



the place
to live

AGENDA

Planning Committee Meeting to be held at
Preston Town Hall,
284 Gower Street Preston
on Monday 8 February 2021 at 6.30pm.

This meeting will be open to the public in line with current health restrictions. Masks are mandatory and the number of people in the public gallery will be restricted.

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



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

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

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

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

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



English

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

Arabic

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

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

Table of Contents

Item Number		Page Number
1.	MEMBERSHIP	1
2.	APOLOGIES.....	1
3.	DISCLOSURES OF CONFLICTS OF INTEREST	1
4.	CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE	1
5.	CONSIDERATION OF REPORTS	2
5.1	Application for Planning Permit D/200/2019 24-26 Rathcown Road Reservoir	2
5.2	Application for Planning Permit D/254/2020 785 High Street Thornbury	40
6.	OTHER BUSINESS	75
6.1	General Planning Information: Scheduled VCAT Applications.....	75
7.	CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	96
8.	CLOSE OF MEETING.....	96

Agenda

1. MEMBERSHIP

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Gaetano Greco (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Recommendation

That the Minutes of the Planning Committee Meeting held on 14 December 2020 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

**5.1 APPLICATION FOR PLANNING PERMIT D/200/2019
24-26 RATHCOWN ROAD RESERVOIR**

Author: Statutory Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
PAI Property Consultant	B E Brown	Mecone; PAI Property Consultant; Dr Wendy Morrison; Nick Withers.

SUMMARY

- This application proposes a medium density housing development comprised of eight (8) double storey dwellings. Five (5) of these are four (4) bedroom dwellings and three (3) are two (2) bedroom dwellings.
- Dwelling 1 and Dwelling 8 are sited towards the street frontage, with the remaining dwellings located to the rear. Dwelling 1 generally comprises an open plan kitchen/living/dining area, one (1) bedroom and secluded private open space at ground floor level and will have three (3) bedrooms at first floor level. Dwellings 2-8 generally comprise of a similar layout with open plan kitchen/living/dining area and secluded private open space at ground floor level and their respective bedrooms at first floor level.
- Dwelling 1 will have one (1) tandem car space and a single car garage, with access directly from the street. The remaining dwellings will have vehicular access from the common central accessway. Dwellings 4, 5 and 8 will have a single car garage and Dwellings 2, 3, 6 and 7 will have a double car garage. A communal waste storage area is located at the northern (rear) end central accessway.
- The dwellings will have a 'traditional' design, with walls finished in brick at ground floor and render at first floor with hipped roofs at ground floor and first floor.
- The proposal will have a maximum overall height of 7.813 metres.
- The site is zoned General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay.
- The mandatory garden area requirement is 35%. The proposal achieves a garden area of 435 square metres (35.01%).
- There is no restrictive covenant on the title for the subject land.
- Five (5) objections were received against the application, including one (1) petition.
- 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 letters sent to surrounding owners and occupiers. Due to State Government 'Stage 4' lockdown restrictions as a result of the Coronavirus global pandemic, an extensive mailout of letters was undertaken in lieu of posting a sign on the subject site.
- This application was referred internally to Council's ESD Officer, Arboricultural Planning Unit, Infrastructure and Capital Delivery Unit, Climate Emergency and Sustainable Transport Unit and Strategic Planning Unit
- This application was not required to be referred to any external authorities.

Recommendation

That Planning Permit Application No. D/200/2019 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. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as TP3 (Rev. B), TP4 (Rev. B), TP6 (Rev. B), TP7 (Rev. B), prepared by PAI Property Consultant and dated Sep 20) but modified to show:
 - (a) The garage wall of Dwelling 1 set back 1.0 metres from the western boundary and the re-alignment of the accessways to reflect what is depicted on the plan identified as 'Discussion Plan' (dated 18 November 2020).
 - (b) The first-floor Bedroom 2 en suite of Dwelling 4 deleted. This must be achieved by reducing the first floor building footprint and without altering any boundary setbacks.
 - (c) The first-floor Bathroom of Dwelling 5 deleted. This must be achieved by reducing the building first floor footprint and without altering any boundary setbacks.

Internal rearrangement to accommodate a first-floor bathroom within the remaining area may occur provided that there is no change to the location/screening detail of any windows.
 - (d) Deletion of the first floor south-facing balconies of Dwelling 1 and Dwelling 8 and any consequential rearrangement of the roof form and support structures.
 - (e) Provision of vehicle swept path assessment for Dwelling 8 (***although not necessarily endorsed to form part of this Permit***) demonstrating that B85th percentile vehicles can enter and exit the garage in accordance with Australian Standard AS2890.1:2004.
 - (f) The communal bin enclosure relocated to the northern boundary fence line, with the adjacent area to the south of the bin enclosure provided with landscape buffer (500mm minimum) and screening vegetation in accordance with Condition No. 3 (d).

A fully sealed path of not more than 1.0 metres width must be provided for access between the bin enclosure and the accessway.
 - (g) The deletion of bins shown within the individual garages of each dwelling.
 - (h) The material identified as 'Render D: Classic Cream or Similar' is to be substituted with horizontal timber (or timber-look cladding) with a natural/stained finish.

- (i) An updated comprehensive schedule of construction materials, external finishes and colours (including colour samples), which reflects the requirements of Condition 1 (h).
- (j) Details of the fences on the northern, eastern and western boundaries (except within 7.6 metres of the southern boundary of the land) in accordance with Condition No. 10 of this Permit.
- (k) A note on the First Floor Plan stating that the retreat of Dwelling 8 must remain open and must not be enclosed as a bedroom.
- (l) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), on the eastern and western sides of both crossovers to Rathcown Road. Where within the site, the splays must be at least 50% clear of any visual obstructions (structures, vegetation and the like). The splays may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.
- (m) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
 - (i) co-located where possible;
 - (ii) located or screened to be minimally visible from the public realm;
 - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
 - (iv) integrated into the design of the building.
- (n) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
 - (i) co-located where possible;
 - (ii) positioned on a side boundary or adjacent to the accessway; and
 - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (o) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (p) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 4 of this Permit.
- (q) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit.
- (r) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (s) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
- (t) Any modifications required as a result of the approved Waste Management Plan (WMP) required by Condition No. 9 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. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- (a) tree protection measures in accordance with Condition No. 4 of this Permit.
 - (b) any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 6 of this Permit).
 - (c) any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit).
 - (d) screening vegetation is to be provided within the landscape buffer along the southern side of the communal bin enclosure to minimise views of the enclosure from the street frontage.
 - (e) 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. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
 - (f) a planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - (g) a diversity of plant species and forms.
 - (h) at least four (4) suitable medium canopy trees and eight (8) suitable small canopy trees.

All canopy trees must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
 - (i) annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - (j) 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 percent. 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.
 - (k) hard paved surfaces at all entry points to dwellings.
 - (l) the location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
 - (m) type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
 - (n) an outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
 - (o) the location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - (p) clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - (q) scale, north point and appropriate legend.

- (r) landscape specification notes including general establishment and maintenance requirements.

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

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

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

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

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

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

Tree*	Location	TPZ (radius from the base of the tree trunk)
Tree 1	Nature strip	6.7 metres
Tree 2	Nature strip	10.0 metres
Trees 3-12	Adjoining properties	2.0m, 2.0m, 2.0m, 2.0m, 3.1m, 3.2m, 2.0m, 2.4m, 3.2m & 2.4m
*as defined in Arboricultural Development Impact Assessment (prepared by Nick Withers, dated October 2020)		

- 5. The following tree protection measures must be implemented for trees identified in the table to Condition No. 4 of this Permit:
 - (a) Tree protection measures must be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.
 - (b) Tree protection fencing must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed or unless otherwise agreed by the Responsible Authority in writing.
 - (c) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a Tree Protection Zone (TPZ). The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.

- (d) Except with the written consent of the Responsible Authority:
 - (i) The area within the TPZ and Tree Protection Fencing (TPF) must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.
 - (ii) The area within the TPZ of Tree 1 and Tree 2 must be provided with 100mm layer of coarse mulch.
 - (iii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (iv) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
 - (e) Any pruning works must be carried out in accordance with the Australian Standard AS4373 - 2007: Pruning of Amenity Trees and undertaken by a suitably qualified arborist.
 - (f) The construction of the crossover (and any other buildings and works within a TPZ) must be undertaken under the supervision and direction of a qualified arborist.
 - (g) Any service installation within TPZs must be bored to a minimum depth of 0.6m below existing grade. There must strictly be no 'open trench' excavation within TPZs
 - (h) Clearance pruning to Trees 1 & 2 must be undertaken by the Responsible Authority.
 - (i) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
 - (j) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
 - (k) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
6. Before plans are endorsed under Condition No. 1 of this Permit, an amended Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended SDA will be endorsed and will then form part of this Permit. The amended SDA must be generally in accordance with the document identified as Sustainable Design Assessment (prepared by PAI Property Consultant and dated September 2020) but modified to show:
- (a) Detail of how the sustainable design strategies to be incorporated into the development.
 - (b) Details of the proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
 - (c) Install external adjustable shading to all west-facing habitable room windows or glazed doors on the ground floor. Provide details to ensure it covers the glazed area when in use and the windows can still open.
 - (d) Provide details on where the water tanks will be located.
- The requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority.

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

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

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

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

9. Waste storage and collection must be undertaken in accordance with the approved management plan (identified as Waste Management Plan prepared by PAI Property Consultant and dated 01.09.2020) 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.
10. The development must not be occupied until a fence/s to a minimum height of 1.8 metres above natural ground level is erected along the northern, western and eastern property boundaries. The fence must be constructed to the satisfaction of the Responsible Authority.

If the existing fence/s on the northern, western and eastern property boundaries have heights of less than 1.8 metres, however are structurally sound, the fence height(s) may be increased by the addition of a free-standing, self-supporting trellis adjacent to the

fence to the required height. If used, such trellis must be a maximum of 25% visually permeable and be fixed, permanent, durable and of materials, finishes and colour that will blend in with the development.

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

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

12. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

The external lighting must be designed, baffled and located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.

13. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

14. The land must be drained to the satisfaction of the Responsible Authority.

15. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:

(a) concealed in service ducts or otherwise hidden from view; or

(b) located and designed to integrate with the development,

to the satisfaction of the Responsible Authority.

16. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the buildings without the prior written consent of the Responsible Authority.

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

18. A clothesline must be provided to each dwelling. Clotheslines must not be visible from Rathcown Road.

19. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.

20. Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:

(a) constructed;

(b) properly formed to such levels that they can be used in accordance with the plans;

(c) surfaced with an all-weather sealcoat; and,

(d) drained;

to the satisfaction of the Responsible Authority.

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

22. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
23. The retreat of Dwelling 8 must remain open and must not be enclosed as a bedroom.
24. This Permit will expire if either:
 - (a) the development does not start within three (3) years from the date of this Permit;
or
 - (b) the development is not completed within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
 - (a) before this Permit expires;
 - (b) within six (6) months after the expiry date; or
 - (c) within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

NOTATIONS

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

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the use and/or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5. To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.
- N6. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N7. This planning permit is to be attached to the "statement of matters affecting land being sold", under section 32 of the *Sale of Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

INTRODUCTION AND BACKGROUND

Site History

Council's records do not indicate that there is any relevant planning history for the subject site.

Application Background

This application was received by Council on 17 April 2019.

There have been no formal amendments to this application.

The plans under consideration are those advertised by Council, identified as:

- Drawings: Site Context Plan, Design Response and Neighbourhood Character, Ground Floor Plan and Site Plan, First Floor Plan and Site Plan, Garden Zone Analysis, Elevations, Shadow Diagrams, Streetscape.
- Revision: Revision B (dated Sep 20).
- Received by Council: 10 September 2020.
- Prepared by: PAI Property Consultant.

The architectural drawing set is accompanied by a raft of supplementary reports.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is regular in shape and measures 26.82 metres in width and 48.77 metres in length with a site area of 1,308.01 square metres.
- The land is located on the northern side of Rathcown Road between Chenies Street and Nutwood Street.
- The subject site is currently occupied by a single storey brick veneer dwelling with a hipped tiled roof and secluded private open space to the rear. Vehicle access to a garage located at the rear of the dwelling is provided via single crossover and driveway which runs along the western boundary. The site is generally flat and does not contain any canopy vegetation.
- The surrounding neighbourhood is mixed and does not demonstrate elements of an intact neighbourhood character, with a blend of single and double storey dwellings and medium density developments from a range of eras.
- To the north is the rear yard of a detached single storey dwelling which fronts Purinuan Road.
- To the south, located on the opposite side of the street, are two (2) detached single storey brick dwellings with hipped tiled roofs.
- To the east is a medium density housing development comprised of five (5) single storey and one (1) double storey dwelling. The development has a similar layout to that adopted in application. The secluded private open space of three (3) of the dwellings are located along the common boundary, with the dwellings set back a minimum distance of approximately 6.6 metres.
- To the west is a detached single storey weatherboard dwelling with hipped tiled roof.

- On-street parking is available on both sides of the street and is unrestricted.
- The site is within a walkable catchment of the No. 561 (Macleod – Pascoe Vale) and No. 566 (Lalor – Northland) bus routes which operate along Dunne Street.

