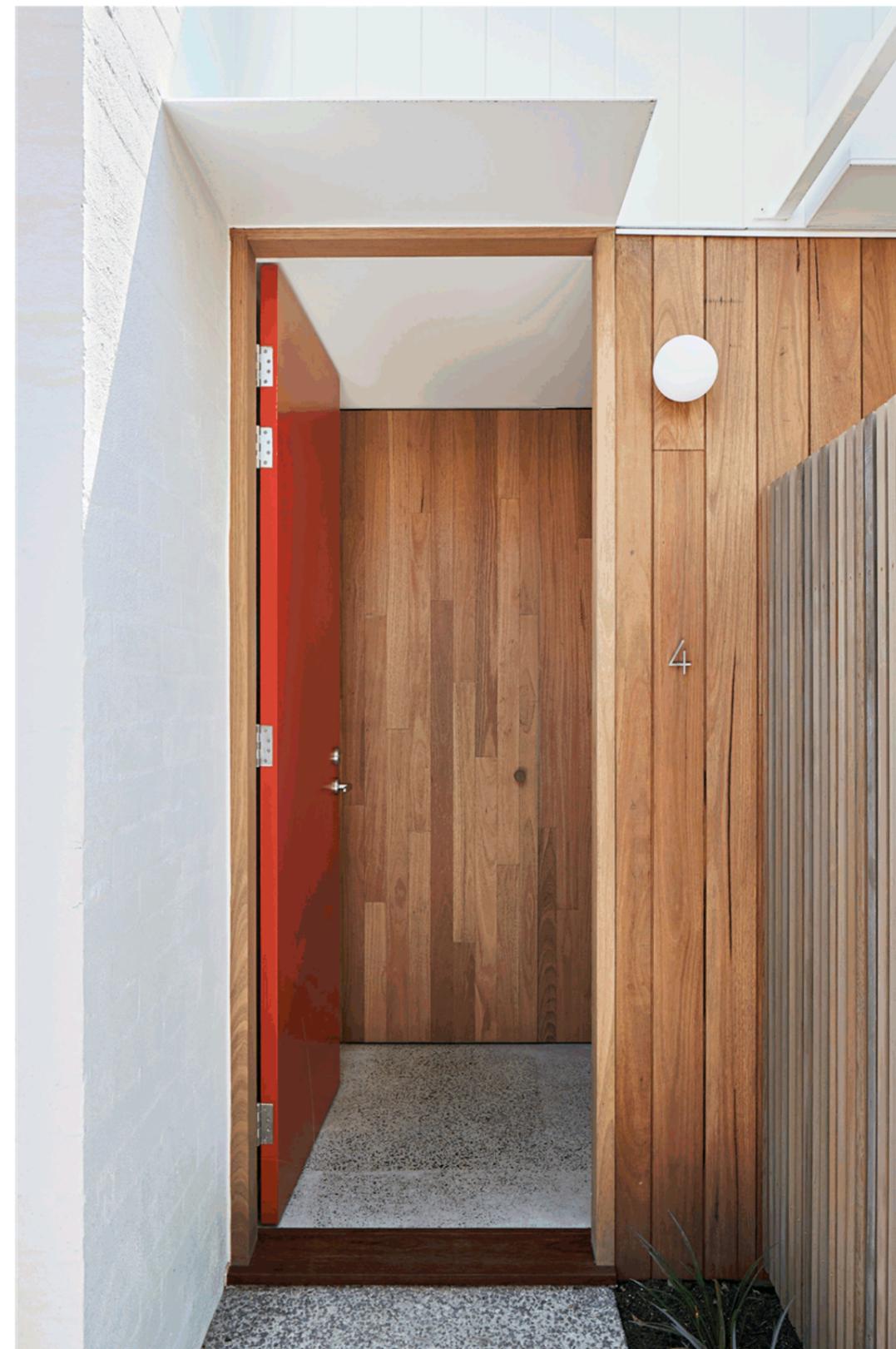


NEOMETRO™

Darebin City Council Received 05/03/2021

Design Consideration 01 - Covered Entries

Common Ground propose to repeat a detail successfully executed at our 56 Shaftesbury Project.



