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# AGENDA

**Planning Committee meeting to be held  
at Darebin Civic Centre,  
350 High Street Preston  
on Monday, 8 August 2016  
at 7.00 pm.**

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# Agenda

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## 1. MEMBERSHIP

### *Councillors*

Cr Vince Fontana (Mayor) (Chairperson)

Cr Gaetano Greco

Cr Tim Laurence

Cr Bo Li

Cr Trent McCarthy

Cr Steven Tsitas

Cr Angela Villella

Cr Oliver Walsh

Cr Julie Williams

### *Council Officers*

Rasiah Dev – Chief Executive

Steve Hamilton – Director Assets and Business Services

Darren Rudd – Manager City Development

Julie Smout – Coordinator Statutory Planning

Jacinta Stevens – Executive Manager Corporate Governance and Performance

Katia Croce – Coordinator Council Business

## 2. APOLOGIES

## 3. DISCLOSURES OF CONFLICTS OF INTEREST

## 4. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE

<b>Recommendation</b>
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**That** the Minutes of the Planning Committee meeting held on 25 July 2016 be confirmed as a correct record of business transacted.

## 5. CONSIDERATION OF REPORTS

### 5.1 APPLICATION FOR PLANNING PERMIT D/400/2015 60 Burbank Drive, Reservoir

**AUTHOR:** Principal Planner – Deniz Yener-Korematsu

**DIRECTOR:** Director Assets and Business Services – Steve Hamilton

**OWNER/APPLICANT/CONSULTANT:**

Applicant	Owner	Consultant
Meraq Building Designers	Nikola Stojanovski and Alyse Stojanovski	Luka Mrkonjic Town Planning Services and Meraq Building Designers

**SUMMARY:**

- It is proposed to demolish the existing dwelling and construct two (2) single storey and one (1) double storey dwelling on the site. The dwellings will each provide three (3) bedroom accommodation and have a kitchen/meals/living area at ground floor level, with a single garage and tandem car space each. The double storey dwelling (Unit 2) will have two (2) of its bedrooms on the first floor. The private open space areas are to be provided at ground level to the rear (north), with areas of 40.87 square metres (Unit 1), 63.68 square metres (Unit 2) and 41.09 square metres (Unit 3). The overall height is approximately 7.6 metres to the ridge of Unit 2.
- The site is zoned General Residential Zone Schedule 2.
- There is no restrictive covenant on the title for the subject land.
- 42 objections have been received against this application. This includes one (1) petition with 39 signatures.
- The proposal meets the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

**CONSULTATION:**

- Public notice was given via one (1) sign posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Transport Management and Planning Unit, Capital Works Unit and Darebin Parks.
- This application was not required to be referred to external authorities.

<b>Recommendation</b>
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**THAT** Planning Permit Application D/400/2015 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as Sheets 03 and 04 dated 29/3/2016 and Sheet 05 dated 15 July 2016 prepared by Meraq Building Design and received by Council on 14 April 2016 and 19 July 2016) but modified to show:
  - a) Drawing Sheet 04 dated 29 March 2016 named correctly as First Floor Plan.
  - b) All finished floor levels including the garages, ground floor and first floor levels nominated on the plans and shown to Australian Height Datum (AHD).
  - c) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the south-western and north-eastern sides of the existing and proposed crossovers to Burbank Drive. Where within the subject site, any structures or vegetation within these splays must be not more than 1.15 metres in height.
  - d) The first floor Bedroom 2 window of Unit 2 on the North elevation provided with either:
    - A sill with a minimum height of 1.7 metres above finished floor level.
    - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
    - Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.
  - e) Annotations detailing a Tree Protection Zone and associated Tree Protection Fence (measured from the outside edge of the trunk) for the trees as listed in and in accordance with the requirements of Condition No.7 of this Permit.
  - f) A notation must be added to state that any works in the Tree Protection Zone must be carried out without excavation.
  - g) The provision of notations to state:
    - That the deck area of Unit 3 be constructed above grade with all post holes within the tree protection zone (TPZ) of Tree No.5 (as identified in the Arboricultural Assessment and Report prepared by Stem Arboriculture dated 5 May 2016) are to be hand excavated and relocated if roots greater than 40mm are encountered.
    - The deck planks of the deck area of Unit 3 are to have sufficient spacing, nominally 6mm, to allow rainfall to penetrate to the ground below.
  - h) Full construction details for the construction of the garage of Unit 3, employing alternative building method to ensure the health and viability of Tree No.6 (as identified in the Arboricultural Assessment and Report prepared by Stem Arboriculture dated 5 May 2016), in accordance with Condition No.7 of this Permit.

- i) The provision of a notation to state the accessway to Unit 3, where within the tree protection zone of trees No.8 and 9 5 (as identified in the Arboricultural Assessment and Report prepared by Stem Arboriculture dated 5 May 2016) is to be constructed at or above grade using permeable materials.
  - j) A landscape plan in accordance with Condition No.4 of this Permit.
- When approved, the plans will be endorsed and form part of this Permit.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. This Permit will expire if either:
  - The development does not start within three (3) years from the date of this Permit; or
  - The development is not completed within five (5) years of the date of this Permit.
- As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
  - Before this Permit expires;
  - Within six (6) months after the expiry date; or
  - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
4. Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
  - a) Full details and notations relating to tree protection measures in accordance with Condition No.7 of this Permit.
  - b) At least two (2) suitable medium canopy trees and four (4) suitable small canopy trees included in the new development. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must adhere to Darebin City Council's standards for canopy trees at maturity (Height x Width): small canopy (4-6m x 4m), medium canopy (6-8m x 6m), large canopy (8-12m x 10m).
  - c) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
  - d) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
  - e) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the Responsible Authority.
  - f) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available.

All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).

- g) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
    - h) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
    - i) Hard paved surfaces at all entry points to dwellings.
    - j) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
    - k) Type and details of edge treatment between all changes in surface (e.g. Grass (lawn), gravel, paving and garden beds).
    - l) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
    - m) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
    - n) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
  5. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
  6. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
  7. Before buildings and works (including demolition) start, a tree protection fence must be erected around the trees listed below (and as identified in the Arboricultural Assessment and Report prepared by Stem Arboriculture dated 5 May 2016) at the specified radius from the base of the trunk to define a 'tree protection zone'.
    - Tree 3 - (TPZ 2.0 metres from the trunk edge)
    - Tree 4 - (TPZ 2.0 metres from the trunk edge)
    - Tree 11 - (TPZ 2.0 metres from the trunk edge)
    - Tree 12 - (TPZ 2.4 metres from the trunk edge)
    - Group 1 - (TPZ 2.0 metres from the trunk edge)
    - Tree 2 - (TPZ 2.4 metres from the trunk edge)

- Tree 7 - (TPZ 2.6 metres from the trunk edge)
- Tree 10 - (TPZ 4.2 metres from the trunk edge)
- Tree 13 - (TPZ 9.1 metres from the trunk edge)
- Tree 5 - (TPZ 2.9 metres from the trunk edge) - the deck area of Unit 3 must be constructed above grade with all post holes within the tree protection zone (TPZ) of this tree hand excavated and relocated if roots greater than 40mm are encountered. The deck planks must have sufficient space, nominally 6mm, to allow rainfall to penetrate to the ground below.
- Tree 6 - (TPZ 2.0 metres from the trunk edge). The garage of Unit 3 must be constructed with a lightweight wall to the northern boundary. The garage floor level must be raised so that the slab can be constructed at or above grade. The slab must avoid a strip footing/edge beam on the northern boundary or within the TPZ.
- Tree 8 - (TPZ 2.0 metres) – the driveway of Unit 3 must be constructed above grade using permeable materials.
- Tree 9 - (TPZ 2.7 metres) - the driveway of Unit 3 must be constructed above grade using permeable materials.
- Tree 15 - (TPZ 9.4 metres from the trunk edge)
- Tree 16 - (TPZ 7.0 metres from the trunk edge)

The tree protection fences must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority.

The tree protection fences must remain in place until construction is completed.

No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone unless otherwise specified in this condition.

No storage or dumping of tools, equipment or waste is to occur within the tree protection zone.

The ground surface of the tree protection zone must be covered by a protective 100mm deep layer of mulch prior to the development commencing and be watered regularly to the satisfaction of the Responsible Authority.

8. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the Building Act 1993 and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
9. All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
10. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.

11. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
12. The land must be drained to the satisfaction of the Responsible Authority.
13. With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
14. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
15. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
16. Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
  - a) Constructed;
  - b) Properly formed to such levels that they can be used in accordance with the plans;
  - c) Surfaced with an all-weather sealcoat; and
  - d) Drained
 to the satisfaction of the Responsible Authority.  
 Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
17. Before the development is occupied, vehicular crossing(s) must be constructed or relocated to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

#### **NOTATIONS**

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

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

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

- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- N5 This planning permit must be attached to the “statement of matters affecting land being sold”, under section 32 of the *Sale of Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

## Report

### INTRODUCTION AND BACKGROUND

The subject application D/400/2015 was amended under section 57A of the *Planning and Environment Act 1987* on 10 February 2016 to reduce the development from three (3) double-storey dwellings to three (3) single-storey dwellings. Due to issues associated with the amended development, a further section 57A Amendment was made on 14 April 2016 to include two (2) single-storey and one (1) double-storey dwellings as part of the proposal. The amended plans received 14 April 2016 have been re-advertised and form the considered floor plans for this application.

The application was further amended under section 57A of the *Planning and Environment Act 1987* on 19 July 2016 to provide a revised Sheet 05 (Elevations) that were corrected to match the advertised floor plans. The revised elevations show internal elevations as well as elevations of the development that are taken at 90 degrees to the relevant boundary to avoid, as much as possible, obliquely represented elevations. As these elevations are consistent with the advertised plans, re-advertising of the application was not deemed to be required.

### ISSUES AND DISCUSSION

#### Subject site and surrounding area

- The land is an irregular wedge shape and measures 54.13 metres across the frontage, with depths of 51.7 metres and 30.69 metres, with a site area of 775 square metres.
- The land is located within the General Residential 2 Zone and the Development Contributions Plan Overlay 1 (expired).
- The land is located on the north side of Burbank Drive, approximately 15 metres to the east of the intersection with San Leandro Drive.



- The site contains a single storey brick dwelling, with a pitched and hipped tile roof. The dwelling has vehicle access to a garage to the north eastern side of the dwelling, with an additional crossover to the west, allowing access to the side of the dwelling via a crossover and driveway along the western common boundary. The site has a fall of approximately 540mm from the rear (north west) to the front (south west) corner.
- To the east of the site is the rear yard of a single storey brick dwelling fronting Tunaley Parade. This dwelling has a garage in the rear yard area abutting the Burbank Drive frontage.
- To the west is an allotment located to the corner of Burbank Drive and San Leandro Drive. This allotment contains a single storey brick dwelling, with vehicle access to a large garage area abutting the common boundary. The dwelling is set back 7.7 metres to 8.3 metres from the street frontages and approximately 6 to 7 metres from the common boundary. Further to the west are single storey detached brick dwellings (noting a double storey addition to the rear of the dwellings at 27 San Leandro Drive).
- To the north, are the rear yards and outbuildings of dwellings fronting Tunaley Parade.
- To the south, on the opposite side of the street, are single storey detached brick dwellings.
- There are no parking restrictions in the vicinity of the subject site.
- The area is residential in character with mainly single storey modest detached dwellings, noting some dwellings with double storey additions. The site is located approximately 1.6km to the east of the Keon Park railway station and activity centre. Burbank Primary School is approximately 100 metres to the south east and a local activity centre is approximately 150 metres to the south east. A bus route is available approximately 80 metres to the west along Cheddar Road West.

### Proposal

- It is proposed to demolish the existing dwelling and construct three (3) dwellings on the site comprised of two (2) single storey dwellings and one (1) double storey dwelling.
- Each dwelling will have a frontage to Burbank Drive with its own vehicle access of which two (2) are existing and one (1) is proposed. A single garage and tandem car parking space is provided for each dwelling. No common property is proposed in the development.
- Unit 1 (single-storey) is located to the west, Unit 2 (double-storey) to the centre and Unit 3 (single-storey) to the east side of the street frontage. Each of the dwellings will provide three (3) bedroom accommodation, with Unit 2 having one (1) bedroom on the ground floor and two (2) bedrooms on the first floor. Open plan living, kitchen and dining areas will be on the ground floor with direct access to secluded private open space areas to the north.
- Each dwelling will have access to a northern secluded private open space area in excess of 25 square metres with a dimension of 3.0 metres or greater; and have access to private open space in excess of 40 square metres including the front garden areas.
- The dwellings will have a traditional design, with a mix of external materials including brickwork, render and Scyon cladding. Roofs will be pitched and clad in Colourbond.
- The overall height of approximately 7.6 metres to the ridge.

**Objections**

- 41 objections have been received against this application. This includes one (1) petition with 39 signatures.

**Objections summarised**

- Overshadowing.
- Inadequate front setback.
- Loss of view of the street.
- Boundary wall and impact on adjoining boundary structure.
- Increased traffic and traffic safety.
- Overdevelopment.
- Car Parking.
- Contrary to neighbourhood character.
- Double storey dwellings are inappropriate.
- Lack of front fence.
- Inappropriate weatherboard materials.
- Undesirable precedent.
- Property devaluation.
- Inadequate infrastructure.
- Visual bulk.
- Removal of street tree.
- Noise from construction
- Construction hours should be limited.
- Overlooking.
- Inadequate side setbacks.
- Higher boundary fence and screen planting required.
- Two (2) single storey dwellings are more appropriate.
- Burbank Drive should be in a Heritage Overlay.
- Not close to public transport and facilities.

**Officer comment on summarised objections**Overshadowing

Standard B21 of Clause 55 sets the overshadowing standard and requires the neighbouring properties to have at least 40 square metres of secluded private open space (with a minimum dimension of 3.0 metres), or 75% (whichever is the lesser) receiving a minimum of five (5) hours sunlight between 9am and 3pm on 22 September. The development meets the standard and does not unreasonably overshadow adjoining properties.

In addition, a number of objectors raised issues with regard to shadows to the window of the adjoining property to the west. It is important to note that the Standard is concerned only with shadows to the secluded private open space areas and not to windows and that the shadows will fall mainly over the adjoining vehicle access way. Additionally, the proposal provides adequate setbacks, so that it will not unreasonably affect daylight to adjoining habitable room windows.

The overshadowing diagrams have been updated to reflect the amended proposal which will have significantly less overshadowing effects given the two (2) dwellings which have a common boundary interface to the east and west have been revised from double-storey to single-storey height, resulting in less amenity impacts on the respective adjoining sites.

#### Inadequate front setback

The proposal does not comply with prescribed setback in Standard B6. However the setbacks provided are considered to satisfy neighbourhood character considerations and are of sufficient dimensions to ensure a generous space is maintained for landscaping. See discussion in later sections of this report.

#### Loss of view of the street

It is not considered that the loss of an oblique view of the street for the adjoining neighbour's windows is a significant concern, given that these views are not protected by the Planning Scheme and that loss of views is not considered to be a valid planning consideration. Further to this, the amended proposal with single-storey dwellings to the east and west sides of the frontage will have lesser impact on adjoining dwellings.

#### Boundary wall and impact on adjoining boundary structure

Structural impact on the adjoining buildings is not a planning consideration. This matter will be dealt with under the Building Permit process as relevant. The walls proposed to be constructed on the northern and western boundaries of the site satisfy the requirements of Standard B18 of Clause 55 with regard to height and length of a wall on a boundary. A condition can be included in the approval to ensure that walls on boundaries are cleaned and finished to Council's satisfaction.

The wall of Garage 3 on the northern boundary is to be constructed in a manner that protects adjoining trees in accordance with the Arborist Report submitted with the application. Further details of construction method can be requested via conditions of any approval.

#### Increased traffic and traffic safety

Although there will be an increase in traffic it is not considered that the proposal would contribute unreasonably to traffic congestion given the level of development. In addition, as can be seen in the assessment in the body of this report, the proposal provides adequate parking on the site for the proposed residents.

In addition to the above, no traffic safety issues have been raised by Council in regards to access to and from the site traffic safety issues, subject to provision of adequate pedestrian visibility splays.

Overdevelopment

Compliance with Clause 55, and not the number of dwellings on a lot, is a reliable indicator of whether a proposal is an overdevelopment of the site. A proposed development which complies with Clause 55 cannot in the absence of exceptional circumstances be described as an overdevelopment. In cases where there are a number of minor non-compliant areas, none of which in isolation could be considered determinative, the cumulative effect may point to an overdevelopment of the land. That is not the position in the present case as the only area of non-compliance with Clause 55 relates to the street setback (Standard B6), which is discussed in later sections of this report.

Car Parking

The proposal provides two (2) car spaces on the site for each dwelling, which meets the parking requirements under Clause 52.06 of the Darebin Planning Scheme. No visitor parking is required to be provided on site for a development comprising three (3) dwellings. It is not considered that the development will contribute to parking congestion in the area.

Contrary to neighbourhood character

The development proposal incorporates both single and double storey dwellings which are detached in form and do not represent a height transition that would stand out in the streetscape. The use of materials and roof forms are traditional and respectful of the scale and textures present in the existing neighbourhood setting. Open areas are included in the development so that landscaping can be provided at a level commensurate with the prevailing landscape character of the area. The site is to be developed efficiently in that the availability of services and amenity to the dwellings is balanced against development yield in an appropriate manner. The development is not considered to be contrary to neighbourhood character, given the purpose of the zone and State and Local planning policies which encourage increased housing density on the site.

Double storey dwellings are inappropriate

Whilst the surrounding streets contain predominantly single-storey dwellings, it is noted that there are double storey developments in the area. Schedule 2 to the General Residential Zone does not prohibit double-storey construction and it is a generally held planning principle that a gradual increase in height is acceptable. Two (2) storey form is considered to be low-scale and an appropriate height transition in established residential areas.

The development includes both single-storey and double-storey dwellings. The single storey dwellings form a book end to the east and west sides of the site so that the two-storey dwelling at the centre minimises any impacts on adjoining sites. In terms of the streetscape, two (2) out of the three (3) dwellings will be single storey and the first floor façade of the double-storey dwelling is located to minimise visual bulk.

As detailed in the assessment below, the proposal, including its height, complies with the objectives of Clause 55 of the Darebin Planning Scheme.

Lack of front fence

The design does not include a front fence and although nearby dwellings have front fences this is not a fatal outcome, as it allows views to the front facades and landscaped front yard areas.

Inappropriate weatherboard materials

Whilst the prevailing external material in the area is brickwork, it is noted that the site is not included in a heritage overlay where architectural features and the use of materials form part of any valued character. Face brickwork is included in the development as an external material and this is considered to be sufficient to pick up on and continue the existing theme of dwellings which are predominantly brick veneer in the area. Other materials may be used to complement and articulate wall surfaces.

Undesirable precedent

The development of the site with three (3) dwellings which comfortably fit on the site and do not cause external or internal amenity impacts is not considered to constitute an undesirable precedent.

Property devaluation

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

Inadequate infrastructure

The site has access to all services including power, gas, water and drainage. The development accords with acknowledged policy for urban consolidation and increased densities, which is to make more efficient use of infrastructure and facilities. Should there be an issue with infrastructure provision, this can be addressed by the relevant service authority as part of the subdivision application process as relevant.

Visual bulk

It is not considered that the proposal will lead to unreasonable visual bulk to the rear, given that it is adequately set back from the adjoining properties and provides adequate articulation through materials and setbacks. The minimum setback of 3.825 metres provided for the first floor of Unit 2 from the northern boundary will sufficiently limit visual bulk impacts on adjoining properties and is well in excess of the minimum setback of 1.72 metres required under Standard B17 of Clause 55.

Removal of street tree

The amended proposal retains existing street trees. Subject to conditions, the nature strip trees will not be affected by the proposal.

Noise from construction and construction hours should be limited

Noise from trucks etc. during the construction phase of development is a temporary and unavoidable consequence of development and not a reason to refuse development. The scale of development is not sufficiently large or likely to have unreasonable adverse impacts on the neighbourhood to warrant a construction management plan.

Overlooking

A number of objectors commented that fully frosted glass was required. However, Standard B22 of Clause 55 allows overlooking to be addressed by various means, including the provision of fixed obscure glazing to a height of 1.7 metres above finished floor level. Overlooking of adjoining properties is not considered to be an issue (see further discussion in later sections of this report).

Inadequate side setbacks

The side and rear setbacks provided in the amended development proposal is acceptable and complies with the requirements of Standard B17 of Clause 55 of the Darebin Planning Scheme.

Higher boundary fence and screen planting required

Overlooking from the first floor of Unit 2 is addressed by treating windows. No overlooking is proposed from ground floor areas of the development given the finished floor levels do not exceed 800mm above natural ground level. The 2.0 metre high fence along the northern boundary and the existing adjoining garage wall on the western boundary will sufficiently limit any overlooking. Planting will be addressed via conditions of any approval to require landscaping as appropriate to the site and the design of open areas.

Two (2) single storey dwellings are more appropriate

Although two (2) single storey dwellings may be preferred by objectors, the proposal must be considered on its merits. The provision of three (3) dwellings with two (2) of these as single-storey dwellings is considered to be an appropriate design response to the site and neighbourhood character.

Burbank Drive should be in a Heritage Overlay

Burbank Drive is not in a Heritage Overlay and such issues are beyond the consideration of this permit application.

Not close to public transport and facilities

A large proportion of medium density development is to be located in established areas to make more efficient use of infrastructure and facilities and although it is not located adjacent to activity centres this is not a necessity.

**PLANNING ASSESSMENT****Neighbourhood Character Precinct Guideline Assessment - Precinct G3**Vegetation:

The proposal will not result in the loss of significant trees from the site. The nature-strip trees will be retained and protected through tree protection measures during the construction phase.

Trees on adjoining properties close to common boundaries are to be protected also in accordance with the recommendations of the Arborist Report submitted with the application and approved by Council. Tree protection measures can be included as a requirement of any approval given. There is no accompanying landscape concept plan; however, this may be required by condition. The development provides sufficient space for landscaping and appropriate opportunity for canopy planting to the front as well as the side and rear boundaries.

**Complies subject to conditions**Siting:

The dwellings are set back from the front boundary a sufficient distance of between 3.5 and 8.9 metres to accommodate front gardens. Open areas are available adjacent to the remaining two boundaries (western boundary and northern boundary) of the site to include landscaping and canopy planting.

Whilst the development extends across the frontage from the east side to the west side, the development set back sufficiently from the frontage to create a sense of space and separation from the neighbouring properties. This is an outcome of the irregular shape of the site wherein the rear boundary to the north also forms the side boundary to the east.

Garages are set back from the front facades. The garage walls occupy significantly less frontage width than the dwelling walls to the street so that they do not form a dominant feature in the streetscape.

**Complies with objective**Height and Building Form:

Dwellings in the area are largely single storey, with some double storey buildings also visible in surrounding streets, and in the background to the subject site. Unit 2 which is to be double-storey is sandwiched between two (2) single storey dwellings in the development. The single-storey dwellings provide a graduation in height to the double-storey dwelling which is located to the centre of the site.

The upper level of Unit 2 is staggered and located 2.1 and 3.8 metres behind the ground floor front façade which is considered to meet the requirement that upper levels should be set back approximately the distance of one (1) room from the front façade. The remaining two (2) dwellings are single storey and are consistent with the prevailing single storey scale of the area.

**Complies**Materials and design detail:

The proposal provides brick, render and lightweight cladding for wall materials, which are considered acceptable and respect the brick wall materials of nearby buildings. The materials, fenestration and setbacks provide adequate articulation to the streetscape and other elevations.

**Complies**

Front boundary treatment:

There is no front fence, which is appropriate and allows views of the façade and landscaped front yard area.

**Complies****Clause 55 Assessment**

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

Clause 55.03-1 B6 Street Setback

- The front setback of the adjoining dwelling to the west is approximately 7.7 metres. The interface to Burbank Drive to the east of the subject site is formed by rear boundary of No.45 Tunaley Parade and the sideage of No.47 Tunaley Parade. The standard therefore requires a setback of 7.7 metres to match that of the adjoining western dwelling.
- The proposed front setbacks of between 3.5 metres (Unit 3) and 6.0 metres (Unit 1) graduating across the site does not meet the standard, however the design response is considered to be acceptable due to the following:
- The setback addresses the relevant requirements of the Neighbourhood Character Study, in that it allows adequate provision for landscaping.
- The design provides graduated and staggered setbacks leading from the lesser setback to the east to a greater setback to the west side of the site. This is considered appropriate given the existing conditions to the east which includes the walls of outbuildings associated with No.45 and No.47 Tunaley Parade constructed on the Burbank Drive boundary adjoining the subject site's frontage.
- Unit 1's and Unit 3 are single-storey dwellings and will not present visual bulk when viewed from the street or adjoining sites. Unit 2's front façade is appropriately articulated.
- The proposed setback results in efficient use of a site that presents challenges due to its unusual configuration.
- The setback of existing buildings on the subject site do not match the setback of the western adjoining dwelling, that is, the existing setbacks are less than 7.7 metres.
- The location of the site is within a fractured section of Burbank Drive where it is not reasonable to expect continuity of the prevailing front setbacks.
- The porches to the dwellings which encroach the setback do not exceed the maximum allowable height of 3.6 metres.

**Complies with objective**Clause 55.04-6 B22 Overlooking

- The ground floors of the proposed dwellings are less than 0.8 metres above natural ground level at the boundary. The proposed 2.0 metre high Colourbond fence on the northern boundary and the existing adjoining garage wall along the western boundary will sufficiently limit overlooking of adjoining sensitive areas.



- The development is designed to limit views into neighbouring secluded private open space and habitable room windows.
- All upper storey windows appear to be appropriately designed and/or screened to ensure no overlooking, with fixed obscure glass to 1,700mm. However, this must be confirmed by condition on any approval. Internal elevations of Unit 2 will also be requested.

### **Complies subject to conditions**

#### Clause 55.05-4 B28 Private Open Space

- The development provides adequate private open space (pos) for the reasonable recreation and service needs of residents.
- This is achieved through the provision of 40 square metres of secluded private open space at the rear and front of each dwelling with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room.

	<b>Total POS</b>	<b>Secluded POS</b>	<b>Minimum dimension of secluded POS</b>
Dwelling 1	98 square metres	36.5 square metres	5.0 metres
Dwelling 2	86 square metres	37 square metres	3.8 metres
Dwelling 3	115 square metres	38.6 square metres	3.015 metres

- All secluded private open space areas are oriented to the north and have direct access from a living room.

### **Complies**

#### **Clause 52.06 Car Parking**

#### Number of Parking Spaces Required

- Two (2) car parking spaces are provided for each of the three (3) bedroom dwellings with one (1) space within a garage.
- No visitor car parking is required.

#### Design Standards for Car parking

- The car parking spaces, the carports, the garaging and the access ways have appropriate dimension to enable efficient use and management.
- The car parking facilities are designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.
- Garage dimensions of 6.0 metres length x 3.5 metres width comply with the minimum requirements of the standard.
- Access dimensions to the car spaces comply with the standard.
- Visibility splays are required at the access way interface with the footpath to protect pedestrians. This can be requested as a condition of any approval.

# CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
<b>55.02-1</b>	<b>B1</b>	<b>Neighbourhood character</b>		
		Please see assessment in the body of this report.	N	Y
<b>55.02-2</b>	<b>B2</b>	<b>Residential policy</b>		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
<b>55.02-3</b>	<b>B3</b>	<b>Dwelling diversity</b>		
		N/A as development contains less than 10 dwellings	N/A	N/A
<b>55.02-4</b>	<b>B4</b>	<b>Infrastructure</b>		
		Adequate infrastructure exists to support new development	Y	Y
<b>55.02-5</b>	<b>B5</b>	<b>Integration with the street</b>		
		The dwelling appropriately integrate with the Street.	Y	Y
<b>55.03-1</b>	<b>B6</b>	<b>Street setback</b>		
		Please see assessment in the body of this report.	N	Y
<b>55.03-2</b>	<b>B7</b>	<b>Building height</b>		
		7.6 metres	Y	Y
<b>55.03-3</b>	<b>B8</b>	<b>Site coverage</b>		
		48.11%.	Y	Y
<b>55.03-4</b>	<b>B9</b>	<b>Permeability</b>		
		42.36%	Y	Y
<b>55.03-5</b>	<b>B10</b>	<b>Energy efficiency</b>		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties.	Y	Y
<b>55.03-6</b>	<b>B11</b>	<b>Open space</b>		
		N/A as the site does not abut public open space.	N/A	N/A
<b>55.03-7</b>	<b>B12</b>	<b>Safety</b>		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
<b>55.03-8</b>	<b>B13</b>	<b>Landscaping</b>		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
<b>55.03-9</b>	<b>B14</b>	<b>Access</b>		
		Access is sufficient and respects the character of the area.	Y	Y

Clause	Std		Compliance	
			Std	Obj
<b>55.03-10</b>	<b>B15</b>	<b>Parking location</b>		
		Parking facilities are proximate to the dwellings they serve, the access is observable, habitable room windows are sufficiently set back from access ways.	Y	Y
<b>55.04-1</b>	<b>B17</b>	<b>Side and rear setbacks</b>		
		Dwellings are set back in accordance with the requirements of this standard.	Y	Y
<b>55.04-2</b>	<b>B18</b>	<b>Walls on boundaries</b>		
		Length: 13.6 metres (west) and 6.46 metres (north) Height: 3.2 metres Allowable length: 15.17 metres (west) and 11.275 metres (north) Walls on boundaries comply with the requirements of this standard.	Y	Y
<b>55.04-3</b>	<b>B19</b>	<b>Daylight to existing windows</b>		
		Sufficient setbacks exist to allow adequate daylight	Y	Y
<b>55.04-4</b>	<b>B20</b>	<b>North-facing windows</b>		
		There are no north facing windows within 3.0 metres of the common boundary with the subject site.	Y	Y
<b>55.04-5</b>	<b>B21</b>	<b>Overshadowing open space</b>		
		Shadow cast by the development is within the parameters set out by the standard.	Y	Y
<b>55.04-6</b>	<b>B22</b>	<b>Overlooking</b>		
		Please see assessment in the body of this report.	Y	Y
<b>55.04-7</b>	<b>B23</b>	<b>Internal views</b>		
		Internal views are addressed through screening required to prevent overlooking of adjoining properties.	Y	Y
<b>55.04-8</b>	<b>B24</b>	<b>Noise impacts</b>		
		Noise impacts are consistent with those in a residential zone.	Y	Y
<b>55.05-1</b>	<b>B25</b>	<b>Accessibility</b>		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
<b>55.05-2</b>	<b>B26</b>	<b>Dwelling entry</b>		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	Y	Y
<b>55.05-3</b>	<b>B27</b>	<b>Daylight to new windows</b>		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y

Clause	Std		Compliance	
			Std	Obj
<b>55.05-4</b>	<b>B28</b>	<b>Private open space</b>		
		Please see assessment in the body of this report.	Y	Y
<b>55.05-5</b>	<b>B29</b>	<b>Solar access to open space</b>		
		Sufficient depth is provided for adequate solar access.	Y	Y
<b>55.05-6</b>	<b>B30</b>	<b>Storage</b>		
		Sufficient storage areas are provided.	Y	Y
<b>55.06-1</b>	<b>B31</b>	<b>Design detail</b>		
		Design detail of dwellings is appropriate in the neighbourhood setting.	Y	Y
<b>55.06-2</b>	<b>B32</b>	<b>Front fences</b>		
		No front fence is proposed which is acceptable.	Y	Y
<b>55.06-3</b>	<b>B33</b>	<b>Common property</b>		
		No common property is proposed.	N/A	N/A
<b>55.06-4</b>	<b>B34</b>	<b>Site services</b>		
		Sufficient areas for site services are provided.	Y	Y

## REFERRAL SUMMARY

Department/Authority	Response
Transport Management and Planning	No objection, subject to condition included in recommendation: a. New vehicle crossings must be designed and constructed in accordance with Council's engineering design standards and specifications. b. All redundant crossovers must be reconstructed with full kerb and channel to the satisfaction of the responsible authority.
Capital Works	No objection, subject to condition included in recommendation. Stormwater discharge from the site is to be Council requirements.
Darebin Parks	No objection, subject to condition included in recommendation that tree protection to adjoining and nature-strip trees be provided generally in accordance with the arborist report provided with the application.

## PLANNING SCHEME SUMMARY

### Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08-4 – Construct two or more dwellings on a lot.

**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	21.02-3; 21.03-2; 21.03-3; 21.03-4; 21.05; 22.02
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 55
General provisions	65.01
Neighbourhood Character Precinct	G3

**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

**DISCLOSURE OF INTERESTS**

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

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

**RELATED DOCUMENTS**

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







# POINTS OF INTEREST

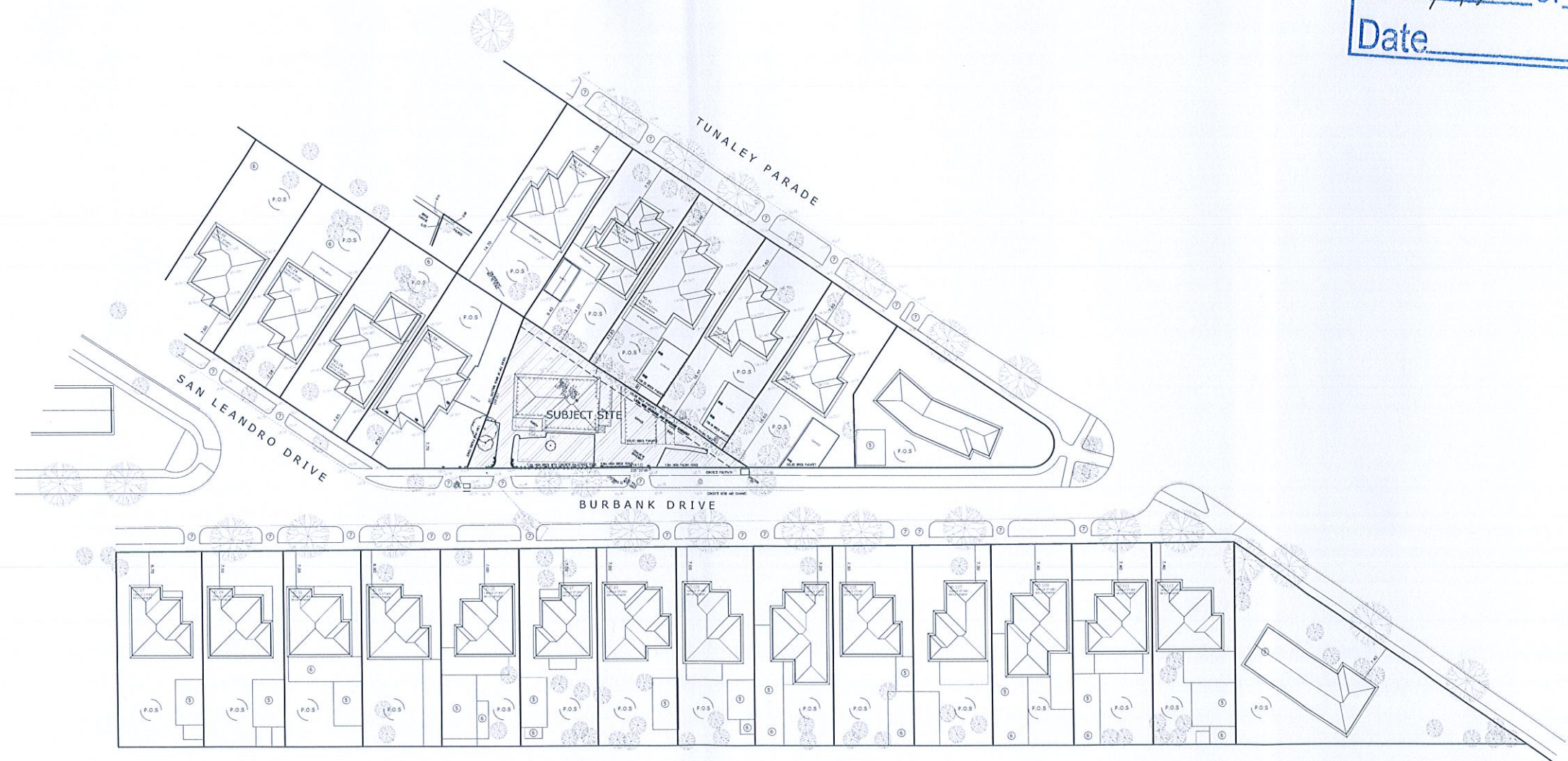
- 9 | 300M I W DOLE RESERVE
- 10 | 500M RESERVOIR VIEWS PRIMARY SCHOOL
- 11 | 900M KEON PARK TRAIN STATION
- 12 | 1.4KM PARADE COLLEGE
- 13 | 1.6KM LA TROBE UNIVERSITY
- 14 | 1.7KM BROADWAY SHOPPING STRIP
- 15 | 11.5KM MELBOURNE CBD



# LEGEND

- UNIT DEVELOPMENT
- 1 EXISTING SINGLE STOREY BRICK VENEER
- 2 EXISTING DOUBLE STOREY BRICK VENEER
- 3 EXISTING SINGLE STOREY WEATHER BOARD
- 4 EXISTING DOUBLE STOREY WEATHER BOARD
- 5 EXISTING GARAGE
- 6 EXISTING SHED
- 7 EXISTING CROSSEVER
- 8 PRIVATE OPEN SPACE

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 Date



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 14 APR 2016  
 CITY OF DAREBIN  
 STATUTORY PLANNING

NEIGHBORHOOD AND SITE DESCRIPTION 1:500

BUILDER / CONTRACTOR SHALL VERIFY JOB DIMENSIONS BEFORE ANY JOB COMMENCES. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED WORK. WORK SHALL CONFORM THE SPECIFICATION, OTHER DRAWINGS AND JOB DIMENSIONS. ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE DRAFTSPERSON, AND MANUFACTURE SHALL NOT COMMENCE PRIOR TO THE RETURN OF INSPECTED SHOP DRAWINGS SIGNED BY DRAFTSPERSON.

(CAD) A1

REV. BY. DATE. DESCRIPTION.

PROJECT.  
 3 UNIT DEVELOPMENT  
 60 BURBANK DRIVE,  
 RESERVOIR VIC 3073

CLIENT.  
 XXX

JOB NO. 2015/09

SCALE. AS SHOWN

DRAWN BY. MERAQ BUILDING DESIGNERS

DATE. 29/03/2016

**MERAQ**  
 BUILDING DESIGNERS

MERAQ BUILDING  
 DESIGNERS  
 36 MASON STREET NEWPORT, 3015  
 P. 9391 0023 E. dajvis@meraq.com.au  
 ABN. 85146959775

#  
**01**



# POINTS OF INTEREST

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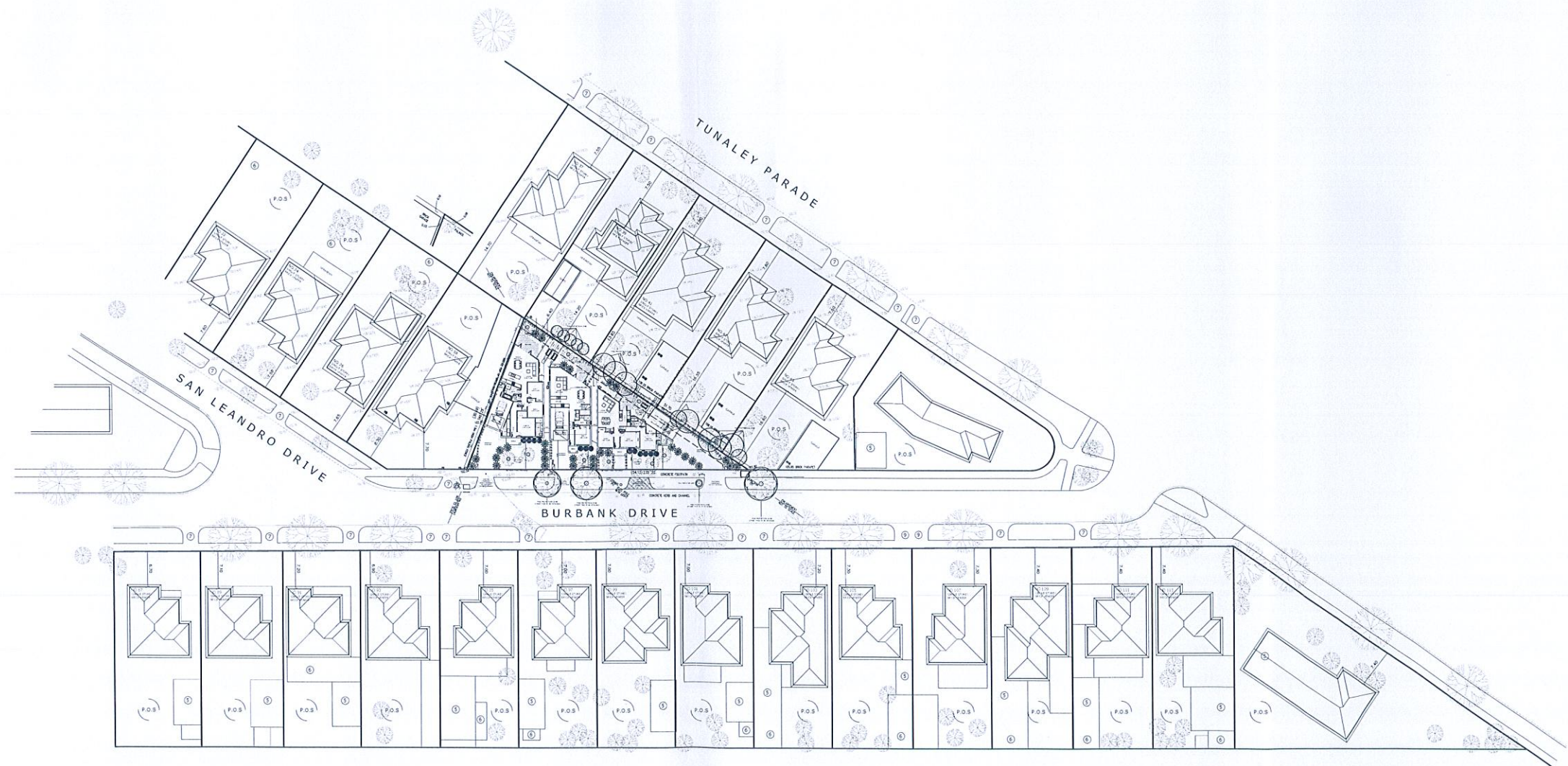
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- 6 | EXISTING GARAGE
- 7 | EXISTING SHED
- 8 | EXISTING CROSSOVER
- 9 | PRIVATE OPEN SPACE

ADVERTISED

A35 of

Date



DESIGN RESPONSE 1:500

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ABN. 85146959775

#  
02



## DEVELOPMENT SUMMARY

DWELLING ONE  
TOTAL GROUND AREA: 145.81SQM  
PRIVATE OPEN SPACE: 40.87SQM  
FRONT SETBACK: 57.31SQM  
OFF STREET PARKING: 2 SPACES  
SITE COVERAGE: 18.81%

DWELLING TWO  
TOTAL GROUND AREA: 108.48SQM  
PRIVATE OPEN SPACE: 63.68SQM  
FRONT SETBACK: 22.21SQM  
OFF STREET PARKING: 2 SPACES  
SITE COVERAGE: 14.00%

DWELLING THREE  
TOTAL GROUND AREA: 118.46SQM  
PRIVATE OPEN SPACE: 41.09SQM  
FRONT SETBACK: 74.04SQM  
OFF STREET PARKING: 2 SPACES  
SITE COVERAGE: 15.28%

TOTAL  
ALLOTMENT SIZE: 774.78SQM  
TOTAL GROUND AREA: 372.75SQM  
OFF STREET PARKING: 6 SPACES  
PERMEABLE AREA: 328.26SQM  
(42.36%)  
SITE COVERAGE: 48.11%

## TREE PROTECTION ZONE

A SUITABLE TREE PROTECTION ZONE OF 2.0 METRE RADIUS WITH BARRIER FENCE MUST BE ESTABLISHED AROUND THE STREET TREE ON THE SUBJECT SITE FRONTAGE. THE PROTECTION ZONE MUST BE ENCLOSED USING A 2 METRE HIGH TEMPORARY CYCLONE FENCE OR SIMILAR, WHICH MUST REMAIN IN PLACE THROUGH ALL STAGES OF THE DEVELOPMENT. THIS FENCE MUST NOT ENCLOSE THE FOOTPATH WHICH MUST BE KEPT CLEAR FOR PEDESTRIAN ACCESS AND A SIGN MUST BE ERECTED ON THE FENCE INFORMING THAT THE FENCE IS A 'TREE PROTECTION ZONE'. THE AREA WITHIN THE TREE PROTECTION ZONE MUST NOT BE DISTURBED BY ANY MEANS INCLUDING PARKING OF VEHICLES OR STORAGE OF PLANT & EQUIPMENT, MATERIALS, SOIL OR WASTE. NO EXCAVATION IS ALLOWED WITHIN THE TREE PROTECTION ZONE EXCEPT WITH THE CONSENT OF COUNCIL'S TOWN PLANNING DEPARTMENT & UNDER THE SUPERVISION OF A QUALIFIED ARBORIST.