Proposal

- Demolition of the existing building and outbuildings (no permit required).
- Construction of eight (8) double storey dwellings. Dwellings 1-3 and 6-7 are to have four (4) bedrooms and Dwellings 4-5 and 8 are to have two (2) bedrooms.
- Dwelling 1 and Dwelling 8 are sited towards the street frontage, with the remaining dwellings located to the rear. Dwelling 1 generally comprises an open plan kitchen/living/dining area and one (1) bedroom at ground floor and will have three (3) bedrooms at first floor level. Dwellings 2-8 generally comprise of a similar layout with open plan kitchen/living/dining area at ground floor level and their respective bedrooms at first floor level.
- Dwelling 1 will have one (1) tandem car space and a single car garage, with access directly from the street. The remaining dwellings will have vehicular access from the common central accessway. Dwellings 4, 5 and 8 will have a single car garage and Dwellings 2, 3, 6 and 7 will have a double car garage. A communal waste storage area is located at the northern (rear) end central accessway.
- Each dwelling is provided with an area of private open space at ground floor level which is directly accessible from the main living area.
- Each dwelling is 'traditional' in appearance, with walls finished in brick at ground floor and render at first floor and hipped roofs at ground floor and first floor.
- The maximum overall height of the development is 7.813 metres (measured from natural ground level to the roof ridge of Dwelling 1 on the southern elevation). Typical floor to ceiling heights of each dwelling are in the order of 2.7 metres at ground floor level and 2.7 metres at first floor level.
- Vehicle access to the site will be obtained via a centrally located proposed crossover and an existing crossover located at the western end of the site frontage.

Objections summarised

- No advertising sign was displayed on site;
- Traffic impacts, insufficient car parking and safety;
- Development would not enable safe evacuation in the event of a fire;
- Vehicle manoeuvrability is too constrained;
- Insufficient space is provided to accommodate two (2) vehicles within the double-car garages;
- Overshadowing;
- Overlooking;
- Insufficient drainage;
- Contrary to neighbourhood character;
- The development is not supported by Council's Housing Strategy at Clause 21.03;
- Noise from air conditioning units;
- Cumulative impacts caused by the proposal and the recently approved development at 2-4 Rathcown Road;

- Poor internal amenity;
- Not environmentally sustainable;
- Devaluation of existing properties within the street;
- Concerns about proposed density;
- Loss of the existing fence;
- Impact on existing habitable room windows;
- Removing the existing garage will damage adjacent trees.

Officer comment on summarised objections

No advertising sign was displayed on site

Due to State Government 'Stage 4' lockdown restrictions as a result of the Coronavirus global pandemic, notification was undertaken by sending letters to approximately five (5) properties in all directions opposite and adjoining the subject site in lieu of posting a sign on the site.

While Section 52 of the *Planning and Environment Act 1987* requires notice to be given to owners and occupiers of allotments adjoining the site where there could be material detriment, it does not mandate that in all cases that a sign must be erected on site. In the case of this particular application, an advertising sign was not a mandatory requirement. It is considered that Council conducted thorough and effective notification of the application by increasing the number of properties who were sent letters notifying them of the application.

Traffic impacts, insufficient car parking and safety

The proposed development provides the required number of car parking spaces to each dwelling in accordance with the requirements of Clause 52.06-5 of the Darebin Planning Scheme. As such, Council cannot compel the applicant to provide any additional car parking spaces. Notwithstanding, this particular section of Rathcown Road is not identified by Council as an area known to experience a shortage of on-street car parking availability.

It is noted that the first floor study of Dwelling 4 does not contain dimensions where it can be retrospectively enclosed as a third bedroom. While the first floor retreat of Dwelling 8 is to remain open, it contains dimensions which could enable it to be retrospectively enclosed and used as a third bedroom. As such, a condition will require a note to be added stating the retreat must remain open and must not be enclosed as a bedroom.

Although the proposal will result in a minor increase in local traffic within the vicinity of the site, it can be easily absorbed by the local road network. A detailed assessment of traffic and car parking matters is provided below.

Development would not enable safe evacuation in the event of a fire

This site is not located within an identified bushfire-prone area within the Darebin Planning Scheme. In the absence of any relevant overlay provisions, it is considered that this concern is beyond the ambit of this planning permit application and may be more suitably dealt with under the relevant requirements of a building permit.

Vehicle manoeuvrability is too constrained

The parking layouts of the proposed dwellings comply with the design and layout requirements of Design Standard 6 at Clause 52.06-9 and there is no evidence to the contrary to suggest that safety would be compromised by the development.

Notwithstanding, Council's Climate Emergency and Sustainable Transport Unit have advised that the areas provided for vehicle manoeuvrability in respect of Dwelling 8 are tight. As such, swept path diagrams will be required as a condition to demonstrate that vehicles can enter and exit the site in forward direction.

Insufficient space is provided to accommodate two (2) vehicles within the double-car garages

As can be seen from the car parking assessment below, all double car garages within the proposed development contain dimensions of 5.5 metres x 6 metres, which complies with requirements of Clause 52.06-9 of the Darebin Planning Scheme. In addition, Council's Climate Emergency and Sustainable Transport Unit raised no objection to the dimensions.

Overshadowing

As can be seen from the assessment against Standard B21 below, the extent of overshadowing of adjoining properties at the equinox is acceptable. It is noted that the proposal results in a very minor increase in overshadowing beyond the existing fence line of adjoining properties to the east and west.

Overlooking

As can be seen from the assessment below, first floor windows have been screened to prevent overlooking of adjacent habitable room windows and secluded private open space areas satisfying the standards identified by the Planning Scheme.

Insufficient drainage

Council's Infrastructure and Capital Delivery Unit has been referred a copy of this application and did not raise any objection. Furthermore, the site is not located within a Special Building Overlay area and therefore does not possess an identified susceptibility to inundation.

Contrary to neighbourhood character

A test of neighbourhood character, as outlined at Clause 22.02 (Neighbourhood Character) of the Darebin Planning Scheme, is whether a development respects the existing character or contributes to the preferred character of the area, having regard to the Neighbourhood Character Precinct Guidelines for Precinct G3.

As can be seen from the assessment below, the proposed development adopts a materiality, height and form which is commensurate with Council's Neighbourhood Policy. It is considered the development, subject to reasonable permit conditions, can sit comfortably within the Rathcrown Road streetscape.

The development is not supported by Council's Housing Strategy at Clause 21.03

The site is located within an area of Incremental Housing Change under Clause 21.03 of the Darebin Planning Scheme. Broadly, Clause 21.03 encourages development in areas of Incremental Change which is generally consistent with the neighbourhood character and responsive to varying local conditions, whilst allowing for moderate housing growth and diversification over time.

As can be seen from the assessment below, the provision of eight (8) dwellings which contributes to the diversity of housing within Darebin and which is respectful of the existing and preferred neighbourhood character, is considered to be supported by policy under Clause 21.03.

Noise from air conditioning units

The proposed use is residential and will have noise impacts consistent with those normal to a residential zone. It is not anticipated that noise associated with air conditioning units would be unreasonable for this urban area.

A condition included in the recommendation will require air conditioning units to be shown on plans and minimally visible from the public realm and adjoining properties. While the condition is primarily concerned with the visual impacts, it is considered that there will also be some noise attenuation achieved as a result of the permit condition.

Cumulative impacts caused by the proposal and the recently approved development at 2-4 Rathcown Road

This is not a matter which is relevant or can be considered as part of this planning permit application. The Victorian Planning system requires that each planning permit application must be considered on its individual merits.

Poor internal amenity

There is no specific provision within the Darebin Planning Scheme which stipulates a minimum floor area requirement per dwelling within a medium density housing development of this type. Notwithstanding, it is noted that each dwelling is provided with dimensions which enable internal circulation and adequate space for future occupants to recreate.

Moreover, it is arguable that the provision of more compact dwellings will contribute to housing affordability as called for by the provisions of Clause 21.03, whilst importantly, providing an acceptable level of internal amenity.

Not environmentally sustainable

A Sustainable Design Assessment accompanies the application. A copy was referred to Council's ESD Officer who did not raise any objection, subject to conditions outlined in the recommendation section of this report. The sustainable design initiatives within the SDA will be incorporated into the development to ensure that the development meets the ESD requirements of the Darebin Planning Scheme.

Devaluation of existing properties within the street

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

Concerns about proposed density

The relevant consideration of a medium density development is based on its compliance with a set of criteria outlined in the Darebin Planning Scheme and not based on arbitrary concerns about there being 'too many units'. In fact, the State Planning Policy gives clear support to medium density housing development within existing metropolitan areas in order to meet the needs of a growing population through urban consolidation rather than sprawl.

Loss of the existing fence

It is not clear on the plans whether the existing boundary fences are to be retained or replaced as part of this application.

Notwithstanding, any matters relating to boundary fences do not form part of the exercise discretion in a planning permit application, as they are more suitably dealt with under the relevant provisions of the *Fences Act 1968*.

Impact on existing habitable room windows

It is considered that the proposed wall on the western boundary will unreasonably impact an existing habitable room window on the adjoining property to the west. A condition will require the wall on the western boundary to be set back 1.0 metres from the boundary to comply with Standard B19 of Clause 55. Refer to the assessment below for further details.

Removing the existing garage will damage adjacent trees

Council's Arboricultural Planning Unit has been referred a copy of this application and did not raise any objection, subject to conditions outlined in the recommendation section of this report. It is considered that adjacent trees may be protected from damage with appropriate tree protection zones and measures.

PLANNING ASSESSMENT

Aboriginal Cultural Heritage

Clause 15.03-2S of the Darebin Planning Scheme states that it is relevant to consider the findings and recommendations of the Aboriginal Heritage Council and the findings and recommendations of the Victorian Heritage Council for post-contact Aboriginal heritage places.

A mandatory Cultural Heritage Management Plan (CHMP) is required by the *Aboriginal Heritage Regulations 2018* as the activity area is in an area of cultural heritage sensitivity (i.e. land within 200 metres of a waterway) and the activity is a high impact activity, being the construction of three or more dwellings on a lot or allotment.

A Cultural Heritage Management Plan has been prepared. The Cultural Heritage Management Plan has been approved by the relevant Aboriginal Body.

Darebin Housing Strategy

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

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

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

Housing (Clause 21.03)

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

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

The proposed development of eight (8) double storey dwellings is considered to be an acceptable level of development envisaged in this context, given the site area and location in proximity to services and public transport.

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

Complies**Neighbourhood Character**Vegetation*Objective:*

- To enhance the landscape quality of the area.
- To integrate garden settings with creek-side environs.

Comment:

- The site is presently devoid of any landscaping and canopy trees. A condition will require the provision of four (4) medium canopy trees and eight (8) small canopy trees which will enhance the landscape quality of the area. It is considered that there is sufficient space within the front setback and the secluded private open space of each dwelling to accommodate the provision of these canopy trees and other landscaping. This may be confirmed via a landscape plan as a condition of any future approval.

Complies subject to conditionSiting*Objective:*

- To provide space for front gardens
- To encourage new development to contribute to a continuous canopy of trees across the precinct.

- To maintain and reinforce the side boundary setback pattern and the existing rhythm of spacing between dwellings.
- To minimise the loss of front garden space and the dominance of car parking structures.

Comment:

- As noted above, there is sufficient space within the front setback and secluded private open space to accommodate landscaping. The extent of landscaping will be confirmed via a landscape plan as a condition.
- Dwelling 1 will be set back from the western boundary to comply with the 'Daylight to Existing Windows' Standard of Clause 55 (discussed below). Both dwellings which front the street will be set back from the respective side boundaries, which is consistent with the prevailing pattern of development within the streetscape.
- The subject site contains the equivalent frontage of two lots within the existing street. The proposed development, in effect, provides one crossover per lot which consistent with the prevailing streetscape. The arrangement of crossovers is considered to provide an acceptable response to the preferred neighbourhood character and will not result in the unreasonable loss of front garden space.

Complies subject to condition

Height and building form

Objective:

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

Comment:

- The proposed development is considered to be commensurate with the existing streetscape, in that there are several examples of medium density infill developments which are of a similar height and form to that proposed, which are present within the existing streetscape (such as 62, 44 and 20-22 Rathcown Road, Reservoir and others in 31-33, 37 and 39 Purinuan Road).

While there may be support for the height and form proposed based on the existing character of the area, it must also be remembered that Clause 22.02 requires development to contribute to the preferred neighbourhood character. Relevantly, the Precinct G3 guidelines call for the following design response:

Upper levels should be set back a substantial distance from the front façade (e.g. the distance of one room) or accommodated within roof spaces.

While the height and form of the development is generally acceptable overall, a condition will require the deletion of the first floor balconies of Dwelling 1 and Dwelling 8, as they will result in an unreasonably bulky first floor presentation to the street.

Complies subject to condition

Materials and Design Detail

Objective:

- To encourage buildings that contribute positively to the streetscape through the use of innovative architectural responses and by presenting visually interesting facades to the street.

- In areas close to the Darebin Creek, to use materials that harmonise with the creek setting.

Comment:

- The proposal is well articulated and modulated. The design response adopts recessive elements which help to articulate the building. It is considered that the proposal is visually interesting and well-articulated when viewed from streetscape and adjoining properties (save for the northern elevation, discussed below).
- To ensure that the development harmonises with the creek-side environs, sections of first floor wall presently shown as ‘Render D: Classic Cream or Similar’, will be replaced with horizontal timber (or timber-look) cladding with a natural/stained finish as a condition.

Complies subject to condition

Front boundary treatment

Objective:

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

Comment:

- No front fence is proposed which will maintain the openness of the streetscape.

Complies

General Residential Zone

Minimum Garden Area

The mandatory minimum garden area requirement for construction or extension of a dwelling or residential building on a lot is as follows:

Lot Size	Minimum percentage of a lot set aside as garden area	Garden area provided
Above 650sqm	35% (435sqm)	35.01%

It is noteworthy that conditions to correct the driveway alignment and increase the western boundary setback (discussed below) may impact the overall garden area calculation. In *Clayton Gardens Pty Ltd v Monash CC (Red Dot) [2019] VCAT 1138* the Tribunal commented that compliance with Clause 32.08-4 must occur at the time of the application and cannot be retrospectively conditioned.

As a result, the Applicant was asked to produce a discussion plan showing how the proposed conditions would impact the garden area calculation. The discussion plan demonstrates that the proposal will continue to comply with Clause 32.02-4 with the conditions imposed.

Complies

Maximum Building Height Requirement for a Dwelling or Residential Building

Under the provisions of the General Residential Zone, a dwelling or residential building must not exceed three storeys or a maximum building height of 11.0 metres.

The proposal comprises two (2) storeys and a maximum height of 7.813 metres.