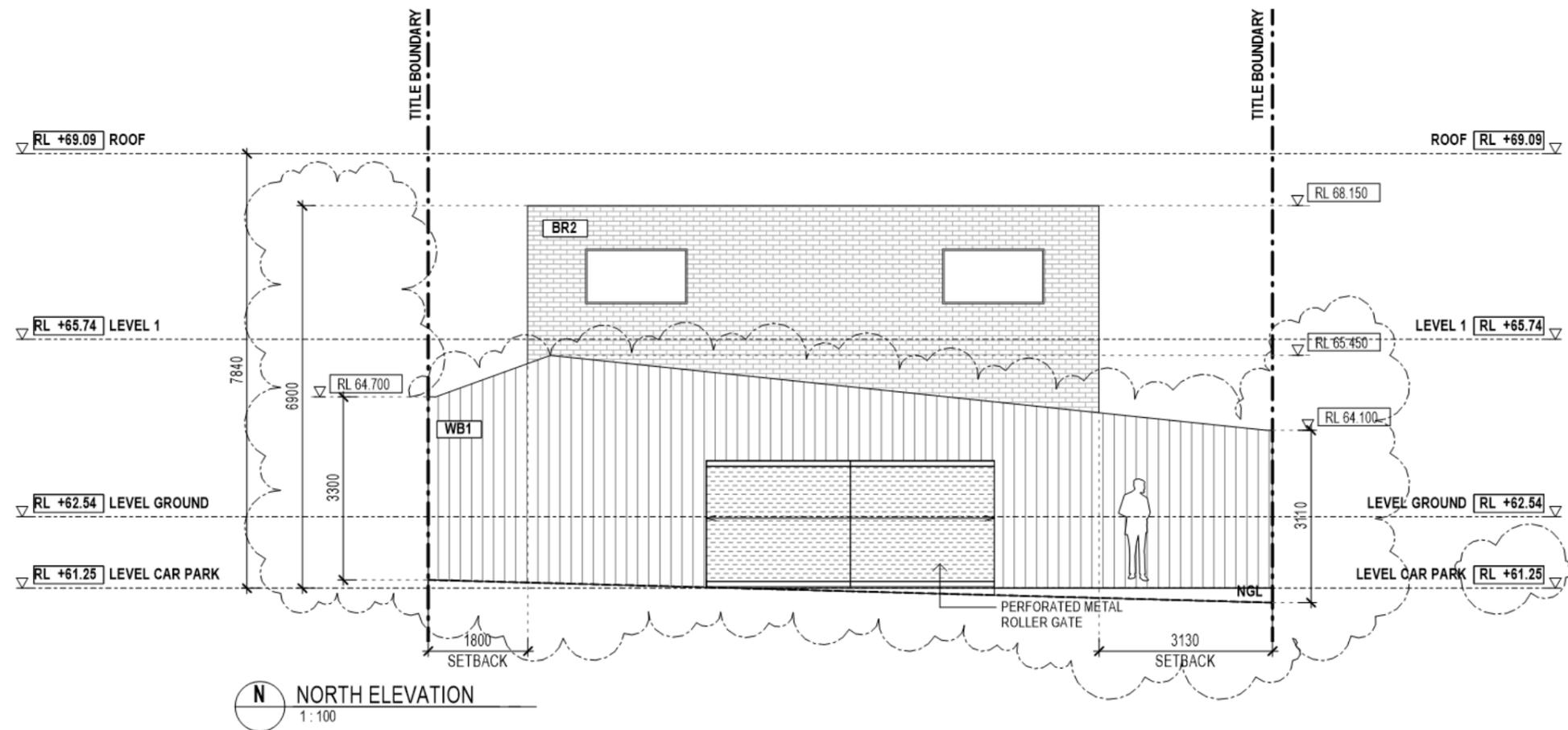
Darebin City Council Received 05/03/2021

NEOMETRO™

Design Consideration 02 - North Facing Windows

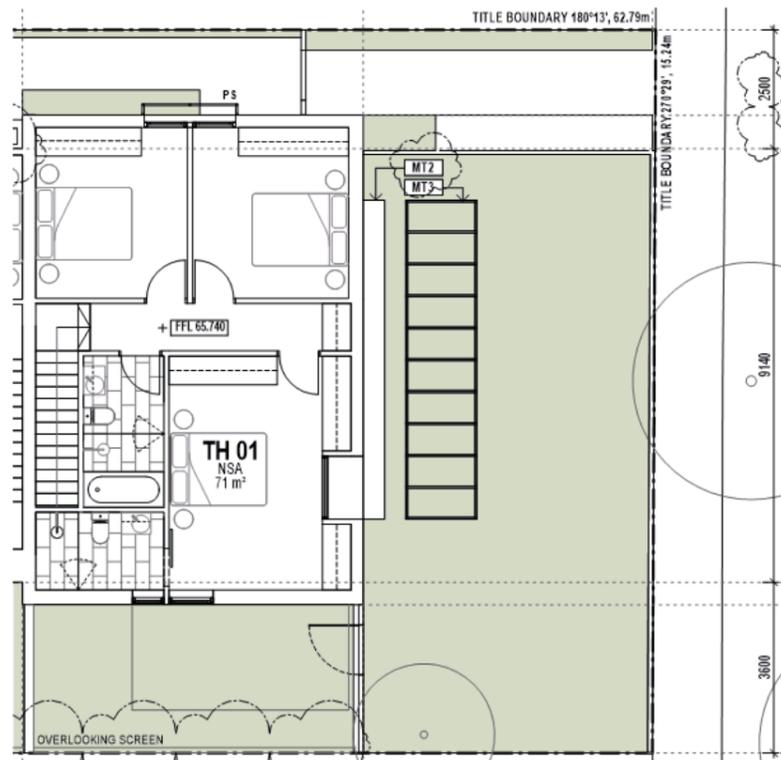
We can integrate two north facing windows to the upper storey of townhouse 06. These will sit behind the two of the two bedrooms.

These windows will be adequately protected from the sun via fixed shading awnings.



Design Consideration 03 - South Facing Window

Generally our approach is to provide windows opposite the entry door of each bedroom and in the instance of townhouse 01 incorporate a small desk by the window.