# ADVERTISED

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Date



# BURBANK DRIVE

GROUND FLOOR 1:100

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**STATUTORY PLANNING**

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03



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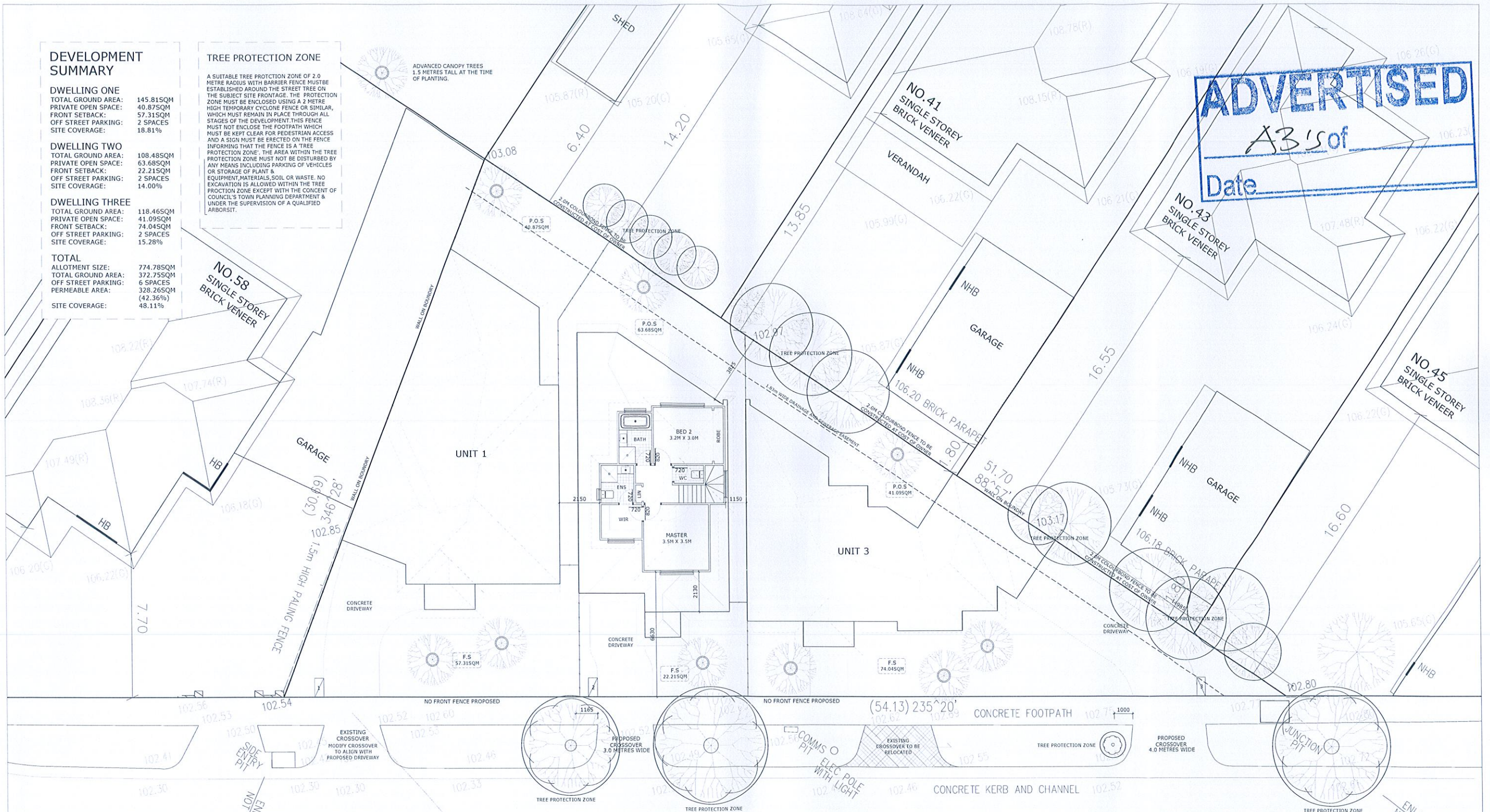
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ADVANCED CANOPY TREES  
1.5 METRES TALL AT THE TIME  
OF PLANTING.



# BURBANK DRIVE

GROUND FLOOR 1:100

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04

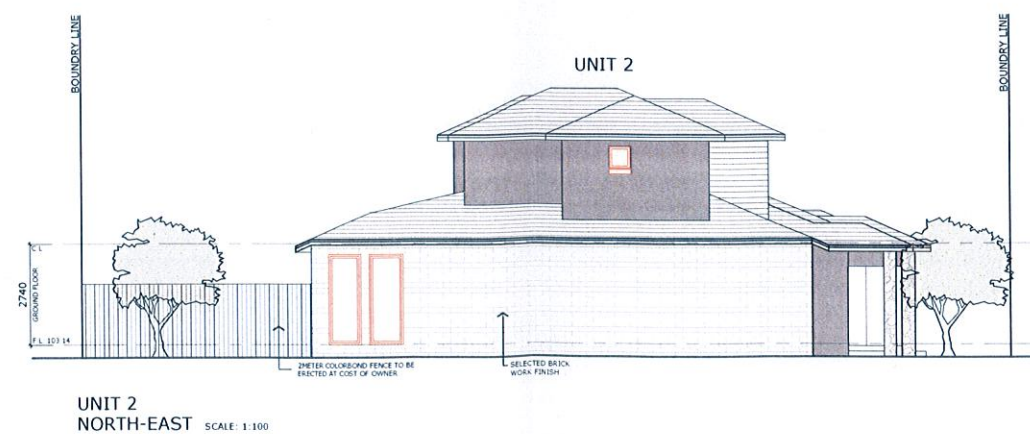
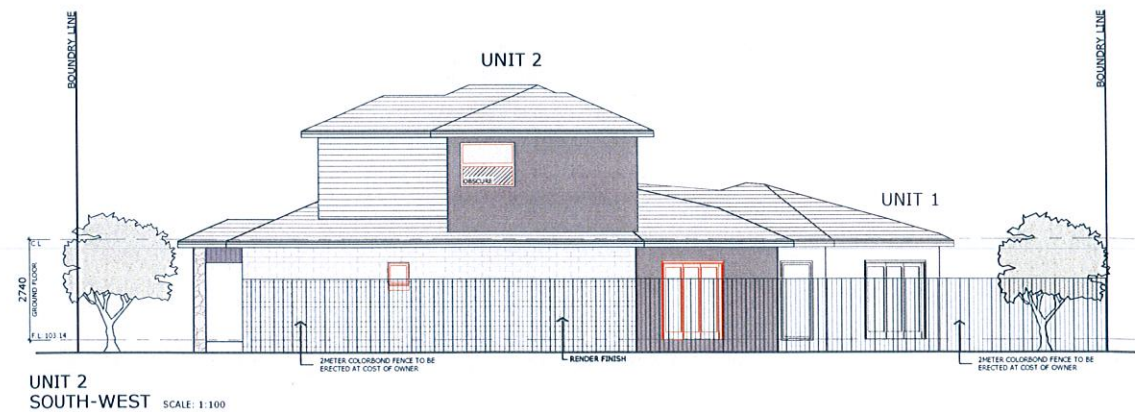
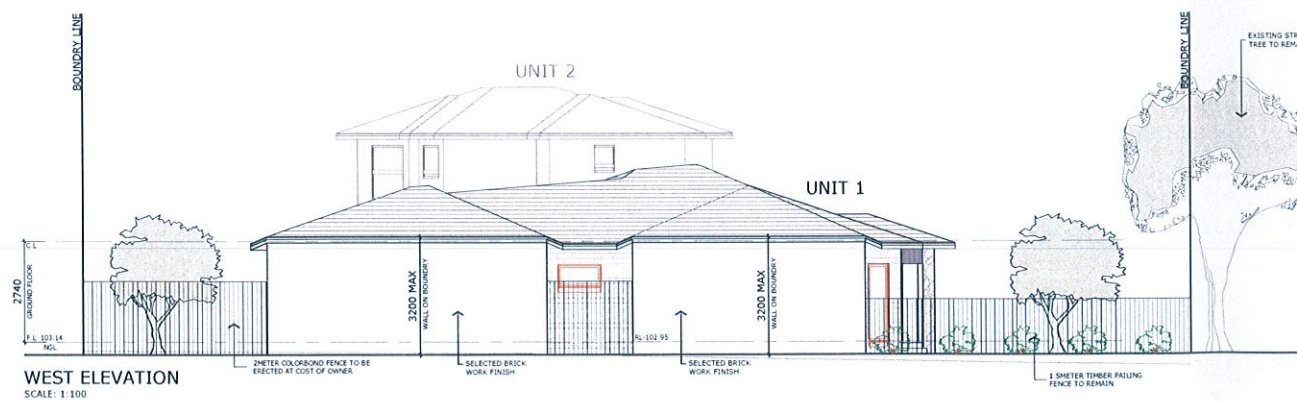
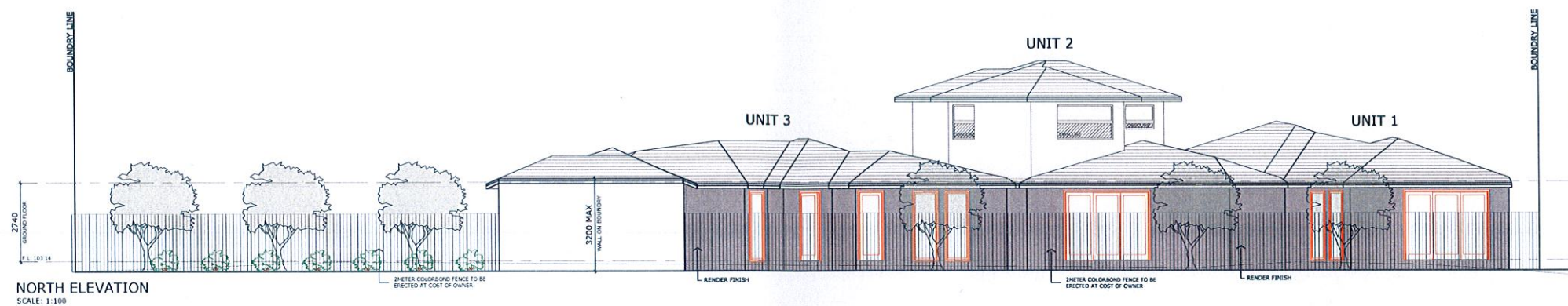
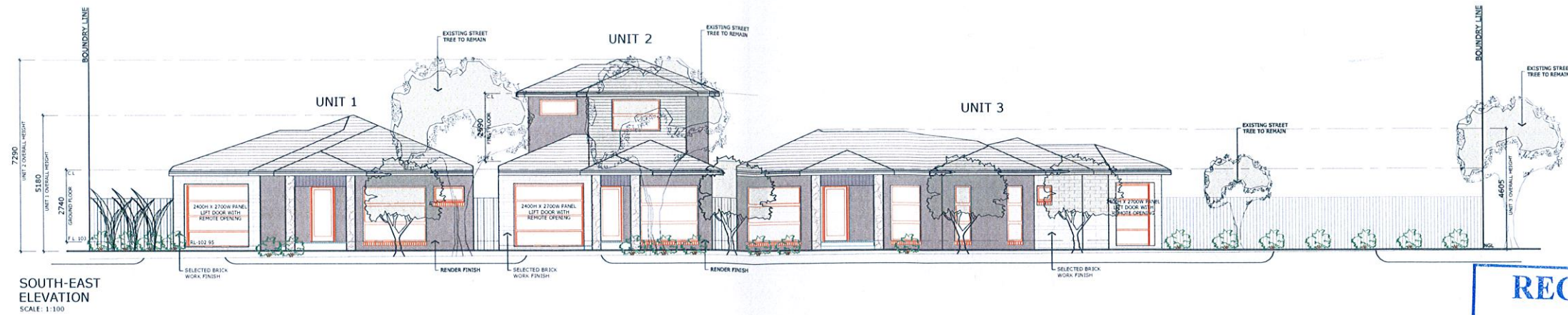
**ADVERTISED**  
A35 of  
Date

**RECEIVED ON**  
14 APR 2016  
CITY OF DAREBIN  
STATUTORY PLANNING



# ELEVATION LEGEND

COLOURBOND ROOF @ 22.5° PITCH
CONCRETE ROOF @ 22.5° PITCH
SCYON "ARION" CLADDING 450MM
SCYON "ARION" CLADDING 113MM
SCYON "LINEA" WEATHERBOARD 150MM
SCYON "LINEA" WEATHERBOARD 180MM
SCYON "STREA" CLADDING 113MM
SCYON "MATRIX" CLADDING
SELECTED RENDER LIGHT
SELECTED RENDER DARK
SELECTED BRICK WORK
SELECTED STONE WORK



BUILDER / CONTRACTOR SHALL VERIFY JOB DIMENSIONS BEFORE ANY JOB COMMENCES. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED WORK. WORK SHALL CONFORM THE SPECIFICATION, OTHER DRAWINGS AND JOB DIMENSIONS. ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE DRAFTSPERSON, AND MANUFACTURE SHALL NOT COMMENCE PRIOR TO THE RETURN OF INSPECTED SHOP DRAWINGS SIGNED BY DRAFTSPERSON.

(CAD) A1

REV. BY. DATE. DESCRIPTION.

PROJECT.  
3 UNIT DEVELOPMENT  
60 BURBANK DRIVE,  
RESERVOIR VIC 3073

CLIENT.  
XXX

JOB NO. 2015/09

SCALE. AS SHOWN

DRAWN BY. MERAQ BUILDING DESIGNERS

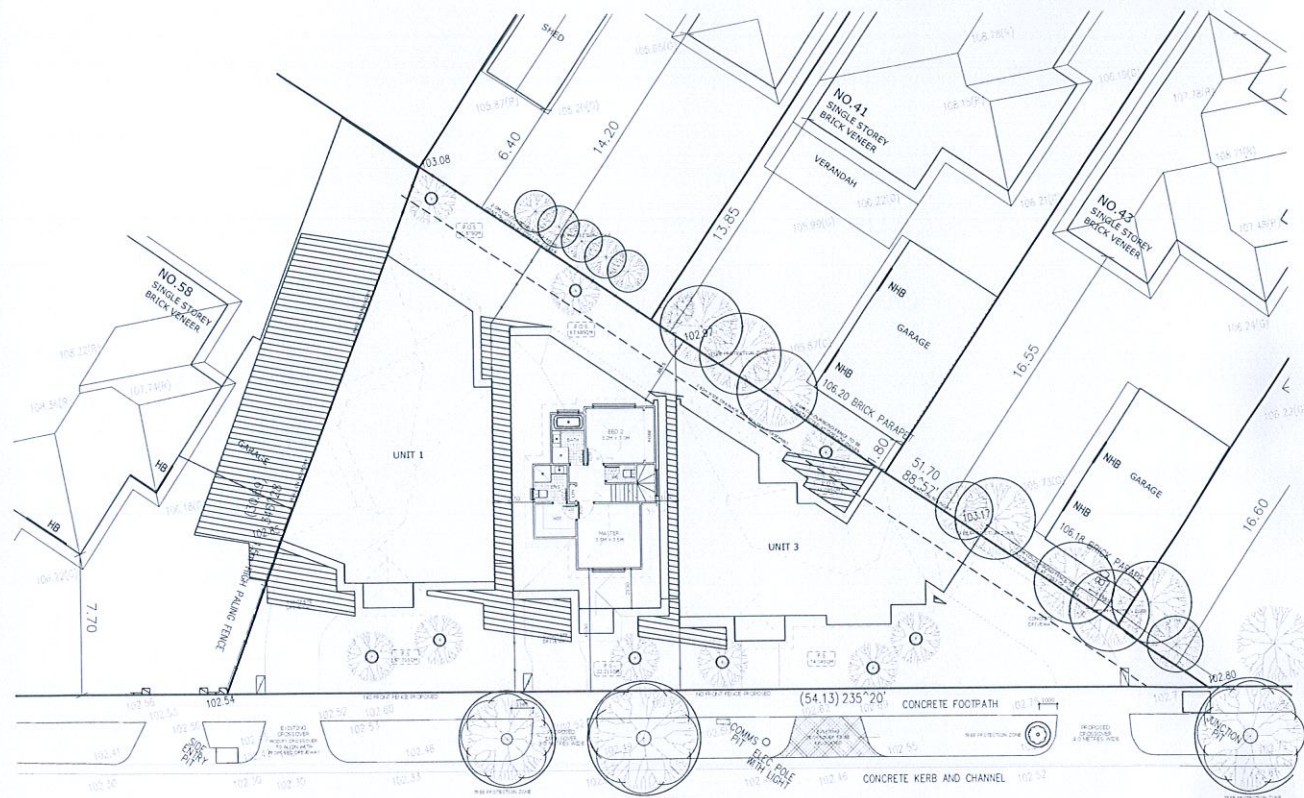
DATE. 15/07/2016

**MERAQ**  
BUILDING DESIGNERS

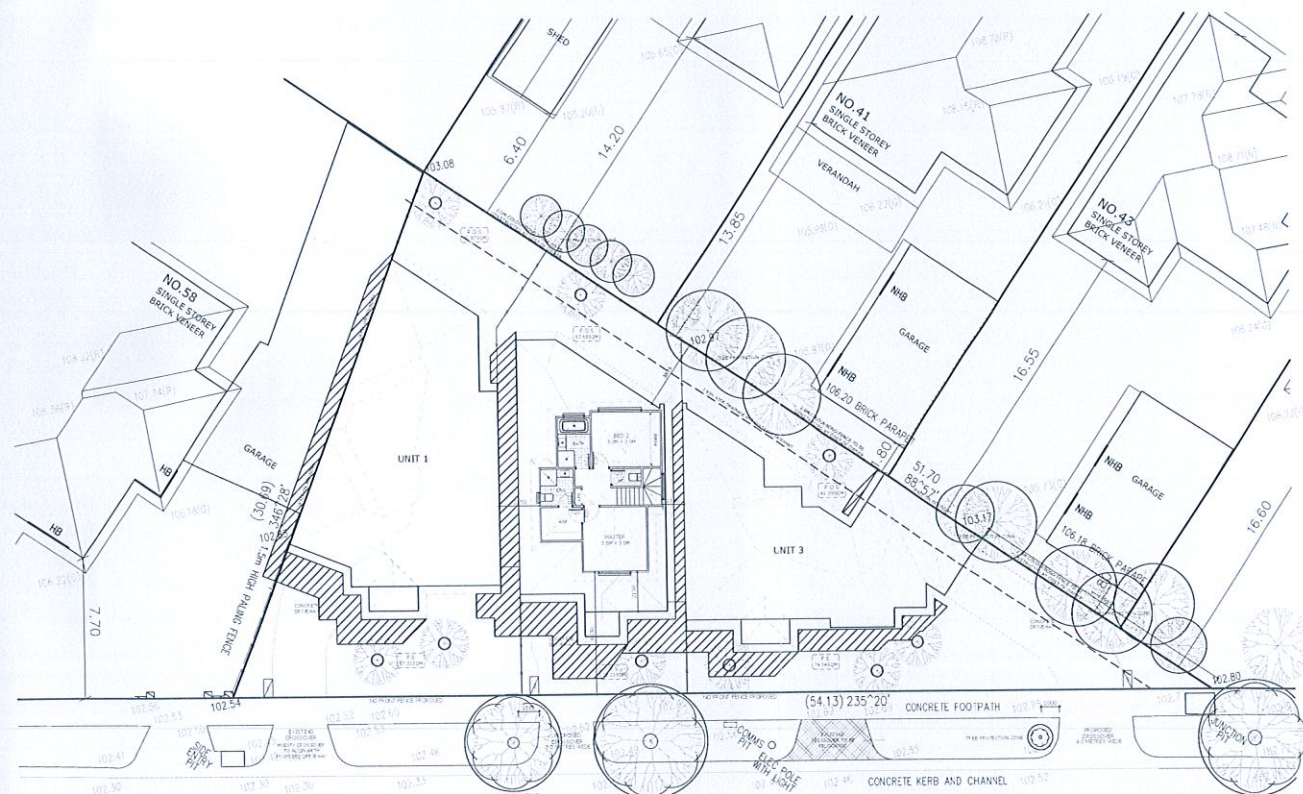
MERAQ BUILDING  
DESIGNERS  
36 MASON STREET NEWPORT, 3015  
P. 9391 0023 E. dajvis@meraq.com.au  
ABN. 85146959775

#  
**05**

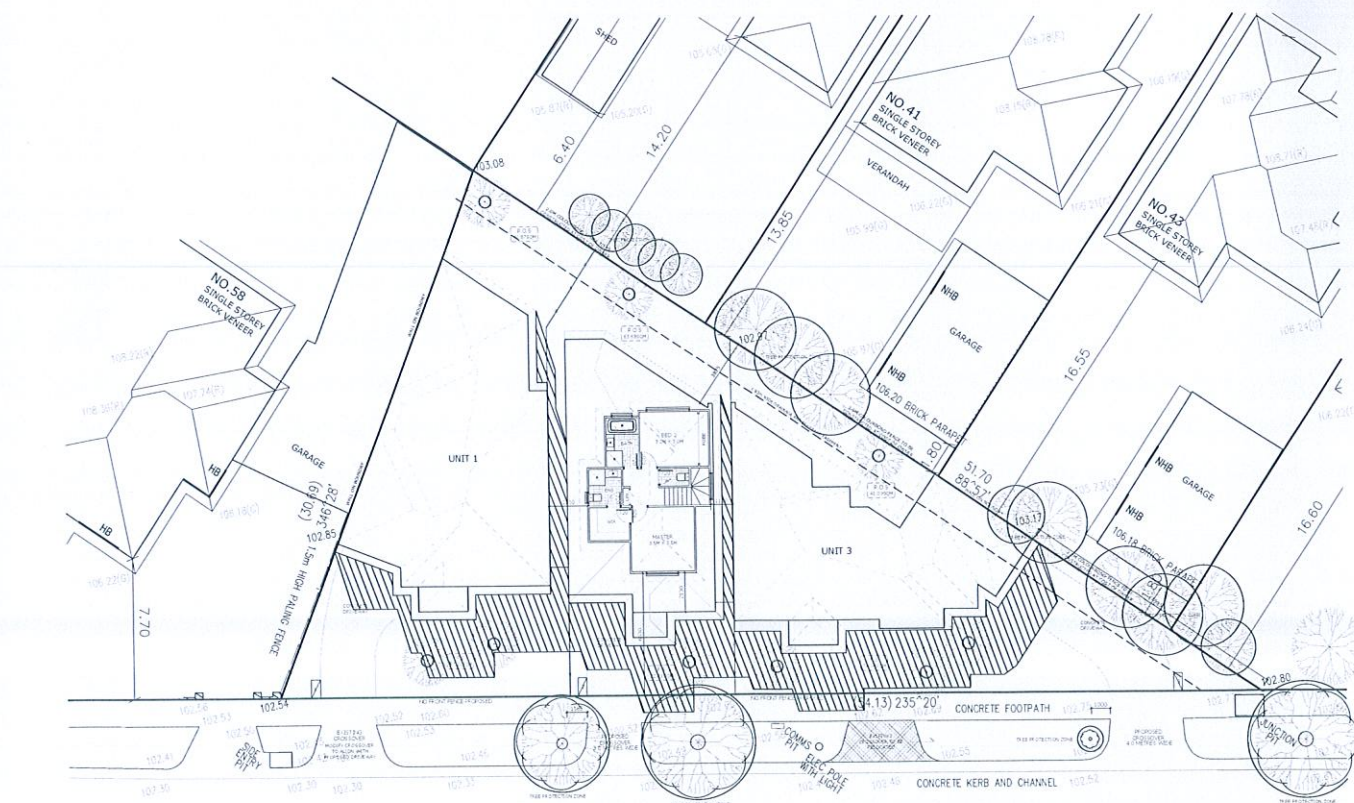




BURBANK DRIVE



BURBANK DRIVE



BURBANK DRIVE

Shadow Diagram: 1:200 9am  
March 21 - September 23 (Equinox)  
Standard Time  
Melbourne (Latitude 38.0° South)

**ADVERTISED**  
A315 of  
Date

Shadow Diagram: 1:200 12:00pm  
March 21 - September 23 (Equinox)  
Standard Time  
Melbourne (Latitude 38.0° South)

Shadow Diagram: 1:200 3pm  
March 21 - September 23 (Equinox)  
Standard Time  
Melbourne (Latitude 38.0° South)

**RECEIVED ON**  
  
14 APR 2016  
  
CITY OF DAREBIN  
STATUTORY PLANNING

SHADOW DIAGRAMS 1:200

BUILDER / CONTRACTOR SHALL VERIFY JOB DIMENSIONS BEFORE ANY JOB COMMENCES. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED WORK. WORK SHALL CONFORM THE SPECIFICATION, OTHER DRAWINGS AND JOB DIMENSIONS. ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE DRAFTSPERSON, AND MANUFACTURE SHALL NOT COMMENCE PRIOR TO THE RETURN OF INSPECTED SHOP DRAWINGS SIGNED BY DRAFTSPERSON.

(CAD) A1

REV. BY. DATE. DESCRIPTION.

PROJECT.  
3 UNIT DEVELOPMENT  
60 BURBANK DRIVE,  
RESERVOIR VIC 3073

CLIENT.  
XXX

JOB NO. 2015/09

SCALE. AS SHOWN

DRAWN BY. MERAQ BUILDING DESIGNERS

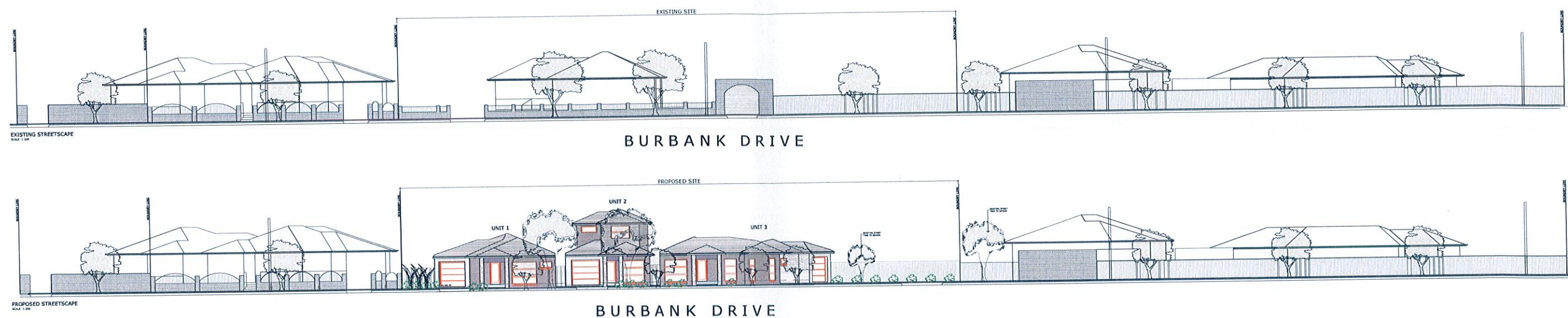
DATE. 29/03/2016

**MERAQ**  
BUILDING DESIGNERS

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ABN. 85146959775

#  
**06**





BUILDER / CONTRACTOR SHALL VERIFY JOB DIMENSIONS BEFORE ANY JOB COMMENCES. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALED WORK. WORK SHALL CONFORM THE SPECIFICATION, OTHER DRAWINGS AND JOB DIMENSIONS. ALL SHOP DRAWINGS SHALL BE SUBMITTED TO THE DRAFTSPERSON, AND MANUFACTURE SHALL NOT COMMENCE PRIOR TO THE RETURN OF INSPECTED SHOP DRAWINGS SIGNED BY DRAFTSPERSON.

(CAD) A1

REV. BY. DATE. DESCRIPTION.

PROJECT.  
3 UNIT DEVELOPMENT  
60 BURBANK DRIVE,  
RESERVOIR VIC 3073

CLIENT.  
XXX

JOB NO. 2015/09

SCALE. AS SHOWN

DRAWN BY. MERAQ BUILDING DESIGNERS

DATE. 15/07/2016

MERAQ  
BUILDING DESIGNERS

MERAQ BUILDING  
DESIGNERS

36 MASON STREET NEWPORT, 3015  
P. 9391 0023 E. dajvis@meraq.com.au  
ABN. 85146959775

#  
07

**5.2 APPLICATION FOR PLANNING PERMIT D/934/2015**

254-256 Murray Road, Preston

**AUTHOR: Principal Planner – Jolyon Boyle****DIRECTOR: Director Assets and Business Services – Steve Hamilton****OWNER/APPLICANT/CONSULTANT:**

<b>Applicant</b>	<b>Owner</b>
C Kairouz Architects	David Lin

**SUMMARY:**

- Development of a three (3) storey building comprising seven (7) dwellings. Five (5) three (3) bedroom and two (2) two (2) bedroom dwellings are proposed. All dwellings have access to a balcony and courtyard.
- 12 resident car parking spaces are provided at basement level. No visitor car parking is provided where the Planning Scheme recommends one (1) space.
- The site is zoned General Residential Zone (Schedule 2) and is located in Precinct O where there is strategic support for development of this scale and intensity.
- Seven (7) objections were received against this application.
- The Certificate of Title does not indicate that there is a restrictive covenant which applies to the land.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

**CONSULTATION:**

- Public notice was given via a sign posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the Capital Works Unit, Transport Management and Planning Unit and the ESD officer.

**Recommendation**

**THAT** Planning Permit Application D/934/2015 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority.

The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as: A07, A08, A09, A10, A11, A12, A13, A14, A15 and A16, dated 12 May 2016, Job No CKA14-022, prepared by C. Kairouz Architects) but modified to show:

- a) Any modifications in accordance with the Sustainable Design Statement (Refer to Condition No. 4 of this Permit).
- b) Any modifications in accordance with the Waste Management Plan (Refer to Condition No. 5 of this Permit). Waste collections must be limited to two (2) collections per week.
- c) A landscape plan in accordance with Condition No. 6 of this Permit.
- d) A comprehensive schedule of external materials, colours and finishes (including colour samples). Construction materials are to be low maintenance. External materials and finishes (including glazing) are to be of a low reflectivity level. The use of painted surfaces must be minimised.

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

- e) Fixed horizontal external shading devices to all north elevation windows.
- f) Vertical retractable external shading devices to all east and west elevation windows and or balconies.
- g) 6 cubic metres of external storage to each dwelling.
- h) The location of all plant and equipment (including air conditioners, solar panels, solar hot water systems as outlined in the Sustainable Design Assessment). These are to be screened to be minimally visible from the public and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building. Solar hot water tanks are to be flush mounted on the roof and not elevated on stands.

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

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

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

- Before this Permit expires;
  - Within six (6) months after the expiry date; or
  - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
4. Before the development starts, a Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority.

The SDA must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SDA.

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

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

The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (ie. cardboard paper plastic and metals recycling or comingled waste, general waste and even organic waste), types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles and any other relevant matter. The plan must require that collection be undertaken by a private contractor.

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

6. Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
  - a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
  - b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
  - c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the responsible authority.
  - d) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
  - e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.



- f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
  - g) Hard paved surfaces at all entry points to dwellings.
  - h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
  - i) Type and details of edge treatment between all changes in surface (e.g. Grass (lawn), gravel, paving and garden beds).
  - j) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
  - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
  - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
9. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
10. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
11. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
12. All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
13. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to the basement and car parking spaces and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
- The external lighting must be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land, to the satisfaction of the Responsible Authority.

14. Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
15. The land must be drained to the satisfaction of the Responsible Authority.
16. With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
17. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
18. Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
19. Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
  - a) Constructed;
  - b) Properly formed to such levels that they can be used in accordance with the plans;
  - c) Surfaced with an all-weather sealcoat;
  - d) Line marked and;
  - e) Drainedto the satisfaction of the Responsible Authority.

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

## NOTATIONS

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

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

If any other modifications are proposed, application must also be made for their approval under the relevant sections of the *Planning and Environment Act 1987*. They can only be approved once the required and consequential changes have been approved and the plans endorsed.

It is possible to approve such modifications without notice to other parties, but they must be of limited scope. Modifications of a more significant nature may require a new permit application.

- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin

<b>Report</b>
---------------

## INTRODUCTION AND BACKGROUND

- D/519/2014 - Construction of a three (3) storey building comprising 10 dwellings and a reduction to the car parking requirement – Refused – 21 August 2015
- D/766/2014 - Construction of a three storey building (plus basement) comprising 16 dwellings – Permit – 02 June 2010
- D/670/2008 - Use and development of the land for the purposes of a boarding house – Permit – 29 May 2009
- D/324/1992 - Buildings and works – Permit issued 23 December 1992
- D/35/1990 - Counselling centre – Permit issued 13 February 1990
- D/416/1989 - Counselling centre – Permit issued 09 August 1990
- D/186/1984 - Erect temporary toilet block – Permit issued 31 January 1984
- D/177/1982 - Place of worship – Permit issued 11 June 2002
- D/112/1982 - Church hall – Permit issued 05 February 2002

## ISSUES AND DISCUSSION

### Subject site and surrounding area

- The land is regular in shape and measures 32 metres in length and 24 metres in width with a site area of 795 square metres.
- The land is located within the General Residential Zone (Schedule 2)
- Murray Road is classified as a Road Zone Category 1.
- The land is located on the north side of Murray Road, between High Street to the west and Central Avenue to the east.
- The site is relatively flat.
- A right of way (ROW) is located to the rear.
- An easement is located adjacent the west boundary.
- The Preston Structure Plan envisages a maximum height of three (3) storeys for this site and other site's located on the Murray Road.
- The site is occupied by two (2) attached single storey weatherboard, brick and fibro cement buildings setback a minimum of 2.4 metres from the street frontage. The buildings have been used as residential dwellings, a nursing home and student accommodation. The buildings have undergone various modifications and additions, which have severely altered their original appearance.

The rear of the site comprises a bitumen car park which accommodates five (5) car parking spaces, with vehicle access provided from the ROW to the rear.

- To the east is a single storey weatherboard dwelling setback 1.7 metres from the common boundary and six (6) metres from the street frontage. The rear of the site comprises a single storey shed and approximately 170 square metres of secluded private open space.
- To the west is a single storey weatherboard dwelling setback 2.61 metres from the common boundary and 5.33 metres from the street frontage. The rear of the site comprises two single storey sheds and approximately 120 square metres of secluded private open space. The dwelling is currently vacant and is in a state disrepair. The dwelling was recently granted a section 29A demolition permit. The site is encumbered by Planning D/877/20014. Endorsed plans (amended) were issued on 23 March 2016 to facilitate the development of two (2) double storey semi-detached side by side dwellings. Dwelling 2 located adjacent the common boundary comprises two (2) sections of boundary wall and a small light well providing secondary daylight to a family room and primary daylight to a bathroom and laundry. A further boundary wall associated with the garage is located to the rear.
- To the north beyond the right of way, are the rear yards of 73 and 75 Beauchamp Street, which comprise single storey weatherboard dwellings, setback 10.5 metres and 18 metres from the rear boundary of the site respectively.
- To the south on the opposite side of Murray Road, are single storey brick and weatherboard dwellings
- Shops and other services are located on High Street, a short walk to the east.
- Public transport is available in vicinity of the site along High Street (bus routes 552 and 553, Murray Road (bus routes 527 and 903), trams on Plenty Road (tram route 86) and Preston railway Station.
- On-street parking on Murray Road is subject to a 1.5P (9am-6pm Mon-Fri) on the northern side (site frontage) and subject to a 1P (8.30am-6.30pm Mon-Fri and 8am-12.30pm Sat) restriction on the southern side.

### **Proposal**

- Development of a three (3) storey building comprising seven (7) dwellings. Five (5) three (3) bedroom and two (2) two (2) bedroom dwellings are proposed. All dwellings have access to balcony and courtyard.
- The development is split into two (2) distinct halves comprising four (4) dwellings fronting Murray Road and three (3) dwellings to the rear. A 6.5 to 7.8 metre courtyard separates the two (2) sections.
- 12 car parking spaces are provided at basement level.
- No visitor car parking space is provided where one (1) space is recommended under the Planning Scheme.
- Vehicle access is provided from the ROW to the rear leading to a basement car park.

### **Objections**

- Seven (7) objections have been received.

### **Objections summarised**

- Strategic support

- Neighbourhood character
- Inaccurate plans
- Loss of sunlight to solar panels.
- Overlooking
- Visual bulk / Side and rear setbacks
- Unsafe access to ramp
- Landscaping
- Lack of visitor car parking
- Demand for on street car parking
- Increase in vehicle movements
- Internal amenity
- Sense of address
- Location of bins
- Rubbish collection
- Basement excavation
- Damage to drainage infrastructure
- Property value

Officer comment on summarised objections:

Strategic support:

State planning policies encourage new housing, including a range of housing types, in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. The Municipal Strategic Statement (MSS) states activity centres are the focus for achieving many directions of Plan Melbourne; and that opportunities for incorporating residential development in and around centres need to be identified and quantified.

The MSS identifies Preston Central as one of the largest '*traditional, multi-dimensional*' activity centres in northern Melbourne and a major focus for business, shopping, community, culture and recreation. Land use and development is guided by the Preston Central Structure Plan. Activities that maintain the regional significance of Preston Central and take advantage of opportunities for retail and residential activities in the centre at greater scale and intensity are encouraged.

The future role and character of the site and surrounding area is guided by the objectives of the Preston Central Structure Plan, which encourages an increase in residential density comprising development of up to three (3) storeys. The development meets the broader scope of the Preston Structure Plan, in regard to design, internal amenity and impact upon adjacent properties.

Neighbourhood character:

The future role and character of the site and surrounding area is guided by the objectives of the Preston Central Structure Plan, which encourages an increase in residential density comprising development of up to three (3) storeys.

The development meets the broader scope of the Preston Structure Plan, in regard to design, internal amenity and impact upon adjacent properties.

Inaccurate plans

The design response fails to depict the new double storey dwelling located at 250 Murray Road. Given 250 Murray Road is not an adjacent property this has no bearing on the assessment of the application against Clause 55 including overlooking and overshadowing.

Loss of sunlight to solar panels:

In Ryan v Moreland City Council [2005] VCAT 1361: The proceedings in this case related to the development of a two (2) storey extension. The neighbour objected on the grounds of loss of sunlight and that the energy efficiency of the household would be diminished. These arguments were ultimately rejected by the Tribunal, which stated that it was unreasonable to expect that the proposed development site would remain in its current state and that the dwelling clearly needed to be renovated and brought into today's living standards. Subject to minor changes, the Council's consent to the proposed extension was upheld despite the Tribunal finding that there would be a significant loss of sunlight and a reduction in energy efficiency.

Overlooking:

Windows and balconies are designed to prevent overlooking.

Visual bulk / Side and rear setbacks:

With the exception of section of the east elevation and the rear elevation, all side and rear setbacks comply with Clause 55. A centralised courtyard is also provided which provides a significant break in the built form.

Landscaping:

The surrounding landscape character is generally semi mature and informal with large open spaces and spacious setbacks. The proposal provides sufficient space for landscaping. A landscape plan has been requested as a condition of approval

Lack of visitor car parking:

The development provides a demand for one (1) visitor car parking space. A reduction to the visitor car parking is deemed appropriate given the site's proximity to Preston Central and public transport.

Demand for on street car parking:

The development provides a full complement of resident car parking.

Increase in vehicle movements:

The surrounding street network has sufficient capacity to accommodate the expected increase in vehicle movements arising from the development. Given the sites high level of accessibility shops, services and public transport, some residents of this proposal may also choose to walk or use public transport.

Internal amenity:

The internal amenity of the dwellings is considered to be good. Each dwelling provides a north aspect and cross ventilation. Five (5) dwellings provide three bedrooms. A variety of outdoor areas are provided to each dwelling. The combination of these elements in an apartment development is almost unprecedented.

Sense of address:

An entrance portico is located at the pedestrian entrance adjacent Murray Road. This provides a suitable sense of address and weather protection.

Location of bins:

The location of the bins is appropriate. The bins are located beyond the entrance portico and will not be readily visible from the street.

Rubbish collection

As a condition of approval the applicant will be required to submit a waste management plan detailing the means by which garbage and recyclables will be stored on the site and the time and frequency of collection and location of the collection point. A condition of any approval will require the submission of a waste management plan.

Basement excavation / Potential property damage

Requirements relating to protection of adjoining properties are contained under Regulation 602 of the Building Regulations 2006 (the Regulations). Protection work provides protection from damage to the adjoining property.

This includes but is not limited to under-pinning of adjoining properties' footings; retaining walls where site cuts have occurred; barriers to prevent material from falling on the roof or other part of an adjoining property.

Damage to drainage infrastructure

Any damage to Council assets would be covered by the applicant's insurer.

Property value

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

**PLANNING ASSESSMENT****Preston Central Structure Plan**

The development is assessed against the guidelines below for Precinct O of the Preston Central Structure Plan.

Element	Objective	Comment	Compliance
<b>Design approach for new construction</b>	To achieve contemporary building styles.	<p>The front of the building is arranged into a three (3) storey elevation, with the upper storey setback. The façade is finished in timber and metal cladding, with rendered upper level and inset balconies. The composition of the street elevation is responsive to the residential character of the street and the desired future character.</p> <p>Site services, such as substations, fire booster have not been allowed for in the design. Nonetheless it is unlikely that substation or fire booster would be required for development of this scale. There is space for utility meters.</p>	Complies

Element	Objective	Comment	Compliance
		<p>The location of rooftop services, air conditioning, ESD measures and plant must be detailed on plan.</p> <p>The setback of the proposal from the east and west boundaries are appropriate. While the development will be a relatively large structure in comparison to the adjacent single and double storey dwellings, the site fronts a major transport corridor and is in proximity to an activity centre. The site also has strategic support for the height and scale of development proposed.</p>	
<b>Position on the Site</b>	<p>To maintain consistency of current front setbacks.</p> <p>To maintain the rhythm of building spacing.</p>	<p>The front setback is consistent with adjacent properties.</p> <p>Side setbacks respect the rhythm in the street.</p>	Complies
<b>Height and Form</b>	<p>To avoid abrupt changes in building height.</p> <p>Three storey buildings should minimise the three storey appearance as viewed from the street.</p>	<p>The proposal provides a three (3) storey height (maximum height of 10.85 metres). The upper level is relatively small in footprint and well setback from the side boundaries.</p>	Complies
<b>Vehicle access and storage</b>	<p>To minimise front driveway crossings, loss of front garden space, and dominance of car storage facilities.</p>	<p>The use of the ROW for vehicles to access the car park is supported.</p>	Complies

### Clause 55 Assessment

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



Clause 55.03-1 B17 Side and rear setbacks

## Ground floor

Boundary	Wall height	Required Setback	Proposed setback
North	4.06 metres	1.11 metres	0 – 1 metre
East	3.97 metres	2.06 metres	1 - 4 metres
West	3.91 metres	2 metres	2.13 - 3 metres

## First Floor

Boundary	Wall height	Required Setback	Proposed setback
North	7.06 metres	2.15 metres	2 metres
East	6.97 metres	2.06 metres	1.54 - 4.3 metres
West	6.91 metres	2 metres	2.13 - 2.63 metres

## Second Floor

Boundary	Wall height	Required Setback	Proposed setback
North	10.41 metres	5.5 metres	3.2 metres
East	10.32 metres	5.41 metres	4.9 – 6.25 metres
West	10.40 metres	5.49 metres	4 – 6.13 metres

- The variation to the north boundary setback are appropriate given the site has an interface with an adjacent ROW.
- The varied east and west boundary setbacks are appropriate for the following reasons. The reduced setbacks apply to the front section of the development (dwellings 1 and 4 adjacent the side elevation of neighbouring dwellings).
- The neighbouring dwelling at No.258 Murray Road (west) is vacant and has been issued a section 29A demolition permit. The site is encumbered by Planning D/877/20014. Endorsed plans were issued on 23 March 2016 to facilitate the development of two (2) double storey semi-detached side by side dwellings. Dwelling 2 located adjacent the common boundary comprises two (2) sections of boundary wall and a small light well providing secondary daylight to a family room and primary daylight to a bathroom and laundry. The relationship between the west elevation of the proposed development and the as yet constructed townhouse development is deemed appropriate given the proposed townhouse windows will have sufficient access to daylight in accordance with Rescode.
- The neighbouring property at No. 252 Murray Road (east) comprises a single storey dwelling setback 1.7 metres from the common boundary. The dwelling includes a stain glass porthole window and a bedroom window toward the rear which largely aligns with the east elevation of dwelling 1. The remaining portion of the window aligns with the central courtyard. It is considered that the window will receive sufficient daylight as a result of its partial alignment with the proposed courtyard. The reduced east boundary setback is therefore deemed appropriate and will not unreasonably impact the amenity of the dwelling.