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 55.02-4 – Standard B4 – Infrastructure

The development is to be located in an established area where there is adequate infrastructure. The proposal will not exceed the capacity of local infrastructure.

Council’s Infrastructure and Capital Delivery Unit has commented that drainage is available to the site subject to conditions.

Complies subject to condition

Standard B17: Side and Rear Setbacks

Ground Floor:

Boundary	Wall height	Required Setback	Proposed setback
Western – Dwelling 1	3.725 metres	1.037 metres	3.5 metres
Western – Dwelling 2	3.446 metres	1 metre	3.5 metres
Western – Dwelling 3	3.327 metres	1 metre	3.5 metres
Western – Dwelling 4	3.311 metres	1 metre	3.5 metres
Northern – Dwelling 4	3.268 metres	1 metre	1.47 metres
Northern – Dwelling 5	3.217 metres	1 metre	1.47 metres
Eastern – Dwelling 5	3.327 metres	1 metre	3.52 metres
Eastern – Dwelling 6	3.37 metres	1 metre	3.52 metres
Eastern – Dwelling 7	3.387 metres	1 metre	3.52 metres
Eastern – Dwelling 8	3.327 metres	1 metre	3.52 metres

First Floor:

Boundary	Wall height	Required Setback	Proposed setback
Western – Dwelling 1	5.912 metres	1.693 metres	1.885 metres
Western – Dwelling 2	5.537 metres	1.581 metres	2.995 metres
Western – Dwelling 3	5.753 metres	1.645 metres	2.995 metres
Western – Dwelling 4	5.603 metres	1.60 metres	3.575 metres

Boundary	Wall height	Required Setback	Proposed setback
Northern – Dwelling 4	5.349 metres	1.525 metres	2.4 metres
Northern – Dwelling 5	5.321 metres	1.516 metres	2.925 metres
Eastern – Dwelling 5	5.499 metres	1.57 metres	3.595 metres
Eastern – Dwelling 6	5.458 metres	1.557 metres	2.975 metres
Eastern – Dwelling 7	5.482 metres	1.565 metres	2.975 metres
Eastern – Dwelling 8	5.433 metres	1.55 metres	3.595 metres

While the development exhibits full numerical compliance with the required building envelope, it is noted that the adjoining secluded private open space to the north will be flanked by two (2) sections of first floor wall (of Dwelling 4 and Dwelling 5) for approximately 17.05 metres. It is considered that there has been minimal attempt to ‘break up’ the built form along the northern elevation and in its current form will result in unreasonable off-site amenity impacts.

To address these off-site amenity concerns, a condition will require the deletion of the first floor Bedroom 2 en-suite of Dwelling 4 and the first floor Bathroom of Dwelling 5. The effect will be first floor building separation between Dwelling 4 and Dwelling 5 of approximately 6.0 metres (where there is presently a separation of 1.885 metres). It is considered the conditions will sufficiently ‘break up’ the expanse of first floor wall along the northern boundary and as a result reduce the off-site amenity impacts.

Complies subject to condition

Clause 55.04-6 B19 Daylight to Existing Windows

The proposed wall on the western boundary of Dwelling 1 is located adjacent to an existing habitable room window and provides a setback of 0.68 metres to the adjacent eave line. The standard, which requires an area of at least 3 square metres with a minimum dimension of 1 metre clear to the sky where opposite an existing habitable room window is not met. It is considered that the proposal would result in an unreasonable loss of daylight to the existing habitable room. To address this issue, a condition will require the garage wall on the western boundary to be set back 1.0 metres from the boundary, in order comply with the standard.

Upper floor walls are set back at least half their height from neighbouring windows.

The development allows adequate daylight to neighbouring existing habitable room windows.

Complies subject to condition

Clause 55.04-5 B21 Overshadowing

Overshadowing of neighbouring properties to the east and west by the proposed development is minimal, with at least 40 square metres of neighbouring properties’ 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 does not cast any shadows on the secluded private open space of the dwelling to the north.

Overshadowing of adjoining open space meets the standard and objective.

Complies

Clause 55.04-6 B22 Overlooking

The proposed dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary however, the plans omit details regarding boundary fence heights. Therefore, a condition will require northern, eastern and western boundary fences to be a minimum of 1.8 metres in height to limit ground floor overlooking.

All upper storey windows are appropriately designed and/or screened to ensure no overlooking.

Complies subject to condition

Clause 55.05-4 B28 Private Open Space

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

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

A complete assessment is provided in the table below:

	Total POS	Secluded POS	Minimum dimension of secluded POS
Dwelling 1	94 square metres	26 square metres	3.0 metres
Dwelling 2	43 square metres	40 square metres	3.5 metres
Dwelling 3	43 square metres	40 square metres	3.5 metres
Dwelling 4	46 square metres	46 square metres	3.5 metres
Dwelling 5	46 square metres	46 square metres	3.52 metres
Dwelling 6	43 square metres	40 square metres	3.52 metres
Dwelling 7	43 square metres	40 square metres	3.52 metres
Dwelling 8	114 square metres	29 square metres	3.52 metres

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

It is noteworthy that the balconies of Dwelling 1 and Dwelling 8 (to be deleted by condition) have not been included in the above assessment.

Complies

Clause 55.06-4 B34 Site Services

Sufficient area is provided to allow for the installation and the maintenance of site services. A condition of approval will require details to be shown on the plans how these are integrated into the design and screened if necessary.

The proposal includes sufficient storage area to accommodate waste and recycling bins for each dwelling, including suitable access to the bin enclosure which is to be managed via private waste collection. Notwithstanding, the waste storage area located at the northern end of the driveway will provide a visually unpleasant vista from the street. Therefore, a condition will require the bin enclosure to be relocated to the northern boundary and screened using landscaping.

Furthermore, the plans erroneously show bins located within the individual garages of dwellings. Given that private waste collection is proposed, a condition will require the deletion of bins from individual garages of each dwelling.

The proposal includes mailboxes for each dwelling with individual mailboxes for each dwelling facing the street and near the pedestrian entry to the common areas of the development.

Complies subject to condition

Clause 52.06 Car Parking

Number of Parking Spaces Required

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

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

The subject site is located within the Principal Public Transport Network area, therefore, no visitor car parking is required under the provisions of the Darebin Planning Scheme.

Design Standards for Car parking

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

A condition will require a note on the First Floor Plan stating that the first floor retreat of Dwelling 8 must remain open and not be enclosed as an additional bedroom.

As the central accessway serves more than 10 car parking spaces, the provisions of Design Standard 1 require a passing lane with dimensions of at least 6.1 metres wide and 7 metres long to be provided at the site boundary. In this instance, it is considered appropriate to waive these requirements as there is reasonable visibility for occupants using the central accessway. It will also provide a balance with Council's Neighbourhood Character Policy (noted above), which seeks to reduce the amount of paved areas for car parking within the front setback of the development.

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

The proposed single-car garage dimensions of 6.0 metres length x 3.5 metres width comply with the minimum requirements of the standard.

The proposed double garage dimensions of 6.0 metres length x 5.5 metres width comply with the minimum requirements of the standard.

Access dimensions to the car spaces comply with the standard. However, due to the marginal aisle width adjacent to the garage of Dwelling 8, a condition will require swept path diagrams to be provided to confirm functional ingress and egress to the garage of this dwelling.

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

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see assessment in the body of this report.	Y	Y
55.02-2	B2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		N/A as development contains less than 10 dwellings.	N/A	N/A
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development	Y	Y
55.02-5	B5	Integration with the street		
		Dwelling 1 and Dwelling 8 appropriately integrate with the street.	Y	Y
55.03-1	B6	Street setback		
		The required setback is 7.6 metres, the dwellings are set back 7.6 metres from the street frontage.	Y	Y
55.03-2	B7	Building height		
		7.813 metres	Y	Y
55.03-3	B8	Site coverage		
		41%	Y	Y
55.03-4	B9	Permeability		
		41%	Y	Y
55.03-5	B10	Energy efficiency		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties.	Y	Y
55.03-6	B11	Open space		
		N/A as the site does not abut public open space.	N/A	N/A
55.03-7	B12	Safety		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
55.03-8	B13	Landscaping		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
55.03-9	B14	Access		
		Access is sufficient and respects the character of the area.	Y	Y

Clause	Std		Compliance	
55.03-10	B15	Parking location		
		Parking facilities are proximate to the dwellings they serve, the access is observable, habitable room windows are sufficiently set back from accessways.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Dwellings are set back in accordance with the requirements of this standard. As noted above, a condition will require a reduction in the first floor footprint of Dwelling 5.	Y	Y
55.04-2	B18	Walls on boundaries		
		Subject to the condition outlined above, requiring the garage of Dwelling 1 to be set back 1.0 metres from the western boundary, the development will not incorporate any walls on boundaries.	N/A	N/A
55.04-3	B19	Daylight to existing windows		
		Please see assessment in the body of this report.	Y	Y
55.04-4	B20	North-facing windows		
		There are no north facing windows within 3.0 metres of the common boundary with the subject site.	N/A	N/A
55.04-5	B21	Overshadowing open space		
		Shadow cast by the development is within the parameters set out by the standard. Please see the assessment in the boy of this report.	Y	Y
55.04-6	B22	Overlooking		
		Please see assessment in the body of this report.	Y	Y
55.04-7	B23	Internal views		
		There are no internal views	Y	Y
55.04-8	B24	Noise impacts		
		Noise impacts are consistent with those in a residential zone.	Y	Y
55.05-1	B25	Accessibility		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
55.05-2	B26	Dwelling entry		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	Y	Y
55.05-3	B27	Daylight to new windows		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
55.05-4	B28	Private open space		
		Please see assessment in the body of this report.	Y	Y
55.05-5	B29	Solar access to open space		
		Sufficient depth is provided for adequate solar access.	Y	Y

Clause	Std		Compliance	
55.05-6	B30	Storage		
		Sufficient storage areas are provided.	Y	Y
55.06-1	B31	Design detail		
		Design detail of dwellings is appropriate in the neighbourhood setting. However, as noted above, a condition will require natural timber to be incorporated to integrate with the creek-side environs.	Y	Y
55.06-2	B32	Front fences		
		No front fence is proposed which is acceptable.	Y	Y
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Sufficient areas for site services are provided and screening of the communal enclosure can occur as a condition of approval.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
ESD Officer	No objection, subject to condition included in recommendation
Arboricultural Planning Unit	No objection, subject to condition included in recommendation
Infrastructure and Capital Delivery Unit	No objection, subject to condition included in recommendation
Climate Emergency and Sustainable Transport Unit	No objection, subject to condition included in recommendation
Strategic Planning Unit	Advice provided, clarifying that the subject site is located in an area of 'Incremental Change' under Clause 21.03.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Pursuant to Clause 32.08-6, a planning permit is required to construct two or more dwellings on a lot.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
PPF	11, 15, 16, 21.03, 22.02, 22.12
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 53.18, 55
General provisions	65.01, 71

Section of Scheme	Relevant Clauses
Neighbourhood Character Precinct	G3

POLICY IMPLICATIONS

Environmental Sustainability

A Sustainable Design Assessment (SDA) has been submitted with the application. The SDA outlines sustainable design initiatives required to be incorporated into the development.

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

RELATED DOCUMENTS

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

Attachments

- Aerial Photograph (**Appendix A**)
- Advertised Plans (**Appendix B**)
- Discussion Plan - refer to Condition No. 1(a) (**Appendix C**)

DISCLOSURE OF INTEREST

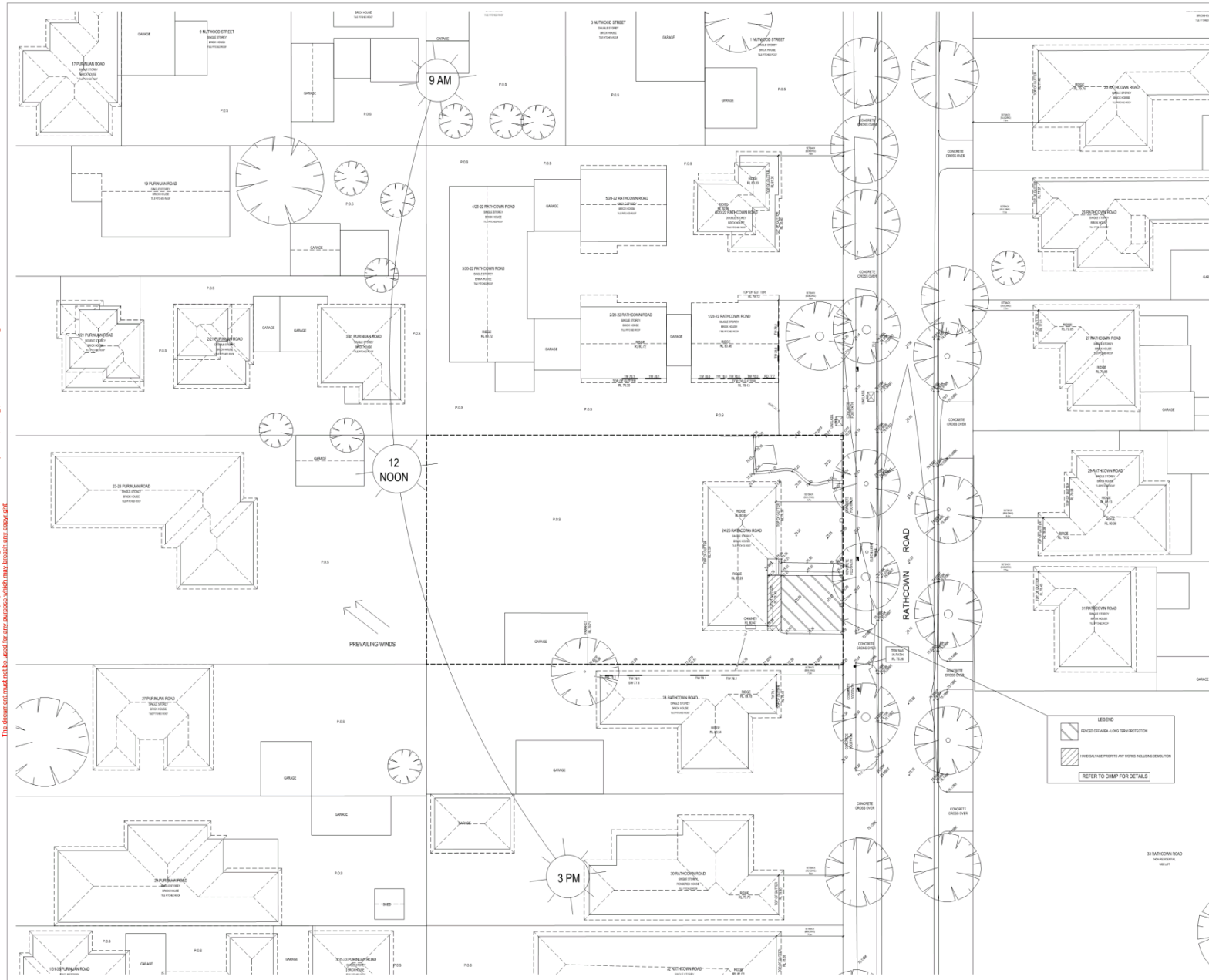
Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any general or material interest in a matter to which the advice relates.