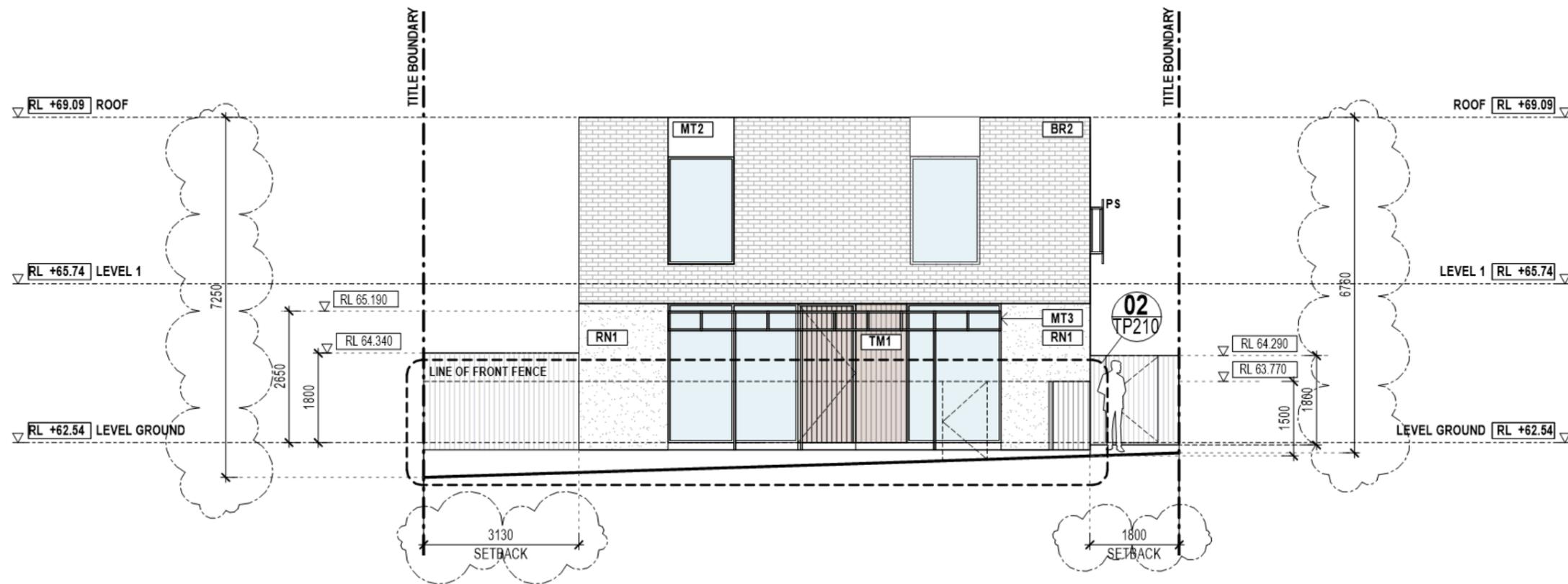
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Darebin City Council Received 05/03/2021

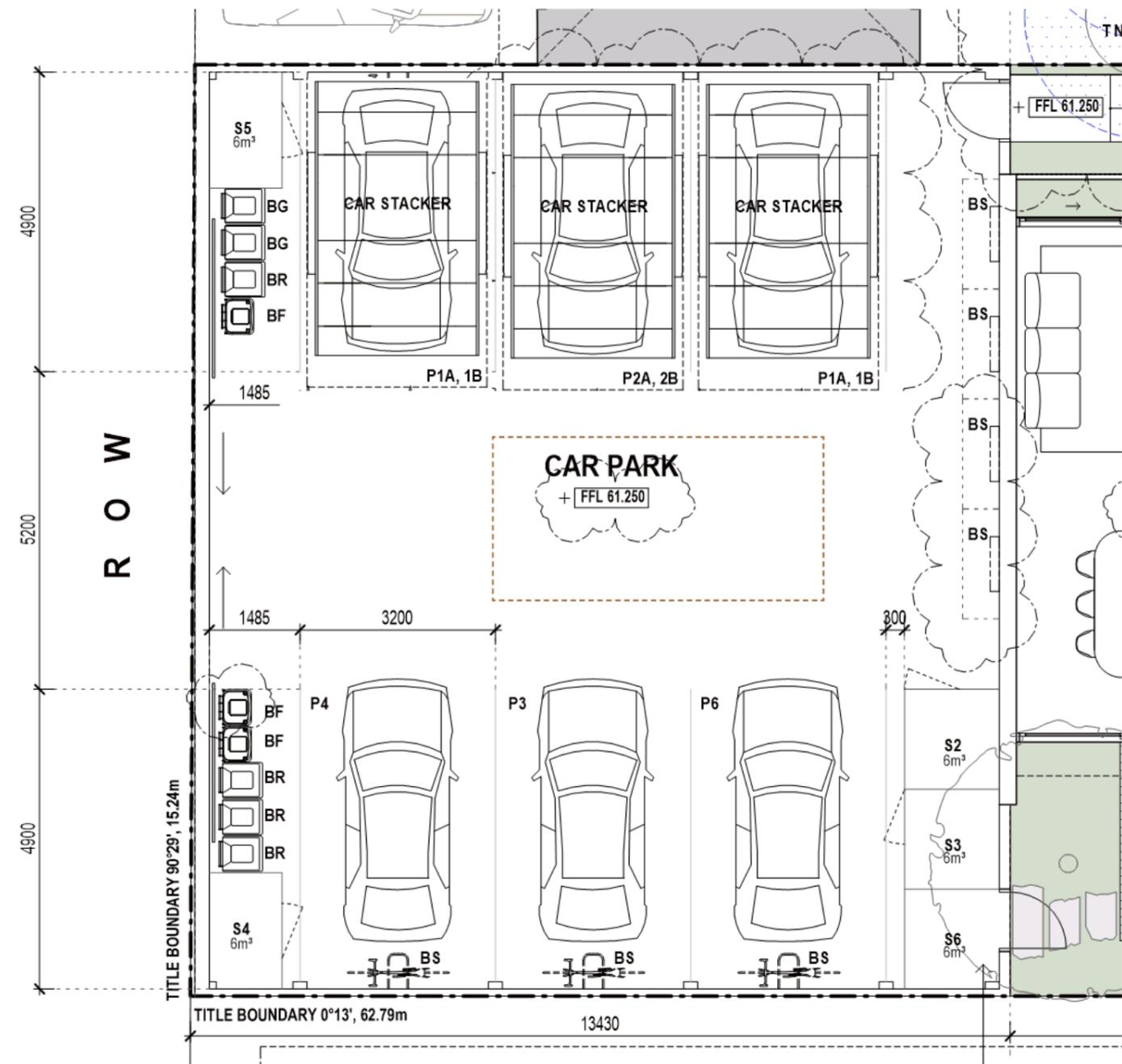
Design Consideration 03 - South Facing Window

If required we can provide a second window to this bedroom.