**Complies with objective**

Clause 55.04-6 B22 Overlooking

The development is designed to limit views into neighbouring secluded private open space and habitable room windows. All upper storey windows and balconies are appropriately designed and/or screened to ensure no overlooking.

**Complies**Clause 55.05-4 B28 Private Open Space

The development provides adequate private open space (pos) for the reasonable recreation and service needs of residents. This is achieved through a combination of ground level courtyards and balconies of at least 10 square metres with a minimum width of 1.7 metres and convenient access from a living room.

	<b>Total POS</b>	<b>Secluded POS</b>	<b>Minimum dimension of secluded POS</b>
Dwelling 1	60 square metres	12 square metres (balcony) + 25 square metre courtyard	1.7 metres
Dwelling 2	60 square metres	12 square metres (balcony) + 25 square metre courtyard	2.3 metres
Dwelling 3	60 square metres	12 square metres (balcony) + 25 square metre courtyard	2.3 metres
Dwelling 4	63 square metres	16 square metres (balcony) + 25 square metre courtyard	2.4 metres
Dwelling 5	54.5 square metres	10 square metres (balcony) + 30 square metre courtyard	1.8 metres
Dwelling 6	26.5 square metres	10 square metres (balcony)	1.8 metres
Dwelling 7	26.5 square metres	10 square metres (balcony)	1.8 metres

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

**Complies**

**Clause 52.06 Car Parking**Number of Parking Spaces Required

- One (1) car parking space is provided for each of the two (2) bedroom dwellings.
- Two (2) car parking spaces are provided for each of the three (3) bedroom dwellings.  
All spaces are located at basement level.
- No visitor car parking is provided where the Planning Scheme recommends one (1) space. A reduction to the visitor car parking is demand appropriate given the site's proximity to public transport.

**Complies with objective****CLAUSE 55 COMPLIANCE SUMMARY**

Clause	Std		Compliance	
			Std	Obj
<b>55.02-1</b>	<b>B1</b>	<b>Neighbourhood character</b>		
		Please see assessment in the body of this report.	Y	Y
<b>55.02-2</b>	<b>B2</b>	<b>Residential policy</b>		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
<b>55.02-3</b>	<b>B3</b>	<b>Dwelling diversity</b>		
		N/A as development contains less than 10 dwellings	N/A	N/A
<b>55.02-4</b>	<b>B4</b>	<b>Infrastructure</b>		
		Adequate infrastructure exists to support new development	Y	Y
<b>55.02-5</b>	<b>B5</b>	<b>Integration with the street</b>		
		Dwellings 1, 2, 3 and 4 appropriately integrate with the Street.	Y	Y
<b>55.03-1</b>	<b>B6</b>	<b>Street setback</b>		
		<p>The front setbacks of the adjoining dwellings are 5.33m and 6.06m. The standard therefore requires a setback of 5.695m.</p> <p>The proposed front setback of 4.5m does not comply with the standard, however the design response is considered to be acceptable due to the following:</p> <p>The setback addresses the relevant requirements of the Neighbourhood Character Study, in that it allows adequate provision for landscaping.</p> <p>The front façade is appropriately articulated.</p> <p>The front setback will not result in unreasonable visual bulk when viewed from the street or adjoining properties.</p>	N	Y

Clause	Std		Compliance	
			Std	Obj
		The proposed setbacks result in an efficient use of the site.		
		The existing streetscape is not consistent and provides for varied setbacks		
<b>55.03-2</b>	<b>B7</b>	<b>Building height</b>		
		The proposal provides a maximum height of 10.35m, which does not achieve the recommended height of nine (9). However the upper level is relatively small in footprint and well setback from the side boundaries and is a form encouraged through the Preston Central Structure plan.	N	Y
<b>55.03-3</b>	<b>B8</b>	<b>Site coverage</b>		
		The area covered by buildings should not exceed 60%. The site coverage of the basement is 61.1%. The building footprint accounts for 54.3% of the site, which reflects the preferred neighbourhood character and responds to the features of the site.	N	Y
<b>55.03-4</b>	<b>B9</b>	<b>Permeability</b>		
		38%	Y	Y
<b>55.03-5</b>	<b>B10</b>	<b>Energy efficiency</b>		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties.	Y	Y
<b>55.03-6</b>	<b>B11</b>	<b>Open space</b>		
		N/A as the site does not abut public open space.	N/A	N/A
<b>55.03-7</b>	<b>B12</b>	<b>Safety</b>		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
<b>55.03-8</b>	<b>B13</b>	<b>Landscaping</b>		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
<b>55.03-9</b>	<b>B14</b>	<b>Access</b>		
		Access is sufficient and respects the character of the area.	Y	Y
<b>55.03-10</b>	<b>B15</b>	<b>Parking location</b>		
		Parking facilities are proximate to the dwellings they serve, the access is observable, habitable room windows are sufficiently set back from accessways.	Y	Y
<b>55.04-1</b>	<b>B17</b>	<b>Side and rear setbacks</b>		

Clause	Std		Compliance	
			Std	Obj
		Please see assessment in the body of this report.	N	Y
			Std	Obj
<b>55.04-2</b>	<b>B18</b>	<b>Walls on boundaries</b>		
		Length: 11.2 metres Height: 3.6 metres The height of the wall is approximately 3.6m which is acceptable given the rear of the development interfaces with the ROW.	N	Y
<b>55.04-3</b>	<b>B19</b>	<b>Daylight to existing windows</b>		
		Sufficient setbacks exist to allow adequate daylight. A section of the east elevation (dwelling 1) does not comply with the setback requirement in relation to an affected window located at 252 Murray Road. The affected window aligns partially with the east elevation (dwelling 1) and partially with the internal courtyard. It is considered that the window would receive sufficient daylight.	N	Y
<b>55.04-4</b>	<b>B20</b>	<b>North-facing windows</b>		
		There are no north facing windows within 3.0 metres of the common boundary with the subject site.	N/A	N/A
<b>55.04-5</b>	<b>B21</b>	<b>Overshadowing open space</b>		
		Shadow cast by the development is within the parameters set out by the standard.	Y	Y
<b>55.04-6</b>	<b>B22</b>	<b>Overlooking</b>		
		Please see assessment in the body of this report.	Y	Y
<b>55.04-7</b>	<b>B23</b>	<b>Internal views</b>		
		There are no internal views	Y	Y
<b>55.04-8</b>	<b>B24</b>	<b>Noise impacts</b>		
		Noise impacts are consistent with those in a residential zone.	Y	Y
<b>55.05-1</b>	<b>B25</b>	<b>Accessibility</b>		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
<b>55.05-2</b>	<b>B26</b>	<b>Dwelling entry</b>		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	Y	Y
<b>55.05-3</b>	<b>B27</b>	<b>Daylight to new windows</b>		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
<b>55.05-4</b>	<b>B28</b>	<b>Private open space</b>		
		Please see assessment in the body of this report.	Y	Y

Clause	Std		Compliance	
			Std	Obj
			Std	Obj
<b>55.05-5</b>	<b>B29</b>	<b>Solar access to open space</b>		
		Sufficient depth is provided for adequate solar access.	Y	Y
<b>55.05-6</b>	<b>B30</b>	<b>Storage</b>		
		Sufficient storage areas are provided.	Y	Y
<b>55.06-1</b>	<b>B31</b>	<b>Design detail</b>		
		Design detail of dwellings is appropriate in the neighbourhood setting.	Y	Y
<b>55.06-2</b>	<b>B32</b>	<b>Front fences</b>		
		No front fence is proposed which is acceptable.	Y	Y
<b>55.06-3</b>	<b>B33</b>	<b>Common property</b>		
		Common property areas are appropriate and manageable.	Y	Y
<b>55.06-4</b>	<b>B34</b>	<b>Site services</b>		
		Sufficient areas for site services are provided.	Y	Y

## REFERRAL SUMMARY

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

## PLANNING SCHEME SUMMARY

### Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08 (General Residential Zone – 2) Construction of multiple dwellings.
- Clause 52.06 (Car Parking) – reduction to the visitor car parking requirement.

**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	N/A

**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

**DISCLOSURE OF INTERESTS**

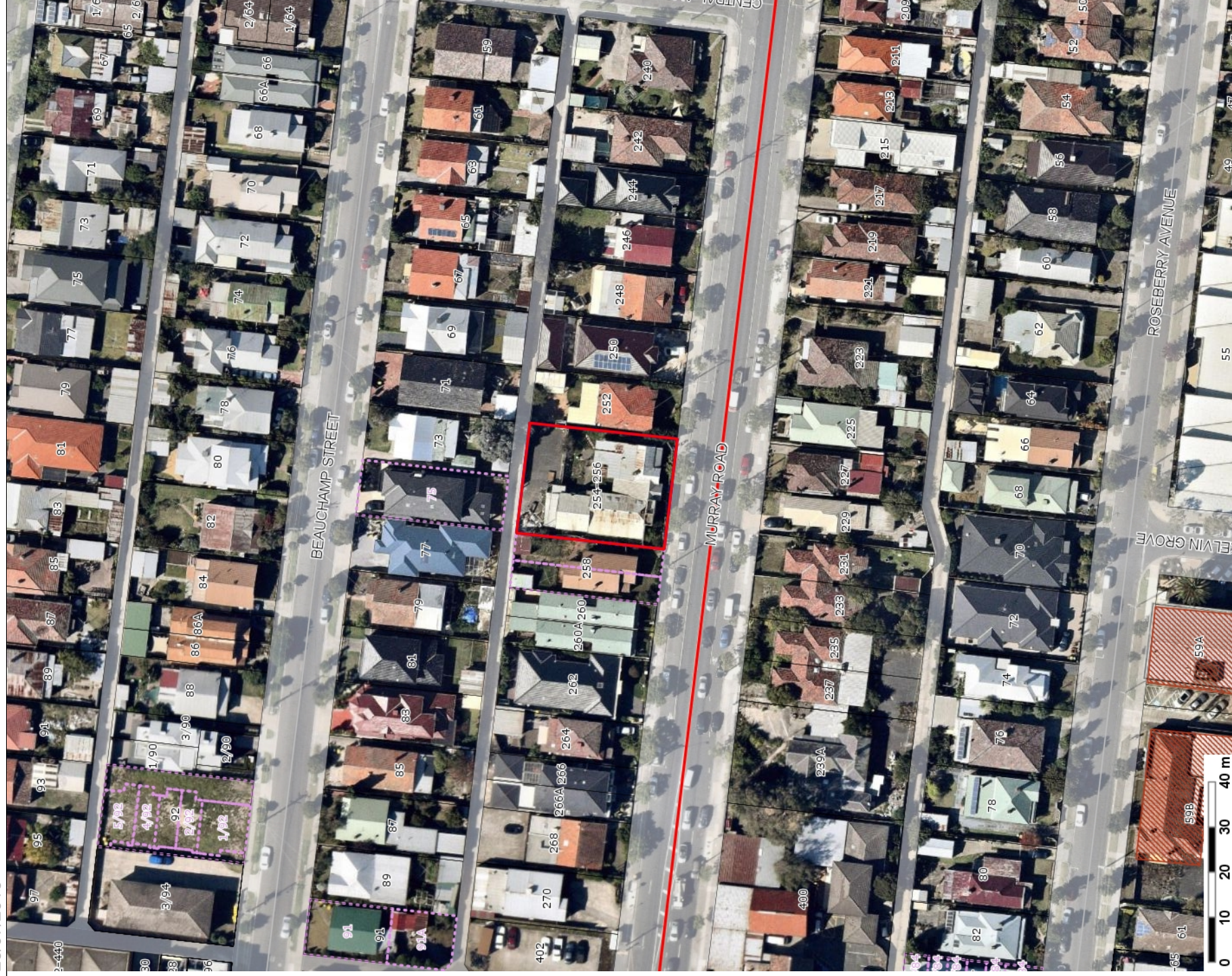
Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

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

**RELATED DOCUMENTS**

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







- A01 AERIAL VIEW
- A02 NEIGHBOURHOOD CHARACTER STUDY
- A03 FEATURE SURVEY
- A04 DESIGN RESPONSE
- A05 EXISTING STREETScape ELEVATION
- A06 PROPOSED STREETScape ELEVATION
- A07 PROPOSED BASEMENT PLAN
- A08 PROPOSED GROUND FLOOR PLAN
- A09 PROPOSED FIRST FLOOR PLAN
- A10 PROPOSED SECOND FLOOR PLAN
- A11 PROPOSED ROOF PLAN
- A12 PROPOSED SOUTH ELEVATION
- A13 PROPOSED NORTH ELEVATION
- A14 PROPOSED WEST ELEVATION
- A15 PROPOSED EAST ELEVATION
- A16 PROPOSED MATERIAL SCHEDULE
- A17 PROPOSED SECTION
- A18 PROPOSED SECTION
- A19 PROPOSED 3D IMAGES
- A20 SHADOW DIAGRAM SEPTEMBER 22- 9AM
- A21 SHADOW DIAGRAM SEPTEMBER 22- 12PM
- A22 SHADOW DIAGRAM SEPTEMBER 22- 3PM

Project:  
  
NEW DEVELOPMENT  
254-256 MURRAY ROAD,  
PRESTON

Stage:  
  
Town Planning Application-REV  
TP05

Client:  
  
Mr. DAVID LIN

Municipality:  
  
Darebin

12.05.2016

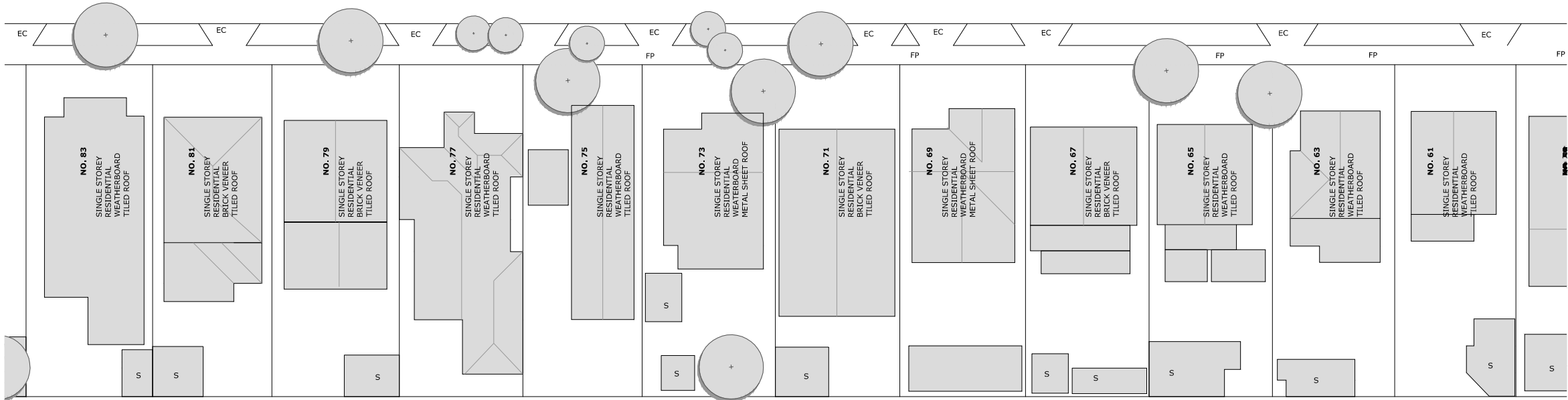
RESCODE ASSESSMENT	AREA m²	COVERAGE %
SITE	795	-
BASEMENT	486.2	61.1
GROUND	432.3	54.3
FIRST	415.6	-
SECOND	215.5	-
PERMEABLE AREA	302	38.0

TH-01 Areas			TH-02 Areas			TH-03 Areas			TH-04 Areas			TH-05 Areas			TH-06 Areas			TH-07 Areas		
Occupancy	Area	Bedrooms	Occupancy	Area	Bedrooms	Occupancy	Area	Bedrooms	Occupancy	Area	Bedrooms	Occupancy	Area	Bedrooms	Occupancy	Area	Bedrooms	Occupancy	Area	Bedrooms
Ground Floor			Ground Floor			Ground Floor			Ground Floor			Ground Floor			Ground Floor			Ground Floor		
P.O.S/Balcony	31 m²		P.O.S/Balcony	25 m²		P.O.S/Balcony	25 m²		P.O.S/Balcony	26 m²		Unit	47 m²		P.O.S/Balcony	9 m²		Unit	56 m²	2
Unit	45 m²		Unit	45 m²		Unit	45 m²		Unit	47 m²		P.O.S/Balcony	31 m²		Unit	55 m²	2	P.O.S/Balcony	10 m²	
Level 1			Level 1			Level 1			Level 1			Level 1			Level 1			Level 1		
Unit	44 m²	2	Unit	33 m²	2	Unit	33 m²	2	Unit	48 m²	2	Unit	47 m²	2	Unit	51 m²		Unit	51 m²	
Level 2			Level 2			Level 2			Level 2			Level 2			Level 2			Level 2		
P.O.S/Balcony	30 m²		P.O.S/Balcony	3 m²	1	Unit	32 m²		P.O.S/Balcony	41 m²		Level 2			Level 2			Level 2		
Total	149 m²	2	Unit	32 m²		P.O.S/Balcony	12 m²	1	Total	162 m²	2	Unit	29 m²	1	P.O.S/Balcony	43 m²	1	Unit	39 m²	1
			P.O.S/Balcony	12 m²		P.O.S/Balcony	3 m²					P.O.S/Balcony	5 m²		P.O.S/Balcony	7 m²		P.O.S/Balcony	7 m²	
			Total	151 m²	3	Total	151 m²	3				Total	168 m²	3	Total	176 m²	3	Total	173 m²	3

254-256 MURRAY ROAD, PRESTON

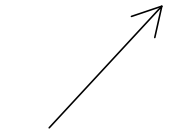


BEAUCHAMP ST



KEY	
FP:	FOOTPATH
NS:	NATURE STRIP
EC:	EXISTING CROSSOVER
S:	SHED
G:	GARAGE
TP:	TIMBER PALING FENCE

PRESTON  
PRIMARY  
SCHOOL  
Approx. 1.6 Km



NORTHLAND  
SHOPPING  
CENTRE  
Approx. 2.1 Km

TRAM STOP  
ROUTE [86]  
Approx. 500m

BUS STOP  
ROUTE [527] [903]  
Approx. 110 m

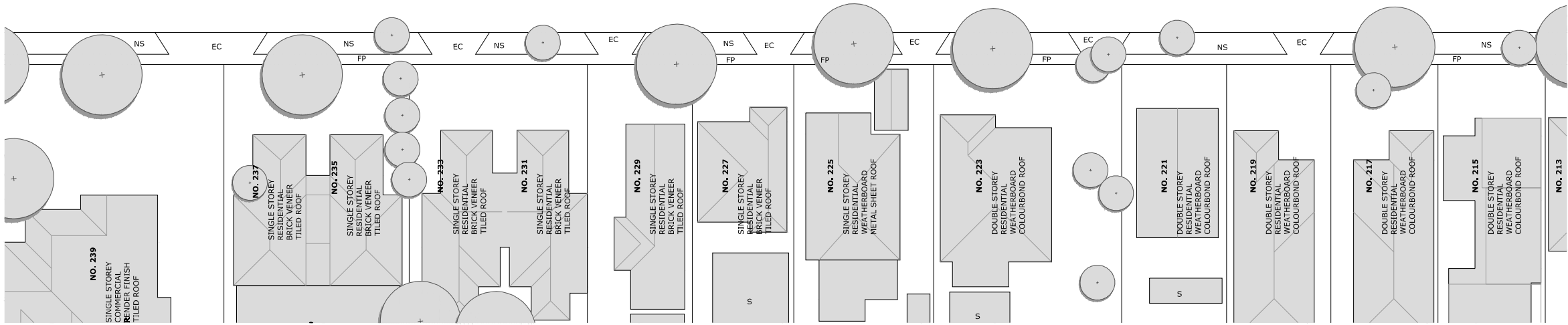
AUSTIN  
HOSPITAL  
Approx. 6.6 Km

PARADE  
COLLEGE  
PRESTON CAMPUS  
Approx. 2.1 Km

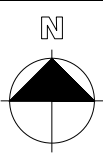
TRAM  
DEPOT  
Approx. 1.2 Km

RYDGES  
BELL CITY  
Approx. 1.7 Km

MURRAY RD



- Architectural drawings are to be read in conjunction with all consultants and engineers drawings and details.
- Do not scale drawings, use figured dimension.
- If in doubt ask, do not guess.
- Contractors must verify all dimensions on site before commencing any work or preparing shop drawings.
- Any discrepancies must be reported to the architect for clarification and approval in writing.



PROJECT:	PROPOSED UNIT DEVELOPMENT	AMENDEMENT:	
LOCATION:	254-256 MURRAY RD, PRESTON	TP06 - PLANNING SUBMISSION- 06,11,15	
CLIENT:	Mr DAVID LIN		

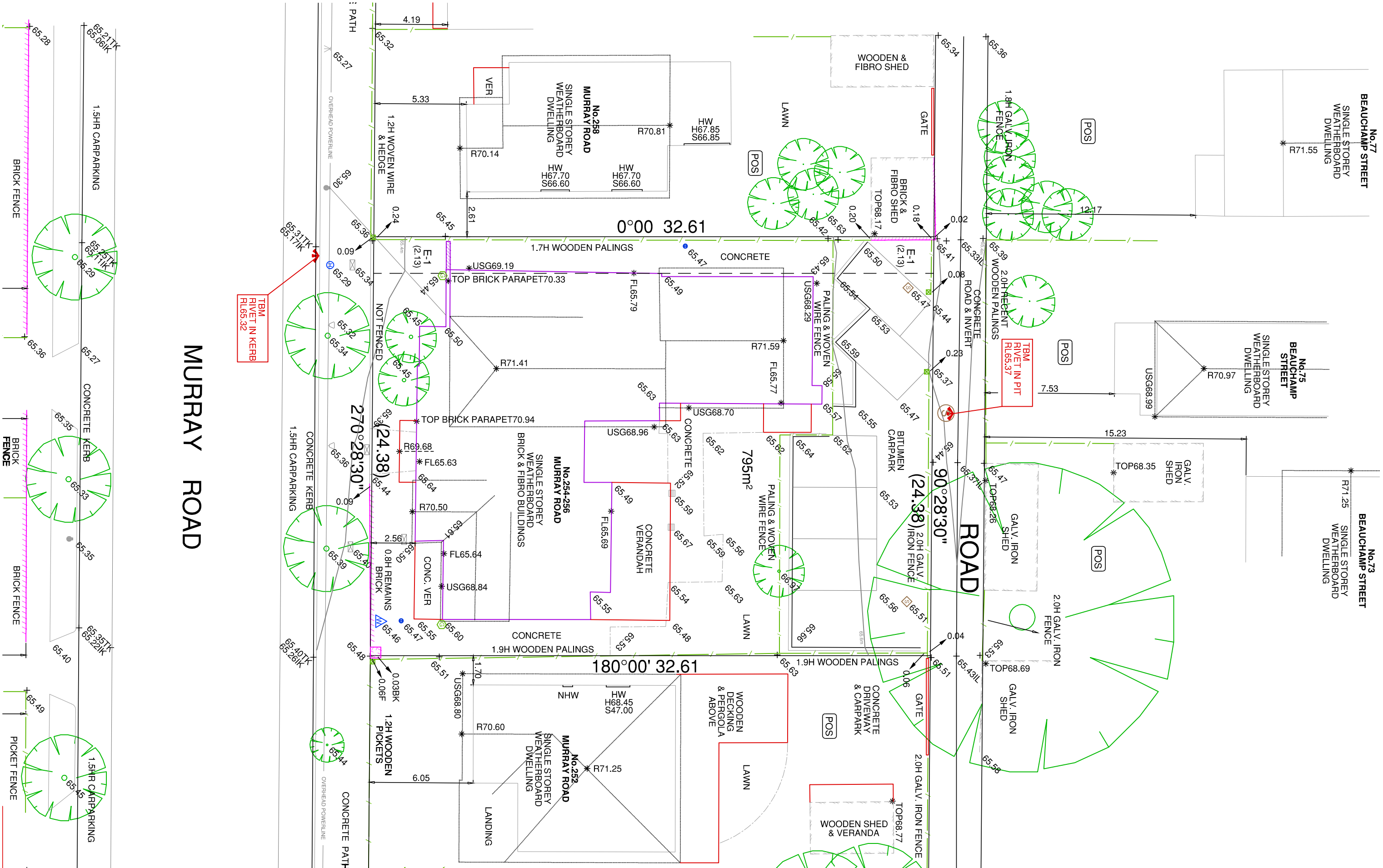
DATE:	06.11.15
SCALE:	1:500 @ A3
JOB N°:	CKA14-022

NEIGHBOURHOOD CHARACTER  
STUDY

N° in SET:  
**A2**

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**PROJECT:** PROPOSED UNIT DEVELOPMENT

**LOCATION:** 254-256 MURRAY RD, PRESTON

**CLIENT:** Mr DAVID LIN

**AMENDEMENT:**

TP06 - PLANNING SUBMISSION- 06,11,15

**DATE:** 06.11.15

**SCALE:** 1:200 @ A3  
1:100 @ A1

**JOB N°:** CKA14-022

**FEATURE SURVEY**

**N° in SET:**

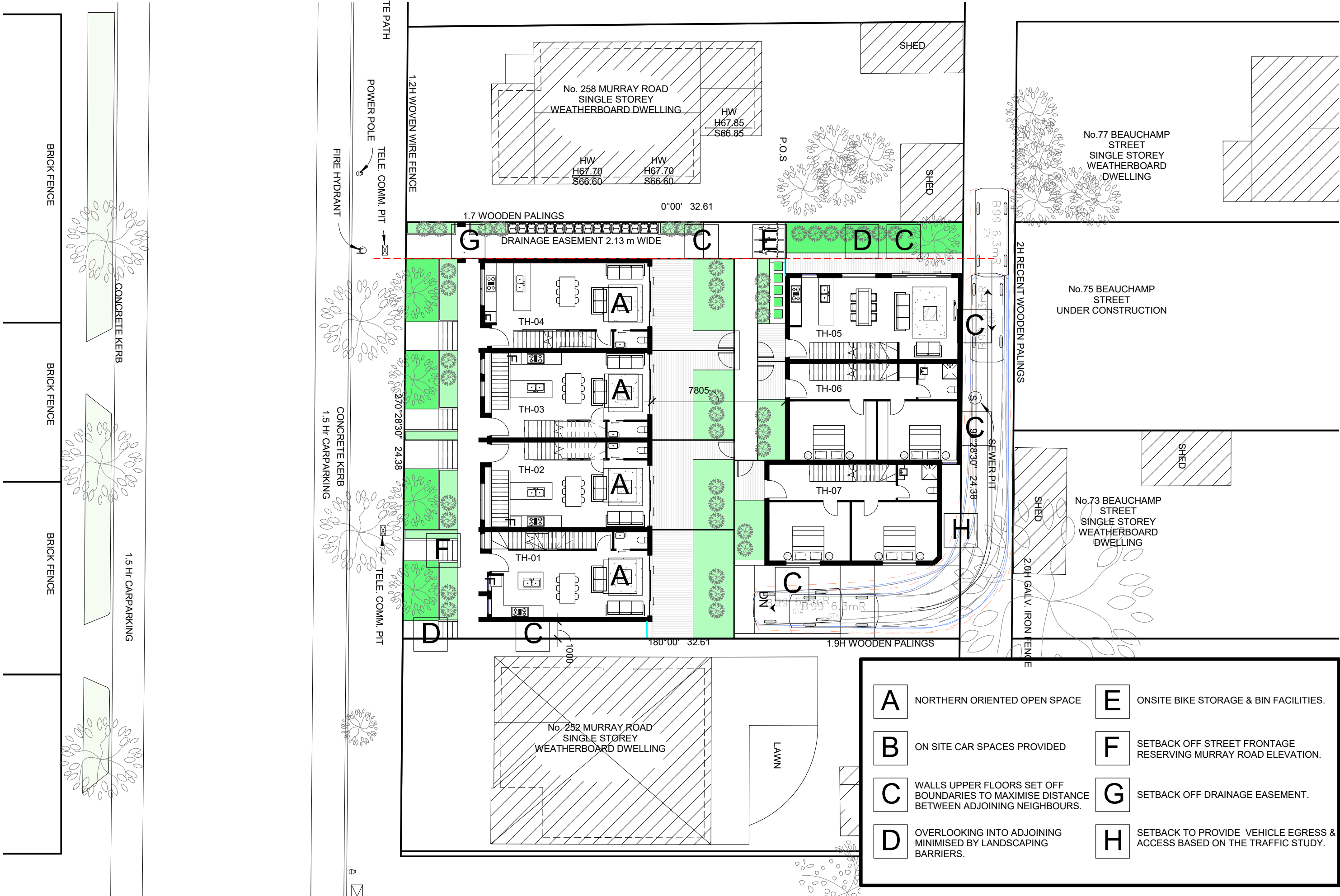
**A3**

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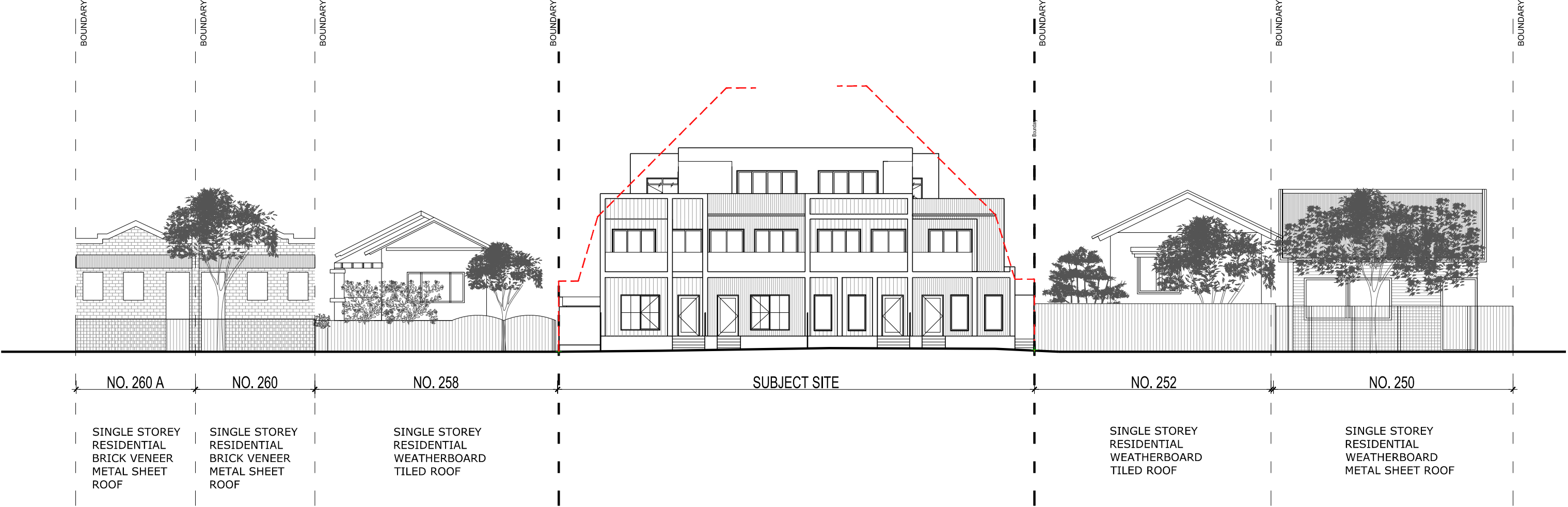




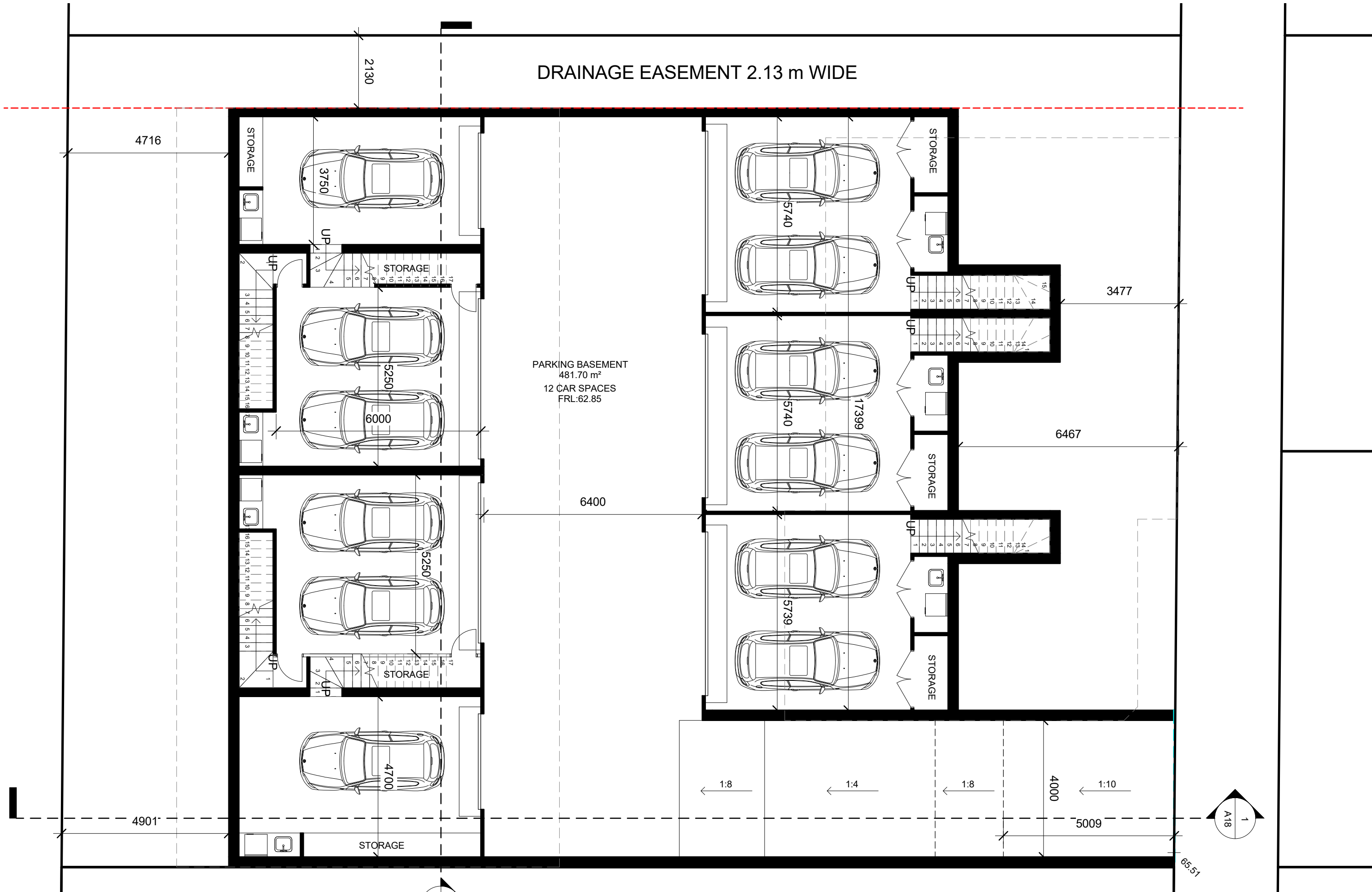


<ul style="list-style-type: none"><li>Architectural drawings are to be read in conjunction with all consultants and engineers drawings and details.</li><li>Do not scale drawings, use figured dimension.</li><li>If in doubt ask, do not guess.</li><li>Contractors must verify all dimensions on site before commencing any work or preparing shop drawings.</li><li>Any discrepancies must be reported to the architect for clarification and approval in writing.</li></ul>		PROJECT:	PROPOSED UNIT DEVELOPMENT	AMENDEMENT:	DATE:	06.11.15	EXISTING STREETSCAPE ELEVATION	N° in SET:	<div>C. KAIROUZ ARCHITECTS</div> <div>PO BOX 271, Northcote Plaza, Victoria, 3070   info@ckarch.com   (03) 948 483 28</div> <div>A4</div> <div>copyright of C. Kairouz Architects. prior written permission is necessary for reproduction.</div>	<div>C. KAIROUZ ARCHITECTS</div>
		LOCATION:	254-256 MURRAY RD, PRESTON	TP06 - PLANNING SUBMISSION- 06.11.15	SCALE:	1:200 @ A3				
		CLIENT:	Mr DAVID LIN		JOB N°:	CKA14-022				



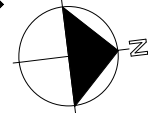
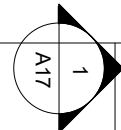


<ul style="list-style-type: none"><li>Architectural drawings are to be read in conjunction with all consultants and engineers drawings and details.</li><li>Do not scale drawings, use figured dimension.</li><li>If in doubt ask, do not guess.</li><li>Contractors must verify all dimensions on site before commencing any work or preparing shop drawings.</li><li>Any discrepancies must be reported to the architect for clarification and approval in writing.</li></ul>		PROJECT:	PROPOSED UNIT DEVELOPMENT	AMENDEMENT:	DATE:	06.11.15	PROPOSED STREETSCAPE ELEVATION	N° in SET:  <b>A5</b>	<b>C. KAIROUZ ARCHITECTS</b>  PO BOX 271, Northcote Plaza, Victoria, 3070   info@ckarch.com   (03) 948 483 28  <small>copyright of C. Kairouz Architects. prior written permission is necessary for reproduction.</small>	
		LOCATION:	254-256 MURRAY RD, PRESTON	TP06 - PLANNING SUBMISSION- 06,11,15	SCALE:	<b>1:200 @ A3</b>				
		CLIENT:	Mr DAVID LIN		JOB N°:	CKA14-022				



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DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS  
IF IN DOUBT ASK. DO NOT GUESS.  
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK OR PREPARING SHOP DRAWINGS.  
ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT FOR CLARIFICATION AND APPROVAL IN WRITING.

PROPOSED BASEMENT PLAN



PROJECT: NEW DEVELOPMENT

LOCATION: 254-256 MURRAY ROAD, PRESTON

CLIENT: Mr. DAVID LIN

AMENDEMENT:

No.	Description	Date
TP01		17/12/15
TP02		15/01/16
TP03		15/03/16
TP04		04/04/16

DATE: 12.05.2016

SCALE: 1 : 100

JOB N° : CKA14-022

No in SET:

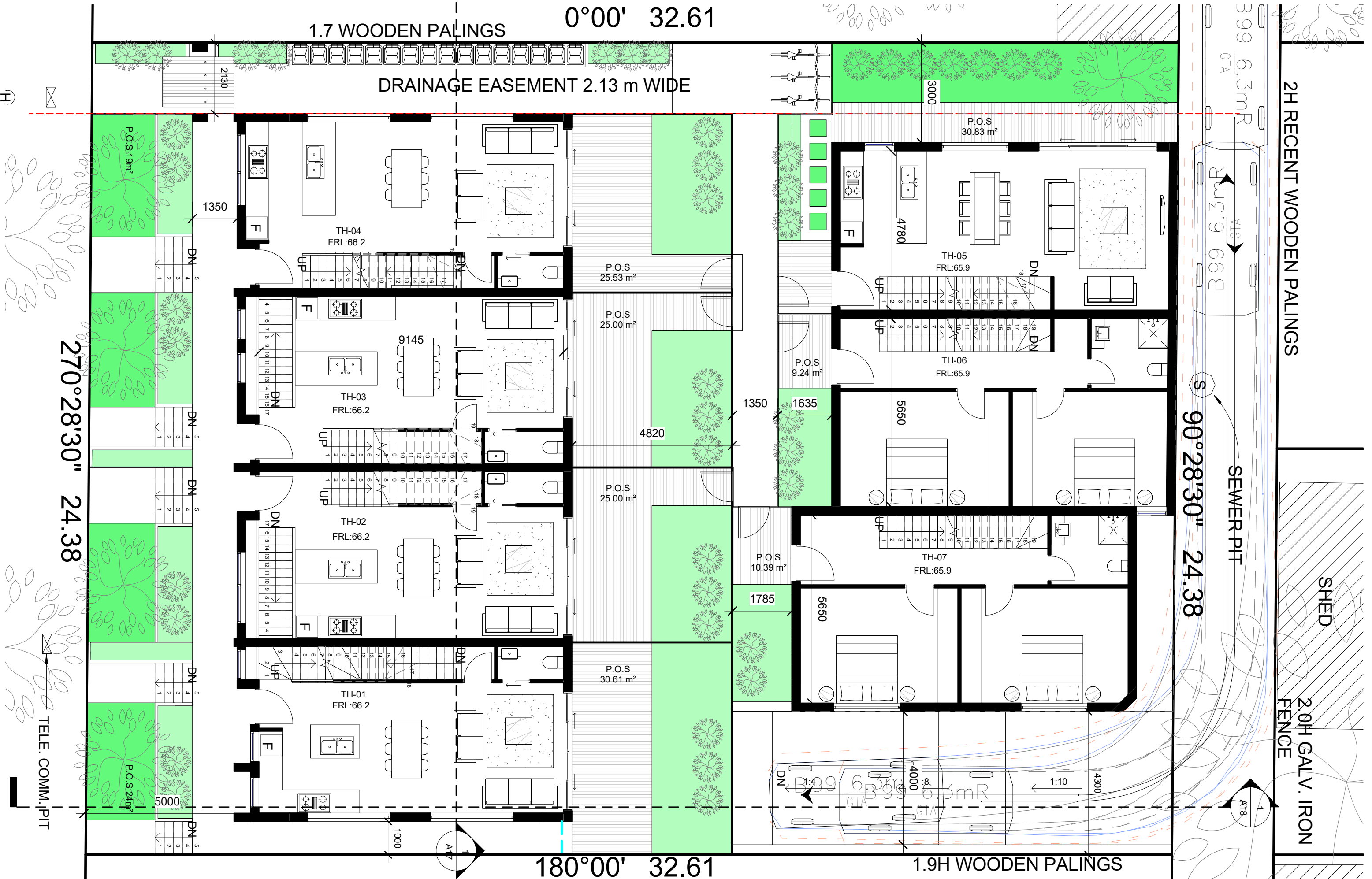
A07

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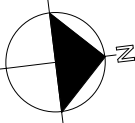
<div>ARCHITECTURAL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL CONSULTANTS AND ENGINEERING DRAWINGS AND DETAILS. DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS IF IN DOUBT ASK. DO NOT GUESS. CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK OR PREPARING SHOP DRAWINGS. ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT FOR CLARIFICATION AND APPROVAL IN WRITING.</div>	PROPOSED GROUND FLOOR PLAN		PROJECT:	NEW DEVELOPMENT	AMENDEMENT:		DATE:	12.05.2016	No in SET:	C. KAIROUZ ARCHITECTS	
			LOCATION:	254-256 MURRAY ROAD, PRESTON	No.	Description	Date	SCALE:	1 : 100	A08	PO BOX 271, Northcote Plaza, Vic. 3070   info@ckarch.com.au   (03) 9484 8328
					TP01		17/12/15				
					TP02		15/01/16				
					TP03		15/03/16				
			CLIENT:	Mr. DAVID LIN	TP04		04/04/16	JOB N° :	CKA14-022	copyright of C. Kairouz Architects, prior written permission is necessary for reproduction.	