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

Darebin City Council



Whilst every endeavour has been made to ensure that the information in this product is current and accurate, the City of Darebin does not accept responsibility or liability whatsoever for the content, or for any errors or omissions contained therein. © City of Darebin



Advised Document D200/2019 pages 1 of 10

SITE CONTEXT PLAN

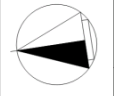
- 1- COLES LALOR PLAZA (N 5.2KM)
- 2- LALOR EAST PRIMARY SCHOOL (N 5.2KM)
- 3- RMIT UNIVERSITY PRIVATE HOSPITAL (NE 7.6KM)
- 4- NORTH PARK PRIVATE HOSPITAL (NE 4.9KM)
- 5- WOOLWORTHS BUNDOORA (NE 4.6KM)
- 6- WATSONIA RAILWAY STATION (E 6KM)
- 7- LA TROBE UNIVERSITY MELBOURNE CAMPUS (SE 2.1KM)
- 8- CHARLES LA TROBE P-12 COLLEGE (SE 2.4KM)
- 9- PLENTY RD (TO CITY) (S 3.1KM)
- 10- SUMMERHILL SHOPPING CENTRE (S 3.3KM)
- 11- RESERVOIR HIGH SCHOOL (S 3.1KM)
- 12- RESERVOIR WEST PRIMARY SCHOOL (SW 4.0KM)
- 13- HIGH STREET PRESTON PHARMACY (SW 4.8KM)
- 14- COLES RESERVOIR (W 3KM)
- 15- RESERVOIR PRIMARY SCHOOL (W 3.4KM)
- 16- RESERVOIR LIBRARY (W 3.1KM)
- 17- RESERVOIR VIEWS PRIMARY SCHOOL (NW 1.5KM)
- 18- KEON PARK CHILDREN'S PARK (NW 2KM)

LEGEND

- N - NORTH
- S - SOUTH
- W - WEST
- E - EAST
- NW - NORTHWEST
- NE - NORTHEAST
- SW - SOUTHWEST
- SE - SOUTHEAST



BUILDING DESIGNERS | URBAN DESIGNERS | DRAFTING FIRMS
 UNIT 1, 402 STATION ST, BOX HILL, VIC 3083
 EMAIL: PAI@PAIPROPERTY.COM.AU MOBILE: +61 488 688 788

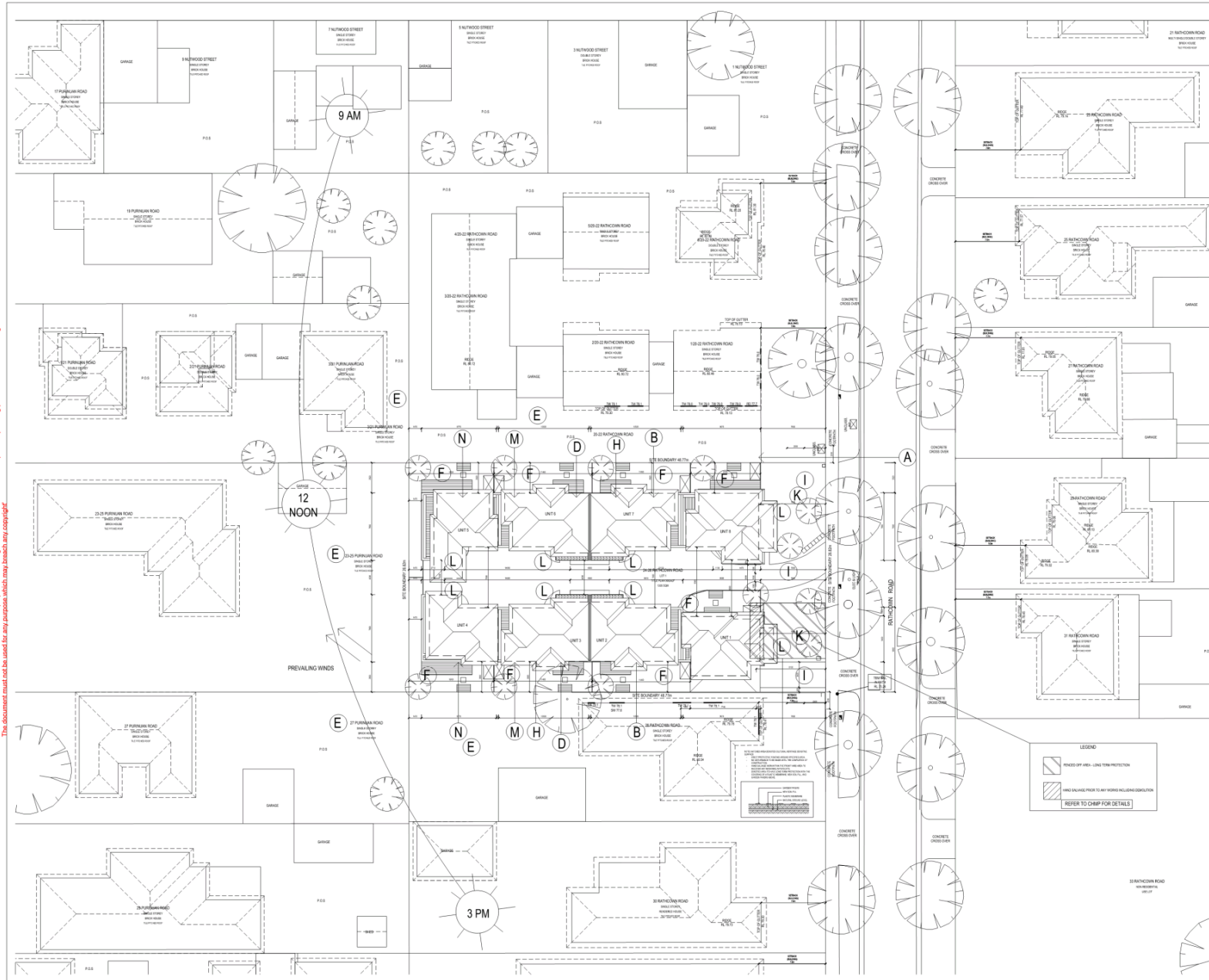


TP1

REVISION: 8

PROJECT:		
PROPOSED DEVELOPMENT		
AT 24 - 26 RATHCOWN RD, RESERVOIR, 3073		
TITLE: SITE CONTEXT PLAN		
PROJECT NO.: 2019168005		
SCALE: 1 : 200	DATE: SEP 2020	
CLIENT: KELVIN CHENG		
DRAWN BY: LE ZHANG		
CHECK BY: YU LUN (DAVID) PAI		
DATE: APR 2019	REVISION: TOWN PLANNING	NO.: A
SEP 2020	RF1	B
<p><small>© THIS DRAWING IS PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT 1969 AND REPRODUCED, PHOTOGRAPHED, EITHER WHOLLY OR IN PART, WITHOUT THE WRITTEN PERMISSION FROM PAI PROPERTY CONSULTANT PTY LTD.</small></p>		

This document must not be used for any purpose which may be considered to be in breach of any copyright.



Advised Document D/200/2019 pages 2 of 10

DESIGN RESPONSE

- A- AVERAGE SETBACKS OF 7.6M FROM THE STREET FRONTAGE
- B- THE DESIGN FORMS CHOSEN WILL MINIMIZE VISUAL BULK AND STEP THE BUILDING FACADE WITH WELL ARTICULATED PLANS AND ELEVATIONS
- C- PROPOSED BOUNDARY FENCES TO BE CONSTRUCTED TO STANDARDS
- D- EXTERNAL TREATMENT HAS ALLOWED FOR ARTICULATED BUILDING VOLUME, WITH SET BACK OF UPPER LEVEL WALLS IN RELATION EXISTING LOWER LEVELS AND TO BREAK UP ROOF MASS
- E- THE DESIGN HAS TAKEN INTO CONSIDERATION THE MINIMIZATION OF OVERLOOKING INTO ADJOINING WINDOWS AND OPEN SPACE. THIS MINIMIZING OFF SITE AMENITY IMPACTS, CHANGES IN MATERIALS AND FINISHES ASSIST
- F- THE DESIGN CREATES PRIVATE NORTHERN LIGHT TO SECURED OPEN SPACE FOR EACH UNIT
- G- PERIMETER PLANTING OPPORTUNITIES PROVIDED TO SOFTEN THE BUILDING FORM
- H- UPPER FLOOR BUILDING FORMS ARE MANAGED WITH LOWER FLOOR LEVEL TO MAXIMIZE SPACE BUT NOT LOOK AS MASS BUILD
- I- THE INTRODUCTION OF LANDSCAPING ALONG DRIVEWAY TO PROVIDE A VISUAL BREAKUP IN THE DRIVEWAY AND MINIMIZE A GUN BARREL EFFECT
- J- THE MAINTENANCE OF EXISTING VEGETATION WILL ENHANCE INTERFACES POSSIBLE TO PROVIDE PRIVACY BETWEEN NEIGHBOURING PROPERTIES
- K- STREET SURVEILLANCE IS AVAILABLE FROM FRONT ROOM OF UNITS 1 & 8
- L- ALL ENTRANCES ARE EASILY IDENTIFIABLE
- M- WINDOWS STYLE TO COMPLIMENT ADJOINING WINDOW TYPES
- N- ALL MATERIALS ASSOCIATED WITH THE DEVELOPMENT ARE HIGHLIGHTED WITH SELECTED USE OF FACE BRICK WORK TO BLEND IN WITH THE STREETSCAPE AND SELECTED TEXTURED FINISH TO UPPER FLOOR LIGHT WEIGHT WALLS
- O- ALL EXISTING INFRASTRUCTURE WITHIN THE DEVELOPMENT ARE ABLE TO BE INSTALLED BY CONNECTION TO EXISTING SERVICES WITHIN THE SITE. THEREFORE LIMITING ANY IMPACT TO EXISTING SERVICES WITHIN THE STREET

- NOTES:
1. ALL COMMON BOUNDARY FENCES ARE TO BE A MINIMUM OF 1.8 METERS ABOVE THE FINISHED GROUND LEVEL TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. THE FENCE HEIGHTS MUST BE MEASURED ABOVE THE HIGHEST POINT ON THE SUBJECT OR ADJOINING SITE, WITHIN 3 METERS OF THE FENCE LINE.
 2. THE PROVISION OF ADVANCED SPECIMENS OF CANOPY VEGETATION THROUGHOUT THE SITE. NEW CANOPY TREES ARE TO HAVE A MINIMUM HEIGHT OF 1.5 METERS AT THE TIME OF PLANTING.

PAI
PROPERTY CONSULTANT

BUILDING DESIGNER, URBAN DESIGNER, DRAFTING FIRM
UNIT 1, 402 STATION ST, BOX HILL, VIC, 3208
EMAIL: PHARMASITE@PAI.CA MAIL: 031 488 695 700

TP2

REVISION: 8

PROJECT:
PROPOSED DEVELOPMENT
AT 24 - 26 RATHCOUN RD, RESERVOIR, 3073

TITLE: DESIGN RESPONSE AND NEIGHBOURHOOD CHARACTER

PROJECT NO.: 2019168005

SCALE: 1 : 200 **DATE:** SEP 2020

CLIENT: KELVIN CHENG

DRAWN BY: LE ZHANG

CHECK BY: YULUN (DAVID) PAI

DATE: APR 2019	REVISION: TOWN PLANNING	NO: A
SEP 2020	RF1	B

THIS DRAWING IS PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT 1969 AND REPRODUCTION, PHOTOCOPYING, PHOTODUPLICATION OR TRANSMISSION TO THE ORIGINAL DESIGN UNLESS WRITTEN PERMISSION FROM PAI PROPERTY CONSULTANT PTY. LTD.