Design Consideration 04 - Car Parking Numbers

We can provide two additional carparks within the current building envelope. Along the west - three spaces on grade, east - six spaces within double stackers and centrally - a single space within the ground (as demonstrated within the images below).



Darebin City Council Received 05/03/2021

Design Consideration 05 - Bicycle Parking

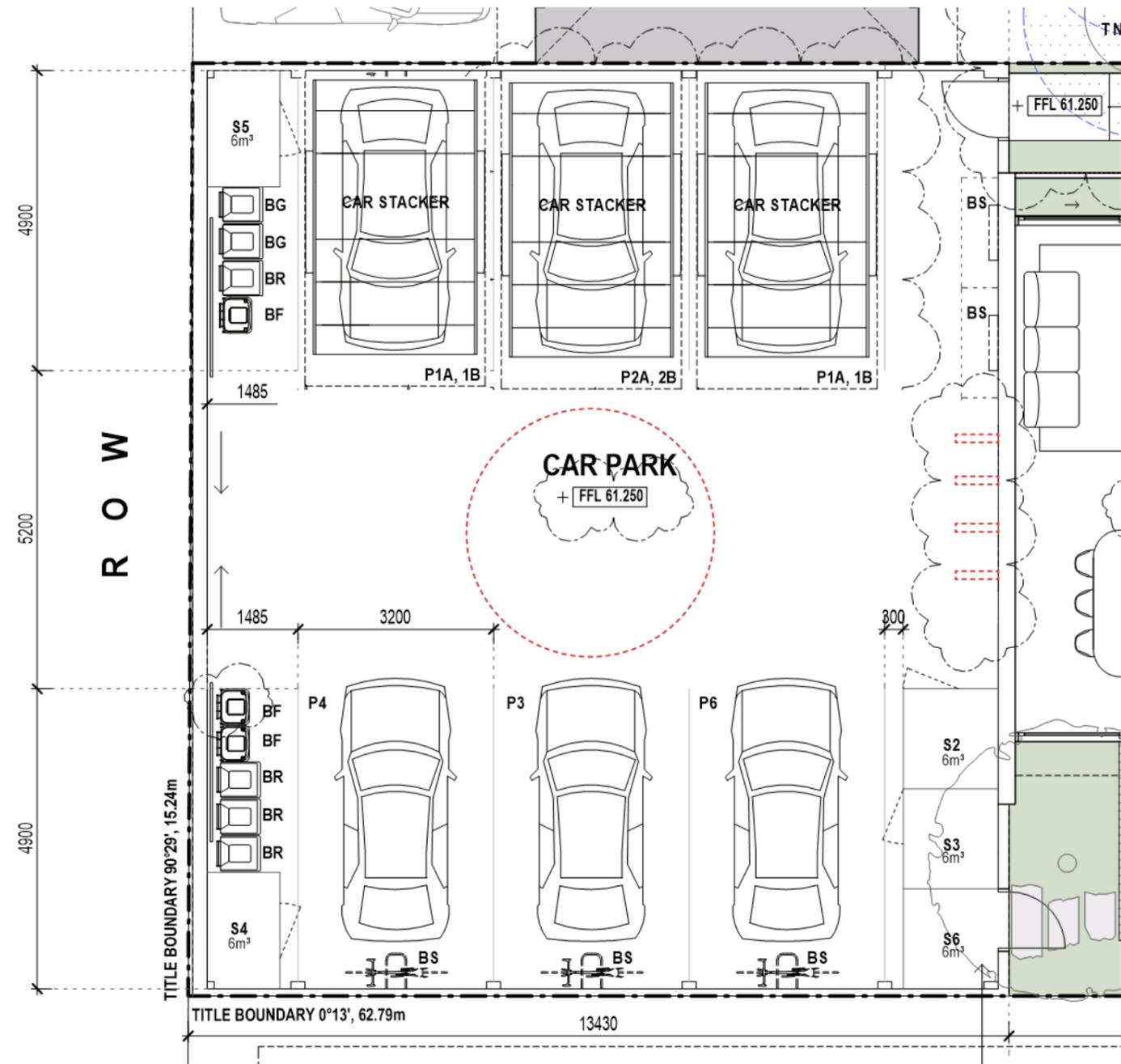
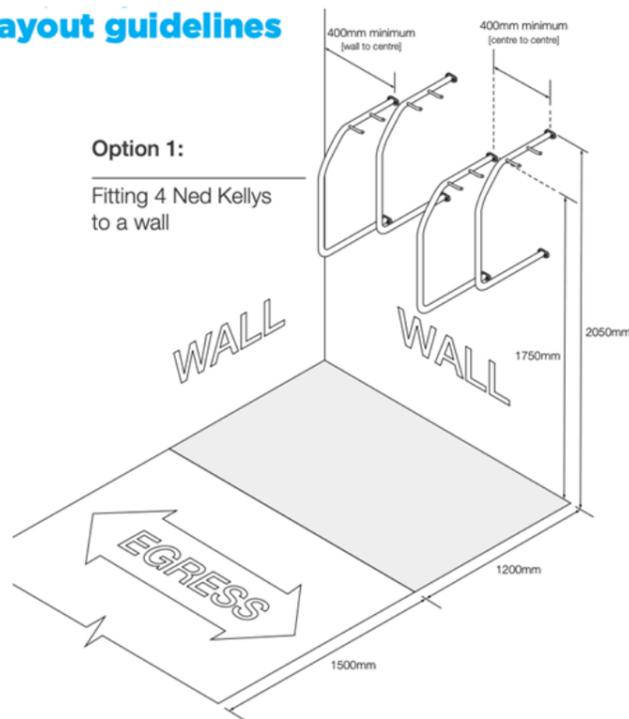
Alternatively to providing the additional pit car space (resulting in a total of nine parking spaces) we can install a vehicle turntable. This turntable would decrease the swept paths of the parking vehicles and enable the provision of better bicycle parking. We can include Ned Kelly style parks along the southern wall of the garage.