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#### PROPOSED FIRST FLOOR PLAN



180°00' 32.61

PROJECT: NEW DEVELOPMENT

LOCATION: 254-256 MURRAY ROAD, PRESTON

CLIENT: Mr. DAVID LIN

AMENDEMENT:

No.	Description	Date
TP01		17/12/15
TP02		15/01/16
TP03		15/03/16
TP04		04/04/16

DATE:

12.05.2016

SCALE:

1 : 100

JOB N° :

CKA14-022

No in SET:

A09

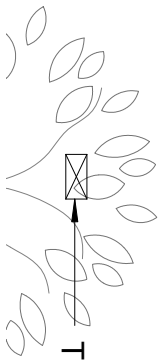
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H



TELE. COMM. PIT



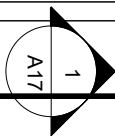
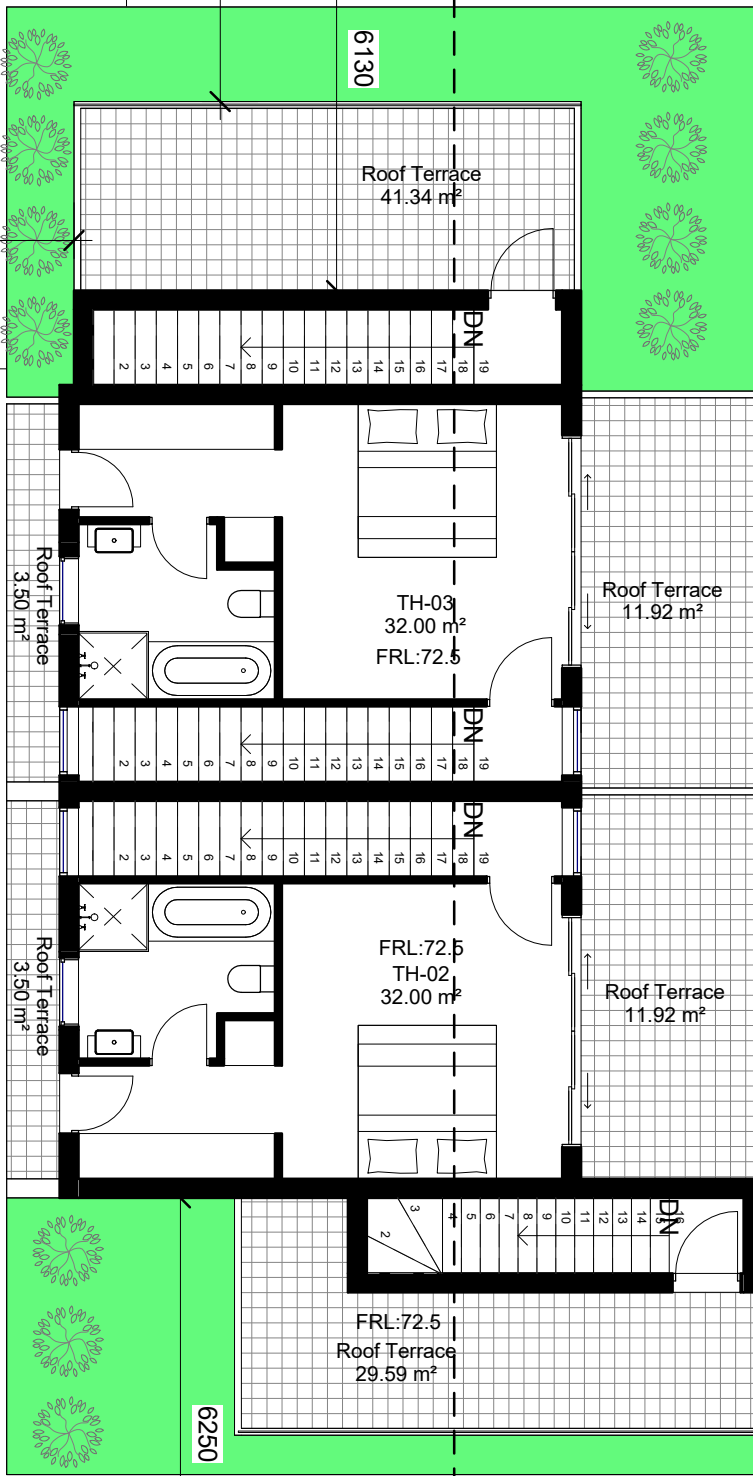
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DRAINAGE EASEMENT 2.13 m WIDE

5942

4802

Balcony below



180°00' 32.61

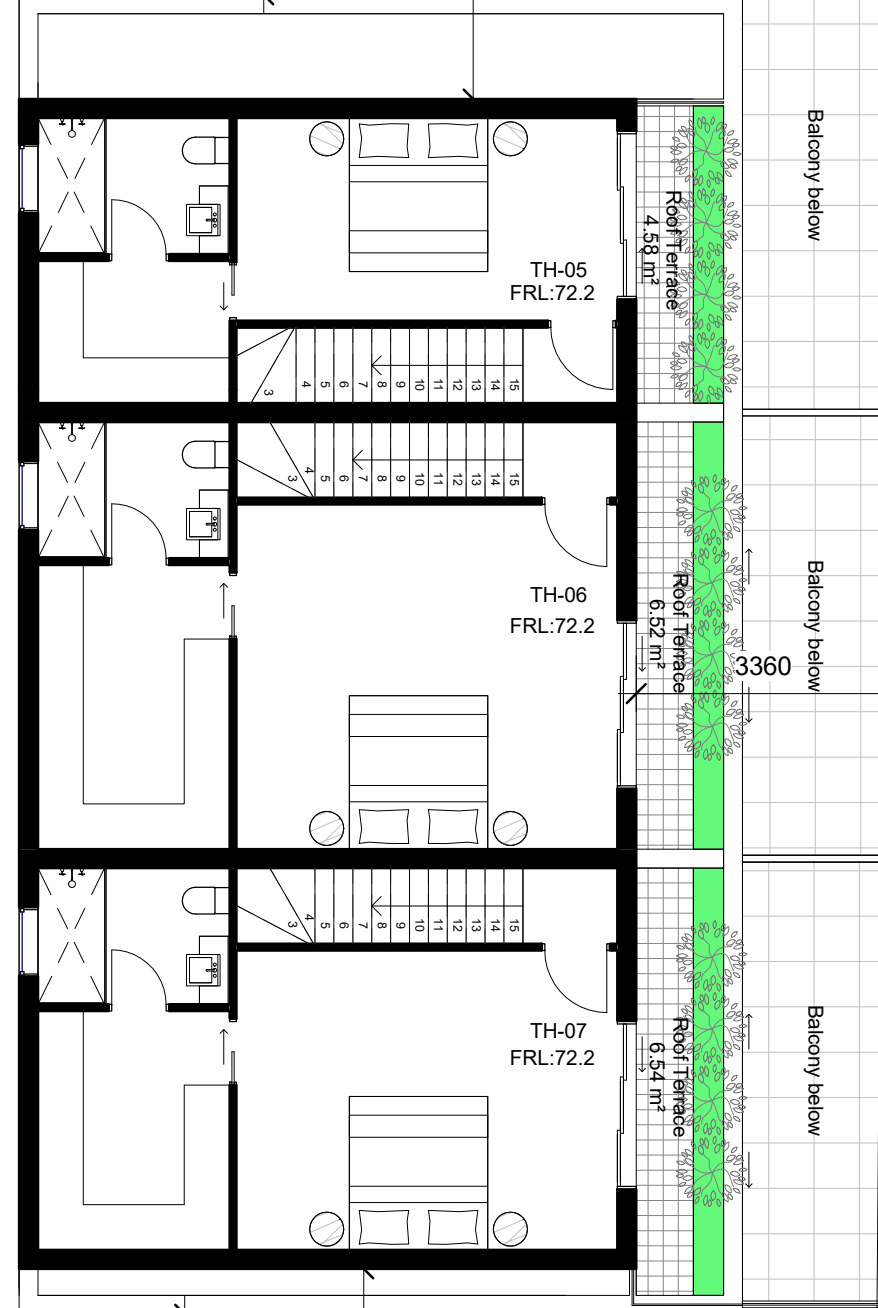
1.9H WOODEN PALINGS

4300

4900

2630

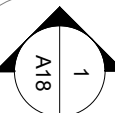
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SEWER PIT

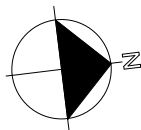
2H RECENT WOODEN PALINGS

SHED



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PROPOSED SECOND FLOOR PLAN



PROJECT: NEW DEVELOPMENT  
LOCATION: 254-256 MURRAY ROAD, PRESTON  
CLIENT: Mr. DAVID LIN

AMENDEMENT:		
No.	Description	Date
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TP02		15/01/16
TP03		15/03/16
TP04		04/04/16

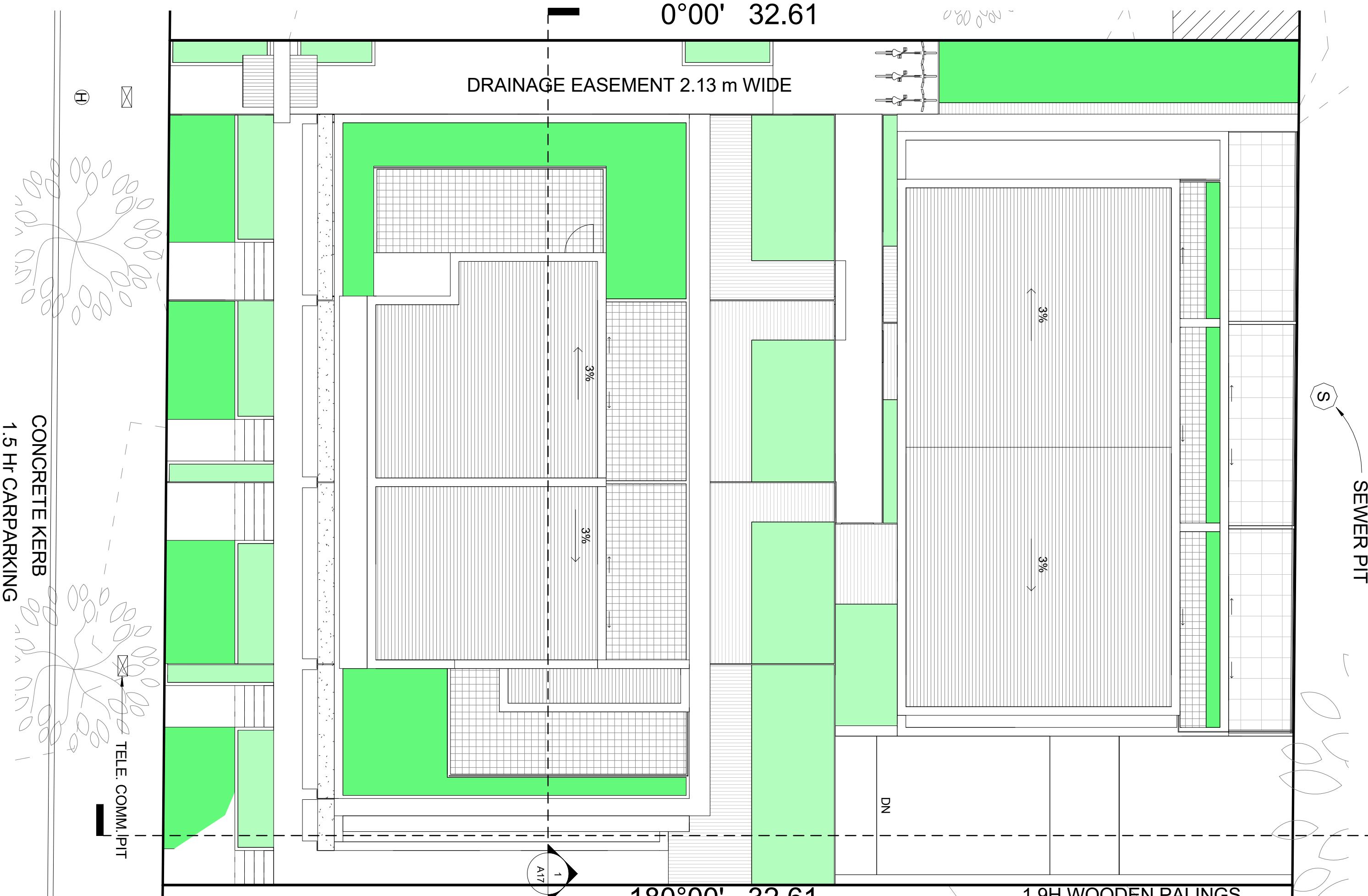
DATE: 12.05.2016  
SCALE: 1 : 100  
JOB N° : CKA14-022

No in SET:  
**A10**


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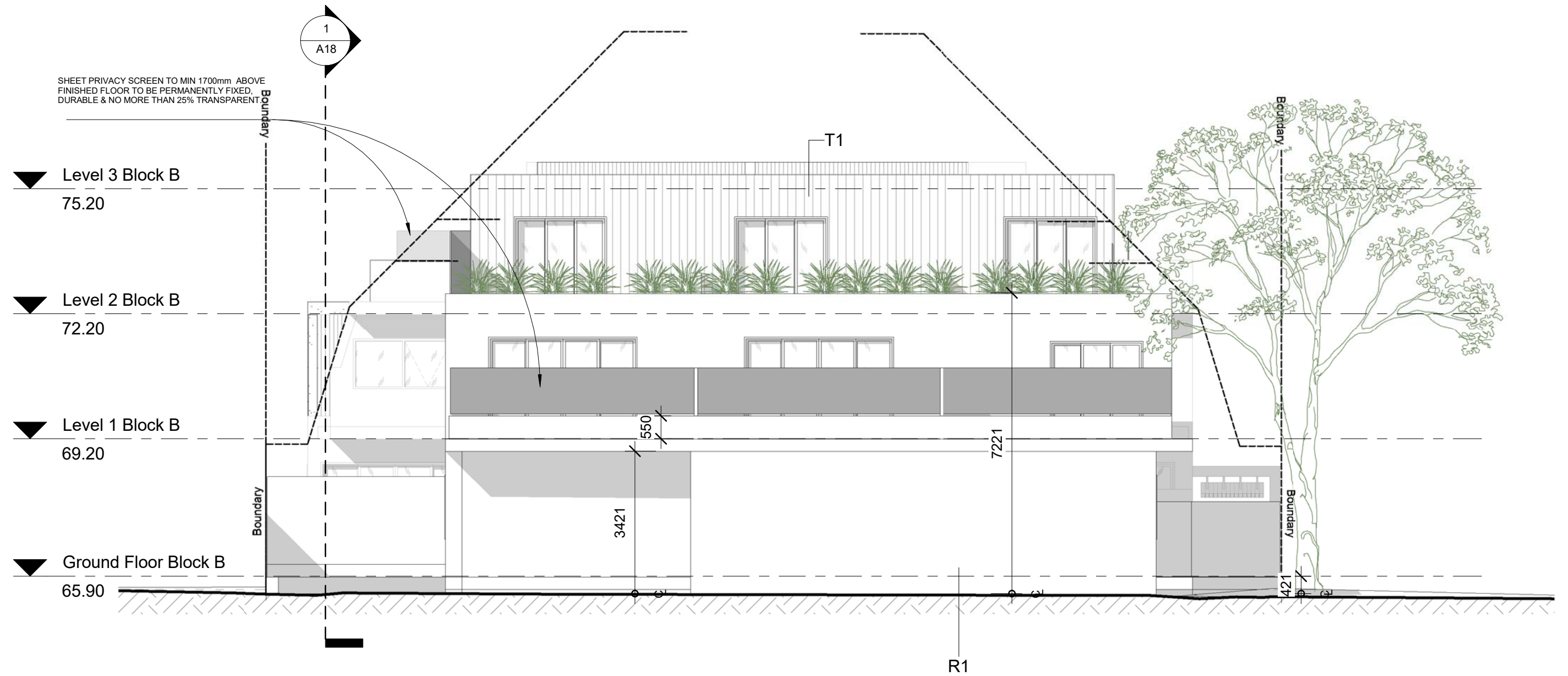




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			LOCATION:	254-256 MURRAY ROAD, PRESTON	No.	Description	Date	SCALE:			1 : 100	
					TP01		17/12/15					
					TP02		15/01/16					
					TP03		15/03/16					
			CLIENT:	Mr. DAVID LIN	TP04		04/04/16	JOB N° :	CKA14-022			
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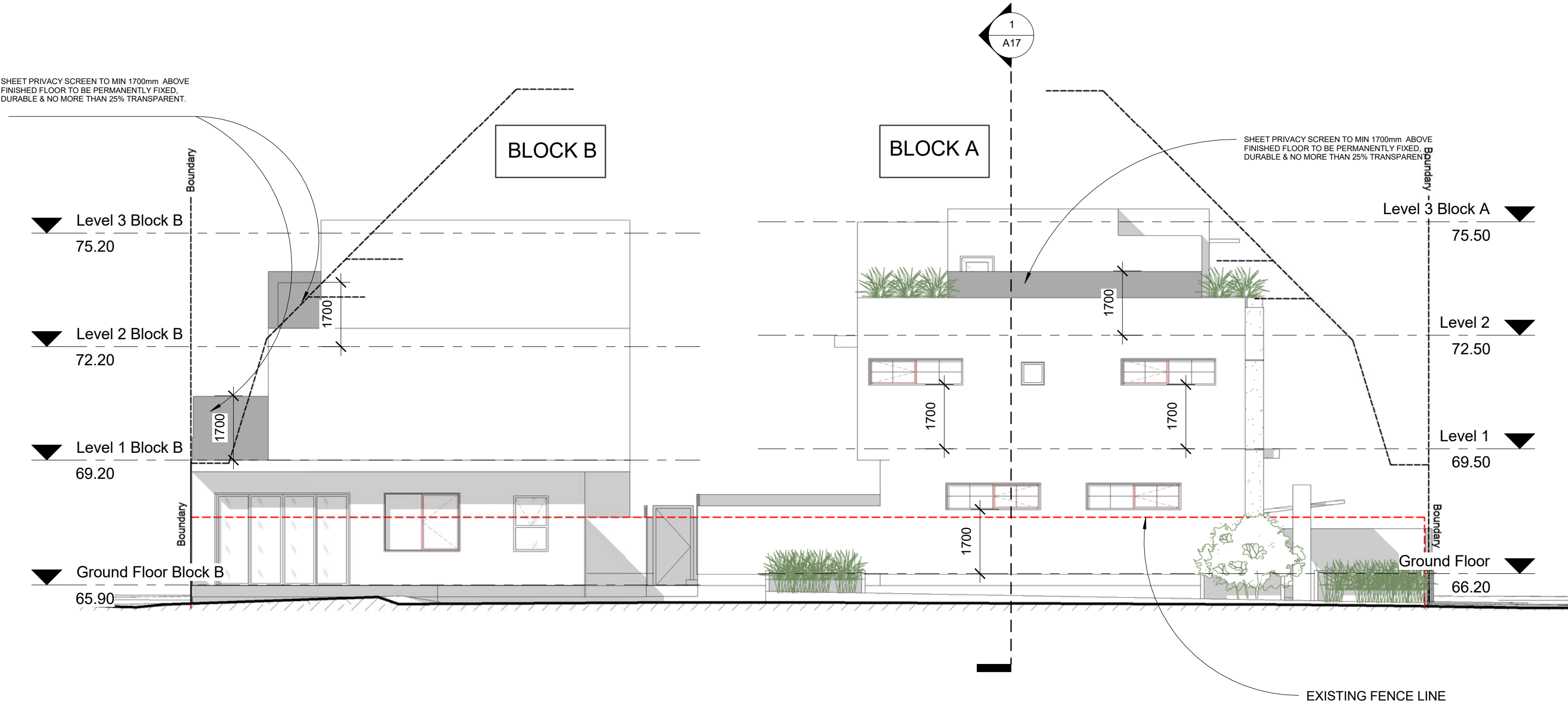






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			LOCATION:	254-256 MURRAY ROAD, PRESTON		No.	Description	Date	SCALE:	1 : 100		
			CLIENT:	Mr. DAVID LIN	TP01		17/12/15	JOB N° :	CKA14-022			
					TP02		15/01/16					
					TP03		15/03/16					
		TP04		04/04/16								

SHEET PRIVACY SCREEN TO MIN 1700mm ABOVE FINISHED FLOOR TO BE PERMANENTLY FIXED, DURABLE & NO MORE THAN 25% TRANSPARENT.



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PROPOSED WEST ELEVATION

PROJECT:

NEW DEVELOPMENT

LOCATION:

254-256 MURRAY ROAD, PRESTON

CLIENT:

Mr. DAVID LIN

AMENDEMENT:

No.	Description	Date
TP01		17/12/15
TP02		15/01/16
TP03		15/03/16
TP04		04/04/16

DATE:

12.05.2016

SCALE:

1 : 100

JOB N° :

CKA14-022

No in SET:

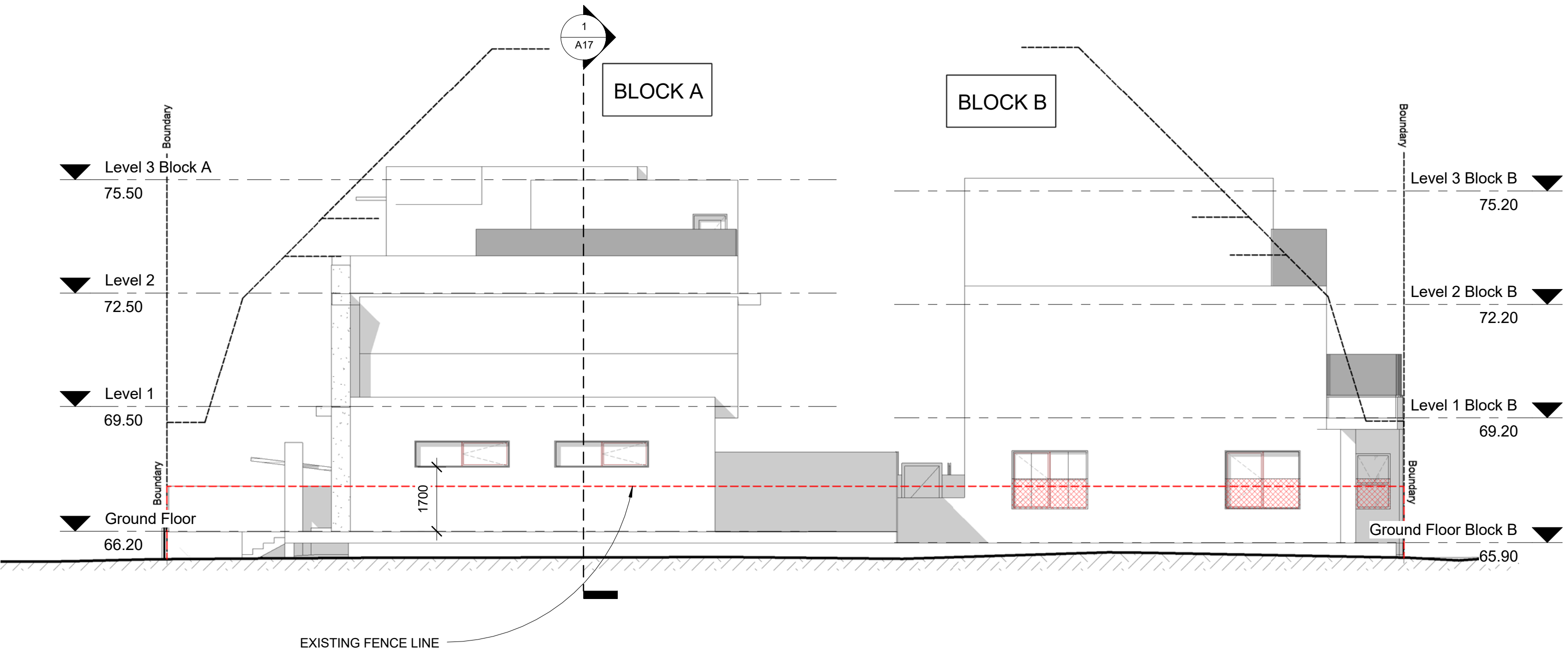
A14

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			LOCATION:	254-256 MURRAY ROAD, PRESTON	No.	Description	Date	SCALE:	1 : 100	A15		
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					TP02		15/01/16					
					TP03		15/03/16					
			CLIENT:	Mr. DAVID LIN	TP04		04/04/16	JOB N° :	CKA14-022		copyright of C. Kairouz Architects, prior written permission is necessary for reproduction.	
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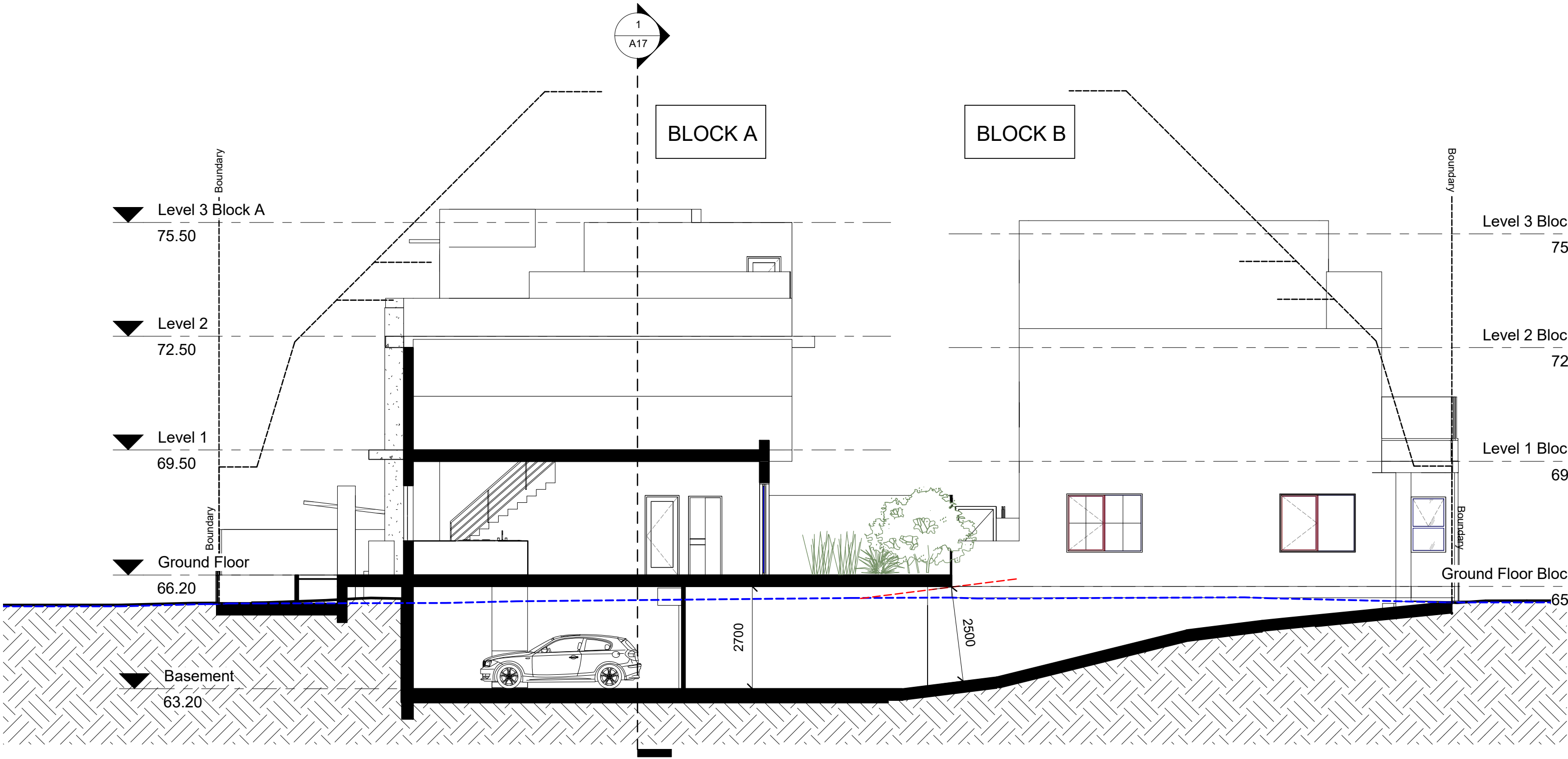
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Code	Description	Image
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Coated Aluminium	AF	
Metal Cladding	M1	
Timber Cladding	T1	
White Render	R1	



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			LOCATION:	254-256 MURRAY ROAD, PRESTON	No.	Description	Date	SCALE:	1 : 100	A16	
			CLIENT:	Mr. DAVID LIN	TP01		17/12/15				
					TP02		15/01/16				
					TP03		15/03/16				
					TP04		04/04/16				
					JOB N° :		CKA14-022		copyright of C. Kairouz Architects, prior written permission is necessary for reproduction.		

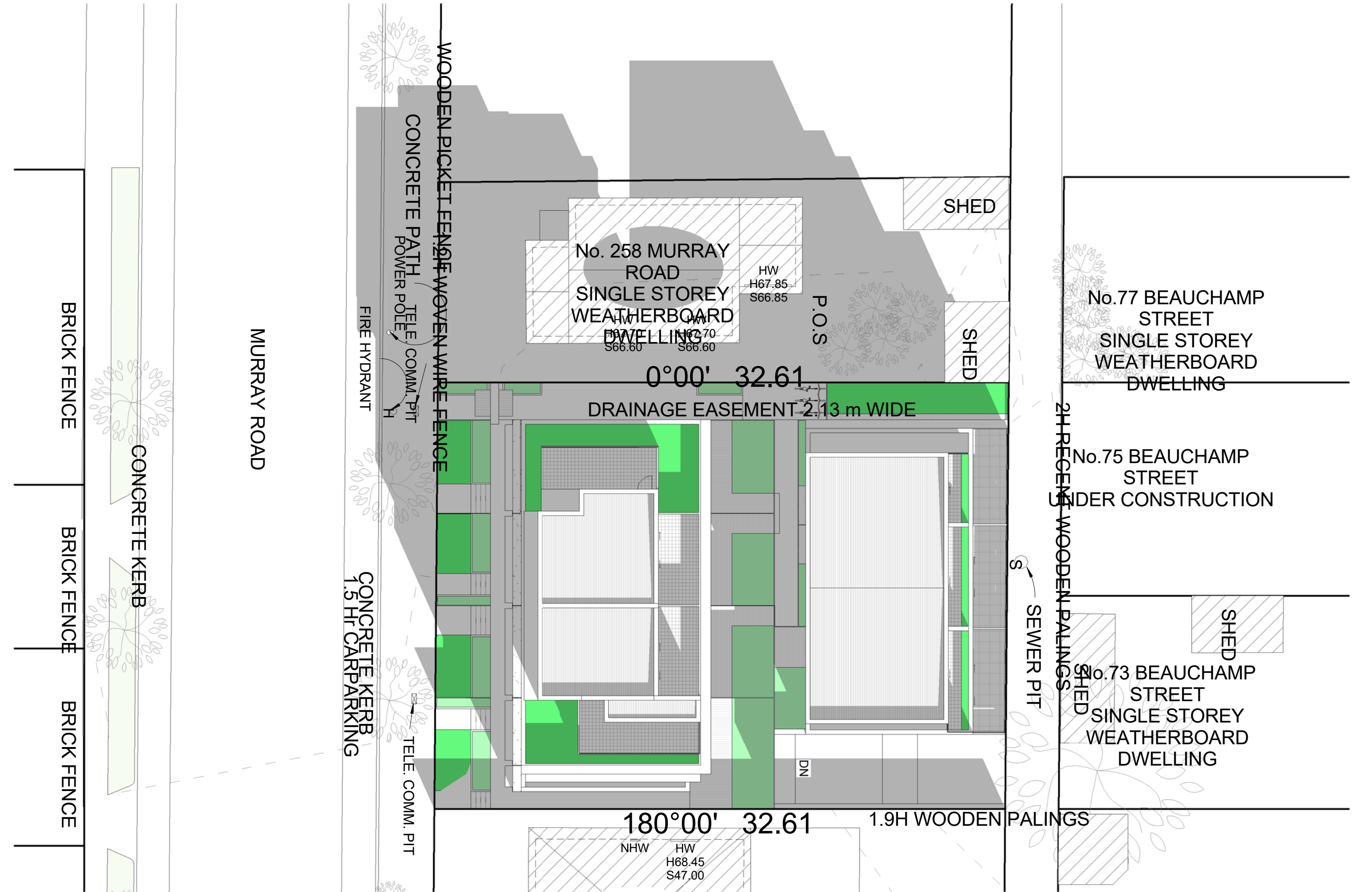




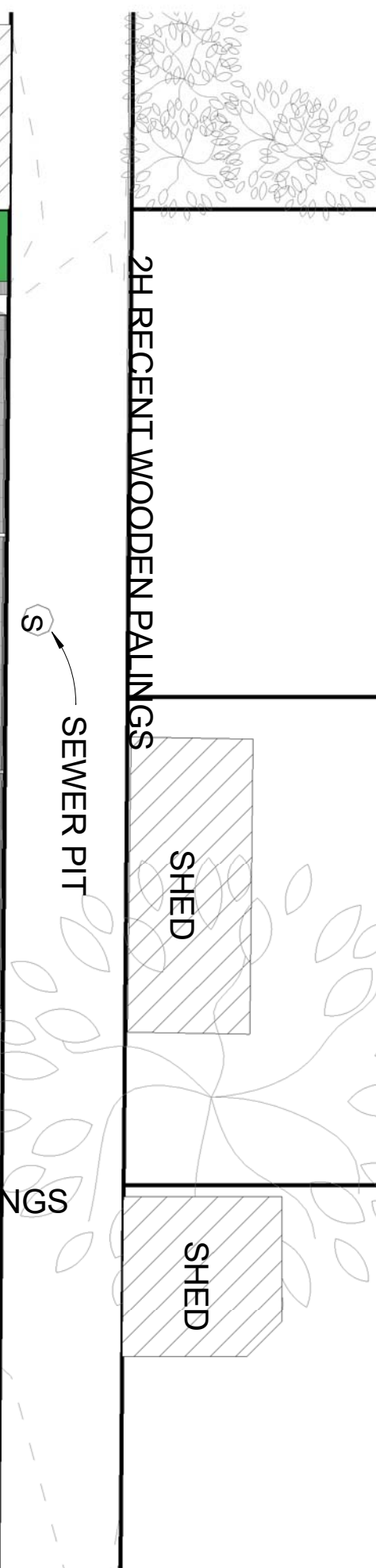




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			LOCATION:	254-256 MURRAY ROAD, PRESTON	No.	Description	Date	SCALE:	A19						
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					TP02		15/01/16								
					TP03		15/03/16								
			CLIENT:	Mr. DAVID LIN	TP04		04/04/16	JOB N° :	CKA14-022				copyright of C. Kairouz Architects. prior written permission is necessary for reproduction.		







**C. KAIROU  
ARCHITECT**





**5.3 APPLICATION FOR PLANNING PERMIT D/474/2015**  
63-71 Plenty Road, Preston

**AUTHOR:** Principal Planner – Jolyon Boyle

**DIRECTOR:** Director Assets and Business Services – Steve Hamilton

**OWNER/APPLICANT/CONSULTANT:**

<b>Applicant</b>	<b>Owner</b>	<b>Consultant</b>
Crystal Matt Developments Pty Ltd	Sixty High Pty Ltd	P2 Urban Planning and Design

**SUMMARY:**

- The application is subject to an appeal hearing on 22 August 2016.
- On 14 June 2016 the Planning Committee formed the view to refuse planning permission for an 18-storey building comprising 135 dwellings, two (2) shops and reduction to the car parking requirement.
- The grounds of refusal principally related to the height, design, ESD measures and internal amenity of the dwellings. The proposal was also contrary to Amendment C137 to the Darebin Planning Scheme.
- The current plans under consideration are the plans which the applicant will rely upon at the forthcoming hearing. The current plans seek to address the grounds of refusal upon which Council would rely on at the hearing.
- The current proposal involves the development of a 14-storey building comprising 89 dwellings and two (2) shops.
- Seventy five car parking spaces are provided on site. This represents a reduction to the car parking requirement.
- The site is located in the Commercial 1 Zone.
- There is no restrictive covenant on the title for the subject land.
- One (1) statement of grounds (objection) has been received against this application.
- The proposal fails to meet a number of objectives and standards of Clause 22.06 and Amendment C137 (as adopted) of the Darebin Planning Scheme.
- It is recommended that Council form the view to not support the proposal.

**CONSULTATION:**

- Plans of the current the current 14-storey proposal have been circulated to all parties in accordance with VCAT's requirements.
- This application was referred internally to Capital Works Unit, the Transport Management and Planning Unit, ESD and Urban Design officers.
- This application was not required to be referred to external authorities.

**Recommendation**

**THAT** Council form the view not to support the proposal based on the following grounds:

1. The application is contrary to the aims and objectives of the following aspects of the Planning Scheme:
  - a) 15.01 Urban Design
  - b) 16.01 Residential Development
  - c) 22.06-3.1 Sustainability
  - d) 22.06-3.2 Design and Materials
  - e) 22.06-3.2 Building height
  - f) 22.06-3.4 Dwelling diversity
  - g) 22.06-3.5 Car Parking and Vehicle Access
  - h) 22.06-3.8 Amenity impacts, including overshadowing and overlooking
  - i) 22.06-3.9 On site amenity and facilities, including private open space
  - j) 22.06-3.10 Waste Management
  - k) 52.06 Car parking
  - l) 52.34 Bicycle parking
2. The development is contrary to the Higher Density Residential Development Guidelines.
3. A high portion of the dwellings provide a poor level of internal amenity as a result of their internal layout, restricted outlook, lack of daylight and or screening measures.
4. In absence of full and proper ESD and day-lighting assessment, the development fails to adequately address ESD objectives contained under Clauses 15.01, 15.02 and 21.05 and 22.06 of the Darebin Planning Scheme.
5. The following aspects of the development are contrary to Amendment C137 (DDO3) (as adopted): Building height, setbacks, design, internal amenity and ESD.

**Report****INTRODUCTION AND BACKGROUND**Amendment C137

Amendment C137 to the Darebin Planning Scheme implements the design and land use findings of the Plenty Road Urban Design Framework 2013. This Amendment seeks to provide policy guidance, built form controls (by way of a Design and Development Overlay) and rezonings to those properties along the Plenty Road corridor.

The Amendment has been through a public consultation process, been before an independent Panel, has now been adopted by Council and is with the Minister for Planning's office for approval.



The case of Lyndale and Black Pty Ltd and IO Black v MMBW 1 PABR 207 specifically considers how much weight can be given to an Amendment having regard to the following factors:

- a) The form of the planning proposal – a formal planning scheme Amendment will be given much more weight than a planning proposal of a less formal nature.
- b) The stage which the planning proposal has reached in the planning process – greater weight will be given to a planning proposal which has reached an advanced stage in the planning process than to a proposal of an embryonic nature.
- c) The seriousness with which the responsible authority or state government is pursuing the implementation of the planning proposal.
- d) Whether the grant of a permit would impair the objectives of the planning proposal and not merely be inconsistent with the strict letter of the planning proposal.
- e) The nature of the development or use for which a permit is sought – for example a planning proposal will generally have greater weight when a permit is sought to develop vacant land or to subdivide land than when a permit is sought to use an existing building especially for temporary purposes.

It is clear Amendment C137 is a formal planning proposal that is reaching the end of the planning process – i.e. it is awaiting approval by the Minister. It is being seriously pursued by Council to give both developers and nearby properties certainty as to what can be expected along the corridor. This means Amendment C137 can be given weight in decision making, especially where the key controls of building height and setback for the subject land are unchanged from exhibition to adoption of the Amendment.

However, Amendment C137 does not yet form part of the planning scheme. It is not a law, compared to the existing scheme, which is. Councils and VCAT are required to apply the planning scheme as at the date of their decision.

Therefore, when regard is had to the above, Amendment C137 could be considered a relevant consideration for decision makers, however it cannot displace the existing planning scheme. Nonetheless the Planning Scheme, in particular the new MMS and Clause 22.06 comprise policies and objectives which are consistent with and complementary to Amendment C137.

#### Planning Appeal:

This application is the subject of an appeal to VCAT against Council's failure to determine the application within the prescribed time.

On 14 June 2016 the Planning Committee formed the view to refuse planning permission for an 18-storey building comprising 135 dwellings, two (2) shops and reduction to the car parking requirement.

Council formed the view to refuse planning permission based on the following grounds:

1. The application is contrary to the aims and objectives of the following aspects of the Planning Scheme:
  - a) 15.01 Urban Design
  - b) 16.01 Residential Development
  - c) 22.06-3.1 Sustainability
  - d) 22.06-3.2 Design and Materials
  - e) 22.06-3.2 Building height
  - f) 22.06-3.4 Dwelling diversity

- g) 22.06-3.5 Car Parking and Vehicle Access
  - h) 22.06-3.6 Street address - Mixed use developments
  - i) 22.06-3.8 Amenity impacts, including overshadowing and overlooking
  - j) 22.06-3.9 On site amenity and facilities, including private open space
  - k) 22.06-3.10 Waste Management
  - l) 52.06 Car parking
2. The development is contrary to the Higher Density Residential Development Guidelines.
  3. A high portion of the dwellings provide a poor level of internal amenity as a result of their internal layout, restricted outlook, lack of daylight and or screening measures.
  4. The development fails to adequately address ESD objectives, particularly as a high proportion of the dwellings are reliant on borrowed or artificial lighting, contrary to Clauses 15.01, 15.02 and 21.05 and 22.06 of the Darebin Planning Scheme.
  5. The following aspects of the development are contrary to Amendment C137 (DDO3): Building height, setbacks, design, street interface, internal amenity, ESD and site services.

### **STATEMENT OF CHANGES**

The amended proposal has generally reduced the overall development on the site. The original proposal was for an 18 storey residential building with three (3) basement levels, comprising 135 dwellings, two (2) commercial tenancies at ground floor and associated car parking.

The amended proposal now under consideration has been reduced to a 14 storey building with three (3) basements levels, comprising 89 dwellings, two (2) commercial tenancies at ground floor level and associated car parking as follows:

- 29 car parks allocated to the 45 x one (1) bedroom dwellings;
- 43 car parks allocated to the 43 x two (2) bedroom dwellings;
- Two (2) car parking spaces for the one (1) x three (3) bedroom dwelling;
- One (1) car space for the shop; and
- One (1) car share vehicle.

The proposed vehicle crossover to Plenty Road relocated from the north-east corner of the site to the south-east corner.

The car parking layout is rearranged and the use of ramps removed.

Two (2) car lifts to service the basement and first floor parking areas are provided.

The layout of the commercial tenancies at ground floor altered and enlarged.

The first and second floors have been reconfigured and dwellings provided at those levels. In the original proposal car parking was contemplated across these levels.

Enlarged northern and southern lightwells are provided.

The dwelling layouts throughout generally redesigned to improve amenity.

## PLANNING ASSESSMENT

### Clause 15.01 Urban Environment Assessment

In assessing and determining residential development applications not covered by Clause 55, regard must be had to the urban design principles of Clause 15.01. This Clause comprises 10 design principals which are considered below.

The objective of this Clause is to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

#### Context

Clause 22.06 and Amendment C137 (as adopted) to the Darebin Planning Scheme are the most relevant considerations.

*Under Clause 22.06 (Multi Residential and Mixed Use Development) of the Darebin Planning Scheme it is policy to facilitate residential and mixed use development which promotes housing choice, displays a high standard of urban design, limits off-site amenity impacts, and provides appropriate on-site amenity for residents; to facilitate development that demonstrates the application of environmentally sustainable design principles; to facilitate a high quality street edge that relates to the public realm and; to encourage efficient design outcomes that consider the development potential of adjoining sites.*

The site enjoys State planning policy support for the type of the development proposed. However at a detailed level the proposal fails to satisfactorily respond to local planning policy objectives and the Higher Density Residential Development Guidelines (HDRDG) in relation to the design, scale and height, internal amenity, ESD and equitable development considerations.

#### **Does not comply**

##### The public realm

A reasonable proportion of the ground floor interface is proposed as active. With the remaining sections devoted to the vehicle and pedestrian access. Site services such as the substation are located centrally and away from the frontage. This represents a satisfactory outcome.

#### **Complies**

##### Safety

A central entrance to the residential component is provided to Plenty Road. The visibility and sense of address provided to the residential entrance is satisfactory.

#### **Complies**

##### Landmarks, Views and Vistas

The proposal will have an impact upon views. However there is no planning right to a view and the protection of views is not a valid planning consideration.

#### **Complies**



Pedestrian Spaces

A reasonable proportion of the ground floor interface is proposed as active. With the remaining sections devoted to the vehicle and pedestrian access. Ste services such as the substation are located centrally and away from the frontage. This represents a satisfactory outcome.

**Complies**Light and Shade

The public realm will experience of loss of light and increased shadowing as a result of development. This is to be expected as a result of the increased densities and building heights envisaged in the immediate area.