Advised Document D/200/2019 pages 3 of 10

SITE ANALYSIS

Unit 1
 Ground Floor Area : 54 sqm / 5.8 sq
 First Floor Area : 56 sqm / 6 sq
 Garage Area : 24 sqm / 2.6 sq
 Total Unit Area : 134 sqm / 14.4 sq
 Decking Area : 3 sqm / 0.32 sq

Secluded Open Space : 26 sqm / 2.8 sq (Decking Included)
 Open Space : 18 sqm / 1.9 sq
 Total Open Space : 94 sqm / 10.1 sq

Unit 2
 Ground Floor Area : 36 sqm / 3.9 sq
 First Floor Area : 64 sqm / 6.9 sq
 Garage Area : 6 sqm / 0.6 sq
 Total Unit Area : 136 sqm / 14.7 sq
 Decking Area : 5 sqm / 0.54 sq

Secluded Open Space : 40 sqm / 4.3 sq (Decking Included)
 Open Space : 0 sqm / 0 sq
 Total Open Space : 40 sqm / 4.3 sq

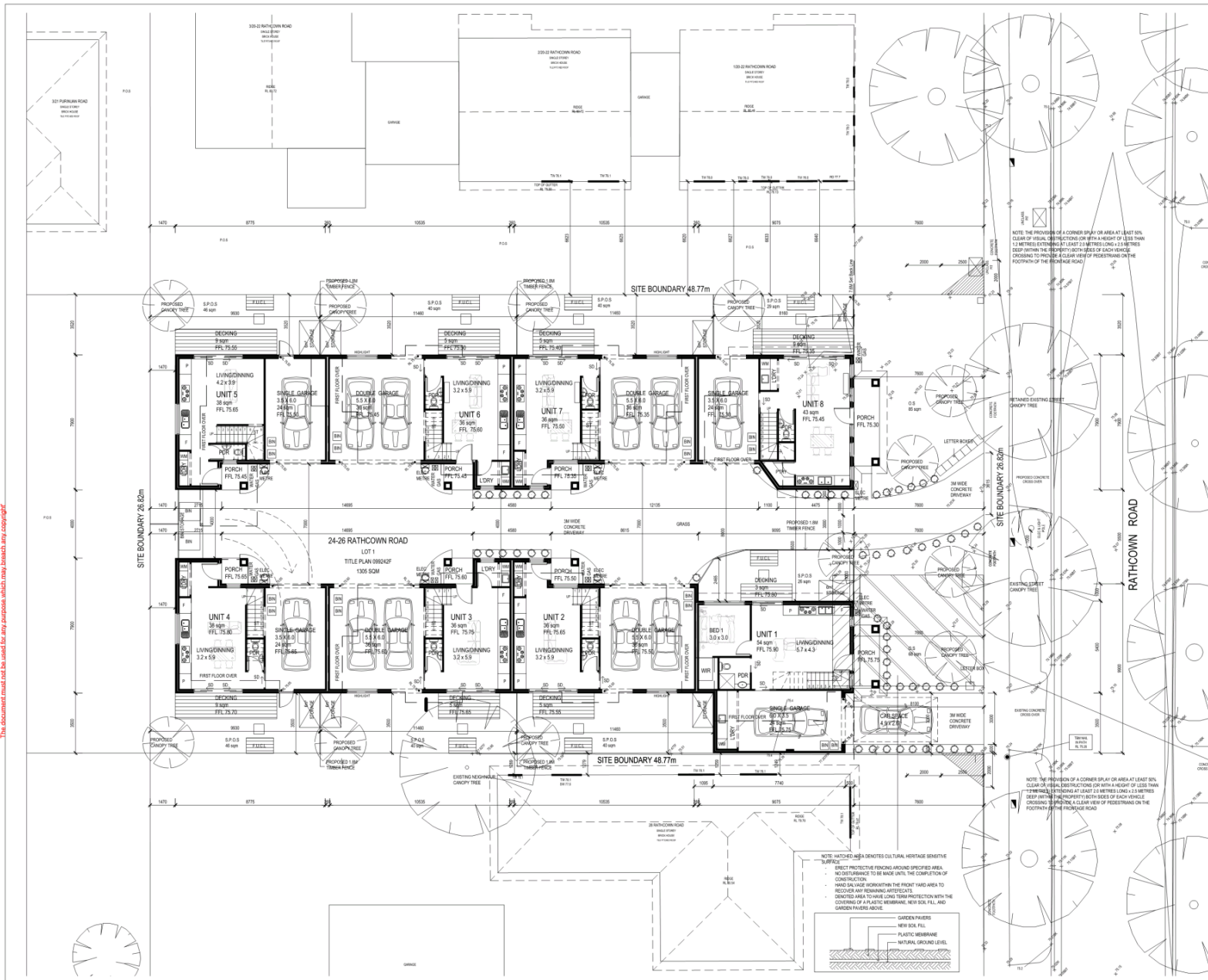
Unit 3
 Ground Floor Area : 36 sqm / 3.9 sq
 First Floor Area : 64 sqm / 6.9 sq
 Garage Area : 6 sqm / 0.6 sq
 Total Unit Area : 136 sqm / 14.7 sq
 Decking Area : 5 sqm / 0.54 sq

Secluded Open Space : 40 sqm / 4.3 sq (Decking Included)
 Open Space : 0 sqm / 0 sq
 Total Open Space : 40 sqm / 4.3 sq

Unit 4
 Ground Floor Area : 38 sqm / 4.1 sq
 First Floor Area : 52 sqm / 5.6 sq
 Garage Area : 24 sqm / 2.6 sq
 Total Unit Area : 136 sqm / 14.7 sq
 Decking Area : 9 sqm / 0.97 sq

Secluded Open Space : 48 sqm / 5.1 sq (Decking Included)
 Open Space : 0 sqm / 0 sq
 Total Open Space : 48 sqm / 5.1 sq

Site Area : 1305 m²
 Site Density : 1 Per 163.1 m²
 % Site Coverage : 41%
 % Site Hard Surface : 18%
 Permeability : 41%
 Car Park Provided : 13



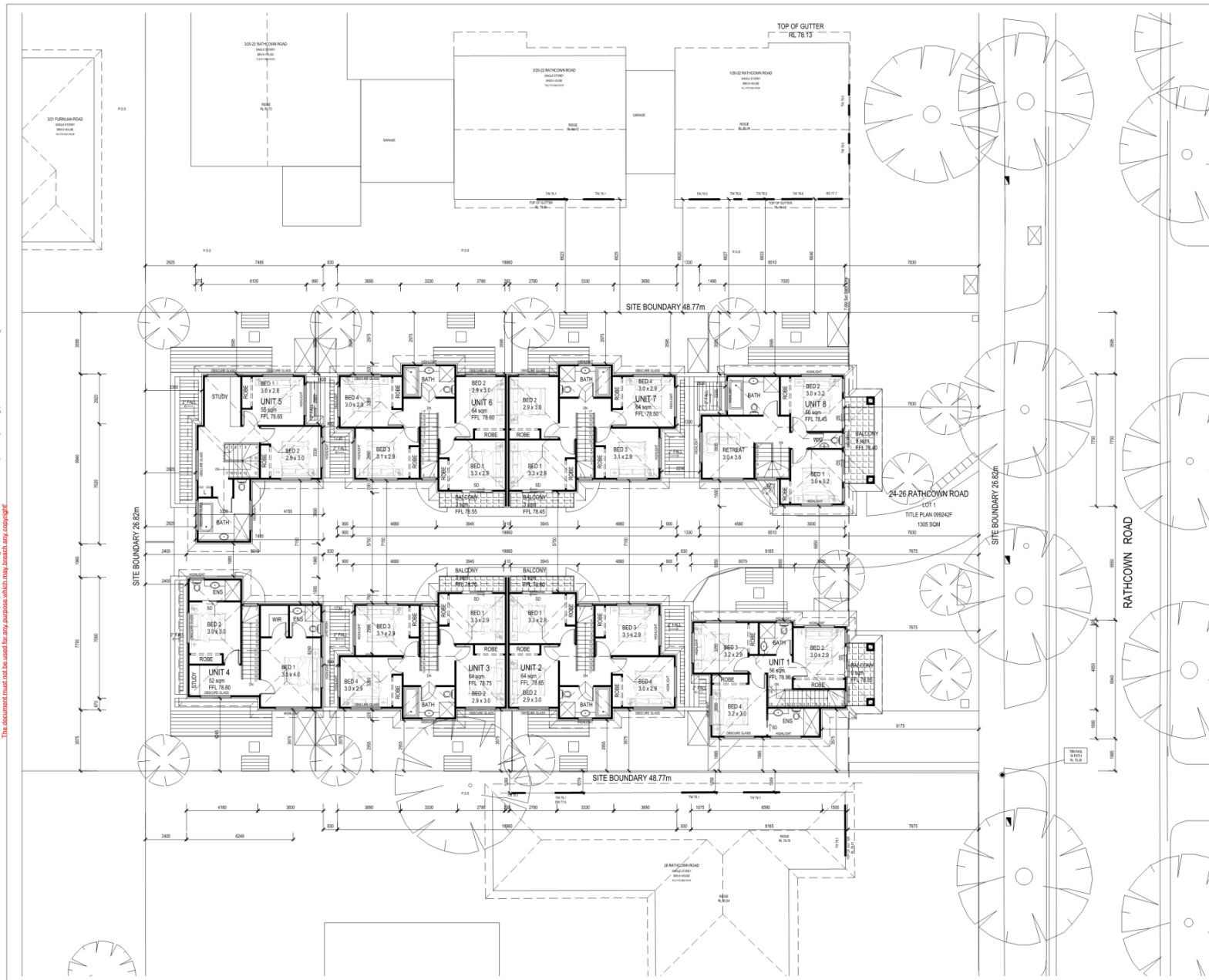
TP3

REVISION: B

PROJECT:	
PROPOSED DEVELOPMENT AT 24 - 26 RATHCOWN RD, RESERVOIR, 3073	
TITLE: GROUND FLOOR PLAN AND SITE PLAN	
PROJECT NO.:	2019168005
SCALE:	1: 100
DATE:	SEP 2020
CLIENT:	KELVIN CHENG
DRAWN BY:	LE ZHANG
CHECK BY:	YULUN (DAVID) PAI
DATE:	APR 2019
REVISION:	NO.
SEP 2020	RPI
	A
	B

THIS DRAWING IS PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT AND NO REPRODUCTION, PHOTOCOPYING, PHOTODUPLICATION OR STORAGE TO THE ORIGINAL, OR ANY UNLAWFUL REPRODUCTION FROM PAI PROPERTY CONSULTANT PFLY LTD.

Advised Document D2002019 pages 4 of 10



SITE ANALYSIS

Unit 5
 Ground Floor Area : 38 sqm / 4.1 sq
 First Floor Area : 55 sqm / 5.9 sq
 Garage Area : 24 sqm / 2.6 sq
 Total Unit 5 Area : 117 sqm / 12.6 sq
 Decking Area : 9 sqm / 0.97 sq

Secluded Open Space : 46 sqm / 5 sq (Decking Included)
 Open Space : 0 sqm / 0 sq
 Total Open Space : 46 sqm / 5 sq

Unit 6
 Ground Floor Area : 36 sqm / 3.9 sq
 First Floor Area : 64 sqm / 6.9 sq
 Garage Area : 38 sqm / 3.9 sq
 Total Unit 6 Area : 136 sqm / 14.7 sq
 Decking Area : 5 sqm / 0.54 sq

Secluded Open Space : 40 sqm / 4.3 sq (Decking Included)
 Open Space : 0 sqm / 0 sq
 Total Open Space : 40 sqm / 4.3 sq

Unit 7
 Ground Floor Area : 36 sqm / 3.9 sq
 First Floor Area : 64 sqm / 6.9 sq
 Garage Area : 38 sqm / 3.9 sq
 Total Unit 7 Area : 136 sqm / 14.7 sq
 Decking Area : 5 sqm / 0.54 sq

Secluded Open Space : 40 sqm / 4.3 sq (Decking Included)
 Open Space : 0 sqm / 0 sq
 Total Open Space : 40 sqm / 4.3 sq

Unit 8
 Ground Floor Area : 43 sqm / 4.6 sq
 First Floor Area : 56 sqm / 6 sq
 Garage Area : 24 sqm / 2.6 sq
 Total Unit 8 Area : 123 sqm / 13.2 sq
 Decking Area : 9 sqm / 0.97 sq

Secluded Open Space : 29 sqm / 3.1 sq (Decking Included)
 Open Space : 85 sqm / 9.1 sq
 Total Open Space : 114 sqm / 12.2 sq

Site Area : 1305 m²
 Site Density : 1 Per 163.1 m²
 % Site Coverage : 41%
 % Site Hard Surface : 18%
 Permeability : 41%
 Car Park Provided : 13