This would swap two towel rail spaces for four ned kelly spaces.

Layout guidelines

Option 1:

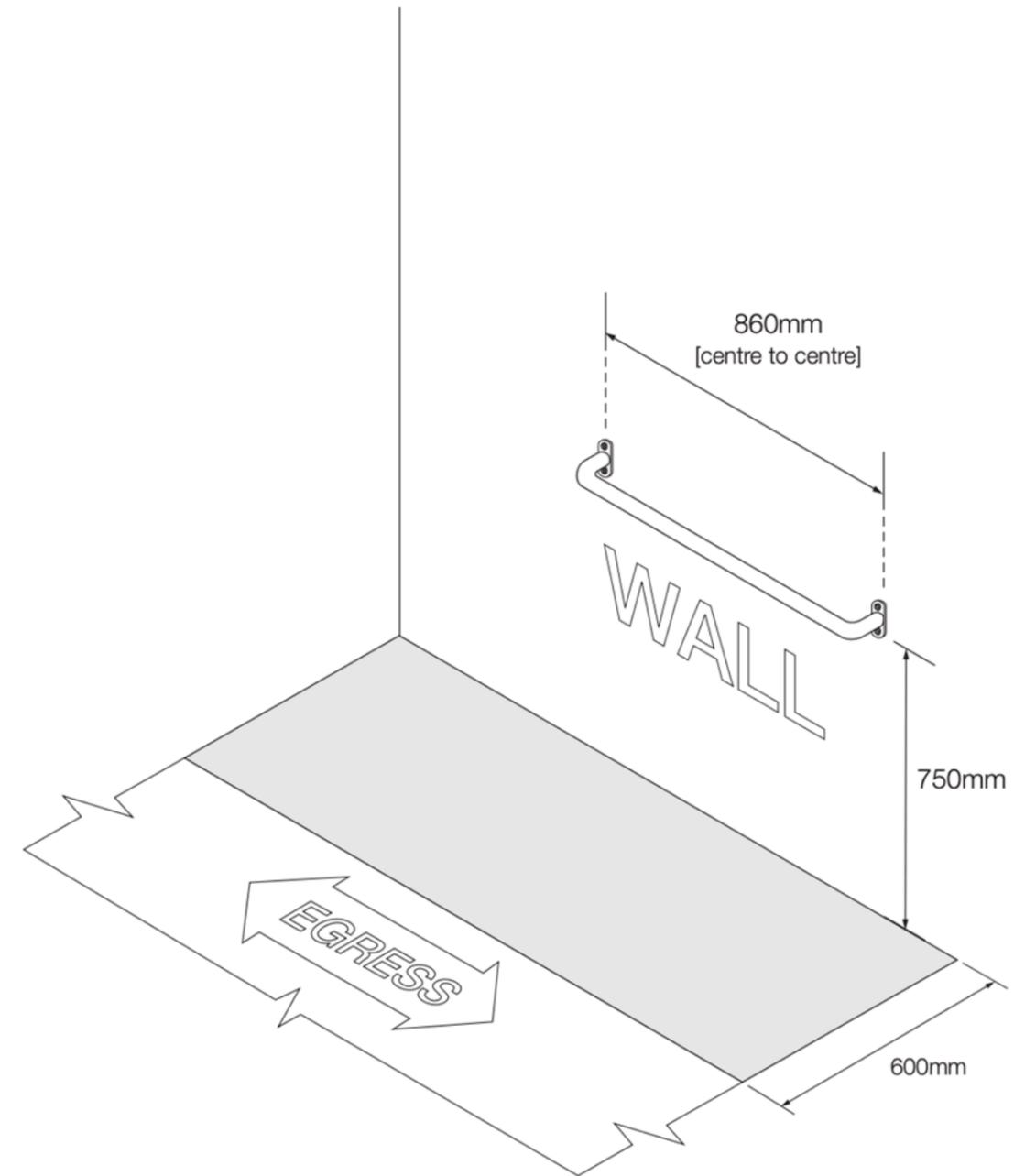
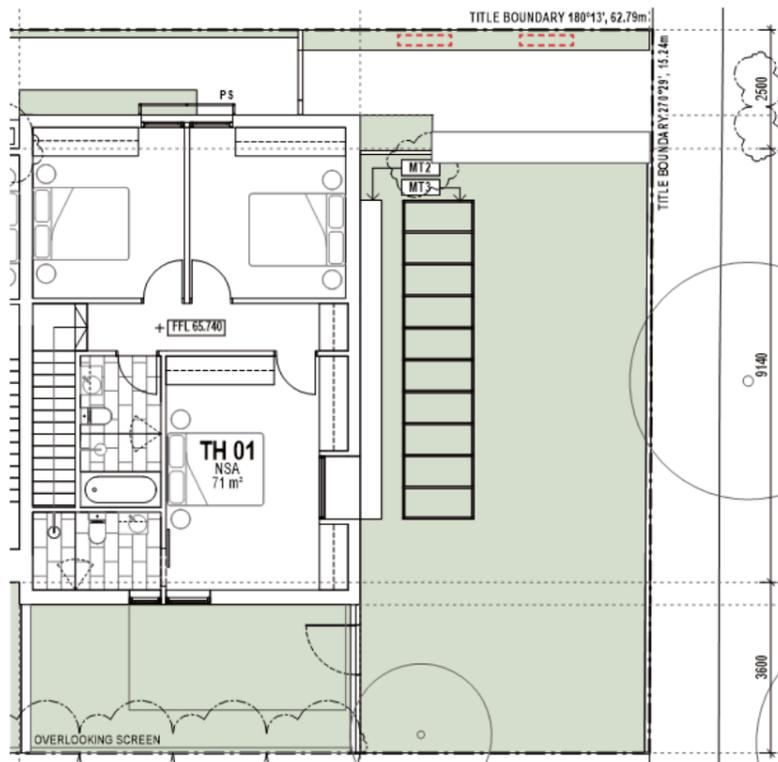
Fitting 4 Ned Kellys to a wall



Design Consideration 05 - Bicycle Parking

We can widen the entryway to provide two towel rail bicycle parks for visitor bicycle parking.