**Complies**Energy Resource and Efficiency

The application is not supported by an Environmentally Sustainable Design (ESD) assessment. The ESD credentials of the development are therefore unknown and unresolved at this stage. The interface and setback of the development with the adjacent development at 277 Raglan Street represent a poor outcome resulting in the need to screen a high proportion of the balconies leading to poor internal amenity and reduced access to daylight.

**Does not comply**Architectural quality

The height, scale and relationship of the development to adjacent sensitive interfaces represent an unsatisfactory urban design outcome. The interface and setback of the development with the adjacent development at 277 Raglan Street represent a poor outcome resulting in the need to screen a high proportion of the balconies leading to poor internal amenity.

**Does not comply**Landscape Architecture

The site is currently devoid of any significant trees or shrubs. The proposed development will cover the larger part of the site which is to be expected for a site in this location.

**Complies with objective**

**Clause 22.06 – Multi Residential and Mixed Use Development:**

	<b>Comment</b>	<b>Compliance</b>
<b>Sustainability</b>	<p>The interface and setback of the development with the adjacent development at 277 Raglan Street represent a poor outcome resulting in the need to screen a high proportion of the balconies leading to poor internal amenity and reduced access to daylight.</p> <p>The application is not supported by an Environmentally Sustainable Design (ESD) assessment, including a daylight study. The ESD credentials of the development are therefore unknown and unresolved at this stage.</p>	Does not comply
<b>Design and Materials</b>	<p>The height, scale and relationship of the development to immediate context and adjacent sensitive interfaces represent an unsatisfactory urban design outcome. Specifically the height and setback of the development does not address the DDO controls.</p> <p>The appearance of the 3 storey street wall/podium element could be further developed and improved. DDO3 seeks a regular fine-grain streetscape rhythm, especially at ground level. The current proposal of a basic shop-front glazing system could be improved, particularly as shop entrances are located within the raised internal foyer</p> <p>The interface and setback of the development with the adjacent development at 277 Raglan Street represent a poor outcome resulting in the need to screen a high proportion of the balconies leading to poor internal amenity and reduced access to daylight. This approach is contrary to objectives 2.5, 2.6, 2.9, 5.2, 5.4 and 6.3 of the Higher Density Residential Development Guidelines.</p>	Does not comply
<b>Building Height</b>	<p>The site is located in an area which is earmarked for substantial change in accordance with Amendment C137, including development of up to 12-storeys. The site's area, zoning, main road frontage and proximity to public transport also lend itself to an intensive form of development.</p> <p>The proposed 14-storey height is inconsistent with future direction of the site and area identified under Amendment C137. The height is also inconsistent with the surrounding built form, include the existing eight (8)-storey apartment located immediately west of the site.</p> <p>The height of the development is contrary to Objectives 2.1 and 2.2 of the Higher Density Residential Development Guidelines.</p>	Does not comply
<b>Dwelling diversity</b>	<p>The development provides 89 dwellings comprising 45 x one (1) bedroom dwellings; 43 x two (2) bedroom dwellings and one (1) three (3) bedroom dwelling.</p>	Does not comply

	Comment	Compliance
	<p>The development provides some level of diversity, but only one (1) three (3) bedroom dwelling is provided. A development of this scale should provide a greater level of three (3) bedroom accommodation.</p> <p>The development is contrary to Objective 5.1 of the Higher Density Residential Guidelines.</p>	
<b>Parking and vehicle access</b>	Refer to the Clause 52.06 assessment below.	Does not comply
<b>Street address</b>	A reasonable proportion of the ground floor interface is proposed as active. With the remaining sections devoted to the vehicle and pedestrian access. Site services such as the substation are located centrally and away from the frontage.	Complies
<b>Amenity Impacts Including Overshadowing and Overlooking</b>	To the rear (west elevation), at No. 277 Raglan Street, an existing apartment building also rises without setbacks for eight (8) levels. Given that dwellings along this interface have single-aspect layouts, adequate building separation should be provided from development on the adjacent site to allow for privacy to be achieved without relying on screening measures that will restrict outlook. Balconies between the proposal and No. 277 Raglan Street are separated by only five (5) metres across the common site boundary and raises issues privacy, noise, visual bulk and loss of light.	Does not comply
<b>On-Site Amenity and Facilities, including Private Open Space</b>	<p>The depth of the rear (west) facing balconies at levels 3 to 11 is approximately 1.5 metres. The balconies must provide a minimum depth of 1.6 metres and a minimum area of eight (8) square metres. There are also overlooking opportunities between the rear (west) facing dwellings and the adjacent residential development at 277 Raglan Street. While screening measures could be applied, this will lead to a reduction in internal amenity, outlook and access to daylight given the narrow depth of the balconies and overhanging structures.</p> <p>Only 39 storage cages have been provided to service the 89 dwellings. The volume of the storage cages is unknown. The volume of storage should 6 cubic metres per dwelling. Above bonnet storage should be avoided. This is contrary to Objective 5.5 of the Higher Density Residential Guidelines.</p>	Does not comply
<b>Waste Management</b>	A waste management plan was not provided with the initial proposal for an 18-storey building. A wastement management has been provided with current 14-storey proposal. The waste management plan indicates that the number of weekly collections is as high as 10 collections per week across all waste streams. Multi dwelling mixed use developments are encouraged to provide sufficient	Does not comply



	Comment	Compliance
	storage space to limited the number of weekly collections across all waste streams to no more than one (1) collection per week per waste stream. This will limit the number of vehicle movements to the site.	
<b>Equitable Access</b>	The development could be retrofitted to accommodate people with disabilities.	Complies

### Clause 52.06 Car Parking Assessment

#### Number of Parking Spaces Required

- The development comprises 89 dwellings including 45 one (1) bedroom, 43 two (2) bedroom dwellings and one (1) three (3) bedroom dwelling and two (2) commercial spaces (café and laundry) totally 191 square metres in area.
- A total of 75 spaces are provided across basement levels.
- A breakdown of the car parking required under Clause 52.06 of the scheme is set out below:

Use	Required Rate	Parking Provided	Requirement
89 dwellings	1 / 1 or 2 bedroom dwelling, plus 2 spaces / 3 or more bedroom dwelling	73	90
Visitor parking	1 visitor space / 5 dwellings	0	17
Shop (retail and laundrette combined)	4 spaces / 100m <sup>2</sup> leasable floor area	1	7
Car share space		1	0
		<b>Total: 75</b>	<b>Total: 114</b>

A total of 75 car parking spaces are proposed with 29 car parking spaces allocated to the 45 one (1) bedroom dwellings; 43 car parking spaces allocated to the 43 x two (2) bedroom dwellings; two (2) car parking spaces for the one (1) x three (3) bedroom dwelling; one (1) car parking space for the two (2) retail spaces; and one (1) car parking space for a proposed car share vehicle.

A car parking reduction of 39 car parking spaces is therefore sought, including 16 resident spaces, 17 visitor spaces and six (6) retail spaces.

As per Clause 52.06-6 of the Planning Scheme:

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

- The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposal.

The application supported by an assessment of the car parking demand and concludes that the proposed provision of car parking is satisfactory based on the following:

- The waiver of residential parking is acceptable based on ABS data which indicates households occupying one-bedroom apartments in Preston own an average of 0.7 spaces per dwelling, with 40% of households not owning a vehicle. In addition to the sites proximity to the Preston Activity Centre, the availability of an on-site car share vehicle and accessibility of alternative transport modes.
- Waiver of visitor parking is acceptable due to sites location within an activity centre and the centre-based approach to parking, availability of alternative transport modes and the impracticality of providing visitor parking within the footprint of the site.
- One (1) space is provided for the larger shop tenancy and this is considered to be sufficient to accommodate staff parking demands. The laundrette is expected to be unstaffed and will be utilised by residents of the development and the surrounding area. Customers of the larger shop are expected to park off-site.

#### Adequacy of Car Parking

Insufficient information has been provided in support of the proposed visitor car parking reduction. The car parking reduction should be supported by a parking survey. The survey must be in accordance with Planning Practice Note 22 with the survey conducted within 100 metres of the site.

The proposed resident car parking reduction is not supported. Car parking for the one-bedroom apartments must be provided at a minimum rate of 0.7 spaces per apartment to align with the ABS car ownership data.

#### Car Share Vehicle

While the provision of an on-site car share vehicle is supported, notes on the applicant's development plan indicate this will be a '*building exclusive car share facility*'. Further information is required in terms of how the car will be managed and operated, and whether the car share vehicle will be procured through an established car share operator.

Council would prefer to have the car share vehicle sourced from an established operator and available for use by the wider public to maximise benefits for the wider community.

#### Design

Vehicle access to the car parking levels is provided via a car lift. Provision has been made for two (2) vehicles to store within the site while waiting for the car lift. A queuing assessment provided by the applicant indicates that a 98<sup>th</sup> percentile queue of one (1) vehicle is expected (in addition to vehicles in the lift).

Additional information is required in regard to the operation of the car lift as follows;

- Has the queue assessment been undertaken of the Entry Car Lift only? If not, the queue assessment must be revised.
- Manufactures details including specifications and service rates.
- Are drivers are required to exit vehicles to operate the lift? If so, these times are to be included in the queuing assessment.
- Provide the location of waiting bays and manoeuvrability for vehicles waiting for and exiting the lift.

- How vehicles will vehicle waiting for the lift will know if the lift is currently occupied (or not) by a vehicle approaching from the other floor (noting the location of waiting bays).

The car lift must be provided with internal dimensions of 3 metres wide x 5.8 metres long, a maximum lift speed of 0.4 m/s and an internal car height of 2.1 metres.

The applicant must also confirm how the conflict point on the ground floor, between vehicles exiting the car lift and the ground floor parking area will be managed. The restricted visibility could cause conflict between departing vehicles. Consideration should be given to adequate line-marking, signage and the use of convex mirrors.

**Clause 52.07 - Loading and Unloading of Vehicles:**

Given the small size of the two (2) commercial tenancies, it is expected that loading events would only be minor and therefore more appropriately would occur either on-site or on-street. This requirement can therefore be varied in this instance.

**Clause 52.34 - Bicycle Parking Requirement:**

22 bicycle parking spaces are proposed. This represents a poor outcome particularly when considering the high level of bicycle usage in Darebin and the wealth of bicycle infrastructure in the immediate area. 2011 ABS data indicates that highest number of cycle trips to work originate from the City of Yarra. The City of the Moreland is second, with the City of Darebin ranking third with a total of 2,750 cyclists (compared to 1,742 cyclists at the 2006 census). This represents a poor outcome especially when you consider that bicycle usage within Darebin is higher than the Melbourne average.

A portion of bicycle spaces are located in less than convenient location notably the bicycle rails opposite the car lift and in the south-east corner of basement levels 1-3. These spaces must be relocated to be more accessible for residents.

**Amendment C137:**

Amendment C137 (as adopted) proposes a Design and Development Overlay (DDO) Schedule 3 to manage built form outcomes along the Plenty Road corridor. The proposed DDO nominates the site for development up to 12-storeys. It also contains requirements about setbacks depending on adjacent zonings, site coverage, private open space, building design, ESD requirements and car parking and vehicle access requirements.

The objectives of the proposed DDO:

- *To encourage high quality urban redevelopment that achieves higher residential densities via lot consolidation within The Junction*
- *To ensure development promotes active modes of transport and supports ongoing investment in public transport infrastructure*
- *To ensure new development supports activating areas within the Junction Area, particularly along High Street, Plenty Road, Raglan Street, Dundas Street, Miller Street and Oakover Road.*
- *To encourage commercial and residential development to improve the visual amenity of built form in the Junction Area, particularly along Plenty Road, High Street, Raglan Street, Dundas Street, Miller Street, Oakover Road and the adjoining public realm via high quality urban design and architecture, including the preferred retention of existing shopfront facades and the reflection of the fine-grain rhythm of traditional shopfronts and residential development in new proposals.*
- *To ensure development achieves a balance between intensification, the provision of high quality internal amenity within new developments and the consideration of off-site amenity impacts.*



- To ensure development achieves a high quality pedestrian amenity at the interface with the public realm and promotes a safe pedestrian friendly environment.
- To ensure the cumulative effect of development in the Junction Area leads to the creation of high quality design outcomes, including ensuring similar future development potential and high quality design outcomes on adjoining land within the Junction Area.
- To encourage adaptable building layouts that can support a variety of commercial and/or residential uses over time.
- To ensure building design and layout achieves highly environmentally sustainable development, especially regarding water and energy efficiency.
- To ensure development on corner lots provides a transition in scale along the side street frontage that responds to the character of adjoining sites to the rear.
- To ensure a diversity of dwelling sizes and configurations with easy accessibility to public transport and commercial services.
- To ensure rear building setbacks are not visually dominant to adjoining residential sites and are sympathetic to the topography of the land, stepping up or down with the fall of the land. Access and Parking.
- To encourage convenient pedestrian connectivity through strategic development sites.
- To ensure development provides convenient bicycle and vehicle parking and access conditions.
- To maximise the retention of existing on street car parking spaces where possible and avoid proliferation of vehicle crossovers, especially on to Plenty Road, High Street, Raglan Street, Dundas Street, Miller Street and Oakover Road.
- To encourage development that minimises vehicle crossovers to Plenty Road, High Street, Raglan Street, Dundas Street, Miller Street and Oakover Road and provides rear lane or side street vehicular access instead.

The DDO contains seven (7) criteria to assess multi-level and mixed use development proposals. The table below provides an assessment against those criteria.

	Comment	Compliance
<b>Minimum frontage</b>	Land to be developed in a Commercial 1 Zone and Mixed Use Zone 1 should have a minimum frontage width of 15 metres. The site provides a frontage of 27 metres.	Complies
<b>Building height</b>	<i>Any new building must not exceed the maximum height. For the purpose of this schedule 12 storeys equates to 38 metres. The maximum heights shown on the precinct maps to this schedule cannot be varied with a permit.</i>  The proposed 14-storey height exceeds this requirement. A more detailed assessment of the height is provided under the Clause 22.06 assessment above.	Does not comply
<b>Building setbacks</b>	<i>Land in a Commercial 1 the fronting Plenty Road should be setback zero for the first four (4) storeys (inclusive), unless specified otherwise. Higher storeys should be setback from the street wall and either side boundary at an</i>	Complies

	Comment	Compliance
	<p><i>adequate distance to create a separation between the lower and upper parts of a building. Such space should be usable for secluded private open space.</i></p> <p>The setback of the development from Plenty Road is generally acceptable. The front façade is offset from the street alignment. The façade also provides balconies and a satisfactory level of articulation.</p>	
<b>Building design</b>	<p><i>The building mass should be directed towards Plenty Road. Building structures and layouts should be adaptable to allow for a variety of commercial spaces and potential for combining commercial units where in a Commercial Zone 1 or Mixed Use Zone 1. Buildings should be designed to achieve a high level of environmentally sustainability. Development should activate the public realm via passive surveillance and avoid blank walls and high solid side fences, including side street frontages. Site services such as air conditioning units, gas metres etc. should not be visible from the public realm or a sensitive interface on and off-site.</i></p> <p>A reasonable proportion of the ground floor interface is proposed as active. With the remaining sections devoted to the vehicle and pedestrian access. Site services such as the substation are located centrally and away from the frontage.</p> <p>The rear elevation rises above the 3<sup>rd</sup> level for 10 levels, without further setback. To the rear (west elevation), at No. 277 Raglan Street, an existing apartment rises to eight (8) storeys. Given that dwellings along this interface have single-aspect layouts, adequate building separation should be provided from development on the adjacent site to allow for privacy to be achieved without relying on tall screening that would restrict outlook.</p> <p>In places, facing balconies on adjacent sites are separated by approximately only five (5) metres across the common site boundary, resulting in a loss of outlook and, daylight. The proposed west facing dwellings will be required to be screened to prevent overlooking into the dwellings occupying No. 277 Raglan Street. This will result in a poor level of internal amenity and reduced access to daylight.</p>	Does not comply
<b>Access and parking</b>	Refer to the Clause 52.06 assessment below.	Does not comply
<b>Advertising signs</b>	Details of signage have not been provided.	Complies subject to condition

**REFERRAL SUMMARY**

Department/Authority	Response
Capital Works	No objection, subject to condition.
Transport Management and Planning	Object to the design of the car park and car parking reduction. See report for details.
Urban Design officer	Objection based on height, design and internal amenity. See body of report for details.

**PLANNING SCHEME SUMMARY****Darebin Planning Scheme clauses under which a permit is required**

- Clause 34.01 (Commercial 1 Zone) - Construction of buildings and works.
- Clause 52.06 (Car Parking) - A reduction to the car parking requirement.
- Clause 52.07 (Loading and Unloading) - A variation to the loading/unloading requirement.

**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	21.02-3, 21.03-2, 21.05, 22.06
Zone	34.01
Overlay	45.06
Particular provisions	52.06, 52.07, 52.34
General provisions	65.01
Amendment	C137

**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

**DISCLOSURE OF INTERESTS**

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

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

**RELATED DOCUMENTS**

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



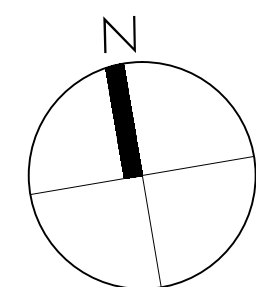


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## DRAWING SCHEDULE

TPA01	SITE PLAN, AREA ANALYSIS	1:300
TPA02	BASEMENT LEVEL 3	1:100
TPA03	BASEMENT LEVEL 2	1:100
TPA04	BASEMENT LEVEL 1	1:100
TPA05	GROUND FLOOR PLAN	1:100
TPA06	FIRST FLOOR PLAN	1:100
TPA07	SECOND FLOOR PLAN	1:100
TPA08	THIRD TO FIFTH FLOOR PLANS	1:100
TPA09	SIXTH TO ELEVENTH FLOOR PLANS	1:100
TPA10	TWELTH FLOOR PLAN	1:100
TPA11	THIRTEENTH FLOOR PLAN	1:100
TPA12	ROOF PLAN	1:100
TPA13	EAST ELEVATION	1:100
TPA14	NORTH ELEVATION	1:100
TPA15	WEST ELEVATION	1:100
TPA16	SOUTH ELEVATION	1:100
TPA17	EAST - WEST SECTION A-A	1:100
TPA18	NORTH - SOUTH SECTION B-B, COLOURS, MATERIALS AND FINISHES SCHEDULE	1:100
TPA19	DETAILED SITE ANALYSIS - NEIGHBOURHOOD AND SITE DESCRIPTION	1:300
TPA20	DETAILED SITE ANALYSIS - DESIGN RESPONSE	1:300
TPA21	AREA ANALYSIS	
TPA22	DETAILED SHADOW ANALYSIS - 9:00AM, SEPTEMBER 22	1:200
TPA23	DETAILED SHADOW ANALYSIS - 12:00NOON, SEPTEMBER 22	1:200
TPA24	DETAILED SHADOW ANALYSIS - 3:00PM, SEPTEMBER 22	1:200
TPA25	DETAILS	

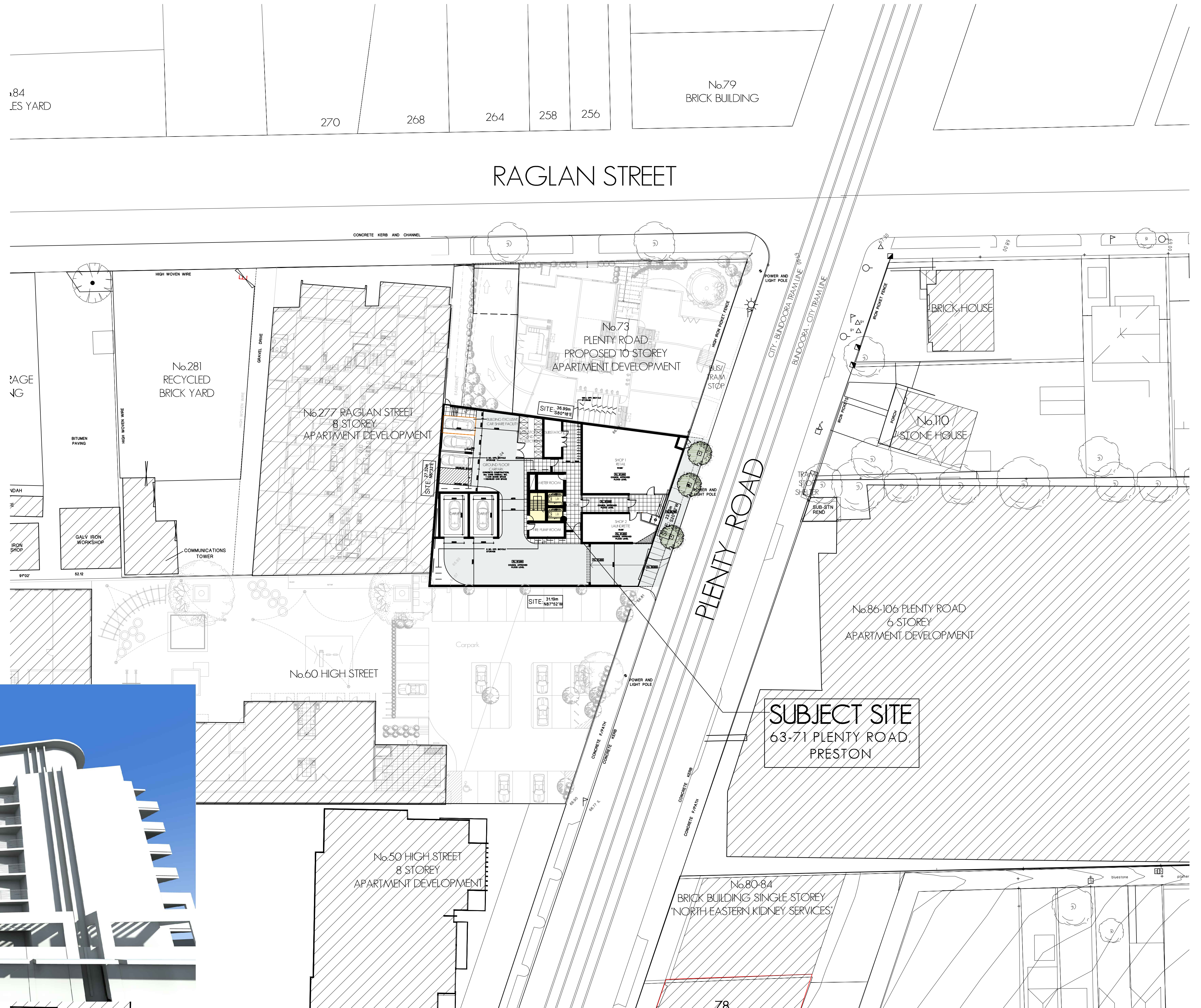


### SITE PLAN

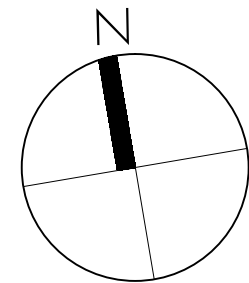
TPA 01 - 1 OF 25  
SCALE 1:200  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

JOB NO. 14-19  
DATE: 11TH JULY 2016

DRAWN BY: ANDREW K.  
FOR VCAT







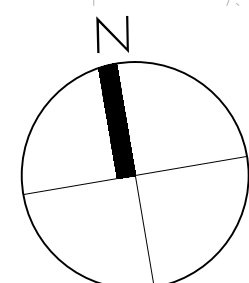
## BASEMENT LEVEL 3

TPA 02 - 2 OF 25 JOB NO. 14-19  
SCALE 1:100 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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FOR VCAT

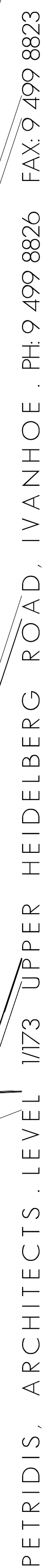




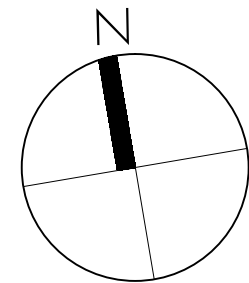


TPA 03 - 3 OF 25      JOB NO. 14-19  
SCALE 1:100      DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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## BASEMENT LEVEL 1

TPA 04-04 OF 25 JOB NO. 14-19  
SCALE 1:100 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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TPA 05-05 OF 25      JOB NO. 14-19  
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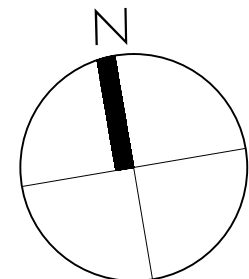
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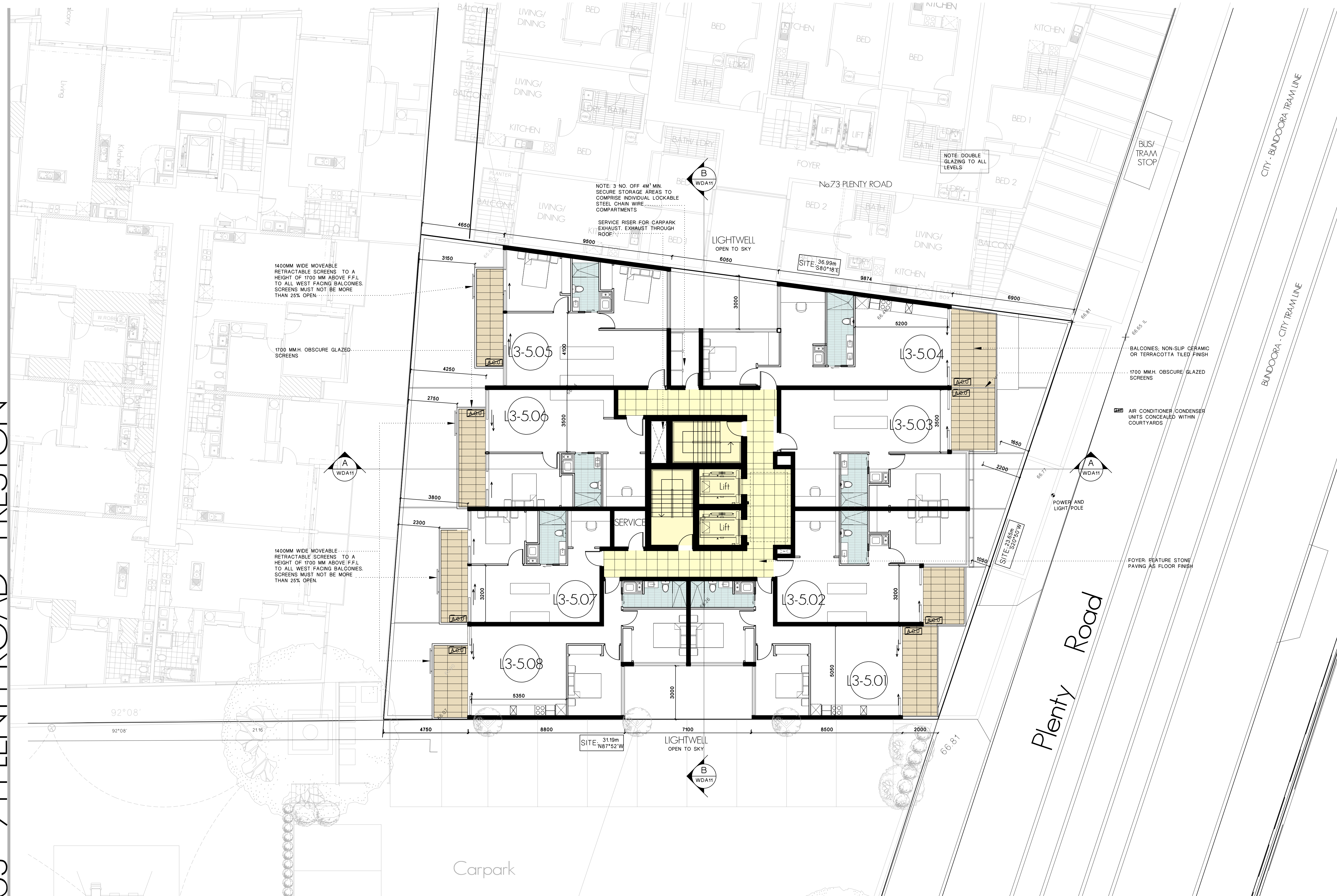
## SECOND FLOOR PLAN

TPA 07 - 7 OF 25 JOB NO. 14-19  
SCALE 1:100 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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## THIRD TO FIFTH FLOOR PLANS

TPA 08 - 8 OF 25

JOB NO. 14-19

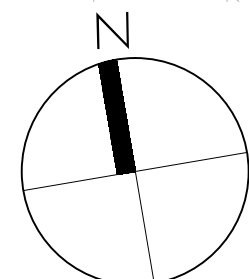
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SCALE 1:100

DATE: 11TH JULY 2016

NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

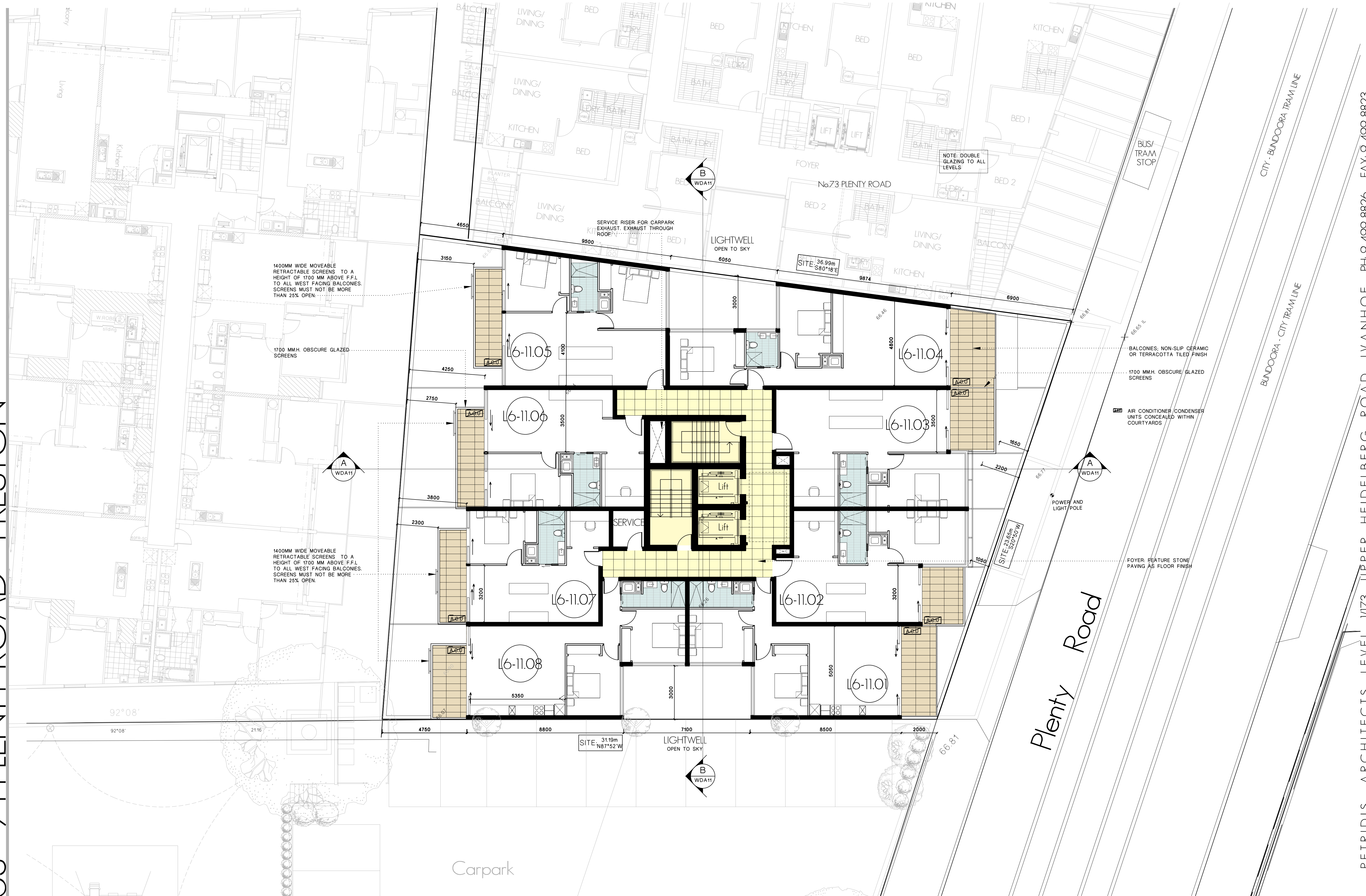




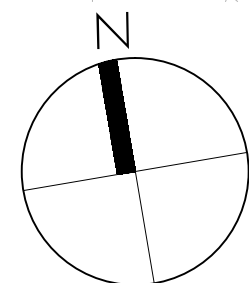
## SIXTH TO ELEVENTH FLOOR PLANS

TPA 09 - 9 OF 25 JOB NO. 14-19  
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NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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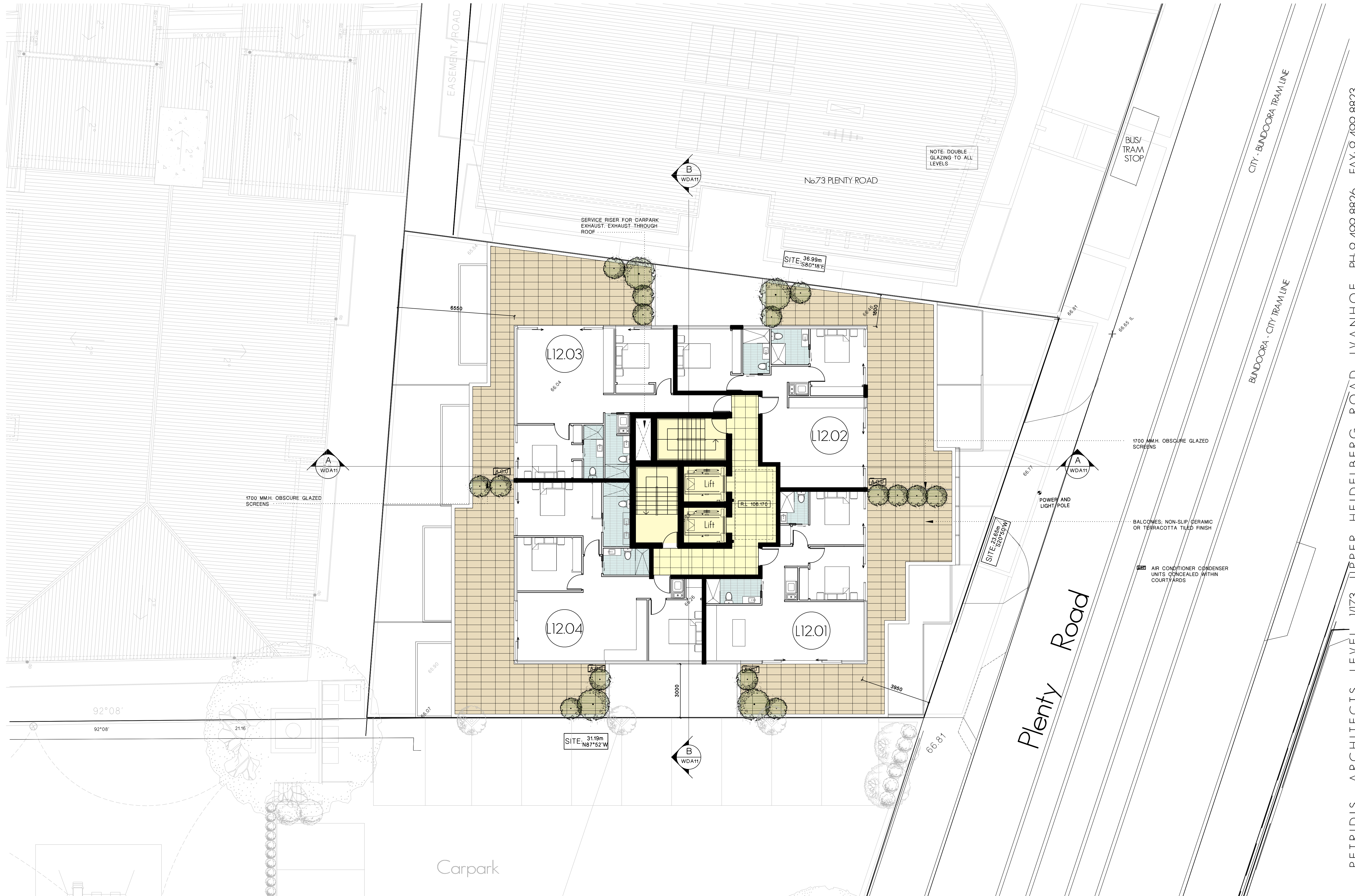




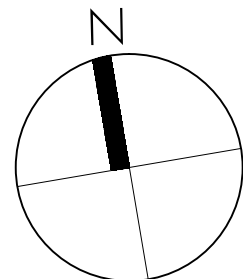
## TWELTH FLOOR PLAN

TPA 10 - 10 OF 25 JOB NO. 14-19  
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NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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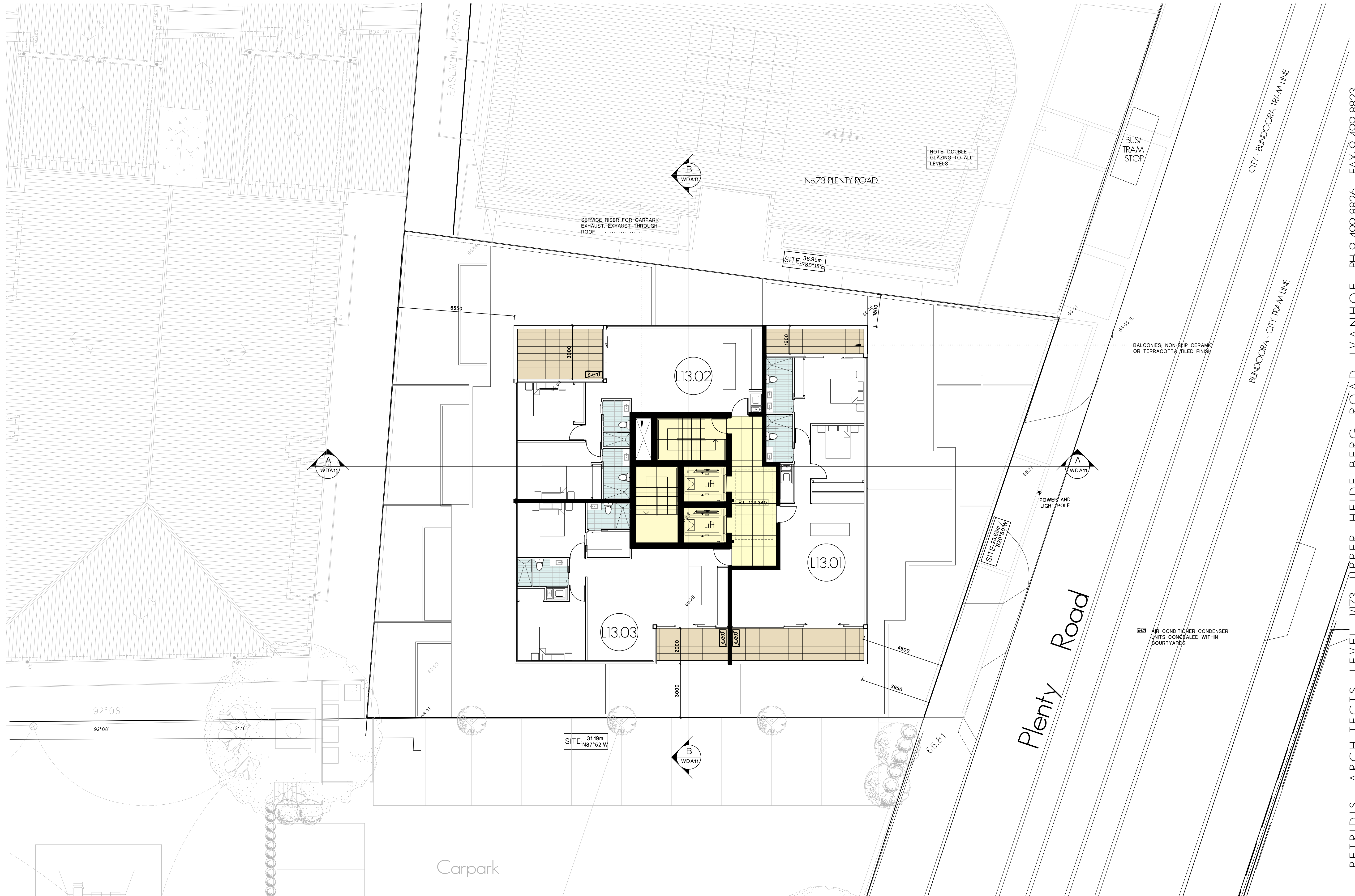




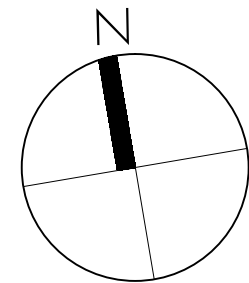
## THIRTEENTH FLOOR PLAN

TPA 11 - 11 OF 25 JOB NO. 14-19  
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NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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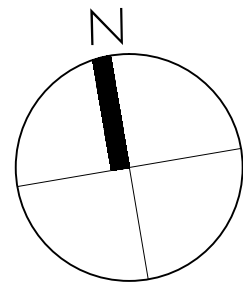
## ROOF PLAN

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SCALE 1:100 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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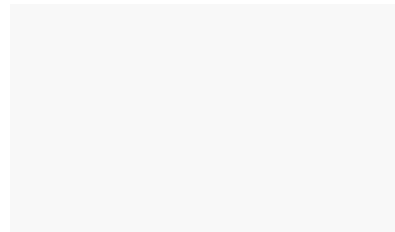






## EAST ELEVATION

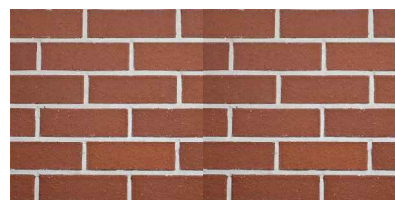
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SCALE 1:200  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM



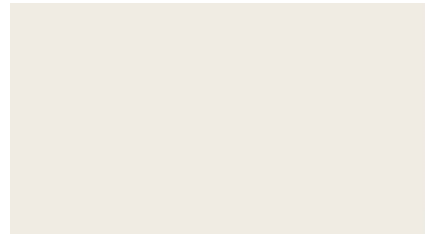
1) COLORBOND "SURFMIST"



2) OFF FORM CONCRETE (NATURAL FINISH)



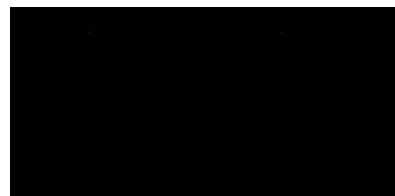
4) RED BRICK



5) NATURAL WHITE



6) ALUCOBOND "WHITE"



7) ALUCOBOND "BLACK"



8) NATURAL ANODISED



10) IRON STONE



11) CLEAR GLASS



13) STEEL GARAGE GRILLE

### ROOF:

1) "FLAT" SHEET STEEL ROOFING, SELECT COLORBOND FINISH "SURFMIST" (HEAT REFLECTIVE ROOFING)

### WALLS:

2) OFF FORM CONCRETE, NATURAL FAIR FACE FINISH, NATURAL COLOUR

3) FEATURE OFF FORM ROUGH FINISH CONCRETE EXPOSED AGGREGATE, WIDTH APPROX 75mm DEPTH 75mm NATURAL COLOUR

4) FACE BRICKWORK, SELECT "BORAL", RED BRICK

5) CEMENT RENDER, INTEGRAL COLOUR SELECT DULUX COLOUR SPECIFIER "NATURAL WHITE" (PCWF5)

### MOULDINGS:

5) CEMENT RENDER, INTEGRAL COLOUR SELECT DULUX COLOUR SPECIFIER "NATURAL WHITE" (P14.D4) (200 WIDE X 10mm DEEP)

### FEATURES:

6) ALUCOBOND, STANDARD COLOURS RANGE "WHITE 16" (101)

7) ALUCOBOND, STANDARD COLOURS RANGE "BLACK" (326)

8) ALUMINIUM, NATURAL ANODISED FINISH ("BRUSH")