TP4

REVISION: B

PROJECT:
 PROPOSED DEVELOPMENT
 AT 24 - 26 RATHCOWN RD, RESERVOIR, 3073

TITLE:
 FIRST FLOOR PLAN AND
 SITE PLAN

PROJECT NO.: 2019168005

SCALE: 1 : 100 **DATE:** SEP 2020

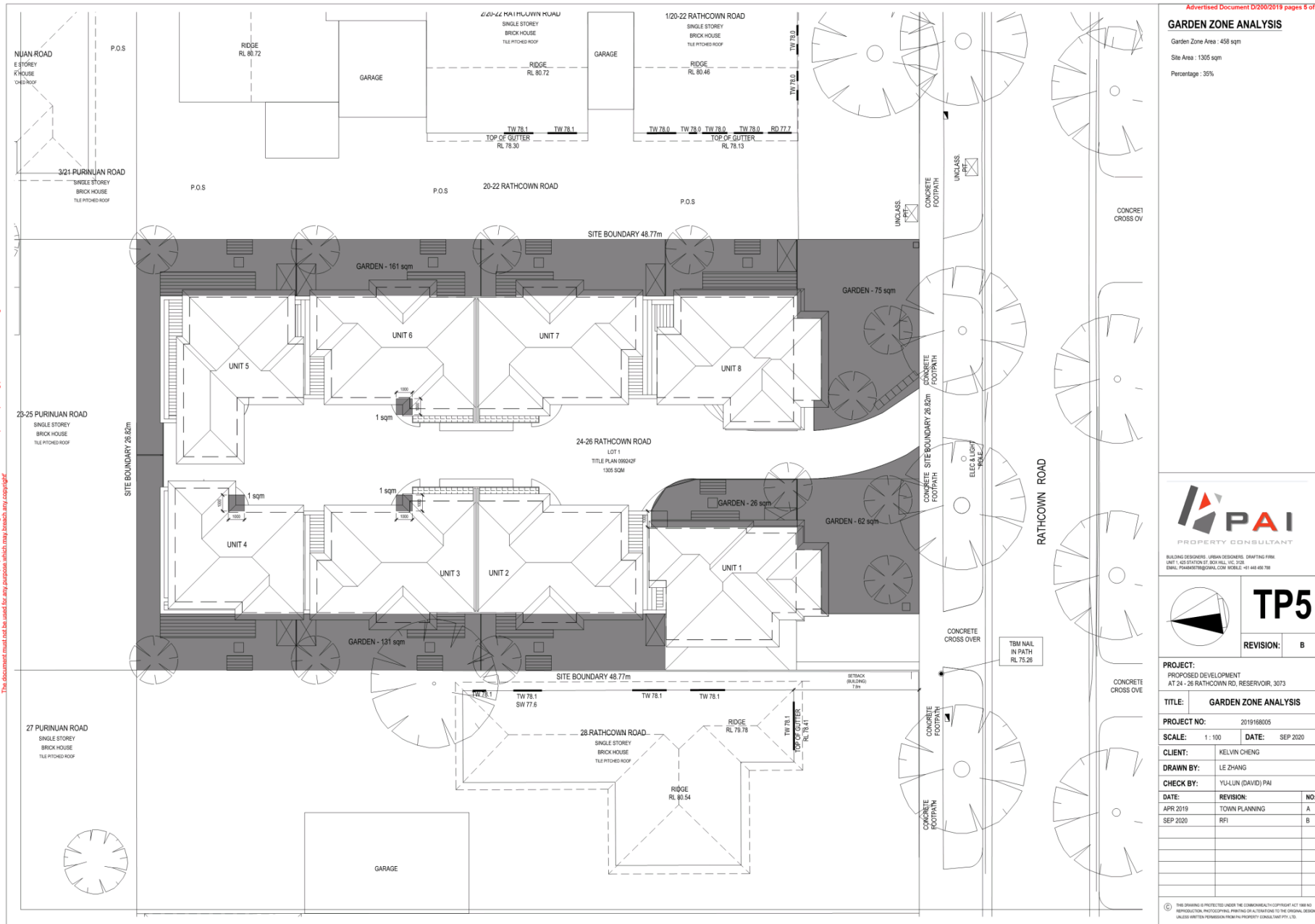
CLIENT: KEVIN CHENG

DRAWN BY: LE ZHANG

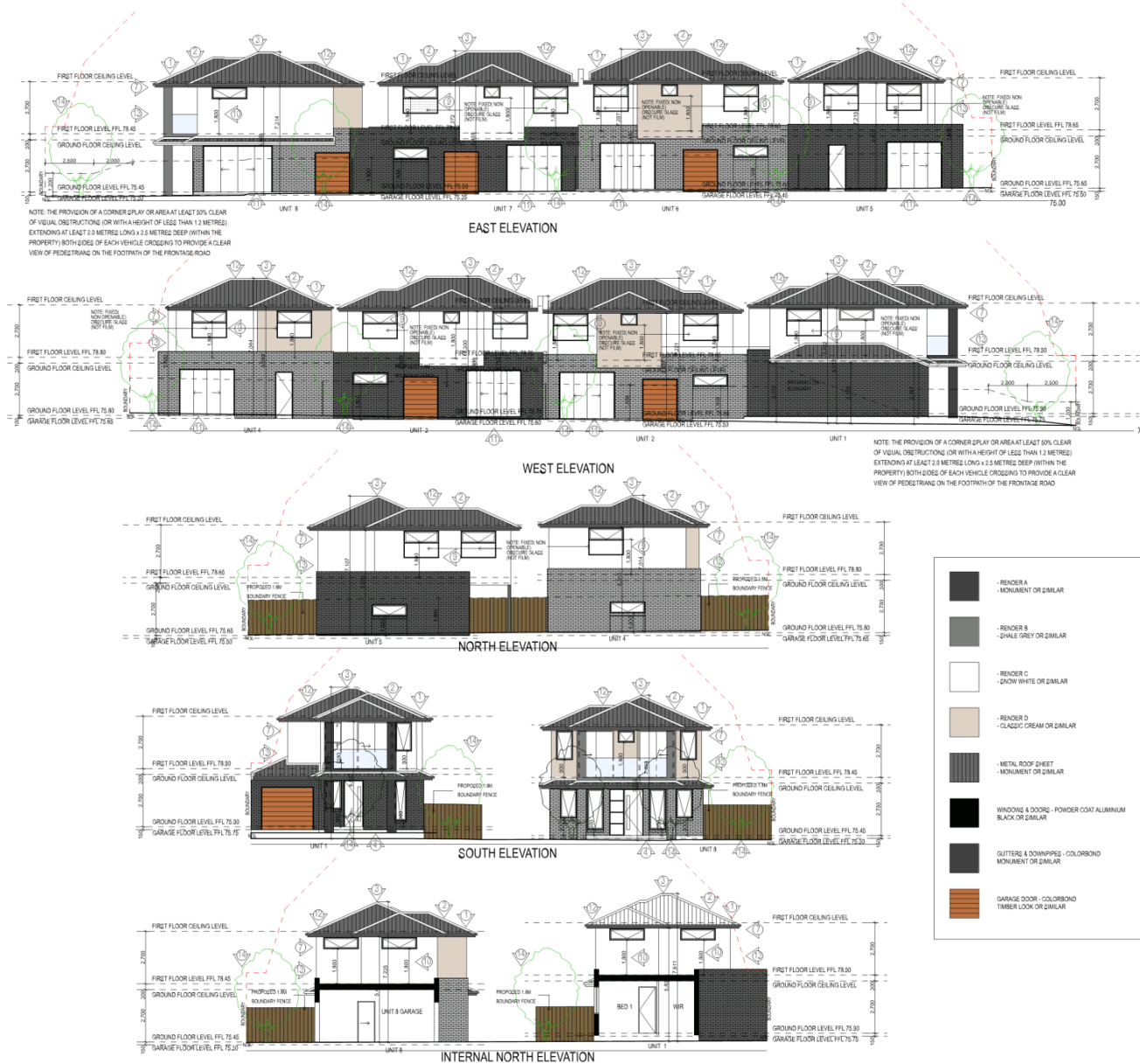
CHECK BY: YULUN (DAVID) PAI

DATE:	REVISION:	NO:
APR 2019	TOWN PLANNING	A
SEP 2020	RFI	B

THIS DRAWING IS PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT AND NO REPRODUCTION, PHOTOCOPYING, PHOTODUPLICATION OR STORAGE TO THE ORIGINAL, OR ANY UNLAWFUL WRITTEN PERMISSION FROM PAI PROPERTY CONSULTANT PFL LTD.



Advertised Document D200/2019 pages 6 of 10



DESIGN RESPONSE ELEVATIONS

1. THE PROPOSED DESIGN HAS TAKEN INTO ACCOUNT THE BREAK UP AND MITIGATION OF BUILDING FORMS, ESPECIALLY ON THE FIRST FLOOR.
2. ALL MATERIALS AND COLOURS TO BE USED FOR THE PROPOSED DEVELOPMENT WILL REFLECT THE AMBIANCE AND CHARACTER SIMILAR TO THE EXISTING STREETSCAPE AND SURROUNDING BUILDINGS.
3. THE OVERALL HEIGHT OF WALLS ARE DESIGNED NOT TO IMPROVE OVER THE ADJOINING PROPERTIES. WALLS ARE DETRACK ALONG THE PERIMETER OF THE DEVELOPMENT.
4. ENTRIES TO EACH UNIT ARE CLEARLY VISIBLE AND EASILY IDENTIFIABLE FROM THE STREET.
5. EXISTING VEGETATION ON THE SITE TO BE RETAINED WHERE POSSIBLE.
6. NORTH LIGHT WINDOWS TO GROUND AND FIRST FLOOR LIVING AREAS.
7. BREAK UP OF BUILDING FORMS.
8. FACEWORKWORK ALONG NORTH, EAST AND SOUTH BOUNDARIES TO GARAGES AND FAMILY ROOM TO BE AT AN AVERAGE OF 2.3M IN HEIGHT.
9. OBTURE GLASS TO GROUND AND UPPER FLOORS.
10. HIGHLIGHT WINDOWS TO HABITABLE ROOMS TO PROVIDE NATURAL LIGHT AND BREAKUP OF EXTERNAL UPPER FLOOR WALLS.
11. LARGE SLIDING DOORS TO LIVING AREAS TO INTRODUCE SOLAR ACCESS AND EASY ACCESS INTO OPEN SPACES.
12. USE OF LIGHTWEIGHT FRAME TO ARTICULATE AND MODERISE THE BUILDING.
13. STEPPING OF BUILDING FACADE TO GRADUATE WALL, UPPER LEVEL REDUCED AND RECESSED.
14. PROPOSED CANOPY TREES TO ALLOW SHADINGS IN THE SUMMER TIME.

SCHEDULE OF MATERIALS AND FINISHES

GROUND FLOOR WALLS	RENDERED FINISH
UPPER FLOOR WALLS	RENDERED FINISH
ROOF	METAL SHEETING
WINDOWS	POWDERCOAT ALUMINUM
GLASS	CLEAR GLAZING AND OBTURED GLAZING
GARAGE DOORS	COLORBOND FINISH
GUTTERE & EAVES	COLORBOND FINISH



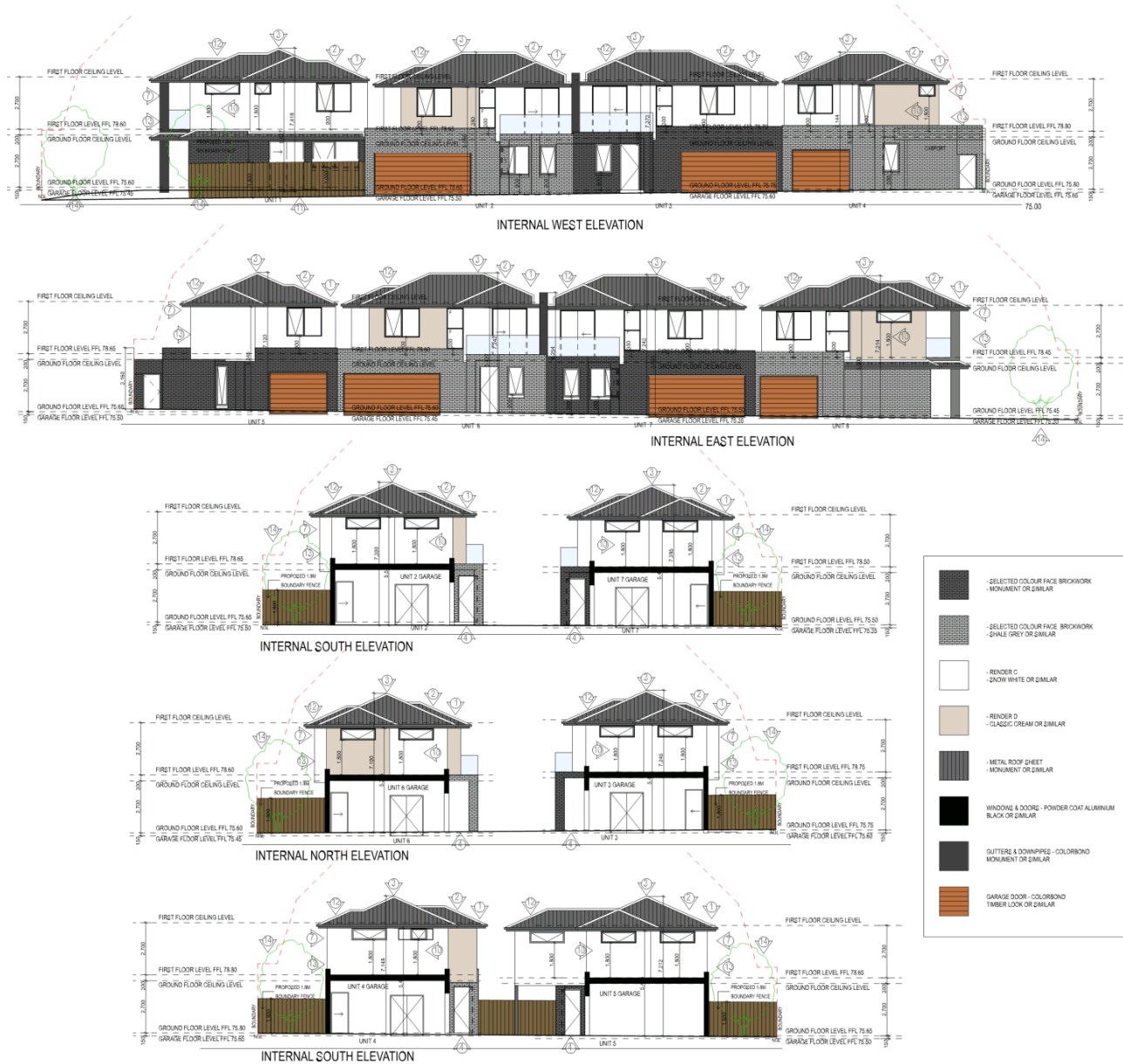
TP6

REVISION: 8

PROJECT:		
PROPOSED DEVELOPMENT AT 24 - 28 RATHCOWN RD, RESERVOIR, 3073		
TITLE:	ELEVATIONS	
PROJECT NO.:	2019168005	
SCALE:	1:100	
DATE:	SEP 2020	
CLIENT:	KELVIN CHENG	
DRAWN BY:	LE ZHANG	
CHECK BY:	YU-LUN (DAVID) PAI	
DATE:	REVISION:	NO:
APR 2019	TOWN PLANNING	A
SEP 20	RFI	B

THE DRAWINGS ARE PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT 1969 AND REPRODUCED PROFESSIONAL PRINTING SOLUTIONS TO THE ORIGINAL DESIGN UNLESS WRITTEN PERMISSION IS GIVEN FROM PAI PROPERTY CONSULTANT PTY LTD.