The current access way is 2.5m wide. The bicycles will take up 0.6m leaving 1.9m for an access way.



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Darebin City Council Received 05/03/2021

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

- VCAT Applications (**Appendix A**) [↓](#)

Delegate Decisions before VCAT

OCTOBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/10/2020	D/145/2018	480 Gilbert Road, Preston Cazaly	S87A Amendment request to VCAT remove roof decks to 3 dwellings	Council taking position of opposition	Council's position of refusal set aside – Permit granted.
Result	In deleting the permit condition requiring the provision of rooftop terraces, the Tribunal disagreed with Council's position that providing private open space within the front setback would not provide adequate privacy and size for the recreation needs of future occupants.				
19/10/2020 (Compulsory Conference)	D/111/2020	439 Gilbert Road, Preston Cazaly	Proposed medium density development of six (6) double storey dwellings above a basement carpark and a waiver of the car parking requirements	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The parties were able to reach agreement as to a suitable form of development, as such, they were in position that Council's refusal could be set aside by consent.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

NOVEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
9/11/2020 (Compulsory Conference)	D/672/2019	61 Edwardes Street, Reservoir La Trobe	A medium density housing development comprising the construction of 15 triple storey dwellings and one (1) double storey dwelling and a basement level; and Reduction of the car parking requirements	Notice of Decision – Objector Appeal	Council's decision varied (by consent) – Permit granted
Result	This matter was listed for an administrative mention on 15 December 2020 where Council advised the Tribunal of the outcome of the 14 December 2020 Planning Committee meeting.				
11/11/2020 (Compulsory Conference)	D/605/2019	14-16 Storey Road, Reservoir La Trobe	Proposed construction of 12 double storey dwellings and a waiver of the visitor car space requirements	Refusal – Applicant Appeal	
Result	The matter did not settle.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

DECEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
16/12/2020 (Compulsory Conference)	D/668/2019	552-558 Plenty Road, Preston Cazaly	Use of land for the purpose of a childcare centre (100 places) and food and drink premises; construction of a four-storey building with food and drink premises at Ground Floor, five (5) dwellings and childcare centre at the upper floors; a reduction in the car parking requirement and alteration of access to a road in a Road Zone Category 1	Failure Appeal – Council is yet to formalise a position on the Application.	
Result	The matter did not settle.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

JANUARY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
	No matters determined by Council delegates were heard in January 2021				

PLANNING COMMITTEE MEETING

15 JUNE 2021

FEBRUARY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
17/02/2021	D/790/2018	600-606 Plenty Road, Preston Central	Proposed use of land as a food and drink premises together with part demolition of the existing building, the construction of buildings and works for 11 dwellings and a reduction of the required car parking provision	Refusal – Applicant Appeal	Withdrawn
Result	This application was withdrawn by the Applicant prior to the scheduled hearing.				
19/02/2021 (Compulsory Conference)	D/668/2019	78 Shaftesbury Parade, Thornbury South West	Medium density housing development comprising: •Double storey extension to the existing dwelling; •Construction of two triple storey dwellings (where the third storeys are roof decks and covered access areas) to the rear of the existing dwelling;	Notice of Decision – Objector Appeal.	Council's decision varied (by consent) – Permit granted
Result	The parties were able to reach agreement as to a suitable form of development, as such, they were in position that Council's decision could be varied by consent.				
24/02/2021	D/762/2018	560-562 High Street, Preston Central	Proposed five (5) storey (pus basement and rooftop terrace) mixed use development and a waiver of the car parking requirements	Refusal – Applicant Appeal	Council' decision set aside
Result	A permit was granted subject to some additional conditions.				
26/02/2021	D/522/2019	14-16 Wardrop Grove, Northcote Rucker	A 2-3 storey building comprising seven (7) dwellings	Conditions Appeal	Council's decision varied (by consent) – Permit granted
Result	The parties were able to reach agreement prior to the hearing as to a suitable form of development, as such, Council's decision was varied by way of consent order.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

MARCH 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/03/2021	D/533/2019	191 Bell Street, Preston Central	A two (2) storey rooming house comprising 14 rooms.	Refusal – Applicant Appeal	Council's Decision set aside.
Result	The tribunal determined that the proposal was acceptable.				
3/03/2021 (Compulsory Conference)	D/349/2020	171-175 High Street, Northcote South	Proposed buildings and works to the existing building including extensions and an additional two storey's use of the for offices and a reduction in the standard car parking requirement	Failure Appeal – Council has formed a position to oppose the application.	
Result	The matter did not settle.				
4/03/2021 (Compulsory Conference)	D/188/2019/A	6A Christmas Street, Northcote South Central	Permit No. D/188/2019 for Construction of a single storey dwelling, a reduction in the standard car parking requirement and associated works	Refusal – Applicant Appeal	
Result	The matter did not settle.				
5/03/2021	D/211/2019	232 Albert Street, Reservoir North Central	A medium density housing development comprising the construction of four (4) dwellings over three (3) levels and alteration of access to road zone 1	Refusal – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The parties were able to reach agreement prior to the hearing as to a suitable form of development, as such, Council's decision was varied by way of consent order.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