9) ALUMINIUM HORIZONTAL LOUVRE SCREENS, T AND L GROUP, OXFORD SERIES, NATURAL ANODISED FINISH

10) ALUCOBOND, STANDARD COLOURS RANGE "IRONSTONE"

### BALUSTRADE:

5) CEMENT RENDER, INTEGRAL COLOUR SELECT DULUX COLOUR SPECIFIER "NATURAL WHITE" (PCWF5)

11) CLEAR GLASS

### FRONT DOOR AND WINDOW FRAMES:

12) ALUMINIUM FRAMING, NATURAL ANODISED FINISH

### GARAGE DOOR

13) STEEL ROLLER GRILLE, NATURAL ANODISED FINISH, WITH ANTI-GRAFFITI TREATMENT/PROFILE

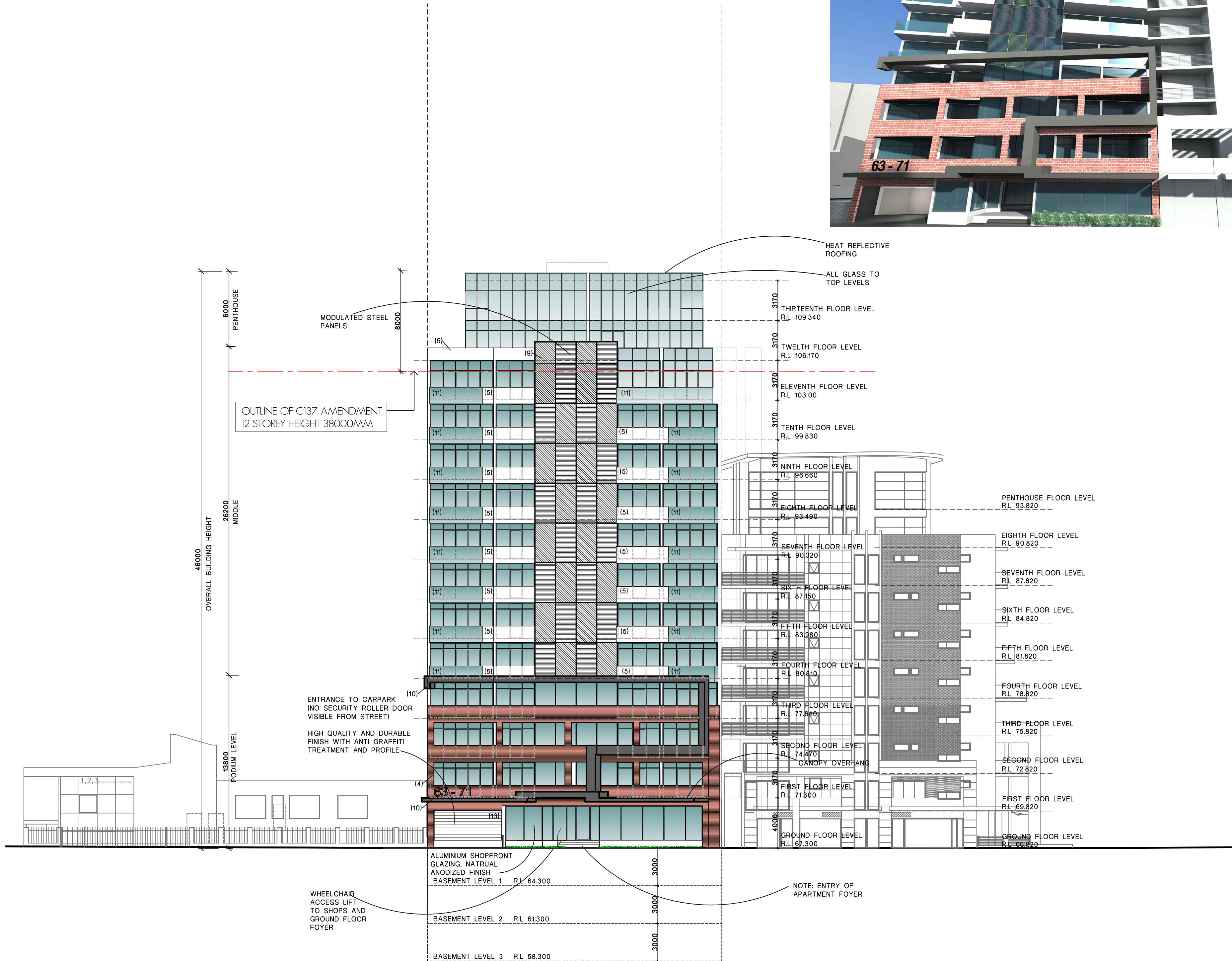
### WINDOWS:

14) GREY TINTED GLAZED WINDOWS

15) NATURAL GLAZED WINDOWS

### PAVING:

16) CONCRETE AGGREGATE, NATURAL FINISH

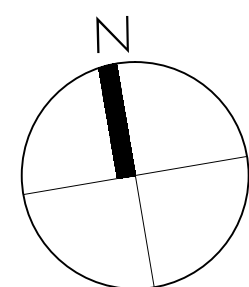


## EAST ELEVATION (IE. FACING PLENTY ROAD)

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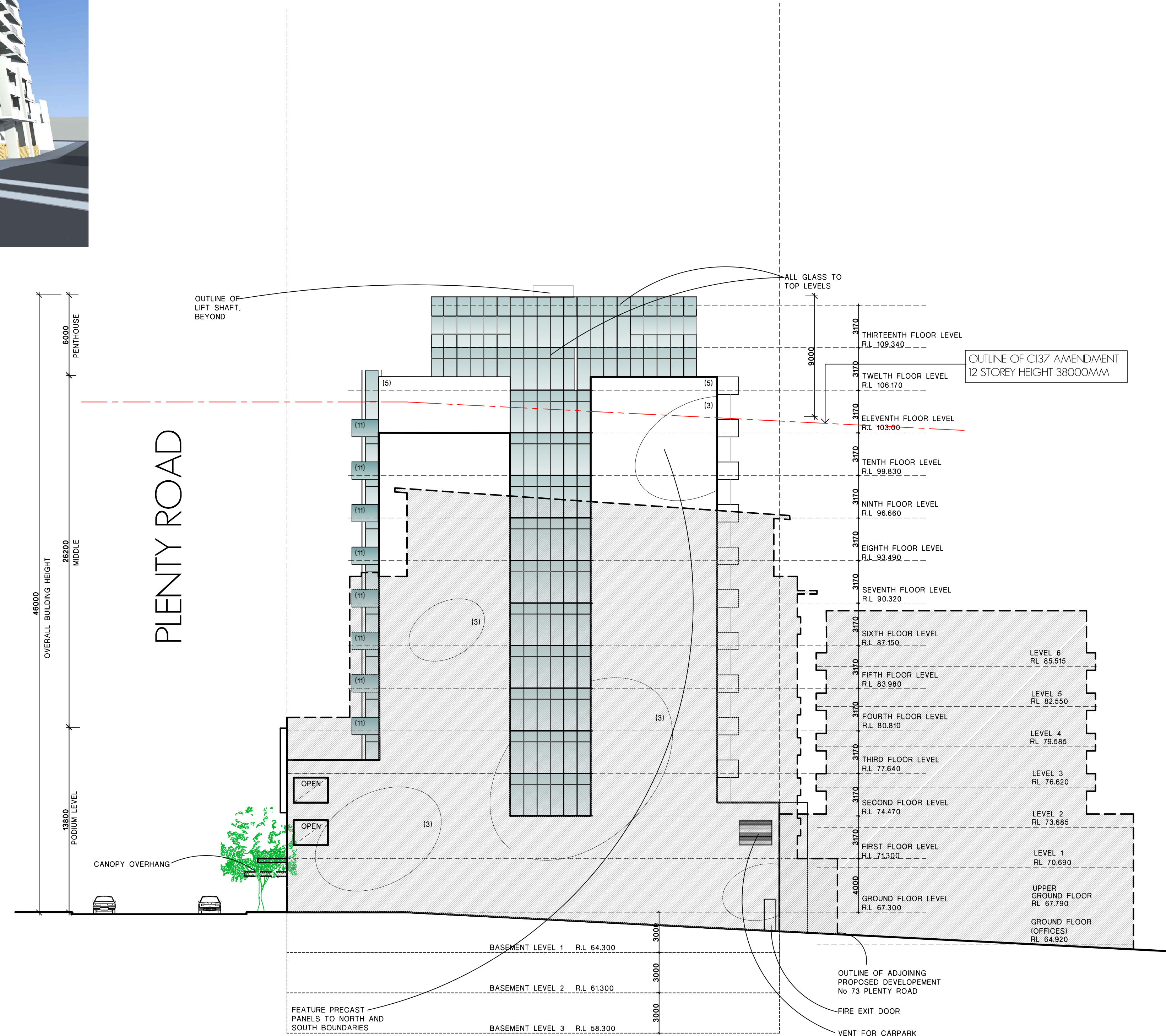




## NORTH ELEVATION

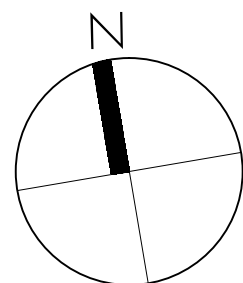
TPA 14-14 OF 25 JOB NO. 14-19  
SCALE 1:200 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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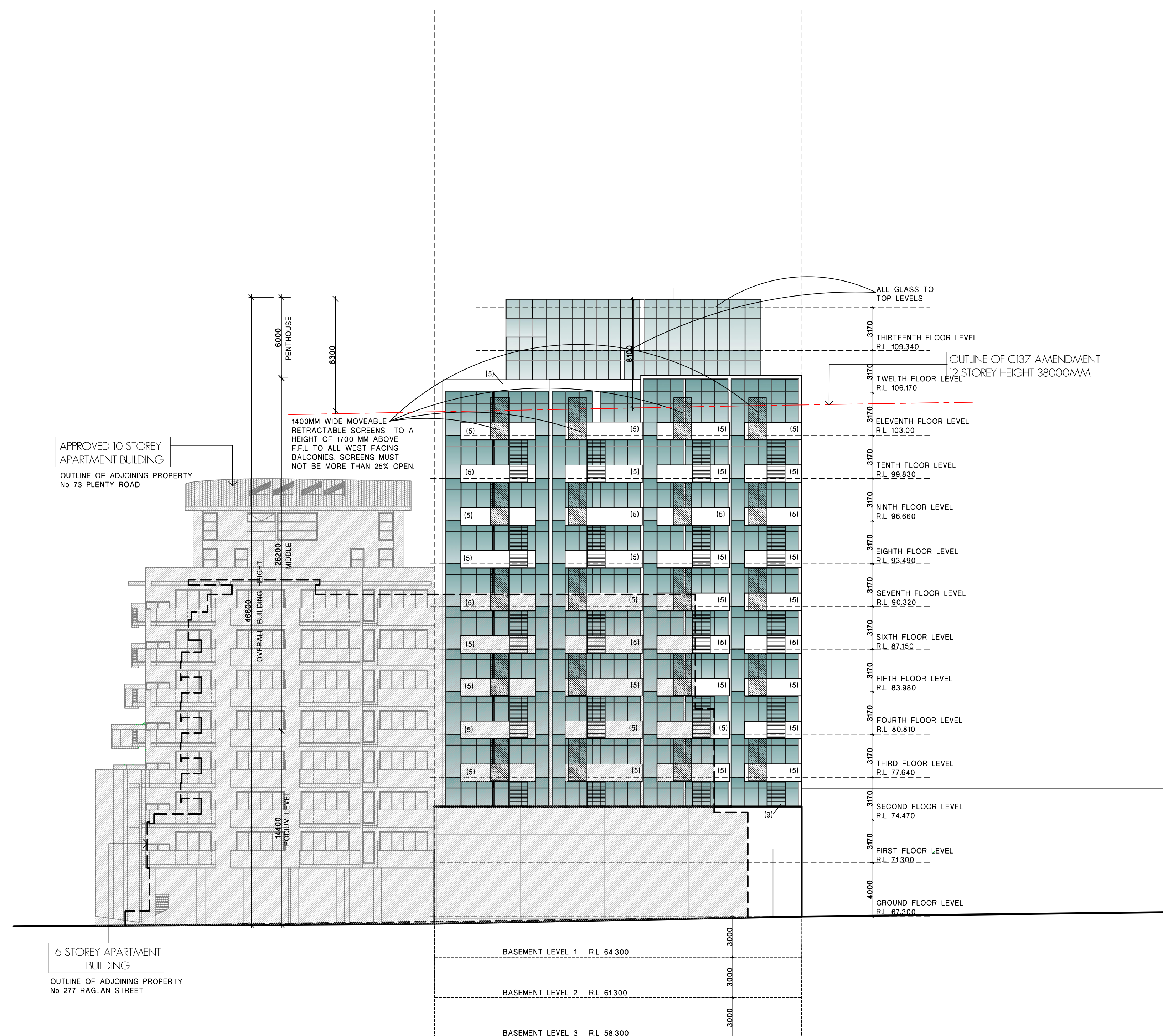
## NORTH ELEVATION



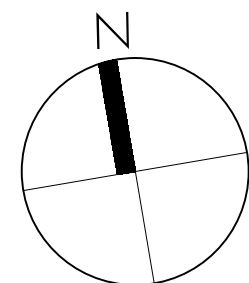


TPA 15 - 15 OF 25      JOB NO. 14-19  
SCALE 1:200      DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

WEST ELEVATION (IE. FACING REAR EASEMENT)



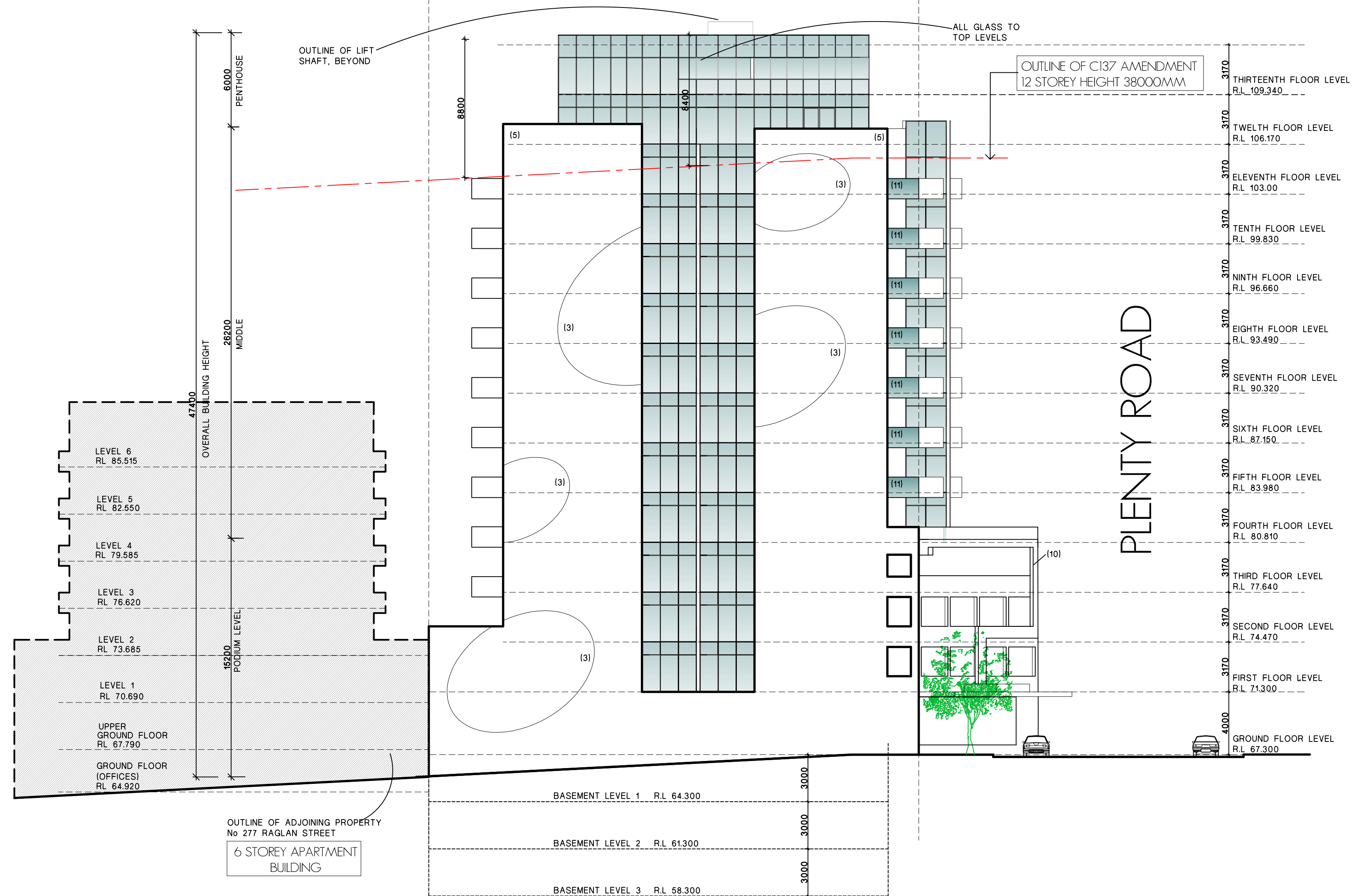




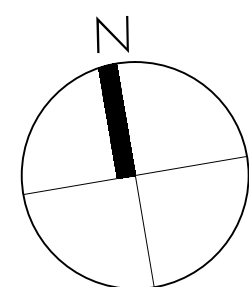
## SOUTH ELEVATION

TPA 16 - 16 OF 25 JOB NO. 14-19  
SCALE 1:200 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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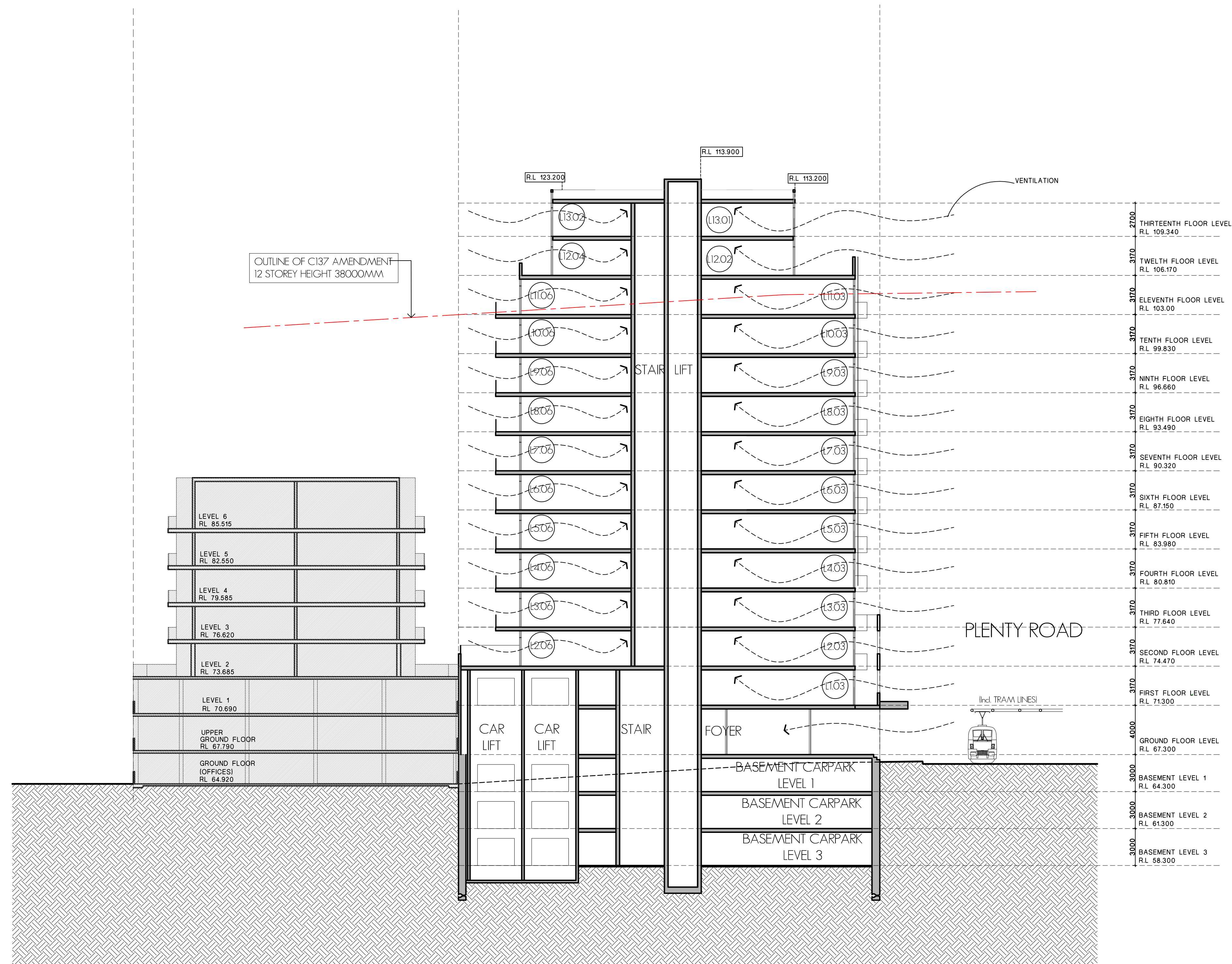
## SOUTH ELEVATION



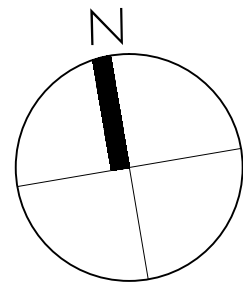
## CROSS SECTION A-A

TPA 17 - 17 OF 25 JOB NO. 14-19  
SCALE 1:200 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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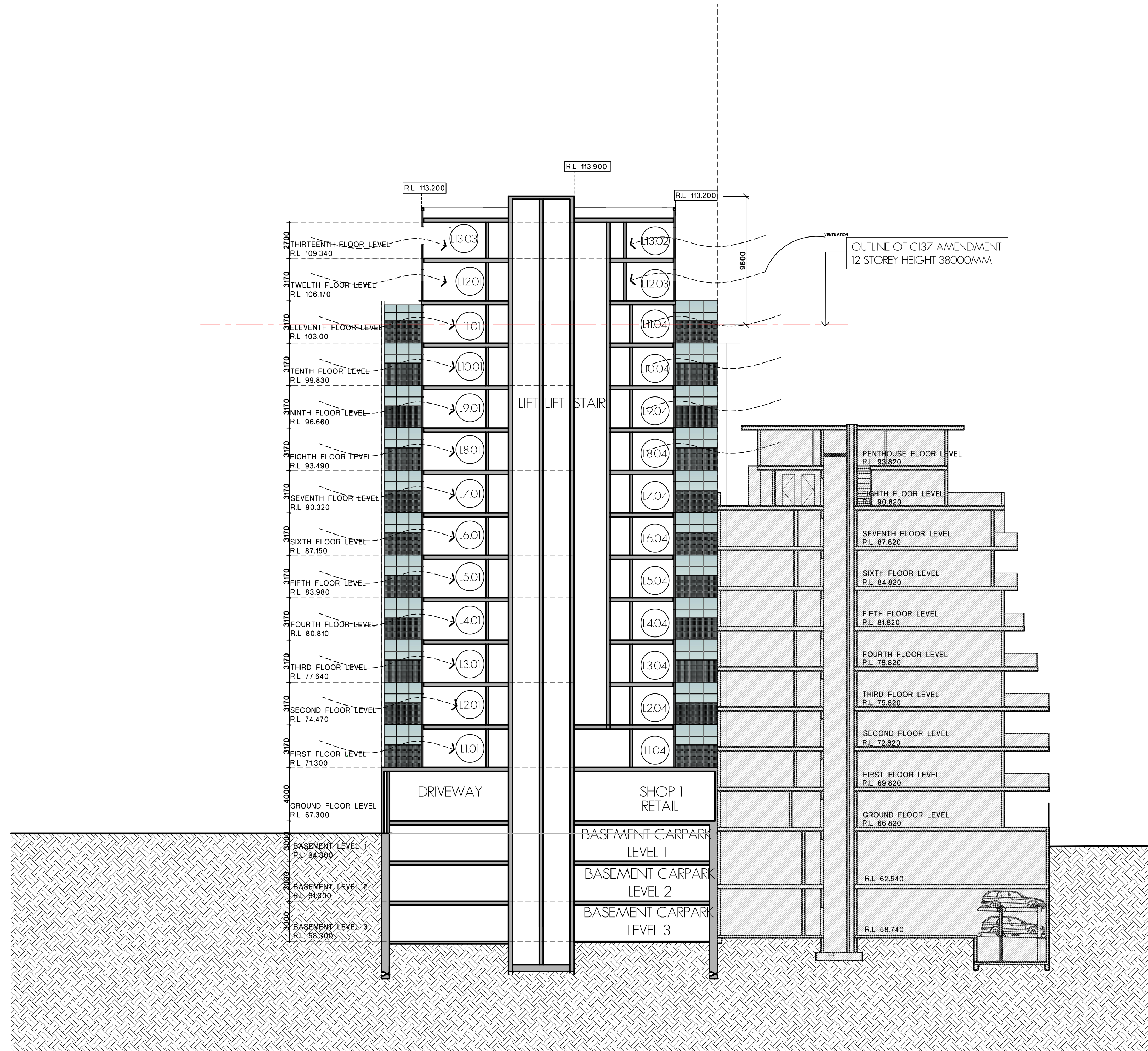




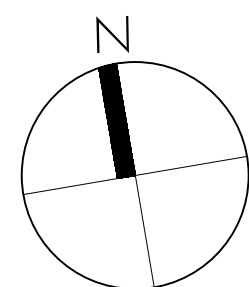
## CROSS SECTION B-B

TPA 18-18 OF 25 JOB NO. 14-19  
SCALE 1:200 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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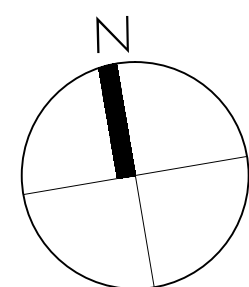




TPA 19 - 19 OF 25      JOB NO. 14-19  
SCALE 1:300      DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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## DESIGN RESPONSE

HOW PROPOSAL RESPECTS, ACKNOWLEDGES AND IMPROVES THE EXISTING NEIGHBOURHOOD CHARACTER

-PROPOSAL TAKES OVER DERELICT, VACANT SITE AND BREATHES "LIFE", INTO LOCALITY

-BUILDING IS DESIGNED TO BE CONSTRUCTED; AN EMPHASIS ON AMENITY, AESTHETICS AND "BUILDABILITY"

- BUILDING HAS DISTINCT STYLE AND "FEEL" FROM ALL FRONTS: A HIGHLY ARTICULATED APPEARANCE THAT FACES PLENTY ROAD (AND TEMPORARILY, RAGLAN STREET) AND CAN BE VIEWED FROM LONG DISTANCES INCL. THE PLENTY ROAD/RAGLAN STREET JUNCTION

- MAIN VEHICULAR AND PEDESTRIAN ENTRANCES TO DEVELOPMENT ARE READILY VISIBLE AND ACCESSIBLE FROM PLENTY ROAD

**A** VEHICULAR AND PEDESTRIAN ACCESS CLEARLY SEPARATED AND DELINEATED AT PERIPHERY OF SITE

**B** ON-STREET CARPARKING NUMBERS GENERALLY TO BE MAINTAINED AS ARE (NO. EXISTING CROSSING AT THE FRONT OF SITE IS TO BE RETAINED

**C** COVERED SECURE CARSPACES AVAILABLE ON-SITE FOR MOST 1 AND 2 BEDROOM APARTMENTS (FOR 75sq. M APARTMENTS); CARS PARKED IN SECURE SAFE COVERED AREA; ALL CARS ABLE TO EXIT SITE IN A FORWARD DIRECTION

**D** DESIGN OF INTERIOR OF NEW APARTMENTS UNDERTAKEN IN CONTEMPORARY MANNER; PLENTY OF LIGHT AND OPEN SPACE; FEW VISIBLE DOORS WITHIN EACH APARTMENT.

**E** OPEN SPACE (ROOF GARDENS ON PODIUM LEVEL, BALCONIES OTHERWISE) ALL HAVE GOOD PROPORTIONS, ARE PRIVATE, AND ALL HAVE SOME NORTHERN EXPOSURE

**F** DESIGN OF INTERIORS OF APARTMENTS INFLUENCED BY PRIVATE OPEN SPACES (PODIUM LEVEL ROOF GARDENS UPPER FLOOR BALCONIES, PENTHOUSE LEVEL ROOF GARDENS); ALL SITTING ROOMS HAVE PHYSICAL AND VISUAL ACCESS TO THESE SPACES

**G** CLOTHES DRYING FACILITIES TO BE PROVIDED TO ALL LAUNDRIES, AWAY FROM PUBLIC VIEW

**H** GOOD SURVEILLANCE OF PLENTY ROAD AVAILABLE FROM FRONT ROOMS OF FRONT APARTMENTS (IE 45% OF THE APARTMENTS IN THE DEVELOPMENT)

## GENERAL NOTES

DENSITY APPROPRIATE AND RESPONDS TO:

- SITE LOCATION IN ESTABLISHED HIGH DENSITY RESIDENTIAL/ COMMERCIAL PRECINCT - ALL INFRASTRUCTURE AVAILABLE; PROXIMITY TO PUBLIC TRANSPORT, PARKS, SCHOOLS, SHOPS ETC.

- PROPOSED LANDSCAPING WILL INTEGRATE PROPOSED DEVELOPMENT INTO NEIGHBOURHOOD

- MATERIALS AND EXTERNAL FINISHES  
- CONCRETE LOWER WALLS, RENDERED AND CLAD UPPER WALLS, SOME FACE BRICKWORK  
- ALUMINIUM WINDOWS  
- STEEL ROOFING RESPONDING TO "INDUSTRIAL" MATERIALS COMMONLY FOUND IN THE AREA

- BUILDING FORM IS HIGHLY ARTICULATED, FACADE IS BROKEN UP AS A SERIES OF CONNECTED IDENTIFIABLE FORMS

High Street

UNDER CONSTRUCTION  
12 STOREY BUILDING

43 Plenty Road 53 Plenty Road  
STREETSCAPE ELEVATION (FACING PLENTY ROAD)  
SCALE: 1:300

## DETAILED SITE ANALYSIS - DESIGN RESPONSE

TPA 20 - 20 OF 25 JOB NO. 14-19  
SCALE 1:300 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

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270 268 264 260 256

RAGLAN STREET



**I** BUILDING PLAN DESIGNED AROUND FEATURE FOYERS/ATRIUMS ALLOWING SOME CROSS VENTILATION THROUGH BUILDING, AND PLENTY OF NATURAL LIGHT AT UPPER FLOOR LEVELS. ATRIUM BECOMES A FEATURE

**J** OPPORTUNITIES FOR LOCAL ART TO BE DEPLOYED IN THE FOYER: A SERIES OF SCULPTURES AND MURALS WILL BE COMMISSIONED

**K** BUILDING ARTICULATED VERTICALLY THROUGH PLAN SHAPE AND MIXING OF MATERIALS, COLOURS AND FINISHES

**L** BUILDING FACADE DESIGNED WITH 3NO. ELEMENTS: BASE, BODY OF BUILDING, "CAP" TO TOP.

**M** BUILDING CONSCIOUSLY DESIGNED AND DETAILED AS A 6-STAR ENERGY-RATED BUILDING

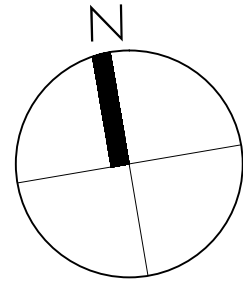
**N** BUILDING DESIGNED WITH ATTENTION TOWARDS AFFORDABLE, COST-EFFICIENT HOUSING

**O** BUILDING AND SUBSEQUENT AREA OF SITE, DESIGNED TO INCORPORATE "SMART", "GREEN TRAVEL PLAN"

OUTLINE OF C137 AMENDMENT  
12 STOREY HEIGHT 38000MM

APPROVED  
10 STOREY BUILDING





## AREA ANALYSIS

TPA 21 - 21 OF 25      JOB NO. 14-19  
SCALE      DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

## AREA ANALYSIS

SITE AREA      854.01m<sup>2</sup>  
No OF PROPOSED UNITS      89 APARTMENTS, 2 SHOPS  
INCL 45 X 1 BED APARTMENTS,  
43 X 2 BED APARTMENTS, 1 X 3 BED APARTMENT

## DETAILED AREA ANALYSIS

Unit No.	Description	Area
Basement Level 3 Carpark	21no. Carspaces	
Basement Level 2 Carpark	21no. Carspaces	
Basement Level 1 Carpark	21no. Carspaces	
Shop 1 - Retail	GROUND FLOOR LEVEL	AREA 141.6M <sup>2</sup> (15.2SQ)
Shop 2 - Laundrette	GROUND FLOOR LEVEL	AREA 49.2M <sup>2</sup> (5.3SQ)
Ground Floor Carpark	3no. Carspaces	
First Floor Level Carpark	10no. Carspaces	

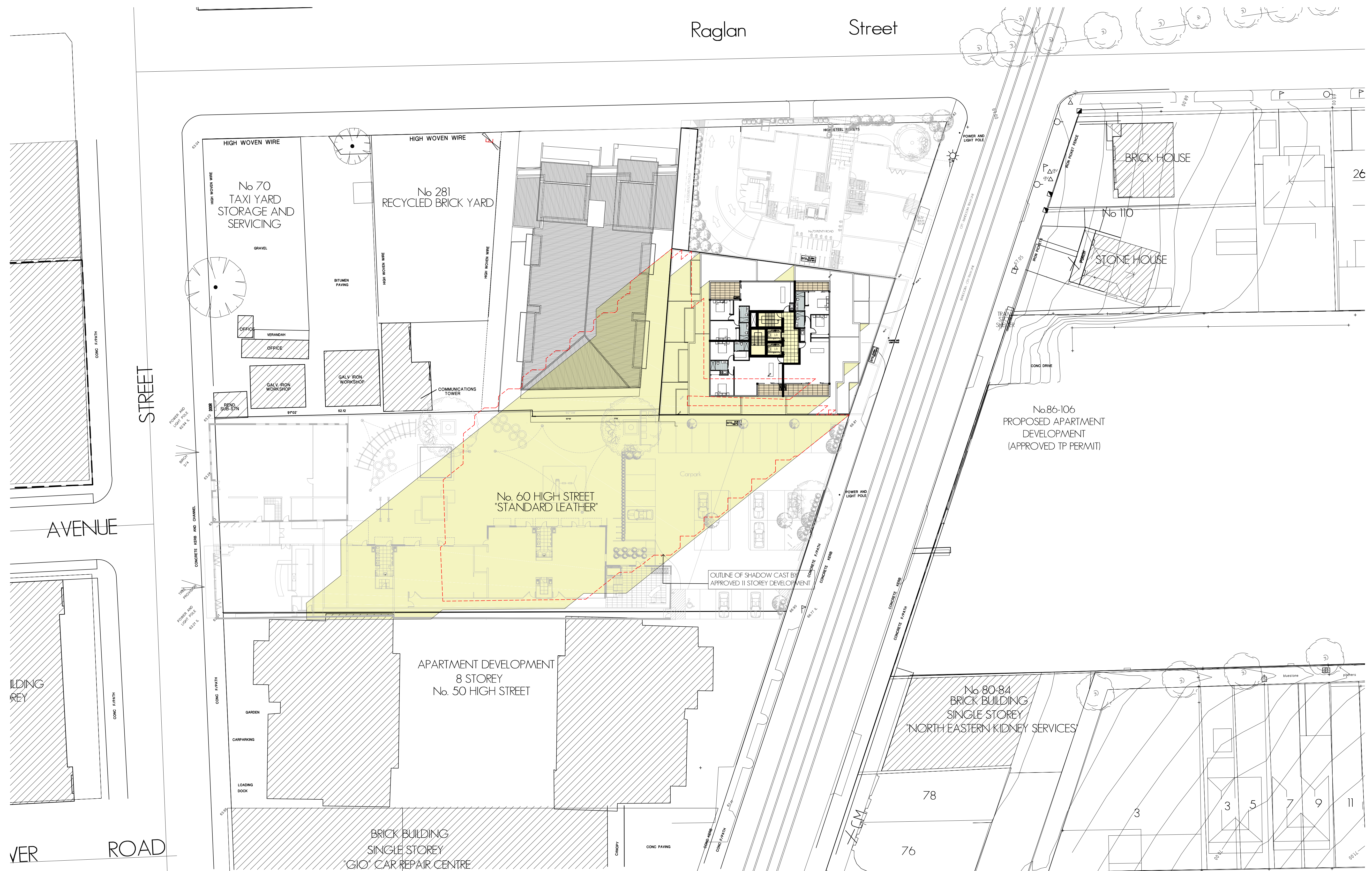
Unit No.	Type	Description	Area
Apartment 1-01	SINGLE STOREY FIRST FLOOR LEVEL	2 BEDROOMS, 2 BATHROOMS, BALCONY	AREA 82.1M <sup>2</sup> (8.8SQ) POS 26.9M <sup>2</sup>
Apartment 1-02	SINGLE STOREY FIRST FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 15.9M <sup>2</sup>
Apartment 1-03	SINGLE STOREY FIRST FLOOR LEVEL	2 BEDROOM, BATHROOM, 2 BALCONIES	AREA 66.1M <sup>2</sup> (7.1SQ) POS 15.3-10.8M <sup>2</sup>
Body Corp. Maintenance Office			AREA 34.0M <sup>2</sup> (3.7SQ)
Apartment 2-01	SINGLE STOREY FIFTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.3M <sup>2</sup> (7.0SQ) POS 15.1M <sup>2</sup>
Apartment 2-02	SINGLE STOREY SECOND FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 10.3M <sup>2</sup>
Apartment 2-03	SINGLE STOREY SECOND FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 73.7M <sup>2</sup> (7.9SQ) POS 8.7M <sup>2</sup>
Apartment 2-04	SINGLE STOREY SECOND FLOOR LEVEL	1 BEDROOM, 1 STUDY, 1 BATHROOM, BALCONY	AREA 83.8M <sup>2</sup> (9.0SQ) POS 9.7M <sup>2</sup>
Cym	SINGLE STOREY SECOND FLOOR LEVEL		AREA 47.8M <sup>2</sup> (5.2SQ)
Apartment 2-05	SINGLE STOREY SECOND FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.3M <sup>2</sup> (6.4SQ) POS 29.1M <sup>2</sup>
Apartment 2-06	SINGLE STOREY SECOND FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.3M <sup>2</sup> (5.4SQ) POS 24.9M <sup>2</sup>
Apartment 2-07	SINGLE STOREY SECOND FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 68.1M <sup>2</sup> (7.3SQ) POS 24.4M <sup>2</sup>
Apartment 3-01	SINGLE STOREY THIRD FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 3-02	SINGLE STOREY THIRDFLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 3-03	SINGLE STOREY THIRD FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 3-04	SINGLE STOREY THIRD FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 66.9M <sup>2</sup> (7.2SQ) POS 11.1M <sup>2</sup>
Apartment 3-05	SINGLE STOREY THIRDFLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 3-06	SINGLE STOREY THIRD FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 3-07	SINGLE STOREY THIRDFLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 3-08	SINGLE STOREY THIRDFLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>

Unit No.	Type	Description	Area
Apartment 4-01	SINGLE STOREY FOURTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 4-02	SINGLE STOREY FOURTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 4-03	SINGLE STOREY FOURTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 4-04	SINGLE STOREY FOURTH FLOOR LEVEL	1 BEDROOM, BATHROOM, BALCONY	AREA 66.9M <sup>2</sup> (7.2SQ) POS 11.1M <sup>2</sup>
Apartment 4-05	SINGLE STOREY FOURTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 4-06	SINGLE STOREY FOURTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 4-07	SINGLE STOREY FOURTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 4-08	SINGLE STOREY FOURTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>
Apartment 5-01	SINGLE STOREY FIFTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 5-02	SINGLE STOREY FIFTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 5-03	SINGLE STOREY FIFTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 5-04	SINGLE STOREY FIFTH FLOOR LEVEL	1 BEDROOM, BATHROOM, BALCONY	AREA 66.9M <sup>2</sup> (7.2SQ) POS 11.1M <sup>2</sup>
Apartment 5-05	SINGLE STOREY FIFTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 5-06	SINGLE STOREY FIFTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 5-07	SINGLE STOREY FIFTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 5-08	SINGLE STOREY FIFTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>
Apartment 6-01	SINGLE STOREY SIXTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 6-02	SINGLE STOREY SIXTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 6-03	SINGLE STOREY SIXTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 6-04	SINGLE STOREY SIXTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 72.2M <sup>2</sup> (7.8SQ) POS 11.1M <sup>2</sup>
Apartment 6-05	SINGLE STOREY SIXTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 6-06	SINGLE STOREY SIXTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 6-07	SINGLE STOREY SIXTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 6-08	SINGLE STOREY SIXTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>
Apartment 7-01	SINGLE STOREY SEVENTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 7-02	SINGLE STOREY SEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 7-03	SINGLE STOREY SEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 7-04	SINGLE STOREY SEVENTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 72.2M <sup>2</sup> (7.8SQ) POS 11.1M <sup>2</sup>
Apartment 7-05	SINGLE STOREY SEVENTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 7-06	SINGLE STOREY SEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 7-07	SINGLE STOREY SEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 7-08	SINGLE STOREY SEVENTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>

Unit No.	Type	Description	Area
Apartment 8-01	SINGLE STOREY EIGHTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 8-02	SINGLE STOREY EIGHTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 8-03	SINGLE STOREY EIGHTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 8-04	SINGLE STOREY EIGHTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 72.2M <sup>2</sup> (7.8SQ) POS 11.1M <sup>2</sup>
Apartment 8-05	SINGLE STOREY EIGHTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 8-06	SINGLE STOREY EIGHTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 8-07	SINGLE STOREY EIGHTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 8-08	SINGLE STOREY EIGHTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>
Apartment 9-01	SINGLE STOREY NINTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 9-02	SINGLE STOREY NINTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 9-03	SINGLE STOREY NINTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 9-04	SINGLE STOREY NINTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 72.2M <sup>2</sup> (7.8SQ) POS 11.1M <sup>2</sup>
Apartment 9-05	SINGLE STOREY NINTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 9-06	SINGLE STOREY NINTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 9-07	SINGLE STOREY NINTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 9-08	SINGLE STOREY NINTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>
Apartment 10-01	SINGLE STOREY TENTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 10-02	SINGLE STOREY TENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 10-03	SINGLE STOREY TENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 10-04	SINGLE STOREY TENTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 72.2M <sup>2</sup> (7.8SQ) POS 11.1M <sup>2</sup>
Apartment 10-05	SINGLE STOREY TENTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 10-06	SINGLE STOREY TENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 10-07	SINGLE STOREY TENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 10-08	SINGLE STOREY TENTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>
Apartment 11-01	SINGLE STOREY ELEVENTH FLOOR LEVEL	2 BEDROOM, BATHROOM, BALCONY	AREA 65.2M <sup>2</sup> (7.0SQ) POS 10.2M <sup>2</sup>
Apartment 11-02	SINGLE STOREY ELEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 60.0M <sup>2</sup> (6.5SQ) POS 8.0M <sup>2</sup>
Apartment 11-03	SINGLE STOREY ELEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 67.7M <sup>2</sup> (7.3SQ) POS 9.3M <sup>2</sup>
Apartment 11-04	SINGLE STOREY ELEVENTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 72.2M <sup>2</sup> (7.8SQ) POS 11.1M <sup>2</sup>
Apartment 11-05	SINGLE STOREY ELEVENTH FLOOR LEVEL	2 BEDROOMS, 1 BATHROOM BALCONY	AREA 69.2M <sup>2</sup> (7.4SQ) POS 11.5M <sup>2</sup>
Apartment 11-06	SINGLE STOREY ELEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 59.2M <sup>2</sup> (6.4SQ) POS 11.6M <sup>2</sup>
Apartment 11-07	SINGLE STOREY ELEVENTH FLOOR LEVEL	1 BEDROOM, 1 STUDY, BATHROOM, BALCONY	AREA 50.4M <sup>2</sup> (5.4SQ) POS 11.1M <sup>2</sup>
Apartment 11-08	SINGLE STOREY ELEVENTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 67.2M <sup>2</sup> (7.2SQ) POS 10.7M <sup>2</sup>