Advertised Document D2602019 pages 7 of 10



DESIGN RESPONSE ELEVATIONS

1. THE PROPOSED DESIGN HAS TAKEN INTO ACCOUNT THE BREAK UP AND ARTICULATION OF BUILDING FORMS, ESPECIALLY ON THE FIRST FLOOR.
2. ALL MATERIALS AND COLOURS TO BE USED FOR THE PROPOSED DEVELOPMENT WILL REFLECT THE AMBIANCE AND CHARACTER SIMILAR TO THE EXISTING STREETSCAPE AND SURROUNDING BUILDINGS.
3. THE OVERALL HEIGHT OF WALLS ARE DESIGNED NOT TO IMPROVE OVER THE ADJOINING PROPERTIES. WALLS ARE DETRACK ALONG THE PERIMETER OF THE DEVELOPMENT.
4. ENTRIES TO EACH UNIT ARE CLEARLY VISIBLE AND EASILY IDENTIFIABLE FROM THE STREET.
5. EXISTING VEGETATION ON THE SITE TO BE RETAINED WHERE POSSIBLE.
6. NORTH LIGHT WINDOWS TO GROUND AND FIRST FLOOR LIVING AREAS.
7. BREAK UP OF BUILDING FORMS.
8. FACE BRICKWORK ALONG NORTH, EAST AND SOUTH BOUNDARIES TO GARAGES AND FAMILY ROOM TO BE AT AN AVERAGE OF 2.5M IN HEIGHT.
9. OBTURE GLASS TO GROUND AND UPPER FLOORS.
10. HIGHLIGHT WINDOWS TO HABITABLE ROOMS TO PROVIDE NATURAL LIGHT AND BREAKUP OF EXTERNAL UPPER FLOOR WALLS.
11. LARGE SLIDING DOORS TO LIVING AREAS TO INTRODUCE SOLAR ACCESS AND EASY ACCESS INTO OPEN SPACES.
12. USE OF LIGHT WEIGHT FRAME TO ARTICULATE AND MODERNISE THE BUILDING.
13. STEPPING OF BUILDING FACADE TO GRADUATE WALLS, UPPER LEVEL REDUCED AND RECESSED.
14. PROPOSED CANOPY TREES TO ALLOW SHADINGS IN THE SUMMER TIME.

SCHEDULE OF MATERIALS AND FINISHES

GROUND FLOOR WALLS	RENDERED FINISH
UPPER FLOOR WALLS	RENDERED FINISH
ROOF	METAL SHEETING
WINDOWING	POWDER COAT ALUMINIUM
GLASS	CLEAR GLAZING AND OBTURED GLAZING
GARAGE DOORS	COLORBOND FINISH
GUTTERS & EAVES	COLORBOND FINISH

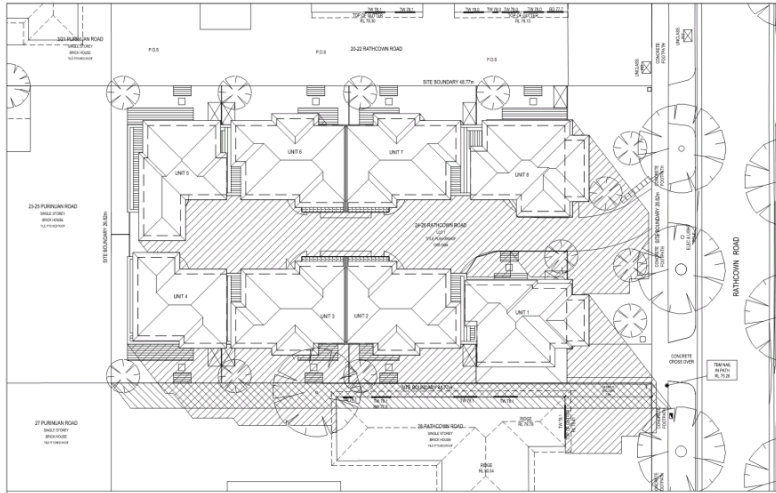


TP7
REVISION: **B**

PROJECT:	
PROPOSED DEVELOPMENT AT 24 - 28 RATHCOWN RD, RESERVOIR, 3073	
TITLE:	ELEVATIONS
PROJECT NO.:	2019168005
SCALE:	1:100
DATE:	SEP 2020
CLIENT:	KELVIN CHENG
DRAWN BY:	LE ZHANG
CHECK BY:	YU-LUN (DAVID) PAI
DATE:	REVISION:
APR 2019	TOWN PLANNING
SEP 20	RFI
	NO:
	A
	B

THE DRAWINGS ARE PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT 1969 AND REPRODUCED PROFESSIONAL PRINTING AND DRAWING TO THE ORIGINAL DESIGN UNLESS WRITTEN PERMISSION FROM PAI PROPERTY CONSULTANT PTY LTD.

Advised Document D2002019 pages 8 of 10

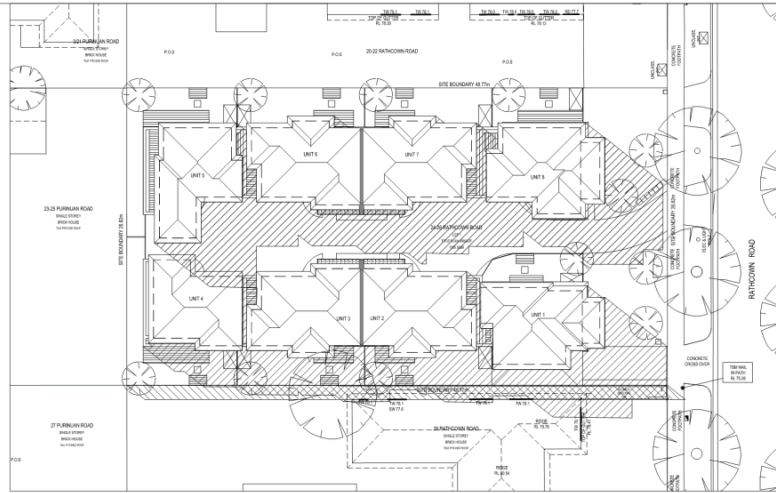


LEGEND SHADOW DIAGRAMS @ 22 SEPTEMBER

- SHADOW @ 9:00 AM
- FENCE SHADOW @ 9:00 AM

9:00 AM SHADOW DIAGRAM

	9 AM 20-22 RATHCOWN RD	9 AM 28 RATHCOWN RD
PRIVATE OPEN SPACE	707 sqm	521 sqm
EXISTING SHADOW COVERAGE	0 sqm	111 sqm
PROPOSE ADDITIONAL SHADOW	0 sqm	35 sqm

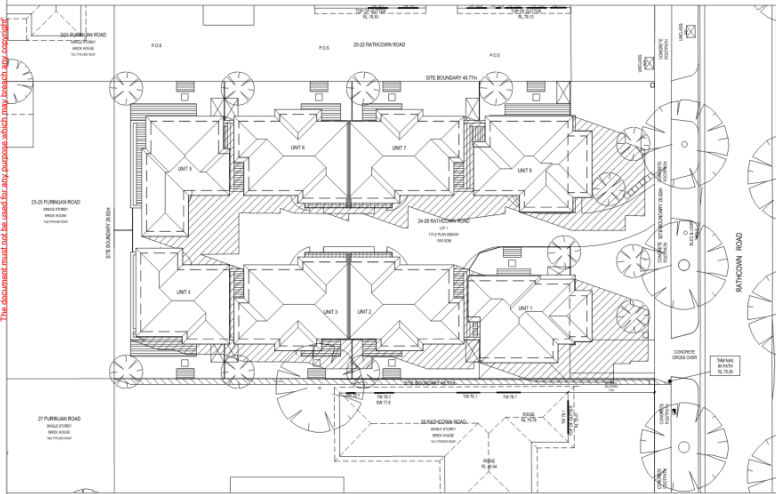


LEGEND SHADOW DIAGRAMS @ 22 SEPTEMBER

- SHADOW @ 10:00 AM
- FENCE SHADOW @ 10:00 AM

10:00 AM SHADOW DIAGRAM

	10 AM 20-22 RATHCOWN RD	10 AM 28 RATHCOWN RD
PRIVATE OPEN SPACE	707 sqm	521 sqm
EXISTING SHADOW COVERAGE	0 sqm	25 sqm
PROPOSE ADDITIONAL SHADOW	0 sqm	0 sqm

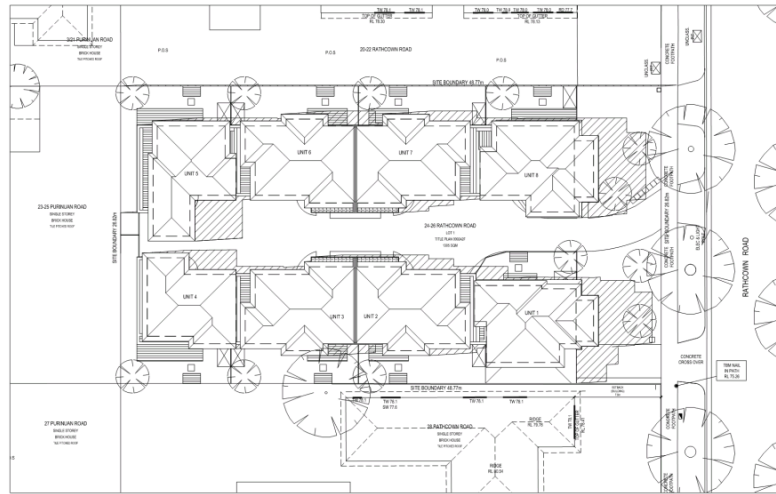


LEGEND SHADOW DIAGRAMS @ 22 SEPTEMBER

- SHADOW @ 11:00 AM
- FENCE SHADOW @ 11:00 AM

11:00 AM SHADOW DIAGRAM

	11 AM 20-22 RATHCOWN RD	11 AM 28 RATHCOWN RD
PRIVATE OPEN SPACE	707 sqm	521 sqm
EXISTING SHADOW COVERAGE	0 sqm	10 sqm
PROPOSE ADDITIONAL SHADOW	0 sqm	0 sqm



LEGEND SHADOW DIAGRAMS @ 22 SEPTEMBER

- SHADOW @ 12:00 PM
- FENCE SHADOW @ 12:00 PM

12:00 PM SHADOW DIAGRAM

	3 PM 20-22 RATHCOWN RD	3 PM 28 RATHCOWN RD
PRIVATE OPEN SPACE	707 sqm	521 sqm
EXISTING SHADOW COVERAGE	110 sqm	0 sqm
PROPOSE ADDITIONAL SHADOW	57 sqm	0 sqm

PAI
PROPERTY CONSULTANT

BUILDING DESIGNER: URBAN DESIGNERS, SHANNING FIRM
UNIT 1, 402 STATION ST, BOX HILL, VIC, 3208
EMAIL: PPA@PAI.COM.AU, MOB: +61 488 488 700

TP8

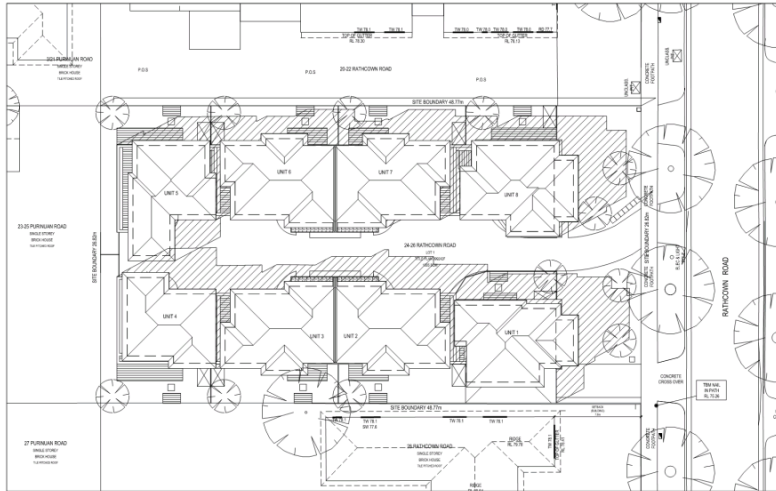
REVISION: B

PROJECT:	
PROPOSED DEVELOPMENT AT 24 - 28 RATHCOWN RD, RESERVOIR, 3073	
TITLE: SHADOW DIAGRAMS	
PROJECT NO.:	2019168005
SCALE:	1:200 DATE: SEP 2020
CLIENT:	KELVIN CHENG
DRAWN BY:	LE ZHANG
CHECK BY:	YULUN (DAVID) PAI
DATE:	REVISION: NO.:
APR 2019	TOWN PLANNING A
SEP 2020	RPI B

THIS DRAWING IS PROTECTED UNDER THE COPYRIGHT ACT 1969 AND REPRODUCTION, PHOTOCOPYING, PHOTODUPLICATION OR TRANSMISSION TO THE ORIGINAL DESIGN UNLESS WRITTEN PERMISSION FROM PAI PROPERTY CONSULTANT PFI LTD.