MARCH 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
9/03/2021	D/384/2019	279-281 St Georges Road, Northcote South West	Buildings and works comprising the construction of a four (4) storey residential development (28 dwellings) and alteration of access to a road in a Road Zone Category 1 in accordance with the endorsed plans.	Notice of Decision – Objector Appeal.	Council's decision varied (by consent) – Permit granted
Result	The parties were able to reach agreement as to a suitable form of development, as such, Council's decision was varied by way of consent order.				
11/03/2021 (Compulsory Conference)	D/327/2019	72 James Street, Northcote South	In accordance with the endorsed plans: • Demolish the existing dwelling, and • Construct a medium density housing development comprised of two (2) double storey dwellings.	Notice of Decision – Objector Appeal.	
Result	The matter did not settle.				
18/03/2021 (Compulsory Conference)	D/311/2003/A	73A Victoria Road, Northcote South Central	A medium density housing development comprised of a double storey dwelling to the rear of an existing dwelling	Notice of Decision – Objector Appeal.	
Result	The matter did not settle.				
18/03/2021	D/677/2019	71 Northernhay Street, Reservoir North Central	Proposed construction of two (2) double storey dwellings with double garage and studio above to rear of site	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal determined that it was appropriate to issue a Permit subject to conditions.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

MARCH 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
19/03/2021	D/284/2019	53 William Street, Preston Central	Proposed construction of a second dwelling to the rear of the existing dwelling on land within a residential zone	Refusal – Applicant Appeal	Councils Decision to refuse the application is affirmed.
Result	No permit issued.				
19/03/2021	D/33/2019/A	158 Mansfield Street, Thornbury South Central	Amendment to Planning Permit D/33/2019 as follows: <ul style="list-style-type: none"> •Relocate the rear extension so that the new works are along the eastern boundary; •Reduce the length of wall along the western boundary to accommodate a west-facing courtyard; •Create a new room to the rear (south) of the block for the purposes of a main bedroom; •Create a car space within the front setback; •Changes to the internal layout changes. 	Refusal – Applicant Appeal.	Withdrawn
Result	This application was withdrawn by the Applicant prior to the scheduled hearing.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

APRIL 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/4/2021 (Compulsory conference)	D/668/2019	552-558 Plenty Road Preston South	Use of land for the purpose of a childcare centre (100 places) and food and drink premises; construction of a four-storey building with food and drink premises at Ground Floor, five (5) dwellings and childcare centre at the upper floors; a reduction in the car parking requirement and alteration of access to a road in a Road Zone Category 1	Failure Appeal – Council has formed a position to oppose the application	Withdrawn
Result	This application was withdrawn by the Applicant prior to the scheduled hearing.				
12/04/2021 (Compulsory conference)	D/311/2003/A	73A Victoria Road Northcote South	A medium density housing development comprised of a double storey dwelling to the rear of an existing dwelling	Notice of Decision – Objector Appeal.	Vacated
Result	Compulsory conference was vacated				
16/4/2021	D/601/2019	12 Faye Street Reservoir La Trobe	Construction of five dwellings on the lot in an RGZ3/DDO19	Refusal – Applicant Appeal	Decision adjourned for expert evidence
Result	Decision adjourned for expert evidence				

PLANNING COMMITTEE MEETING

15 JUNE 2021

APRIL 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
21/04/2021	D441/2019	108 Darebin Boulevard Reservoir Latrobe	A medium density housing development comprised of the construction of five (5) triple storey dwellings	Refusal – Applicant Appeal Plans amended to address grounds of refusal	Awaiting decision
Result					
21/04/2021	D/511/2011/A	76 & 78 Hutton Street Thornbury Cazaly	The amendments to the permit which have been refused are the following changes to the endorsed plans: <ul style="list-style-type: none"> • Enclosed garages to both dwellings • Non-permeable concrete driveways 	Refusal – Applicant Appeal	Awaiting decision
Result					
21/04/2021	D/601/2019	61 Edwardes Street Reservoir La Trobe	<ul style="list-style-type: none"> • A medium density housing development comprising the construction of 15 triple storey dwellings and one (1) double storey dwelling and a basement level; and • Reduction of the car parking requirements 	Notice of Decision – Objector Appeal	Vacated
Result	Settled by consent. Final Order dated 21 December 2020				

PLANNING COMMITTEE MEETING

15 JUNE 2021

APRIL 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
23/04/2021	D/349/2020	35 Dean Street, Preston Cazaly	A medium density housing development comprised of the construction of three (3) double-storey dwellings, in accordance with the endorsed plans.		Vacated
Result	Withdrawn by applicant				
26/04/2021	D/72/2020	1 Taylor Avenue Reservoir West	Construction of a double storey dwelling to the rear of the existing dwelling,	Notice of Decision – Objector Appeal	Vacated
Result					

MAY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/05/2021	D/188/2019	6A Christmas Street, Northcote South Central	Permit No. D/188/2019 for Construction of a single storey dwelling, a reduction in the standard car parking requirement and associated work.	Refusal – Applicant Appeal	Awaiting decision
Result					
12/05/2021	D/789/2018	566-568 High Street, Preston Cazaly	Proposed construction of a five-storey (plus basement and rooftop terrace) mixed use development and a waiver of the car parking requirements	Refusal – Applicant Appeal	Application withdrawn by applicant.