Unit No.	Type	Description	Area
Apartment 12-01	SINGLE STOREY TWELTH FLOOR LEVEL	2 BEDROOMS, 2 BATHROOMS, BALCONY	AREA 71.0M <sup>2</sup> (7.6SQ) POS 56.4
Apartment 12-02	SINGLE STOREY TWELTH FLOOR LEVEL	2 BEDROOMS, 2 BATHROOMS, BALCONY	AREA 71.7M <sup>2</sup> (7.7SQ) POS 24.7
Apartment 12-03	SINGLE STOREY TWELTH FLOOR LEVEL	2 BEDROOMS, 2 BATHROOMS, BALCONY	AREA 73.7M <sup>2</sup> (7.9SQ) POS 56.7
Apartment 12-04	SINGLE STOREY TWELTH FLOOR LEVEL	3 BEDROOMS, 2 BATHROOMS, BALCONY	AREA 89.8M <sup>2</sup> (9.7SQ) POS 61.0M <sup>2</sup>
Apartment 13-01	SINGLE STOREY THIRTEENTH FLOOR LEVEL	2 BEDROOMS, 2 BATHROOMS, 2 BALCONIES	AREA 90.8M <sup>2</sup> (9.8SQ)
Apartment 13-02	SINGLE STOREY THIRTEENTH FLOOR LEVEL	2 BEDROOMS, 2 BATHROOMS, BALCONY	AREA 87.4M <sup>2</sup> (9.4SQ) POS 15.0
Apartment 13-03	SINGLE STOREY THIRTEENTH FLOOR LEVEL	2 BEDROOMS, BATHROOM, BALCONY	AREA 88.7M <sup>2</sup> (9.6SQ) POS 8.2



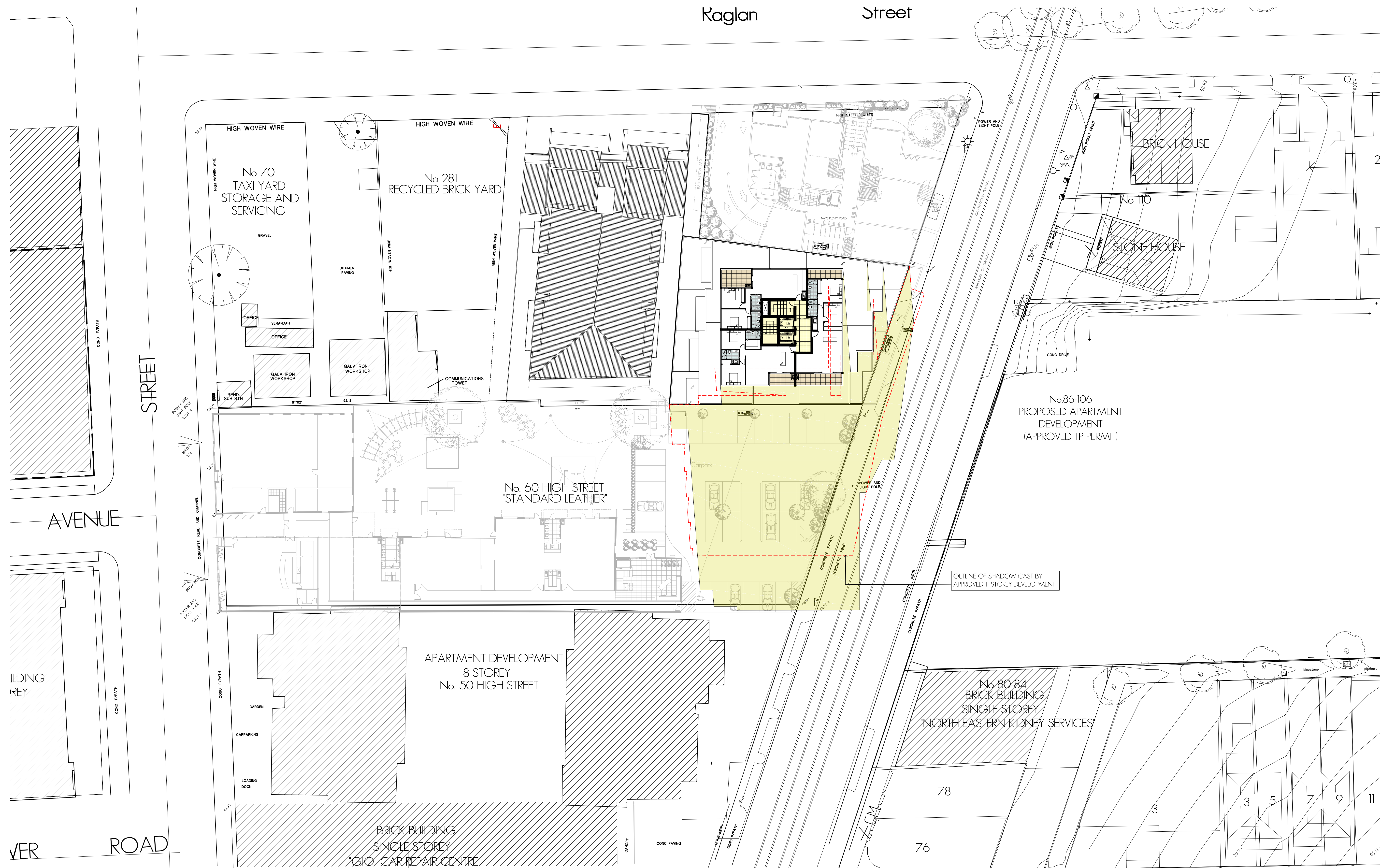


# DETAILED SHADOW ANALYSIS - 9.00AM SEPTEMBER 22

TPA 22 - 22 OF 25      JOB NO. 14-19  
SCALE 1:300      DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

DRAWN BY: ANDREW K.  
FOR VCAT



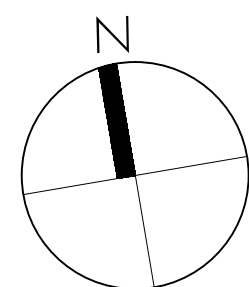


## DETAILED SHADOW ANALYSIS - 12.00 NOON SEPTEMBER 22

TPA 23 - 23 OF 25      JOB NO. 14-19  
SCALE 1:300      DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

DRAWN BY: ANDREW K.  
FOR VCAT

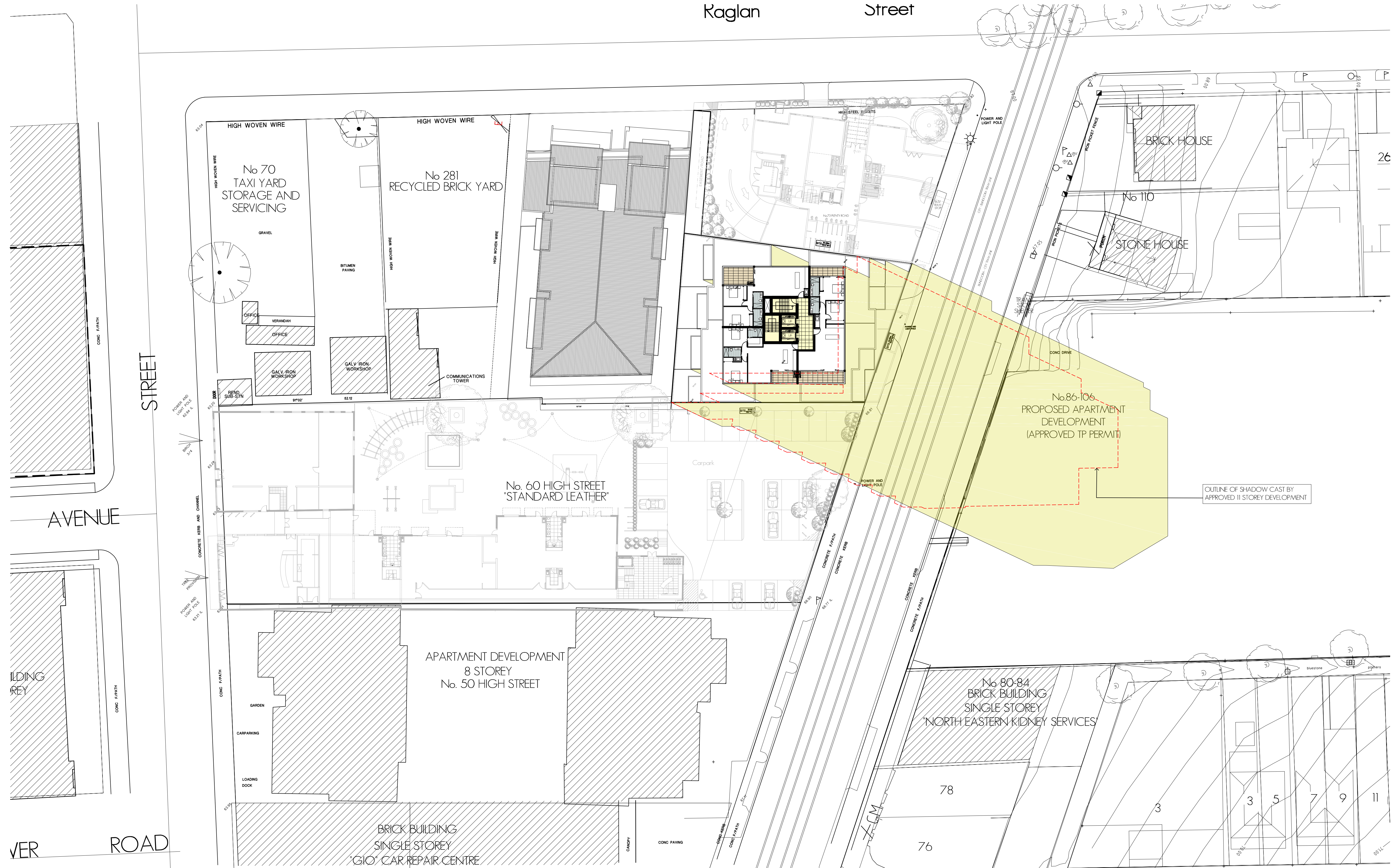




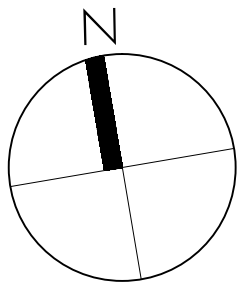
DETAILED SHADOW ANALYSIS - 3:00 PM  
SEPTEMBER 22

TPA 24 - 24 OF 25 JOB NO. 14-19  
SCALE: 1:300 DATE: 11TH JULY 2016  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

DRAWN BY: ANDREW K.  
FOR VCAT

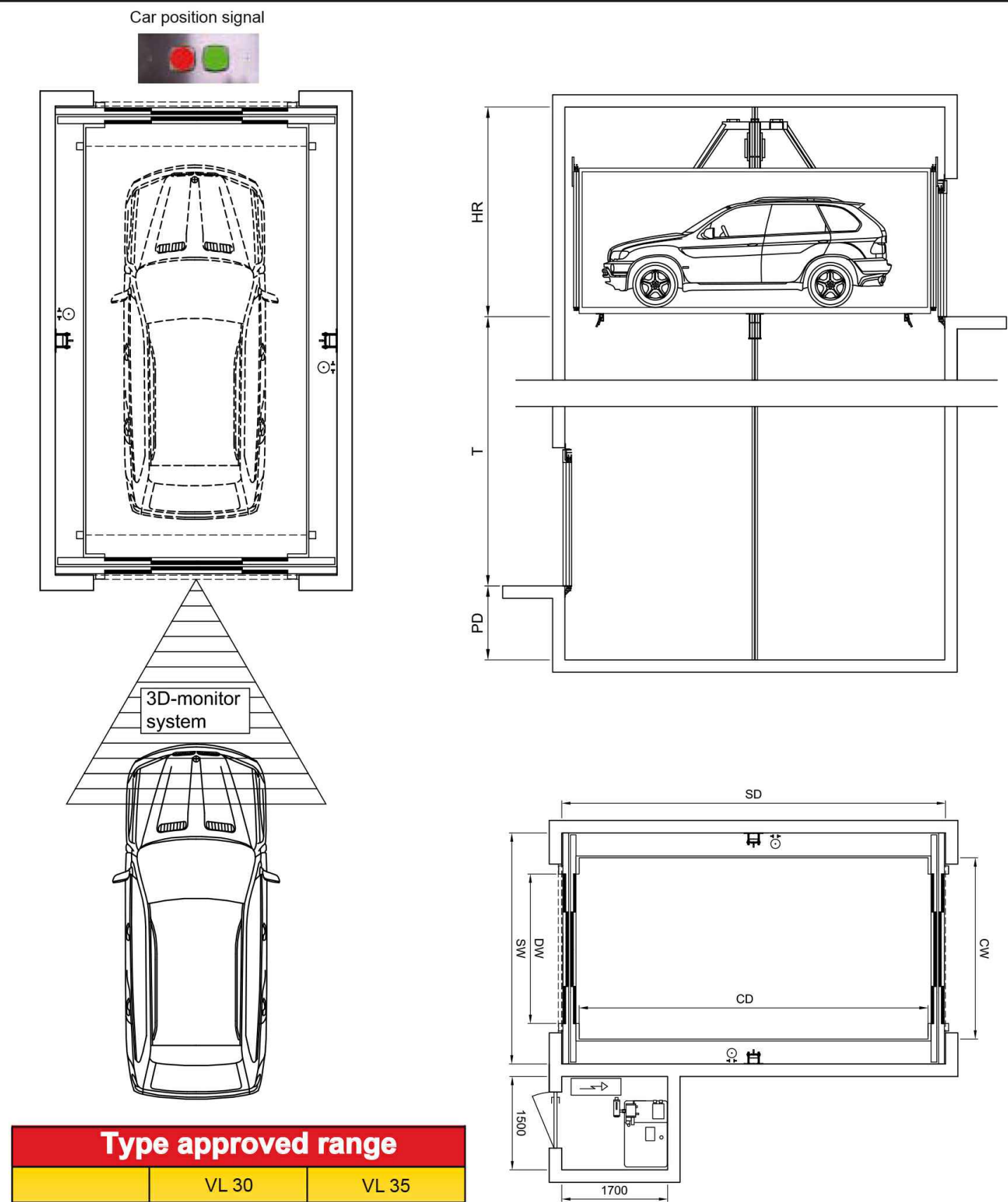






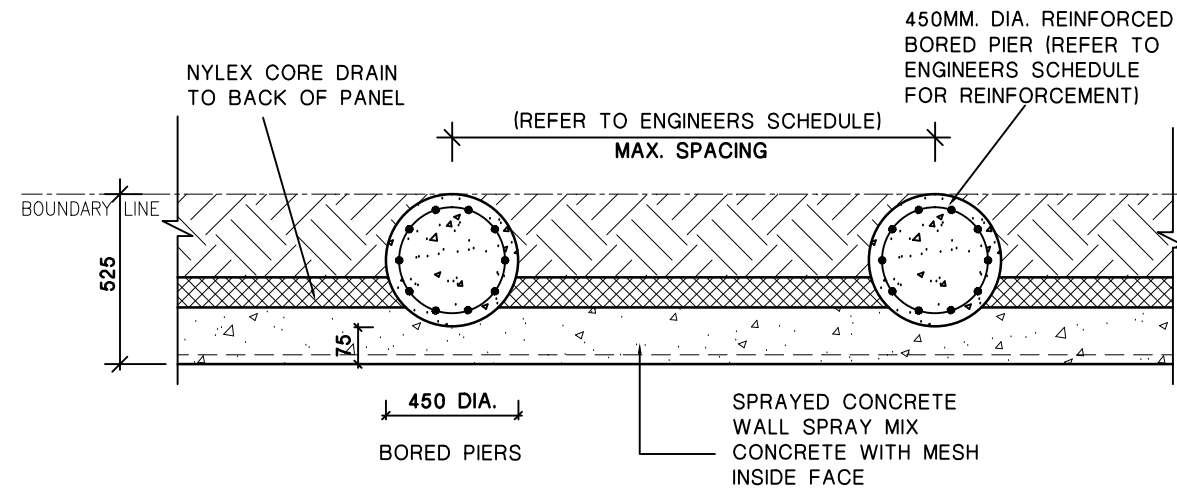
## CAR LIFT DETAILS

HYDRO



Type approved range		
	VL 30	VL 35
Rated load kg	3000	3500
Car width m	2,0 - 2,4	2,0 - 2,7
Car depth m	5,0 - 5,3	5,0 - 5,6
Car height m	2,0 - 2,2	
Door type	C4 or C6	
Door width m	2,0 - 2,4	
Door height m	2,0 - 2,1	
Entrance	1 or 2	

VEHICLE LIFT VL 30, VL 35												
Lift type	Rated load kg	Car area m²	Car width mm	Car depth mm	Car height mm	Door width mm	Door type	Shaft width min. mm	Shaft depth min. mm	Door type	Shaft width min. mm	Shaft depth min. mm
VL 30	3000	12,3	2400	5300	2100	2300	C4	3600	5780	C6	3200	5960
VL 35	3500	15,24	2700	5600	2100	2400	C4	3750	6080	C6	3340	6260



## BORED PIER BOUNDARY WALL DETAIL

SCALE 1:20

## DETAILS

TPA 25-25 OF 25  
SCALE 1:50, 1:20  
NOTE: ALL LEVELS ARE TO AUSTRALIA HEIGHT DATUM

JOB NO. 14-19  
DATE: 11TH JULY 2016

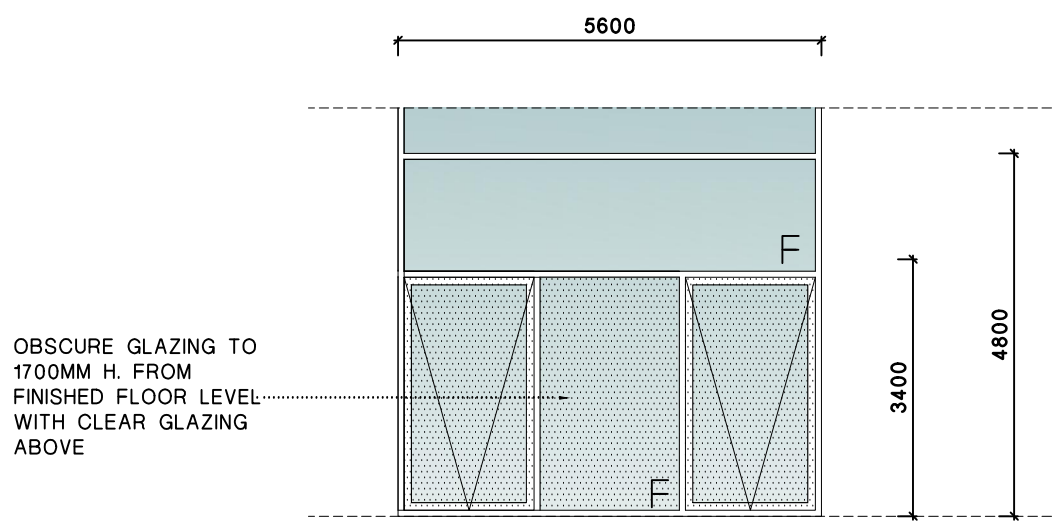
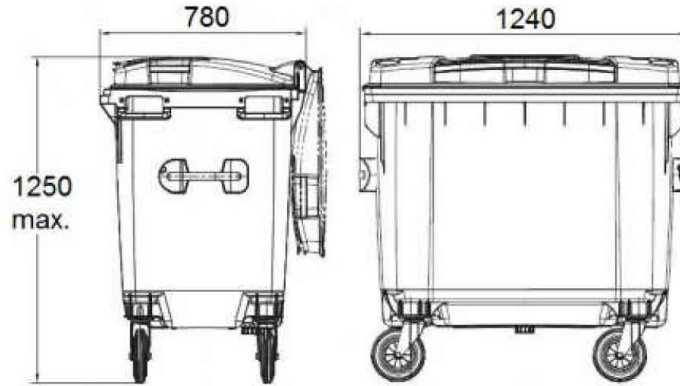
DRAWN BY: ANDREW K.  
FOR VCAT

## WASTE MANAGEMENT

Waste Source	Waste Stream	Bin Qty	Bin Litres	Collections per Week	Net Area m²
Residential (shared private bins)	Garbage	4	660	3	4.8
	Recycling	4	660	3	4.8
Commercial (shared private bins)	Garbage	1	660	2	1.2
	Recycling	1	660	2	1.2
Whole development	Hard Waste	-	-	At Call	2.0
Net Waste Storage Area (excludes circulation), m²:					14.0

### Sulo 660 litre Container

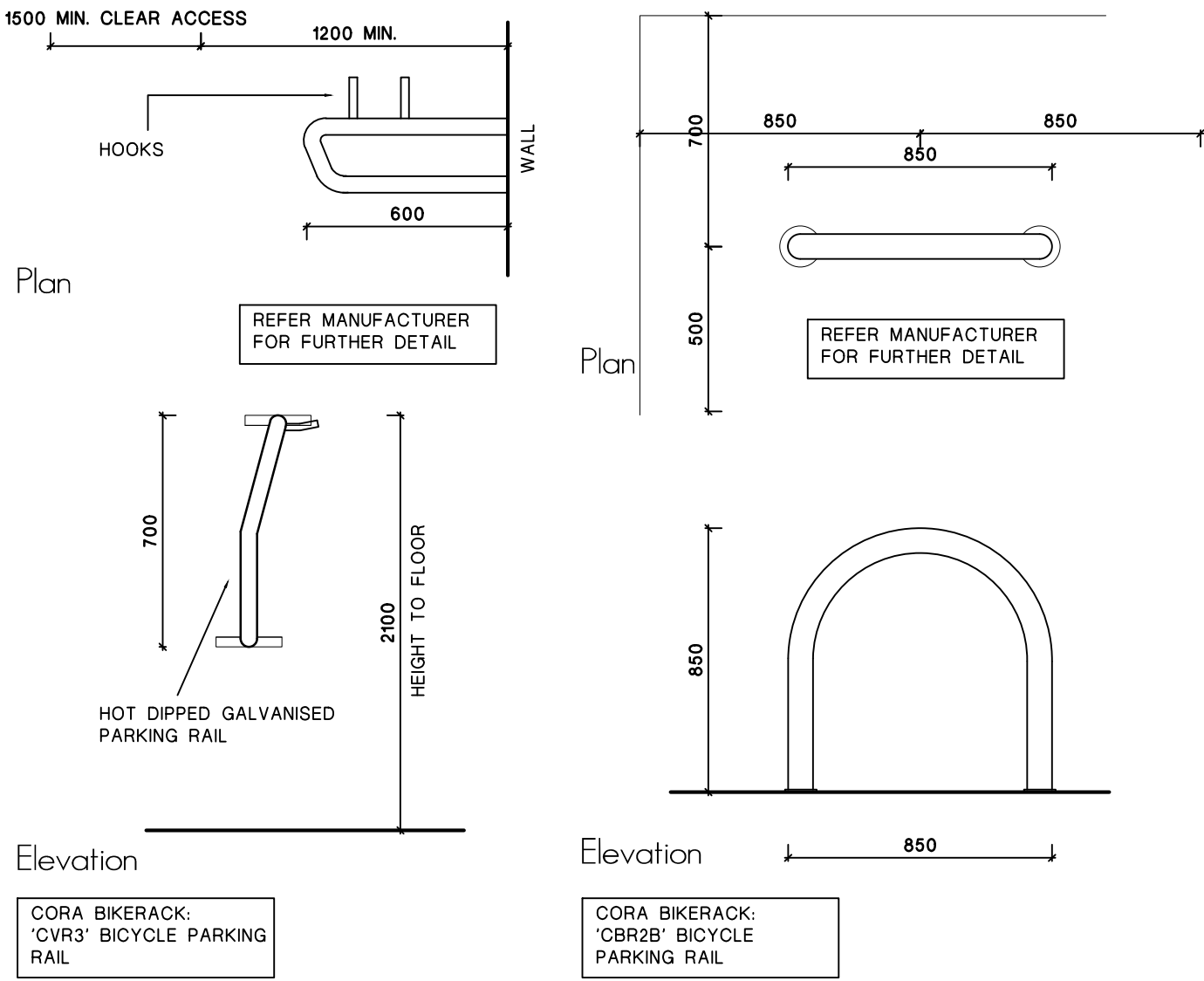
Nominal volume: 660 litres  
Net weight: approx 43 kg  
Max load: 267 kg  
Permitted total weight: 310 kg  
Note: allow 70mm extra width for bin with open lid.



## WINDOW ELEVATION -

TYPICAL TO ALL BEDROOM WINDOWS  
FACING EAST AND WEST OF LIGHTWELLS

SCALE 1:50



## BICYCLE PARKING DETAILS

SCALE 1:20

## ESD SUMMARY

Energy	<ul style="list-style-type: none"><li>Apartments<ul style="list-style-type: none"><li>Average combined energy rating assessment to be minimum 7.0 stars. See attached energy ratings summary for sample units.</li><li>Heating and cooling units in apartments to meet minimum requirements of minimum EER 3.75 and 4.25 to bedrooms.</li><li>Provide ceiling fans in living and bedrooms.</li><li>Energy efficient electrical appliances to be within one point of the highest available energy rating.</li><li>10kW Solar power panels for common areas. (40 panels on roof)</li><li>Solar hot water contribution of minimum 25%. (8 panels on roof)</li><li>Dishwashers or dryers part of the building works to be within one star from the highest rating is preferred.</li><li>Dishwashers to be minimum 4-Star energy efficient (EER)</li><li>Lighting per apartments to be maximum 4W/m2. Energy efficient LED lighting type.</li><li>ENE_7: Unoccupied areas. Dwelling shut down switch at entrance to turn off lighting and A/C.</li></ul></li><li>Basement carpark and circulations spaces<ul style="list-style-type: none"><li>Lighting and airconditioning to comply with BCA Section J energy efficiency minimum requirements. At 75% of common areas to have motion detectors.</li><li>Lighting is required not to exceed 6W/m2 for basement carpark and 9W/m2 for circulation spaces.</li></ul></li></ul>	<ul style="list-style-type: none"><li>Ensure that at least 300lux levels for kitchen sinks, cooktops, stoves and basins.</li><li>IEQ_21 and 22: Dwelling and natural ventilation<ul style="list-style-type: none"><li>Dedicated extraction fans for apartments' kitchen</li><li>Natural ventilation to be provided to corridors by installing louvered windows</li><li>Install slide in security or fly screens at door entrance to maximise cross-flow ventilation.</li></ul></li><li>Insulation between apartments walls to reduce noise intrusion.</li><li>Ensure all living areas have ample of natural ventilation by either sliding or casement windows.</li><li>Double-glazed Laminated 6.38/4/4 to reduce external noise intrusion from Plenty Rd.</li><li>Design for full height widows to all living and bedrooms to maximise natural light.</li><li>IEQ_4: Daylight Factor:<ul style="list-style-type: none"><li>Kitchen/Living areas: Achieve a daylight factor (DF) of 1.0 or more for 90% of the floor area.</li><li>Bedrooms: Achieve a daylight factor (DF) of 0.5 or more for 90% of the floor area. To be achieved for at least 80% of dwellings.</li></ul>A daylight modelling analysis has been provided for sample apartments.</li><li>IEQ_5: Thermal Comfort<ul style="list-style-type: none"><li>Provide ceiling fans in living and bedrooms.</li></ul></li><li>IEQ_7: Internal noise levels<ul style="list-style-type: none"><li>Ensure internal noise level (combined services noise and external noise intrusion), does not exceed:<ul style="list-style-type: none"><li>35dBL (1hour) in any bedroom between 10pm-7am.</li><li>40dBL (1hour) in other habitable rooms (other than garage, kitchen or bathroom)</li></ul></li></ul></li></ul> <p>A qualified acoustic professional to be appointed later one to assist project team.</p> <ul style="list-style-type: none"><li>IEQ_8: Commitment to minimise VOC materials on paints, flooring and adhesives. Refer to, tables 8.1, 8.2 and 8.3.</li><li>IEQ_9: Formaldehyde minimisation.<ul style="list-style-type: none"><li>For engineered wood, plywood and veneer. Ensure to have and demonstrate low formaldehyde emissions.</li></ul></li></ul>
Material Fabric	<ul style="list-style-type: none"><li>Double-glazed Clear to be used throughout units. (to be marked on plans). U Value of 3.5 and SHGC of 0.60.</li><li>Insulation to be in accordance to minimum requirements: R1.5-2.0 for walls.</li><li>R4.0 for ceilings plus Air Cell 65 Insulbreak for exposed to direct sunlight.</li><li>Provide shading by eaves and balconies.</li><li>Recommended to have a green-wall up to three levels.</li></ul>	
Water	<ul style="list-style-type: none"><li>Toilets to be minimum 4 Star WELS rating</li><li>Basins to be minimum 5 Star WELS rating.</li><li>Showers flow rate not to exceed 7.5 l/min.</li><li>Collection rain-water tank size minimum L25,000. Water to be used for irrigation and washing. To be connected for toilets flushings. Collection from roof areas</li><li>Use of grey water recycling system for toilets flushings and landscape<ul style="list-style-type: none"><li>Grey water to be collected from sinks, showers and washing machines and not from food or human waste.</li></ul></li><li>Install taps on ground floor common areas for landscape (not for drinking)</li><li>Install a tap in each apartment balcony for irrigation to reduce potable water usage.</li><li>WAT_4: Heat rejection water (Evaporative coolers and cooling towers) not to be water based. Ensure passages and common areas to be naturally ventilated.</li><li>WAT_5: Fire System Water<ul style="list-style-type: none"><li>Each floor to be fitted with a sprinkler system isolation valves or shut-off points for floor-by-floor testing.</li><li>Sprinkler fire testing water to be re-used on site.</li></ul></li><li>Dishwashers or dryers part of the building works to be within one star from the highest rating is preferred.</li><li>Dishwashers to be minimum 5-Star WELS</li><li>Each apartment to have a minimum of 1.5m length of internal clothe line.</li></ul>	<ul style="list-style-type: none"><li>Upon building completion, an inspection to ensure that the ESD recommendations have been carried out and implemented.</li><li>A Building Users Guide that explains building sustainability and initiatives.</li><li>Contractor or builder to have a valid Environmental Management System (ISO14001).</li><li>Each unit (tenant or apartment) to have its own meter for all utilities.</li><li>Install check meters to monitor energy consumption for common areas and services such as lifts and other ancillaries.</li></ul>
Transport	<ul style="list-style-type: none"><li>TRA_1: Car Parking<ul style="list-style-type: none"><li>To be 25%-50% less than planning allowances.</li></ul></li><li>TRA_2: Fuel Efficient transport<ul style="list-style-type: none"><li>Design for 10% for small vehicles, AS/NZS 2890.1:2004</li><li>5% spaces allowed for mopeds or motorbikes, AS/NZS 2890.1:2004</li><li>Install 40A switches for recharging electric vehicles.</li></ul></li><li>TRA_3: Required to allow minimum one secure bicycle storage spaces per two apartments. Plus bike lockers.</li></ul>	
Construction & Building Waste Management	<ul style="list-style-type: none"><li>Waste storage size to be minimum 15m2.</li><li>Commitment to recycle at least 80% of construction waste.</li><li>Develop an operational waste management plan</li><li>MAT_1: recycling of waste storage<ul style="list-style-type: none"><li>Dedicated storage areas</li><li>Convenience of recycling by having waste chutes</li><li>Waste chutes are provided to each floor for both recycling and general waste</li></ul></li></ul>	
Indoor Environment Quality	<ul style="list-style-type: none"><li>Use CO monitoring and VSD fans for basement carpark.</li></ul>	



**6. OTHER BUSINESS****6.1 GENERAL PLANNING INFORMATION: Scheduled VCAT Applications, Significant Applications and Applications for the next Planning Committee Meeting**

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).

Where an appeal has been adjourned and a new hearing date not yet set, the details appear with the text 'struck out'.

- Applications with a cost of construction of at least \$3,000,000 currently under consideration.
- Applications for the upcoming Planning Committee Meeting. The list of applications is based upon best available advice at the time of publishing the Planning Committee Agenda. For confirmation of agenda items reference should be made to the Planning Committee Agenda on Council's website the Friday prior to the scheduled meeting.

<b>Recommendation</b>
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**That** the General Planning Information attached as **Appendix A** be noted.



## Delegate Decisions before VCAT

OCTOBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/10/2015	D/991/2014	52 Kellett Street, Northcote Rucker	Construct a medium density housing development comprised of three (3) dwellings (two (2) double storey and one (1) triple storey	Refusal – Applicant Appeal	Council's decision affirmed. No Permit Granted.
<b>Result</b>	The critical issue for the Tribunal in this case was whether the proposal adequately addressed neighbourhood character. VCAT acknowledged the proposal met the numerical requirements of ResCode, but was of the view the proposal, with its large double form mass (especially at 1st floor) and siting across much of the lot was an unacceptable response to existing and preferred character of the area. The Tribunal was also critical of the lack of landscaping opportunities.				
16/10/2015	D/489/2014	1-3 Hartley Street, Northcote Rucker	Construction of a double storey apartment development comprising thirteen (13) dwellings	Refusal – Applicant Appeal	Council's decision affirmed. No Permit Granted.
<b>Result</b>	The Tribunal agreed with Council that the introduction of an apartment building would be anomalous given the hinterland location and intact character. There was no policy directive that supported such a significant departure. The landscaping which sought to screen the built form rather than provide a garden setting for the development, continuous double storey form were key criticisms of the Tribunal which stated the proposal will present as too prominent and dense in the streetscape.				
23/10/2015	D/286/2014	209 Arthur Street, Fairfield Rucker	Two lot subdivision	s87 Cancellation Application	No Decision
<b>Result</b>	The Application was withdrawn by the Applicant.				
23/10/2015	D/873/2014	75 Winter Crescent, Reservoir La Trobe	A medium density development comprising the construction of three (3) double storey dwellings	Refusal – Applicant Appeal	Council's Decision Set Aside Permit Granted
<b>Result</b>	Subject to conditions requiring the moving of a bus stop, the Tribunal was persuaded by the applicant that the development was an appropriate response to neighbourhood character and achieved satisfactory compliance with ResCode.				

OCTOBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
No Hearing Required – Resolved by Consent Order 26/10/2015	D/870/2014	192 Station Street, Fairfield	Medium density development comprising the construction of one (1) triple storey dwelling and one (1) double storey dwelling and alteration of access to a road in a Road Zone, Category 1	Notice of Decision - Objector Appeal	Council's Decision Varied Permit Granted
<b>Result</b>	This was an objector appeal brought by a neighbour to the subject site. Following negotiations between the permit applicant and the neighbour, 3 additional conditions to limit off-site amenity impacts were agreed upon. These proposed conditions did not result in a poor planning outcome so Council was willing to consent as well.				
27/10/2015	D/959/2014	9 Mahoneys Road, Reservoir	Construct a medium density housing development comprised of three (3) double storey dwellings and the variation of the registered restrictive covenant	Refusal - Applicant appeal	Council's Decision Set Aside – Permit Granted
<b>Result</b>	The Tribunal viewed the merits of the proposed development as a straightforward matter however greater consideration was given to the proposed variation of the restrictive covenant. It was concluded that the proximity of the beneficiaries to the subject land and merits of the development proposal were sufficient to warrant the variation of the covenant. In doing so the Tribunal imposed a condition that a Section 173 Agreement be entered into requiring the development of the land in accordance with the development approved.				
29/10/2015	D/1099/2014	96 Jenkins Street, Northcote Rucker	Construction of four (4) double storey dwellings	Deemed Refusal	Council's Deemed Decision Affirmed – No Permit Granted
<b>Result</b>	The Tribunal identified the site was one where policy sought only modest change due to its distance from shops etc... In addition, the Tribunal noted none of the dwellings proposed met Council's varied private open space standard. Given the distance of the site from Northcote Activity Centre, it was not prepared to justify the non-compliance with the varied private open space standard. The Tribunal also took issue with the design response, in particular the lack of landscaping and surveillance opportunities at ground floor. It concluded this type of design had the potential to erode the very specific policy intent of the GRZ1, and as such, affirmed Council's deemed refusal.				



NOVEMBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/11/2015 (Compulsory Conference)	D/329/2015	229 Gilbert Road, Preston Cazaly	Development of six (6) dwellings and a reduction to the visitor parking requirement	Refusal – Applicant Appeal	Council's Decision Set Aside – Permit Granted
<b>Result</b>	The critical issue for the parties was the interface of the rear of the proposal to the more traditional residential hinterland. The Permit Applicant was willing to make changes to address parties' concerns, accordingly the mediation was successful.				
13/11/2015	D/38/2015	20 Woolton Avenue, Thornbury Rucker	Construction of a medium density development comprising four (4) double storey dwellings	Refusal - Applicant appeal	Council's Decision Set Aside – Permit Granted
<b>Result</b>	The Permit Applicant circulated amended plans which addressed Council and the neighbours' (being the only objector parties) concerns. On this basis, the parties were able to resolve the matter via consent order without the need for a hearing.				
17/11/2015	D/374/2004 - EOT/67/2015	63-71 Plenty Road, Preston	Extension of Time	Refusal - Applicant appeal	
<b>Result</b>	Set down for a further hearing day on 10/02/2016.				
25/11/2015 (Compulsory Conference)	D/440/2015	30-32 St Georges Road, Unit 1-3, 32-34 Oakover Road, 36 Oakover Road, 40-44 Oakover Road, Preston	Use and development of the land for a supermarket, including a reduction in car parking requirements	Refusal - Applicant appeal	Application withdrawn
<b>Result</b>	At the conclusion of the Compulsory Conference the applicant sought leave to withdraw the application. Hearing set to commence 18 January 2016 has been vacated.				
27/11/2015 (Practice Day Hearing)	D/46/2015	235-239 Murray Road, Preston	Use and develop the land for the purpose of a childcare centre; and Make alterations to the access to a road in a Road Zone, Category 1.	Notice of Decision - Objector Appeal	Application struck out
<b>Result</b>	The applicant lodged their review outside of time. The Tribunal ordered that no extension was to be granted and the application was struck out accordingly.				

NOVEMBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
30/11/2015	D226/2008/A	16 Goldsmith Avenue, Preston	Retrospective application to: <ul style="list-style-type: none"> <li>• Retain the existing crossover</li> <li>• Construct a concrete hardstand area (driveway) within the front setback to accommodate vehicles</li> <li>• Construct a front fence- 1200mm high</li> </ul>	Refusal – Applicant Appeal	
<b>Result</b>	Hearing adjourned and rescheduled for 05/02/2016.				
30/11/2015	D226/2008/B	16A Goldsmith Avenue, Preston	Retrospective application to: <ul style="list-style-type: none"> <li>• Retain the existing crossover</li> <li>• Construct a concrete hardstand area (driveway) within the front setback to accommodate vehicles</li> <li>• Construct a front fence- 1200mm high</li> </ul>	Refusal – Applicant Appeal	
<b>Result</b>	Hearing adjourned and rescheduled for 05/02/2016.				



DECEMBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/12/2015	D/452/2014	66 Mitchell Street, Northcote Rucker	Construction of two (2) double storey dwellings	s87A amendment application	Amendment allowed
<b>Result</b>	The Tribunal did not provide written reasons.				
9/12/2015	D/168/2009/ A	52 Showers Street, Preston	Application to amend the endorsed plans which includes removal of skylights and inclusion of windows to the second floor (to be obscured to 1.7 metres above ffl), existing walls to be demolished due to poor condition, internal alterations, dwellings balconies adjusted which includes an increase in dwelling 9 balcony, alterations to windows and doors	Refusal - Applicant appeal	Application Allowed In Part Amendment to Planning Permit Granted
<b>Result</b>	This amendment sought to demolish the outside walls of the existing building and replace them with concrete walls in the same location. The Tribunal was prepared to accept (for the most part) that the replacement of the wall with a concrete wall in the same location would not alter the impact of the redevelopment on adjoining properties and the neighbourhood visually or in any other way. As such, it allowed this amendment to 3 of the subject site's 4 interfaces. The remaining interface was to a residential property. Being the most sensitive interface the Tribunal required the proposed wall be set back in accordance with ResCode.				
11/12/2015	D/207/2014	11 Clarendon Street, Thornbury Rucker	Medium density development comprising the construction of four (4) dwellings within a part two storey, part three storey building plus basement car parking and roof terraces	Refusal - Applicant appeal	Council's Decision Set Aside – Permit Granted
<b>Result</b>	VCAT considered the site was suitable for a modest increase in housing and built form intensification, especially when one considers state and local policy, the absence of built form controls and the site's proximate location to the Thornbury Neighbourhood Centre. In terms of the design response, while contemporary, the Tribunal considered that it interpreted traditional design elements from the area, respected the height of nearby dwellings, allowed room for landscaping and respected the setbacks front and side setbacks of nearby buildings. As such, the Tribunal was satisfied the proposal was acceptable from a neighbourhood character point of view.				

DECEMBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
14/12/2015 (Compulsory Conference)	D/468/2015	125 Grange Road, Fairfield Rucker	A three (3) storey building (plus basement) comprising twelve (12) dwellings and a reduction car parking requirement.	Refusal – Applicant appeal	
<b>Result</b>	Matter did not resolve at the compulsory conference (mediation) – hearing now listed for 4 April 2016				
15/12/2015	D/731/2014	1-3 Rubicon Street, Reservoir Cazaly	Four (4) double storey dwellings on a lot in the General Residential Zone - Schedule 2	Refusal - Applicant appeal	Council's Decision Set Aside Permit Granted
<b>Result</b>	Prior to the hearing of this matter, the Permit Applicant circulated amended plans which achieved Council support. The Tribunal considered that the proposal had a problematic fit in respect of neighbourhood character. Balancing this was the site's eastern interface (towards Plenty Road) which is an area of substantial change and responding to neighbourhood character was less of a policy imperative. The Tribunal was otherwise satisfied in respect to ResCode matters noting that the relevant standards had been met.				
16/12/2015	D/467/2015	290 High Street, Preston Cazaly	Construction of a six (6) storey building (plus basement) comprising one (1) shop and nineteen (19) dwellings; a reduction in the car parking requirement associated with the use plus a basement reduction of car parking, a waiver of loading bay requirements and the removal of an easement	Refusal – Applicant Appeal	Council's Decision Set Aside Permit Granted
<b>Result</b>	Prior to the compulsory conference, the Permit Applicant circulated plans which (amongst other things) reduced the number of dwellings from 19 to 17. The loss of these two dwellings significantly reduced the proposal's visual bulk when viewed from an adjoining residential property. This change, together with additional information provided by the permit applicant meant the parties were able to successfully mediate a resolution of this appeal.				



JANUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/01/2016	D/875/2014/ A	37 Youngman Street, Preston Cazaly	A medium density housing development comprising the construction of 2 double storey dwellings	Conditions Appeal	Council's Decision Varied
<b>Result</b>	The Tribunal did not provide written reasons.				
11/01/2016 Compulsory Conference	D/493/2015	8 Scotia Street, Preston Cazaly	The partial demolition and construction of a single storey extension to the existing dwelling	Notice of Decision – Objector Appeal	Council's Decision Varied
<b>Result</b>	The Applicant for Review did not attend the compulsory conference. Accordingly, Council and the Permit Applicant agreed on one additional condition to go onto the permit to address the finish of a wall on boundary, which the Tribunal directed be granted.				
19/01/2016 Compulsory Conference	D/519/2015	5A-9 Railway Place, Fairfield Rucker	Proposed mixed use development and dispensation of visitor and retail use parking	Refusal - Applicant appeal	Council's Decision Set Aside Permit Granted
<b>Result</b>	Prior to the mediation, the permit applicant circulated amended plans which dealt with a large number of Council concerns in respect of visual bulk, height and massing. Together with increased setbacks to the 4 <sup>th</sup> and 5 <sup>th</sup> floors, Council's concerns were mostly addressed. The permit applicant then agreed to provide (amongst other things) additional visitor parking to address resident concerns. As all parties were in agreeance by the end of the day, a permit could issue.				
27/01/2016	D/137/2014/ A	35 Gillies Street, Fairfield Rucker	An additional apartment to the first floor parameter and the creation of a loft in the ceiling space via change of roof pitch to 30 degrees	Refusal - Applicant appeal	Council's Decision Affirmed – No Amendment to Permit Granted
<b>Result</b>	The key question for the Tribunal was whether the design response of a 3 storey proposal (being an amendment to the approved 2 storey proposal which already exists) was acceptable, having regard to local conditions and policy applicable to the site. Ultimately, the Tribunal considered that the amendments do not sufficiently respect neighbourhood character, nor implement Council's neighbourhood character guidelines for the B3 area and those sites subject to "incremental change". The Tribunal was concerned, especially when presented with photomontage evidence of the proposal, that the building will appear out of scale and dominate the streetscape. The Tribunal did not consider the plane trees in Gillies Street sufficient to provide a masking effect to the front of the proposal. The Tribunal was also concerned was the siting extent of massing of the proposal through the site and in particular, its impact on 33 Gillies Street.				

JANUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
29/01/2016  Compulsory Conference	D/473/2015	73 Newman Street, Thornbury Cazaly	Alterations to the roof of the existing building (sawtooth roof altered to a flat roof), including an increase to the maximum height of the roof, as shown on the plans accompanying the application.	Notice of Decision - Objector Appeal	Hearing Confirmed  Subsequently, Council's decision set aside by consent of all parties.
<b>Result</b>	The matter did not settle as the Permit Applicant did not attend the Compulsory Conference. However, the matter did not reach a hearing as the Permit Applicant determined they no longer wished to proceed with their development. As such, all parties agreed by consent that Council's decision could be set aside.				



FEBRUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/02/2016	D/757/2014	18 Swift Street, Northcote Rucker	Construction of 2 dwellings	Conditions Appeal	Council's decision varied Permit Granted
Result	The Tribunal acknowledged what Council was trying to achieve in respect of the disputed conditions – namely to reduce the impact of car parking structures on the streetscape. However, the Tribunal was concerned the proposed conditons would create building and fire rating issues. To that end, it modified Council's conditions to provide an appropriate level of articulation to the street as sought by Council.				
3/02/2016	D/1052/2014	116 Oakover Road, Preston Cazaly	A medium density housing development comprising the construction of one (1) double storey dwelling to the rear of the existing dwelling	Notice of Decision – Objector Appeal	Council's decision affirmed Permit granted
Result	The Tribunal found that no unreasonable amenity impacts would be caused by the bulk and height of the development and that two (2) storey form was acceptable in a residential setting. The applicants for review argued that site coverage, internal amenity and overshadowing were unacceptable, but were found to be acceptable, and in accordance with relevant standards, by the Tribunal.				
5/02/2016	D226/2008/B	16A Goldsmith Avenue, Preston Cazaly	Retrospective application to retain existing crossover, construct concrete hardstand areas, construct a front fence	Refusal – Applicant Appeal	Council's Decision Affirmed – No Permit Granted
5/02/2016	D226/2008/B	16 Goldsmith Avenue, Preston Cazaly			
Result	The most important issue for the Tribunal was the impact of the proposal on existing and preferred neighbourhood character. The Tribunal noted that of the 4 side by side developments in the area (including the subject site), none provide car accommodation within the front setback. The Tribunal was concerned that if car parking were to be provided within the front setback there would be a significant change to the character of front gardens in the street. While the Permit Applicants argued that their car spaces were poorly sized and designed, it transpired this was as a result of them being constructed not in accordance with the endorsed plans. The Tribunal noted it would be a curious outcome if the unauthorised garages were used as the basis to formalise parking in the front setback.				

FEBRUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/02/2016	D/374/2004 - EOT/67/2015	63-71 Plenty Road, Preston Cazaly	Extension of Time	Refusal – Applicant Appeal	Council's Refusal Set Aside Extension Granted
<b>Result</b>	The Tribunal allowed the extension of time notwithstanding that this was the permit applicant's sixth request. The Tribunal noted the inherent huge complexity involved with contamination and remediation issues involving the subject site. The Tribunal expressed a concern that if the permit were allowed to lapse, the site would become an "orphan site". What gave the Tribunal comfort was that it was satisfied the Applicant was committed to completing the project, as well as comments from the EPA that supported the Permit Applicant's 'staged' site remediation process.				
12/02/2016	D/41/2015	37 Barry Street, Northcote Rucker	Buildings and works comprising the construction of a new double storey dwelling on land in a Neighbourhood Residential Zone and Heritage Overlay (HO161) and waiver of one car space	Conditions Appeal	Council's decision varied
<b>Result</b>	Condition 1(a), which related to the front setback, was deleted. The Tribunal found that the siting of the dwelling would respect the varied pattern of front setbacks in Barry Street, and in doing so it would make efficient use of the site and respect the existing and preferred character – thus meeting the front setback objective at Clause 54.03-1. Condition 1(c), which related to permeability, was amended. While the Tribunal was prepared to allow some increase in permeability given the lot size, contextual conditions and absence of drainage evidence to the contrary, the Tribunal considered that a more practical approach would be to require a permeable surface treatment within the eastern courtyard, eastern light court, front-yard and uncovered portion of the rear courtyard, which when combined total at least 18.7% or 45sq.m of site area. Condition 1(d), which related to garage dimensions, was amended. While the Tribunal did not consider that full deletion or relocation of the store was necessary, some modification to the design of the store and widening of the garage door opening was required to facilitate the easy and efficient use of the car space. Condition 1(g), which relates to daylight to existing windows, was amended. The Tribunal required retention of Condition 1(g) insofar as it requires compliance with Standard A12.				
12/02/2016	D/294/2015	116 Separation Street, Northcote Rucker	Medium density development comprising the construction of three (3), three (3) storey dwellings.	Refusal – Applicant Appeal	No Permit Granted
<b>Result</b>	The Permit Applicant withdrew their application for review.				



FEBRUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
16/02/2016	D/1036/2013/A	19 Patterson Street, Preston Cazaly	Amendment to planning permit to seek a waiver of one car space and construction a "dual occupancy unit" behind the existing house	Failure Appeal	Council's deemed Refusal Affirmed.  No Permit Granted
<b>Result</b>	The Permit Applicant sought to legitimise the existing conditions on the land through this planning permit application. The Permit Applicant argued that the proposal was "reminiscent of a streamlined moderne era design". Council argued that the proposal was very modular, had minimal setbacks, a poorly designed front fence and lacked features such as eaves and a pitched roof. Accordingly, it failed to respect surrounding development. The Tribunal agreed with Council that the proposal was not satisfactory and affirmed Council's deemed refusal. The Tribunal stated "in practical terms, this will mean that the third storey needs to be removed from the dwelling, together with the front staircase to this level".				
19/02/2016 Compulsory Conference	D/617/2015	117-121 Edwardes Street, Reservoir La Trobe	Use of the existing building as a childcare centre (up to 136 children) including 29 car parking spaces (no car parking reduction sought) and buildings and works including a new front facade and new openings to the south and east elevation of the building, as shown on the plans accompanying the application.	Notice of Decision – Objector Appeal	Permit Granted
<b>Result</b>	The Applicant for Review withdrew their application to the Tribunal, meaning a permit could grant.				
22/02/2016	D/897/2014	54 Southernhay Street, Reservoir Cazaly	A medium density housing development comprising the construction of a double storey dwelling to the rear of the existing dwelling	Refusal – Applicant Appeal	Council's Decision Set Aside  Permit Granted
<b>Result</b>	The Tribunal set aside Council's decision and directed the issue of a permit, subject to conditions that require a greater setback to the eastern interface with 52 Southernhay Street. The Tribunal was generally satisfied that the proposal represents an appropriate response to the broader objectives and policy in Clause 22.02 and responds well to the prevailing built form character of the area. However, the Tribunal found the setbacks to the eastern boundary will be an unreasonable imposition on the private open space of the dwelling at 52 Southernhay Street by way of visual bulk and shading, and so required, via condition, an increased setback to the east of 1.5 metres at ground level and a minimum of 3.2 metres at first floor level. The Tribunal was also satisfied that sufficient space has been provided for adequate planting of appropriate vegetation throughout the site (which will be further enhanced subject to conditions), and that the proposed development				

FEBRUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
	complies with the remainder of Clause 55 (ResCode).				



MARCH 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
29/03/2016 – 30/03/2016	D/318/2015	Rear 19 and 17 Railway Place, Fairfield Rucker	Removal of easement	Failure Appeal  Council subsequently advised it would have refused to grant a permit.	Council's deemed refusal affirmed.  No permit granted.
<b>Result</b>	The Tribunal found it was not appropriate to grant a permit for the removal of the easement. The Tribunal considered that the removal of the right of carriageway would cause detriment to the land at 21-23 Railway Place which, on balance, is material. The Tribunal also found that there are persuasive reasons not to allow the removal of the easement having regard to considerations of orderly planning for these commercially zoned sites in an activity centre and that there is strategic justification for the continued existence of the easement.				
30/03/2016	D/619/2014	168-170 Elizabeth Street, Coburg Cazaly	Medium density development comprising the construction of seven (7) dwellings (five (5) double storey and two (2) single storey) and reduction of the standard car parking requirement	Refusal – Applicant Appeal	No hearing required
<b>Result</b>	Application for review withdrawn by applicant				

APRIL 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/04/2016	D/468/2015	125 Grange Road, Fairfield Rucker	A three (3) storey building (plus basement) comprising twelve (12) dwellings and a reduction car parking requirement.	Refusal – Applicant Appeal	Council's decision affirmed. No permit granted.
<b>Result</b>	The Tribunal did not consider the proposal meets the purposes of the GRZ to respect the neighbourhood character nor implement neighbourhood character policy and adopted guidelines. In this location, the Tribunal does not consider the proposal's contribution to housing diversity and urban consolidation on the strategic corridor overrides the concerns about the overall scale, siting and massing of the development.				
4/04/2016	D/1136/2014	75 Howard Street, Reservoir La Trobe	Construction of a medium density development comprising five (5) dwellings and a reduction of one (1) visitor car parking space	Failure Appeal	Council's deemed refusal affirmed. No permit granted.
<b>Result</b>	The Tribunal considered the key failings of this proposal was its response to neighbourhood character, visual bulk impacts on surrounding properties and lack of landscape opportunities. The Tribunal considered notwithstanding the site had some support for redevelopment, the reverse living typology was not appropriate in this instance.				
07/04/2016	D/138/2015	52 Summerhill Road, Reservoir La Trobe	Conversion of an existing dwelling into two dwellings	Refusal – Applicant Appeal	Council's decision affirmed. No permit granted.
<b>Result</b>	The Tribunal refused to grant a permit for the following reasons: dwelling 1 relies on borrowed light for a lounge room and bedroom which results in a poor level of internal amenity, the POS arrangements are unacceptable, the proposed car parking arrangements for dwelling 2 are unacceptable, the dwelling entry to dwelling 2 is obscured and unacceptable, and the proposal to use the building for 2 dwellings, even on a temporary basis, is a poor planning outcome for this site.				
07/04/2016	D/467/2015	290 High Street, Preston	Construction of a six (6) storey building (plus basement) comprising one (1) shop and nineteen (19) dwellings; a reduction in the car parking requirement associated with the use plus a basement reduction of car parking, a waiver of loading bay requirements and the removal of an easement	Refusal – Applicant Appeal	Permit granted by consent.



APRIL 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/04/2016	D/468/2015	125 Grange Road, Fairfield Rucker	A three (3) storey building (plus basement) comprising twelve (12) dwellings and a reduction car parking requirement.	Refusal – Applicant Appeal	Council's decision affirmed. No permit granted.
<b>Result</b>	The Tribunal did not consider the proposal meets the purposes of the GRZ to respect the neighbourhood character nor implement neighbourhood character policy and adopted guidelines. In this location, the Tribunal does not consider the proposal's contribution to housing diversity and urban consolidation on the strategic corridor overrides the concerns about the overall scale, siting and massing of the development.				
<b>Result</b>	Resolved at compulsory conference on 16 December 2015				
15/04/2016	D/233/2015	175 Wood Street, Preston Cazaly	Construction of two attached double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside. Permit granted.
<b>Result</b>	The critical issue for the Tribunal was presentation of garages to the streetscape. It was satisfied the proposal was acceptable on the basis they were single garages, recessed, the fascade appropriately articulated and that there was appropriate areas for gardens in the front setback.				
18/04/2016	D/672/2015	280 Mansfield Street, Thornbury Rucker	Medium density development comprising the construction of two (2), two (2) storey dwellings to the front of an existing dwelling	Refusal – Applicant Appeal	Council's decision set aside. Permit granted.
<b>Result</b>	Notwithstanding that the Tribunal accepted the proposal was a tight fit on the site (which already had been subdivided), it nevertheless considered that the site was located, and that the design response was acceptable when regard was had to preferred neighbourhood character.				

APRIL 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
27/04/2016	D/922/2014	425 Plenty Road, Preston  Cazaly	A six (6) storey building comprising twenty four (24) dwellings, two (2) shops and a reduction to the car parking requirement	Refusal - Applicant appeal	Interim Decision – Applicant has an opportunity to lodge amended plans
<b>Result</b>	The Tribunal had to consider the weight afforded to amendment C137 as part of this proceeding. In this case, the Tribunal felt that to hold the applicant to the adopted C137 would not be fair as there would be potentially fatal flaws in the application. Nevertheless, the Tribunal considered that the proposal sought to respond to C137 as exhibited. In its decision, the Tribunal acknowledged the proposal was seeking to implement a strategy that had been in development for quite some time; nevertheless for the proposal to be considered acceptable (in light of the existing planning scheme and amendment C137), further refinements to the design are required. In particular, the Tribunal sought the upper 2 levels to be more recessive and to improve the treatment of side elevations, amongst other recommendations. The permit applicant has until 18 June 2016 to advise the Tribunal and parties whether it intends to prepare amended plans to respond to the Tribunal's concerns.				
28/04/2016	D/82/2015	19 Arundel Road, Reservoir  La Trobe	A medium density housing development comprising the construction of a double storey dwelling to the rear of the existing dwelling	Refusal - Applicant appeal	Council's decision set aside. Permit granted.
<b>Result</b>	The parties entered into consent orders which allowed the Tribunal to grant a planning permit.				

MAY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/05/2016	D/485/2016	531 St Georges Road, Thornbury  Cazaly	Buildings and works associated with a multi level apartment building and basement level car parking	Failure Appeal – Council subsequently determined to oppose	
<b>Result</b>	VCAT decision pending.				
25/05/2016	D/260/2015	472 High Street, Preston  Cazaly	A six (6) storey building (plus basement) comprising 44 dwellings and four (4) shops and a reduction to the car parking requirement.	Refusal – Applicant Appeal	Council's decision set aside. Permit granted.
<b>Result</b>	The Tribunal considered the emerging character of the area was that of 3 or 4 storeys, with the possibility of more floors if they can be accommodated on the site and be recessive. Accordingly, the Tribunal did not consider the 4 storey height limit in the Preston Central Incorporated Plan "absolute". Further, the Tribunal noted all the experts (including Council's own urban designer) did not support 4 storeys absolutely. With the design recommendations of one of the expert witness (which involved a street wall with recessive upper floors), the Tribunal was comfortable the proposal was an acceptable response against the scheme.				
20/05/2016	D/85/2015	52 Charles Street, Northcote  Rucker	Partial demolition of the existing dwelling roof, buildings and works to construct a roof deck and garage on land under 300sqm in area and within a Heritage Overlay	Notice of Decision - Objector Appeal	
<b>Result</b>	Awaiting VCAT Order – the Permit applicant was required by VCAT to circulate shadow diagrams to the parties after the hearing, before it determines the matter.				



JUNE 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/06/2016 Compulsory Conference	D/344/2015 and PLE/8/2015	Unit 9, 37 Collins Street, Thornbury  Rucker	Construction of an additional unit and additions to the existing 8 units of the apartment building and a waiver of car parking requirements	Enforcement Order	No decision – matter withdrawn.
<b>Result</b>	Adjourned to a hearing on 25 July, with an administrative mention on 7 July 2016 to determine whether a final hearing is required. In the interim, the Respondents have undertaken to affix additional screening to their balcony which satisfies the relevant permit condition alleged to have been breached. <b>UPDATE: On 11 July 2016 VCAT the applicant was given leave to withdraw the application and the hearing scheduled for 25 July 2016 was vacated.</b>				
6/06/2016	D/812/2015	56 Harrow Street, Preston  Cazaly	Medium density development comprising the construction of 5 double storey dwellings	Refusal - Applicant appeal	Council's decision affirmed. No permit granted.
<b>Result</b>	The Tribunal considered that the proposed 5 double storey dwellings as designed would result in an overdevelopment of the site; in particular the Tribunal considered that there was insufficient areas for landscaping, an unreasonable off site amenity impact by way of visual bulk, a lack of sense of address to 3 of the 5 dwellings and a poor internal amenity outcome for future residents.				
7/06/2016	D/521/2015	164 Rathmines Street, Fairfield  Rucker	Construction of seven (7) double storey dwellings and waiver of the visitor car parking requirement.	Refusal – Applicant Appeal	
<b>Result</b>	Awaiting VCAT Order				

JUNE 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/06/2016	D/1087/2015	12 Jackson Street, Northcote  Rucker	Partial demolition and alterations and additions to an existing dwelling on land affected by a Heritage Overlay in accordance with the endorsed plans.	Notice of Decision – Objector Appeal	Resolved by way of consent. Permit granted.
<b>Result</b>	At a practice day hearing at the Tribunal, the parties were able to reach agreement that a permit should issue subject to conditions which addressed the objector's concerns.				
9/06/2016	D/305/2015	140 Regent Street, Preston  Cazaly	Construction of a four (4) storey building with a shop and 12 dwellings, use of land for dwelling, reduction in the standard car parking requirement and waiver of the loading requirements	Refusal – Applicant Appeal	Council's decision affirmed. No permit granted.
<b>Result</b>	Notwithstanding the Tribunal considered that the site was in a substantial change area, had acceptable internal and external amenity impacts and had significant policy support for such a development, the critical failing of the proposal was the lack of on site parking for the office component of the development (in an area where the Tribunal identified a high demand for parking).				
20/06/2016	D/870/2015	158 Elizabeth Street, Coburg  Rucker	Development of four (4) double storey dwellings.	Notice of Decision – Objector Appeal	Application withdrawn. Permit granted.
<b>Result</b>	The Applicant for Review withdrew their application prior to the hearing.				
21/06/2016	D/243/2013/B	116 Fulham Road, Alphington  Rucker	The replacement of the car port to unit 2 with a garage.	Refusal – Applicant Appeal	Council's decision set aside. Permit granted.
<b>Result</b>	Council argued that boundary to boundary construction in the area was a design response to be avoided. However, upon inspection of the site and surrounds by the Tribunal, it determined such detached character of housing had been eroded. The Tribunal also found the development already presented as being in a boundary to boundary configuration and as such, allowed the application for review.				

JULY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
20/07/2016	D/744/2015	126 Victoria Road, Northcote  Rucker	Construct a medium density housing development comprised of two (2) double storey dwellings behind the existing dwelling.	Refusal – Applicant Appeal	
Result					



AUGUST 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
02/08/2016	D/426/2015	758-760 Plenty Road and 27 McColl Street, Reservoir  Cazaly	The construction of a four (4) storey residential development (plus basement car parking) comprised of 24 dwellings; a reduction in the car parking requirement	Conditions Appeal	
<b>Result</b>					
04/08/2016	D/515/2015	154-156 Wood Street Preston  Cazaly	A medium density housing development comprising the construction of ten (10) double storey dwellings and a reduction of visitor car parking	Refusal - Applicant appeal	
<b>Result</b>					
05/08/2016	D/523/2015	380 Plenty Road, Preston  Cazaly	Construct a medium density housing development comprised of five (5) triple storey dwellings and one (1) double storey dwelling	Refusal - Applicant appeal	
<b>Result</b>					

AUGUST 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
08/08/2016	D/742/2015	384-388 St Georges Road, Thornbury Cazaly	Development of four (4) storey building comprising forty-one (41) dwellings and a car parking reduction.	Refusal - Applicant appeal	
<b>Result</b>					
10/08/2016	D/731/2015	139-141 Normanby Avenue, Thornbury Rucker	Proposed two (2) residential buildings consisting of twelve (12) units. Waiver of one (1) resident space and two (2) visitor car parking	Failure to grant a permit within prescribed time	
<b>Result</b>					
16/08/2016	D/517/2015	12-14 Sheffield Street, Preston Cazaly	Medium density development comprising the construction of nine (9), double storey dwellings and reduction of the standard visitor car parking requirement	Failure to grant a permit within prescribed time (Council subsequently resolved to oppose in line with officer recommendation)	
<b>Result</b>					

## Planning Committee Decisions before VCAT

OCTOBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
5/10/2015	D/577/2014	9 Rosenthal Crescent, Reservoir La Trobe	A medium density housing development comprised of the construction of four (4) double storey dwellings.	Committee Refusal (contrary to officer recommendation)	Council's Decision Set Aside Permit Granted
<b>Result</b>	Following the lodgement of amended plans that addressed Council's concerns, Council changed its position from one of refusal to one of support. The Tribunal agreed with Council's decision, noting that the type of change brought about by this application is occurring in many middle ring suburbs developed in the 1960s and is encouraged by the planning scheme.				
7/10/2015	D/148/2014	659-661 High Street, Thornbury Rucker	Buildings and works and above-verandah signage as shown on the plans accompanying the application and reduction of the car parking requirement in association with the use of the site as a restaurant.	Conditions Appeal (of Committee Decision)	Council's Decision Varied Permit Granted
<b>Result</b>	Council was successful in defending its conditions requiring an additional 2 car parking spaces, as well as removal of unauthorised works.				
7/10/2015 (Compulsory Conference – formerly known as mediation)	D/49/2013	88-92 Cramer Street, Preston Cazaly	Proposed additions and alterations to the Preston Mosque including additional floorspace (977m <sup>2</sup> ) and a reduction to the car parking requirement.	Committee Refusal (contrary to officer recommendation) - Council subsequently resolved to support the proposal	
<b>Result</b>	Did not settle at resumed mediation. Matter is now to proceed to a hearing on 28 October 2015.				
23/10/2015	D/601/2014	137 Mansfield Street, Thornbury Rucker	A medium density housing development comprising the construction of six (6) double storey dwellings and a waiver of the visitor car space.	Committee Refusal (contrary to officer recommendation)	
<b>Result</b>	Did not finish hearing – adjourned to 24 November 2015				



OCTOBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
28/10/2015 (Hearing)	D/49/2013	88-92 Cramer Street, Preston	Proposed additions and alterations to the Preston Mosque including additional floorspace (977m <sup>2</sup> ) and a reduction to the car parking requirement.	Committee (contrary to officer recommendation) - second resolution was to switch back to support	Council's Decision Set Aside Permit Granted
<b>Result</b>	The Tribunal (correctly) confined their considerations to the proposed buildings and works with the site benefitting from existing use rights. The Tribunal did not accept submissions that the proposed buildings and works would unreasonably intensify the existing use on the basis of conditions imposed. The amenity impacts from the proposal were considered acceptable as it was not open to the Tribunal to review the totality of impact; rather just the impacts that would result from the buildings and works that were the subject of the application.				

NOVEMBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
24/11/2015	D/601/2014	137 Mansfield Street, Thornbury Rucker	A medium density housing development comprising the construction of six (6) double storey dwellings and a waiver of the visitor car space	Committee Refusal (contrary to officer recommendation)	Council's Decision Set Aside Permit Granted
<b>Result</b>	The Tribunal considered the site was suitable for new housing given its proximity to the High Street retail centre, Thornbury train station and buses along Dundas Street. As to neighbourhood character, The Tribunal considered Mansfield Street to have a "somewhat varied" character and it also noted the area was experiencing considerable change. As such, notwithstanding the Street Setback standard was not met, the Tribunal considered the proposal an acceptable response that left room for landscaping given the varied setbacks in the street. The Tribunal did not find off site amenity impacts, parking and internal amenity unacceptable.				
25/11/2015 (Compulsory Conference)	D/523/2014	200-202 High Street, Northcote Rucker	Use and development of the land for the purpose of a 5-storey building plus basement car parking, comprising 31 dwellings and 3 shops; a reduction in the car parking requirement and a waiver of the loading bay requirement	Failure appeal - going to Committee - Council subsequently resolved to oppose in line with Officer Recommendation	
<b>Result</b>	Not resolved at Compulsory Conference. Referred to hearing on 21/03/2016 for 3 days.				

DECEMBER 2015					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/12/2015 – Practice Day Hearing (but may be determined on this day per VCAT advice)	Amendment C136	137 St Georges Road, Northcote Rucker	Alleged defect in procedure regarding the adoption of Amendment C136	Section 39 Appeal	
<b>Result</b>	Matter is to be heard on 2 May 2016.				



JANUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
No Committee Matters Scheduled for January 2016					

FEBRUARY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/02/2016	D/20/2015	37 Madeline Street, Preston Cazaly	The construction of a medium density housing development comprising two (2) double storey dwellings	Committee (in line with Officer's Recommendation)	Council's decision varied Permit Granted
<b>Result</b>	The Tribunal did not provide written reasons.				
22/02/2016	D/55/2015	55 David Street, Preston Cazaly	A medium density housing development comprising the construction of four (4) double storey dwellings	Failure Appeal – Committee subsequently resolved to oppose application in line with Officer Recommendation	Council's decision affirmed No permit granted.
<b>Result</b>	The Tribunal considered that the building massing facing the adjoining dwelling to the east was excessive, the amenity impact on this dwelling did not achieve the objectives of Clause 55.04, and the location of parking spaces did not achieve a convenient and secure criteria for development.				

MARCH 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/03/2016	D/485/2014	531 St Georges Road, Thornbury Cazaly	Buildings and works associated with a multi-level apartment building and basement level car parking	Failure Appeal	
<b>Result</b>	Hearing is listed for 18 May 2016				
7/03/2016	D/300/2013	136-138 Plenty Road, Preston Cazaly	Mixed use development comprising the construction of two (2) buildings (three (3) storeys fronting Flett Street and five (5) storeys fronting Plenty Road) reduction of car parking associated with a shop and waiver of loading bay facilities.	Refusal (contrary to Officer Recommendation) – Applicant Appeal	Council's decision affirmed No permit granted.
<b>Result</b>	The Tribunal found that the proposed design response does not successfully achieve the desired transition between the building on Plenty Road and the Flett Street residential hinterland, and aspects of the design and layout of the three storey building are not acceptable.				
21/03/2016	D/523/2014	200-202 High Street, Northcote Rucker	Use and development of the land for the purpose of a 5-storey building plus basement car parking, comprising 31 dwellings and 3 shops; a reduction in the car parking requirement and a waiver of the loading bay requirement	Failure Appeal – Council Subsequently Resolved to Oppose	
<b>Result</b>	Hearing adjourned to 5/9/2016 for 3 days.				



APRIL 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/04/2016 (Compulsory Conference)	D/297/2015	518-528 High Street, Preston Cazaly	The construction of a six (6) level mixed use development, comprising ninety six (96) dwellings, two (2) ground floor retail premises, and a reduction in the car parking requirement	Refusal (contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside with its consent, permit granted
<b>Result</b>	Resolved by consent - Council's decision set aside with its consent, permit granted				
7/04/2016	D/1149/2014	73 Ballantyne Street, Thornbury Cazaly	A medium density housing development comprised of the construction of six (6) double-storey dwellings and a reduction in the visitor car parking requirement	Refusal (contrary to Officer Recommendation) – Applicant Appeal	Council's decision set aside. Permit granted.
<b>Result</b>	The Tribunal considered that the design of the proposal was sufficiently responsive to both the site's context and the preferred character for the area it was in a position to grant a planning permit.				
11/04/2016	D/43/2015	80 Tyler Street, Reservoir La Trobe	Development of the land with a total of 107 dwellings comprised of a four-storey apartment building containing 44 dwellings and 63 two-storey dwellings; a reduction in the car parking requirement; buildings and works in a Special Building Overlay (SBO)	Objector Appeal	Application withdrawn.
<b>Result</b>	Application for review withdrawn by applicant.				
12/4/2016	D/1071/2014	117 Flinders Street, Thornbury Rucker	Construction of a medium density housing development comprising three (3) double storey dwellings to the rear of the existing dwelling	Refusal (in line with Officer Recommendation) – Applicant Appeal	Council's decision set aside with its consent, permit granted
<b>Result</b>	Resolved by consent - Council's decision set aside with its consent, permit granted				

APRIL 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
29/04/2016	D/1083/2014	22 Sussex Street, Preston  Cazaly	Construct a medium density housing development comprised of five (5) double storey dwellings and reduce the car parking requirements (one (1) visitor space)	Refusal (contrary to officer recommendation) - Applicant appeal	Council's decision set aside. Permit granted.
Result	The Tribunal considered the design represented an incremental change in scale, and was respectful of the existing neighbourhood character. The Tribunal did require one change to minimise upper floor setback where the proposal adjoined the open space of 20 Sussex Street, but was otherwise satisfied the proposal achieved the objective of ResCode.				

MAY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/05/2016	Amendment C136	137 St Georges Road, Northcote  Rucker	Planning scheme amendment	Section 39 Defect In Procedure Appeal	Matter resolved by consent.
<b>Result</b>	The hearing was not required as the parties were able to enter into consent orders disposing of the proceedings subject to Council performing certain tasks by certain dates with the Minister for Planning's Office.				
3/05/2016	D/383/2015	14 Acheron Avenue, Reservoir  La Trobe	A medium density housing development comprised of the construction of three (3) double-storey and one (1) single storey dwellings as shown on the plans accompanying application.	Failure Appeal, Committee subsequently resolved to support the applicant	Council's original deemed refusal set aside. Permit granted.
<b>Result</b>	The Tribunal was satisfied that the scale and design of the development is an acceptable response to the neighbourhood character of the area, the proposal meets all aspects of Clause 55.04, meets Standard B21 and B17, and the proposal has resolved the issues identified by the Tribunal in the previous review.				
5/05/2016	D/56/2015	153 Wood Street, Preston  Cazaly	A medium density housing development comprising the construction of five (5) double storey dwellings and a reduction of visitor car parking	Refusal (in line with officer recommendation) - Applicant appeal	Council's decision set aside. Permit Granted.
<b>Result</b>	Council were supportive of the amended plans, subject to conditions. The objector party still had concerns about the presentation of the upper storey of Dwelling 3 to her own neighbouring dwelling. The parties ultimately reached agreement resulting in the eastern upper storey of Dwelling 3 being further setback from Ms Lindsay's boundary.				



MAY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
9/05/2016	D/124/2015	91 Gillies Street, Fairfield  Rucker	Construct a medium density housing development comprising of six (6), three (3) storey dwellings and associated reduction to the car parking requirement as shown on the plans accompanying the application.	Refusal (in line with officer recommendation, recommendation to support amended plans not carried) - Applicant Appeal	Council's decision set aside  Permit Granted
<b>Result</b>	The Tribunal noted that the proposal was an acceptable response to the preferred character statement in Council's B3 Neighbourhood Character Guidelines as well as ResCode given the amended plans lodged in the proceeding. In particular, the Tribunal considered that the scale of the proposal (at 3 storeys) is in keeping with the character of this part of Fairfield as it is replacing a commercial building with dwellings and existing architecture within the area (close to Fairfield Village) was already mixed.				
11/05/2016	D/244/2015	115 Cheddar Road, Reservoir  La Trobe	Construction for five (5) double storey attached dwellings as shown on the plans accompanying the application	Refusal (contrary to officer recommendation) – Applicant Appeal	Council's decision set aside. Permit granted.
<b>Result</b>	The Tribunal provided oral reasons only.				
12/05/2016	D/564/2014	41-43 Separation Street, Fairfield  Rucker	A medium density housing development comprising the construction of twelve (12) double storey dwellings (plus basement car parking) and a reduction of visitor car parking requirements as shown on the plans accompanying the application.	Refusal (in line with officer recommendation) – Applicant Appeal	Applicant for Review withdrawn by the Applicant. No permit granted.
<b>Result</b>	Application withdrawn by the Permit Applicant. Some of Council's costs were paid by the Applicant.				

MAY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/05/2016	D/300/2015	17 Rosenthal Crescent, Reservoir  La Trobe	Use and development of a child care centre	Refusal (in line with officer recommendation) - Applicant appeal	Council's decision set aside. Permit Granted.
<b>Result</b>	The Tribunal considered Council applied its neighbourhood character policies too rigidly when assessing the application. Subject to conditions, the Tribunal considered there to be no unreasonable amenity impacts and traffic/parking impacts.				

JUNE 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/06/2016	D/328/2015	22 Furzer Street, Preston  Cazaly	Medium density development comprising the construction of four (4) double storey dwellings	Refusal (contrary to officer recommendation) - Applicant appeal	Council's decision set aside. Permit granted.
<b>Result</b>	Being in an incremental change area, the Tribunal was satisfied that "more of the same" (i.e. single storey, single dwellings) was not being called for by policy. Subject to additional conditions increasing the front setback and a landscaping condition, the Tribunal was satisfied a permit could issue.				
14/06/2016	D/413/2015	23 Bailey Avenue, Preston  Cazaly	Construction of a medium density housing development comprising five (5) dwellings and a reduction in the rate of car parking (visitor space)	Refusal (contrary to officer recommendation) - Applicant appeal	Council's decision varied – Permit granted.
<b>Result</b>	The Tribunal acknowledged the proposal would constitute a noticeable change to the neighbouring properties, however the Tribunal considered the area already had an "eclectic character" and together with the design response and residential zoning, the Tribunal found the proposal worthy of a permit.				
16/06/2016 (Compulsory Conference)	D/474/2015	63-71 Plenty Road, Preston  Cazaly	Proposed construction of an eighteen (18) storey building comprising 2 shops and 135 dwellings and a waiver of the car parking requirement	Failure Appeal	Proceeding to hearing.
<b>Result</b>	The parties were not able to mediate an outcome.				
28/06/2016	D/371/2015	34 North Road, Reservoir  La Trobe	Proposed construction of five (5) dwellings and a reduction in the car parking requirement	Refusal (contrary to officer recommendation) - Applicant appeal	Council's decision set aside. Permit granted.
<b>Result</b>	The Tribunal did not provide written reasons.				



JUNE 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
30/06/2016	D/101/2015	1 Hawker Avenue, Preston  Cazaly	A medium density housing development comprising the construction of six (6) dwellings (3 triple storey and 3 double storey)	Refusal (contrary to officer recommendation) – Applicant appeal	Awaiting VCAT Order
<b>Result</b>					

JULY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
11/07/2016	D/461/2015	27 Murphy Grove, Preston  Cazaly	A medium density housing development comprised of the construction of a 3 storey development including basement car parking, comprised of twelve (12) dwellings and a reduction in the car parking requirement	Refusal (in line with officer recommendation) – Applicant appeal	Council's decision affirmed. No permit granted.
<b>Result</b>	The critical issue for the Tribunal in this instance was whether the proposal was an appropriate fit for an incremental change area. Specifically, the Tribunal considered that the redevelopment of a single detached dwelling with 10 new dwellings was not incremental change. In addition, the Tribunal considered the design of the proposal would introduce a dissonant chord with existing built form from a neighbourhood character point of view.				
13/07/2016	D/474/2013	712-716 High Street, Thornbury  Rucker	Use and development land for a six (6) storey building comprising shops and 41 dwellings; a reduction of car parking requirements, and a waiver of loading/unloading requirements	Refusal (contrary to officer recommendation) – Applicant appeal	Adjourned to 29 August 2016.
<b>Result</b>					
14/07/2016	D/953/2013	52 Brooke Street, Northcote  Rucker	Development of two (2) attached double storey dwellings to the rear of the existing single storey dwelling	Refusal – Applicant appeal	Awaiting VCAT Order
<b>Result</b>					
22/07/2016  Practice Day Hearing (called by VCAT)	D/523/2014	200-202 High Street, Northcote  Rucker	Use and development of the land for the purpose of a 5-storey building plus basement car parking, comprising 31 dwellings and 3 shops; a reduction in the car parking requirement and a waiver of the loading bay requirement	Failure appeal - going to Committee - Council subsequently resolved to oppose	

JULY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
Result					



JULY 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
28/07/2016	D/236/2015	943-945 Plenty Road, Kingsbury  La Trobe	Mixed use development comprising the construction of a four (4) storey building, use as 9 dwellings and a reduction in the car parking requirements and loading/unloading of vehicle requirements associated with the use as a shop	Refusal (contrary to officer recommendation) - Applicant appeal	
<b>Result</b>					
29/07/2016	D/469/2015	17-19 Paywit Street, Preston  Cazaly	Medium density housing development comprising construction of four (4) double storey dwellings and two (2) single storey dwellings and a reduction in the visitor carparking requirement	Refusal (contrary to officer recommendation) - Applicant appeal	
<b>Result</b>					

AUGUST 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
04/08/2016	D/695/2015	2-4 Clark Street, Reservoir VIC 3073  La Trobe	Construction of eight (8) double storey dwellings and waiver of 1 car parking space	Refusal (contrary to officer recommendation) - Applicant appeal	
<b>Result</b>					
22/08/2016	D/474/2015	63-71 Plenty Road, Preston  Cazaly	Proposed construction of an eighteen (18) storey building comprising 2 shops and 135 dwellings and a waiver of the car parking requirement	Failure to grant a permit within prescribed time – amended plans to go before Committee	
<b>Result</b>					
24/08/2016	D/839/2015	752 High Street, Thornbury  Rucker	Demolition of existing building, development of a 5 storey building (plus roof terrace) comprising 15 dwellings, a shop and reduction to the car parking requirement	Refusal (contrary to officer recommendation) - Applicant appeal	
<b>Result</b>					

AUGUST 2016					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
29/08/2016	D/474/2013	712-716 High Street, Thornbury  Rucker	Use and development land for a six (6) storey building comprising shops and 41 dwellings; a reduction of car parking requirements, and a waiver of loading/unloading requirements	Refusal (contrary to officer recommendation) - Applicant appeal	
Result					
31/08/2016	D/900/2015	742-760 High Street, Reservoir  Cazaly	Development of 23 dwellings (14 three storey and 9 two storey dwellings) and car parking reduction	Refusal (contrary to officer recommendation) - Applicant appeal	
Result					

Matters completed and to be heard to 31/08/2016



## SIGNIFICANT APPLICATIONS UPDATE

Below is a list of applications with a cost of construction of at least \$3,000,000 and their status.

Address	Ward	Application No	Proposal Description	Date Received	Status
63-71 Plenty Road, Preston	Cazaly	D/474/2015	Mixed use development – two (2) shops & 135 dwellings	30-Jun-15	Amended plans to be reported to Planning Committee meeting 8 August 2016
36-46 High Street, Preston	Cazaly	D/465/2015	Mixed use development – two (2) commercial tenancies & 90 dwellings	30-Jun-15	Advertising
1/176-180 High Street, Preston	Cazaly	D/456/2015	Mixed use development – 74 dwellings plus commercial tenancies	29-Jun-15	Further information requested
6-34 High Street, Preston	Cazaly	D/1007/2012	Mixed use development containing 209 dwellings, seven (7) retail tenancies and gymnasium.	20-Dec-12	Advertising completed
195-209 St Georges Road, Northcote	Rucker	D/1011/2012	Mixed use development – 102 dwellings & supermarket within a six (6) storey building.	20-Dec-12	Refusal issued 8-July-16
531 St Georges Road, Thornbury	Cazaly	D/485/2014	Residential development – 6 levels with 33 dwellings	17-Jun-14	VCAT Practice Note Sent
2 McCutcheon Street, Northcote	Rucker	D/814/2014	Residential development – 30 dwellings within a four (4) storey building.	8-Sep-14	Refusal issued 16-May-16
208-216 High Street, Preston	Cazaly	D/865/2014	Mixed use development of 7 levels– 77 dwellings & 4 shops	23-Sep-14	Advertising completed
223 Gower Street, Preston	Cazaly	D/1110/2014	Medium density housing of 3 levels – 16 dwellings	9-Dec-14	Advertising
305 Plenty Road, Preston	Cazaly	D/187/2015	Construction of 16 dwellings contained within a five (5) storey building.	27-Mar-15	Refusal issued 20-Jun-16
30 Cramer Street, Preston	Cazaly	D/285/2015	Construction of 95 dwellings and three (3) shops – nine (9) storey building	1-May-15	Amendment received
70 Dundas Street, Thornbury	Rucker	D/542/2015	Medium density housing of 3 levels – 10 dwellings	30-Jun-15	Advertising completed
167 Station Street, Fairfield	Rucker	D/748/2015	Construction of a three (3) storey building containing 20 dwellings	16-Sep-15	Refusal issued on 21-July-16
1 Ralph Street, Reservoir	LaTrobe	D/804/2015	Mixed use development - 5 levels with 22 dwellings and 1 commercial tenancy	6-Oct-15	Further information requested
55 Tyler Street Preston	Cazaly	D87/2016	Construction of a swimming pool associated with an existing school.	16-Feb-16	Initial assessment commenced
314 St Georges Road, Thornbury	Rucker	D939/2015	Mixed use development of 5 levels – 46 dwellings, 4 commercial tenancies and 1 restaurant	12-Nov-15	Advertising completed
2A Austral Avenue, Preston	Cazaly	D/979/2015	Multi-level, medium density development – 67 dwellings	27-Nov-15	Amendment received
108 Wood Street, Preston	Cazaly	D/971/2015	Mixed use development – 3 & 4 levels with 25 dwellings and a	25-Nov-15	Notice of Decision to Grant a Permit issued on

Address	Ward	Application No	Proposal Description	Date Received	Status
			medical centre		8-July-16
281 Spring Street, Reservoir	Latrobe	D/1026/2015	Mixed use development over 7 levels – 50 dwellings and 4 commercial tenancies	10-Dec-15	Amendment received
72A Station Street, Fairfield	Rucker	D/2/2016	Mixed use development comprising 20 dwellings, three (3) retail premises and reduction in car parking to zero	5-Jan-16	Notice of Decision to Grant a Permit issued on 30-May-16
658 High Street, Thornbury	Rucker	D/1039/2015	Mixed use development of 6 levels with ground floor commercial tenancies and 28 dwellings	16-Dec-15	Advertising
1 Matisi Street Thornbury	Rucker	D/1040/2015	Development and use of the land for warehouses	11-Dec-15	Advertising completed
830 Plenty Road, Reservoir	Cazaly	D/458/2015	Mixed use development comprising 326 dwellings and 962 square metres of office in 10 tenancies.	29-Jun-15	Notice of Decision to Grant a Permit issued on 22-July-16
234-235 Preston Market, Preston	Cazaly	D/398/2016	Stage 1B – 131 dwellings (9 & 10 storey buildings), relocation of Aldi and other tenancies, reduction of car parking and alterations to vehicle access to Murray Road.	18 May-16	Initial assessment started
234-235 Preston Market, Preston	Cazaly	D/393/2016	Stage 1C – 193 dwellings (14 storey building), retail tenancies and reduction in car parking	18 May-16	Initial assessment started
32 Station Street, Fairfield	Rucker	D/459/2016	Relocation of heritage building and its use as a child care centre, display signs and construction of a 4 storey building with 62 dwellings	2 June-16	Initial assessment started
387-393 High Street, Northcote	Rucker	D/377/2016	Mixed use development – 10 storey building with 93 dwellings and 2 retail tenancies, reduction in car parking and waiver of loading /unloading requirements	4 May-16	Initial assessment started
52 Clyde Street, Thornbury	Rucker	D/444/2016	Medium density housing – 3 levels	27 May-16	Further information requested
1056-1140 Plenty Road, Bundoora	Latrobe	D/400/2016	Construction of 63 dwellings and fence	4 May-16	Initial assessment started
13 Olver Street, Preston	Cazaly	D/432/2016	Medium density housing of 4 levels with 16 dwellings	31 May-16	Initial assessment started
Rear of 3B Newlands Road, Reservoir	Latrobe	D/370/2016	Additional warehouse, upgrade existing warehouses and internal roads	9 May-16	Further information requested
23 Bell Street, Preston	Cazaly	D/1086/2015	Restricted retail premises	23 Dec-15	To be advertised
56-58 Elliot Street, Reservoir	Latrobe	D/274/2016	Construction of residential aged care facility with 110 rooms	11 Apr-16	To be advertised
345 Bell Street, Preston	Cazaly	D/566/2016	Mixed use development – six (6) storey building with 30 dwellings and two (2) retail premises	7 July-16	Allocated

## LIST OF APPLICATIONS FOR THE NEXT PLANNING COMMITTEE MEETING

Below is a list of applications for the upcoming Planning Committee Meeting. Please note that this list of applications is based upon best available advice at the time of publishing the Planning Committee Agenda. For confirmation of agenda items reference should be made to the Planning Committee Agenda on Council's website the Friday prior to the scheduled meeting.

Address	Ward	Application No.	Proposal Description	No. of Objections
50-52 Wales Street, Thornbury	Rucker	D/643/2015	Medium density housing – 5 dwellings	24
2-4 Kelsby Street, Reservoir	La Trobe	D/988/2015	Medium density housing – 8 dwellings	22



**7. URGENT BUSINESS**

**8. CLOSE OF MEETING**