PLANNING COMMITTEE MEETING

15 JUNE 2021

MAY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
Result	Application withdrawn.				
13/05/2021	D/349/2020	171-175 High Street, Northcote South	Proposed buildings and works to the existing building including extensions and an additional two storey's use of the for offices and a reduction in the standard car parking requirement	Refusal – Applicant Appeal	Awaiting decision
Result					
12/05/2021 (Compulsory Conference)	D/264/2020	133A Victoria Road, Northcote South	Extension to a dwelling on a lot containing two dwellings	Notice of Decision – Objector Appeal	
Result	Matter settled.				
27/05/2021 (Compulsory Conference)	D/472/2020	11 Highview Road, Preston Central	Use of land (Lots 2 & 3 on PS007741 and Lots 1 & 2 on TP868744T) for a place of worship and buildings and works for the construction of a reconfigured and extended carpark	Notice of Decision – Objector Appeal	
Result	Matter settled				
31/05/2021	VS/127/2020	34 Crawley Street, Reservoir West	Two (2) Lot Subdivision as shown on the plans accompanying the application	Permit issued – Applicant Appeal against conditions	Councils Decision is affirmed.
Result	Councils decision is affirmed by the Tribunal.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

Planning Committee Decisions before VCAT

SEPTEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
	No matters determined by the Committee were heard in September 2020				

PLANNING COMMITTEE MEETING

15 JUNE 2021

OCTOBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/10/2020 (Compulsory Conference)	D/722/2018	800-802 & 820 Plenty Road, Reservoir Cazaly	Use and development of the land for the purpose of a retirement village and residential aged care facility, removal of native vegetation and alteration of access to a road in a Road Zone Category 1	Committee (contrary to Officer Recommendation)	Council's decision set aside (by consent) – Permit granted
Result	This matter was listed for an administrative mention on 15 December 2020 where Council advised the Tribunal of the outcome of the 14 December 2020 Planning Committee meeting.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

NOVEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
30/11/2020 (Compulsory Conference)	D/550/2019	35 Dean Street, Preston Cazaly	A medium density housing development comprised of the construction of three (3) double-storey dwellings, in accordance with the endorsed plans.	Notice of Decision (in line with Officer Recommendation) – Objector Appeal	
Result	The matter did not settle.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

DECEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/12/2020	D/722/2018	800-802 & 820 Plenty Road, Reservoir Cazaly	Use and development of the land for the purpose of a retirement village and residential aged care facility, removal of native vegetation and alteration of access to a road in a Road Zone Category 1	Committee (contrary Officer Recommendation)	Adjourned
Result	Hearing date vacated.				
8/12/2020	EOT/31/2020 and EOT/32/2020	Preston Market, Cramer & Mary Street Cazaly	Extension of Time (Refusal)	Committee (in line with Officer Recommendation)	Council's decision set aside – Extension of Time granted
Result	In balancing the relevant considerations, VCAT determined that there was insufficient reason to refuse the request for an extension based on the relevant legal principles. In particular, VCAT did not share Council's concern that the recent strategic work undertaken by the VPA on new planning controls or the LXP's work on elevated rail would prejudice the future vision for the site. Nor did VCAT share Council's concern that the Applicant was 'sitting on their hands' to see what the updated planning controls would entail. It was also noted that the circumstances of the COVID-19 Global Pandemic weighed in favour of extending the permits, because in VCAT's view, this may have contributed to the delays in commencing the development.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

JANUARY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
16/12/2021 (Preliminary Hearing)	D/266/2019	10 Benambra Street, Preston West	Development of seven (7) double storey (plus basement) dwellings.	Committee (contrary Officer Recommendation)	Application Allowed
Result	The purpose of this preliminary hearing was to consider a question of law raised by an objector as to whether VCAT had jurisdiction to consider the Application having regard to Chapter III of the Australian Constitution. The question followed a recent decision by the Victorian Supreme Court of Appeal, which found that VCAT would not have jurisdiction in certain circumstances where Chapter III of the Australian Constitution was a relevant consideration to the 'matter'. The Tribunal found that current application requires the exercise of the Tribunal's administrative power and not judicial power, therefore Chapter III is not a relevant consideration. The Tribunal found that there is no jurisdictional issue preventing VCAT from hearing this Application.				

PLANNING COMMITTEE MEETING

15 JUNE 2021

FEBRUARY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
	No matters determined by the Committee were heard in February 2021				

PLANNING COMMITTEE MEETING

15 JUNE 2021

MARCH 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
	No matters determined by the Committee were heard in March 2021				

PLANNING COMMITTEE MEETING

15 JUNE 2021

APRIL 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/04/2021	D/266/2019	10 Benambra Street, Preston West	Development of seven (7) double storey (plus basement) dwellings.	Committee (contrary Officer Recommendation)	Awaiting decision
Result	Decision Pending				
19/04/2021	D/722/2018	800-802 & 820 Plenty Road, Reservoir Cazaly	Use and development of the land for the purpose of a retirement village and residential aged care facility, removal of native vegetation and alteration of access to a road in a Road Zone Category 1	Committee (contrary Officer Recommendation)	Vacated
Result	Hearing vacated as parties consented at compulsory conference and VCAT order a permit to be issued on 22 December 2020.				

MAY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/05/2021	POD/1/2006/H	205 Bell Street, Preston Cazaly	Use and develop the land for the purpose of a residential building (student accommodation), office, conference centre, food and drink premises, licensed 140 seat restaurant and motel and to waive the car and bicycle parking requirements	Committee (contrary Officer Recommendation)	Awaiting decision
Result	Decision Pending				
14/05/2021	D/550/2019	35 Dean Street Preston Cazaly	A medium density housing development comprised of the construction of three (3) double-storey dwellings, in accordance with the	Committee (inline Officer Recommendation)	Awaiting decision

PLANNING COMMITTEE MEETING

15 JUNE 2021

MAY 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
			endorsed plans.		
Result	Awaiting Decision				

All matters listed until 31 May 2021

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

8. CLOSE OF MEETING

**CITY OF
DAREBIN**

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