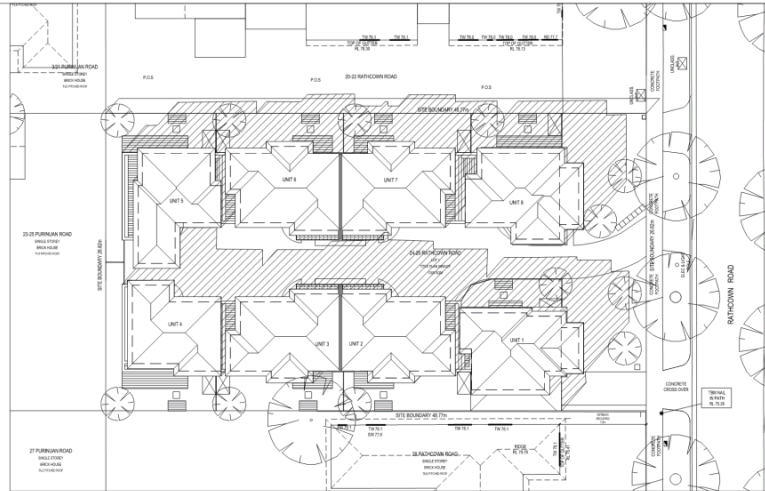
Darebin City Council Received 10.08.2020

Advised Document D/200/2019 pages 9 of 10



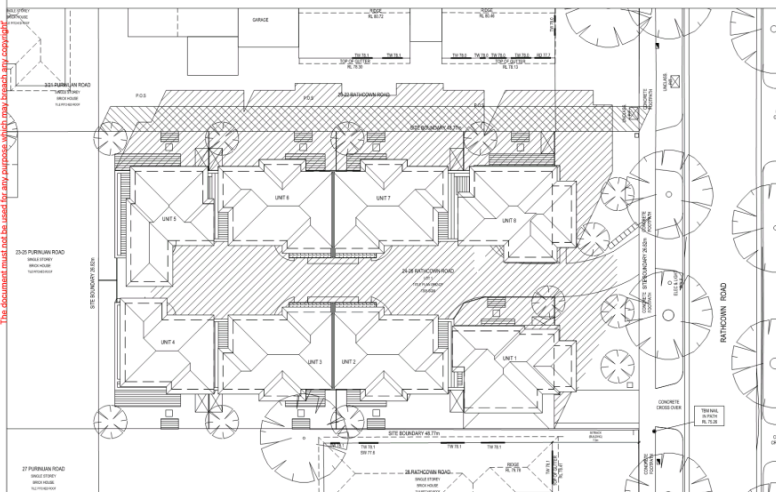
LEGEND
 SHADOW DIAGRAMS @ 22 SEPTEMBER
 SHADOW @ 1:00 PM
 FENCE SHADOW @ 1:00 PM
1:00 PM SHADOW DIAGRAM

	1 PM 20-22 RATHCOWN RD	1 PM 28 RATHCOWN RD
PRIVATE OPEN SPACE	707 sqm	521 sqm
EXISTING SHADOW COVERAGE	28 sqm	0 sqm
PROPOSE ADDITIONAL SHADOW	0 sqm	0 sqm



LEGEND
 SHADOW DIAGRAMS @ 22 SEPTEMBER
 SHADOW @ 2:00 PM
 FENCE SHADOW @ 2:00 PM
2:00 PM SHADOW DIAGRAM

	2 PM 20-22 RATHCOWN RD	2 PM 28 RATHCOWN RD
PRIVATE OPEN SPACE	707 sqm	521 sqm
EXISTING SHADOW COVERAGE	55 sqm	0 sqm
PROPOSE ADDITIONAL SHADOW	3 sqm	0 sqm

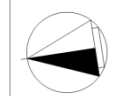


LEGEND
 SHADOW DIAGRAMS @ 22 SEPTEMBER
 SHADOW @ 3:00 PM
 FENCE SHADOW @ 3:00 PM
3:00 PM SHADOW DIAGRAM

	3 PM 20-22 RATHCOWN RD	3 PM 28 RATHCOWN RD
PRIVATE OPEN SPACE	707 sqm	521 sqm
EXISTING SHADOW COVERAGE	110 sqm	0 sqm
PROPOSE ADDITIONAL SHADOW	57 sqm	0 sqm



BUILDING DESIGNER: URBAN DESIGNERS, SHANTUNG FIRM
 UNIT 1, 402 STATION ST, BOX HILL, VIC, 3020
 EMAIL: PPA@URBANDSIGNERS.COM.AU MOBILE: +61 488 406 700



TP9

REVISION: 8

PROJECT:
 PROPOSED DEVELOPMENT
 AT 24 - 28 RATHCOWN RD, RESERVOIR, 3073

TITLE: SHADOW DIAGRAMS

PROJECT NO.: 2019168005

SCALE: 1:200 **DATE:** SEP 2020

CLIENT: KELVIN CHENG

DRAWN BY: LE ZHANG

CHECK BY: YULUN (DAVID) PAI

DATE:	REVISION:	NO:
APR 2019	TOWN PLANNING	A
SEP 2020	RF1	B

THIS DRAWING IS PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT 1969 AND REPRODUCTION, PHOTOCOPYING, PHOTODUPLICATION OR TRANSMISSION TO THE ORIGINAL DESIGNER, UNLESS WRITTEN PERMISSION FROM PAI PROPERTY CONSULTANT PTY. LTD.

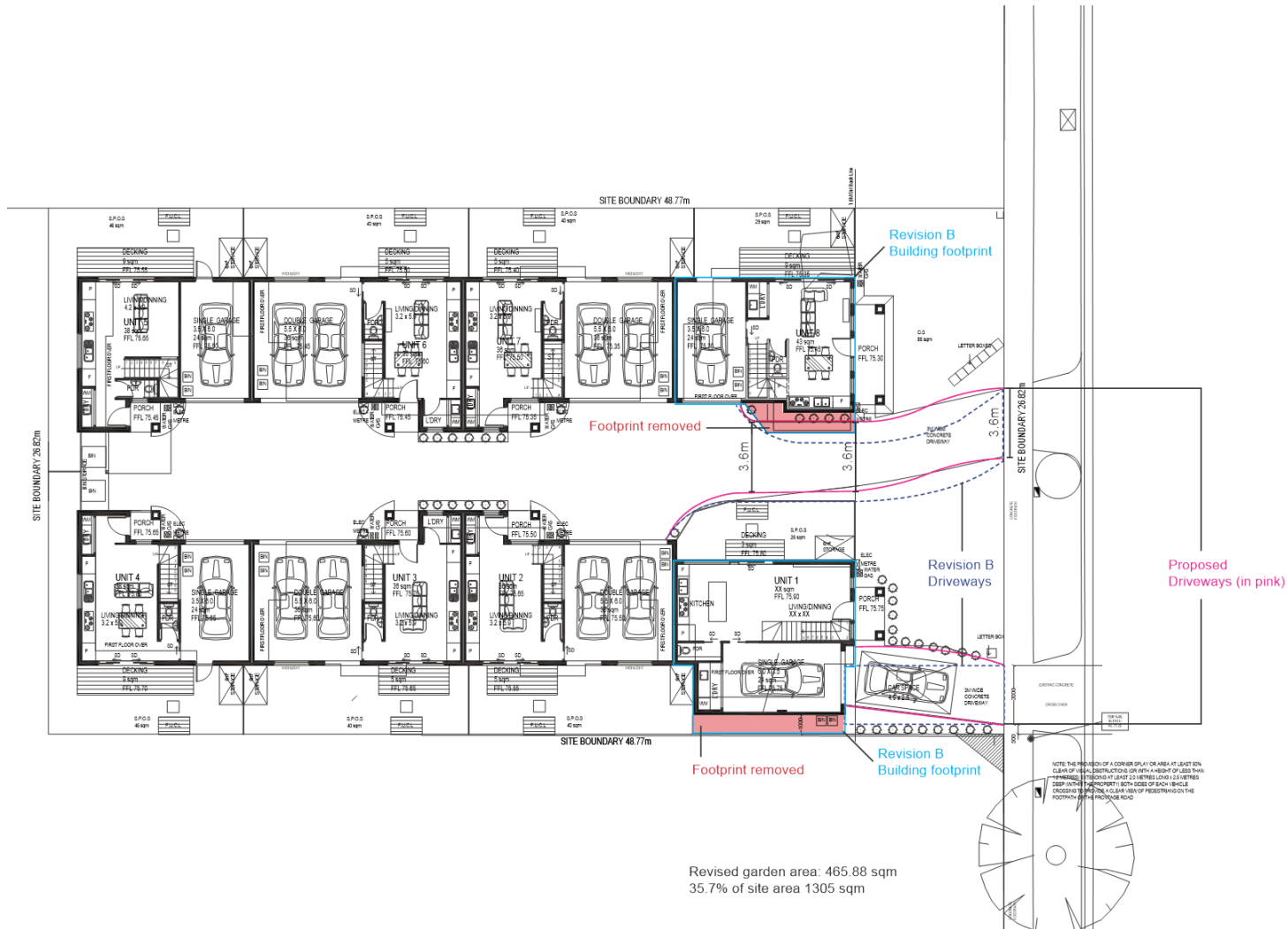
Advised Document D/200/2019 pages 10 of 10



TP9

REVISION: B

PROJECT: PROPOSED DEVELOPMENT AT 24 - 28 RATHCOWN RD, RESERVOIR, 3073		
TITLE: STREETSCAPE		
PROJECT NO.: 2019168005		
SCALE: 1:200	DATE: SEP 2020	
CLIENT: KELVIN CHENG		
DRAWN BY: LE ZHANG		
CHECK BY: YU-LUN (DAVID) PAI		
DATE: APR 2019	REVISION: TOWN PLANNING	NO: A
SEP 20	RFI	B
<small> © THE DRAWING IS PROTECTED UNDER THE COMMONWEALTH COPYRIGHT ACT 1969 AND REPRODUCED BY PROFESSIONAL SERVICES ORGANIZATION TO THE ORIGINAL DESIGN UNLESS WRITTEN PERMISSION FROM PAI PROPERTY CONSULTANT PVT. LTD. </small>		



Discussion Plan (Ground Floor)
 24-26 Rathcown Road, Reservoir: Proposed Development
 Prepared by Pai Property Consultants and Mecone
 18 November 2020

5.2 APPLICATION FOR PLANNING PERMIT D/254/2020

785 High Street Thornbury

Author: Senior Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
GSA Architects	Palmerston West Pty Ltd	Site Matters Northern Environmental Design

SUMMARY

- The proposal is for the demolition of the rear of the existing office and first floor dwelling (retention of the boundary walls) alteration to the shop front and construction of a four (4) storey building.
- A total of three dwellings comprising one (1) 3-bedroom with study and two (2) 3-bedroom dwellings over four levels are proposed with access facing Harold Street.
- Each dwelling extends to four (4) levels with carparking and entrances at ground level. All dwellings have three (3) levels of living spaces and services above their own garage and dwelling entry. Pedestrian access to all dwellings is from Harold Street and all dwellings provide an individual lift.
- Private open space for Dwelling 1 is to be provided in an 18 square metre balcony facing High Street. Dwelling 2 is to be provided with a balcony measuring 12 square metres and Dwelling 3 is to be provided with a balcony measuring 16 square metres facing the Right of Way (ROW) to the west.
- An office space of 60sqm floor area is proposed at ground level facing High Street.
- A total of six car spaces are provided on site. Two (2) in a double garage to the rear of the site with access from a ROW and four (4) in two separate adjacent double car stackers accessed from Harold Street.
- The building will have a contemporary design, with materials being brick, tiles, metal cladding with a flat roof.
- The proposal will have a maximum overall height of 14.145 metres.
- The site is zoned Commercial 1 Zone and is affected by the Development Contributions Plan Overlay – Schedule 1.
- There is no restrictive covenant on the title for the subject land.
- No objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via letters sent to surrounding owners and occupiers. Due to State Government ‘Stage 4’ lockdown restrictions as a result of the coronavirus

pandemic, an extensive mailout of letters was undertaken in lieu of posting a sign on the subject site.

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

Recommendation

That Planning Permit Application on D/254/2020 be supported and a Planning 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. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as drawing nos TP 01, TP 02, TP 03, TP 04, TP 05, TP 06, Revision A, dated 22 July 2020, job no. 19035 an prepared by GSA Architects) but modified to show:
 - (a) Details and dimensions of the external storage facilities provided for all dwellings, with a minimum volume of 6 cubic metres.
 - (b) The storage area in the garage for Dwelling 3 must ensure appropriate clearance above a parked vehicle.
 - (c) Provision of at least 2.1 metres headroom beneath overhead obstructions for vehicles in garages in accordance with Design standard 1 – Accessways of clause 52.06-9.
 - (d) The garages are to have minimum internal dimensions of 5.5 metres in width and 6 metres in length, clear of any obstructions, such as storage areas, bicycle racks, bins and door openings.
 - (e) Full details of mechanical car parking including dimensions, make and model, clearance, pit depth etc (with appropriate clearance from bicycle racks and bins) and a notation on plan confirming that a minimum of 25% of car spaces are to have a minimum headroom clearance of 1.8 metres, with the car spaces in the mechanical parking to be accessed independently.
 - (f) Further information of the side roll roller doors to ensure appropriate clearances in the garages.
 - (g) Surface levels of garages, mechanical parking, accessways, adjacent footpath and Right of Way levels and crossovers to ensure compliance with Design standard 3: Gradients of clause 52.06-9.

- (h) The western planter box to the second floor to the balcony of Dwelling 3 is to be incorporated into a solid balustrade and is to comply with rear setbacks under clause 22.05-3 (High Street Corridor Land Use and Urban Design) of the Planning Scheme.
- (i) Provision of window/glazed panels to the garage doors.
- (j) Full details of the proposed screens to north-facing windows of the upper floors showing a fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level. A section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.
- (k) Provision of external adjustable shading to all west facing habitable room windows and glazed doors.
- (l) Provision for three (3) council bins within each garage.
- (m) A comprehensive schedule of construction materials, external finishes and colours (including colour samples) and material boards including samples of the proposed materials.
- (n) Annotated coloured elevations and 3D renders accurately representing the proposed materials, colours and finishes in accordance with the approved schedule of construction materials.
- (o) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
 - (i) co-located where possible;
 - (ii) located or screened to be minimally visible from the public realm;
 - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
 - (iv) integrated into the design of the building.
- (p) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
 - (i) co-located where possible;
 - (ii) positioned on a side boundary or adjacent to the accessway; and
 - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (q) Any modifications required as a result of the approved Landscape Plan required by Condition 2 of this Permit.
- (r) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 5 of this Permit.
- (s) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (t) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.
- (u) Noise attenuation measures required by the acoustic assessment under condition 9 of this permit.
- (v) A single communal antenna for the development in accordance with Condition No. 10 of this Permit. The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
 - (a) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 5 of this Permit)
 - (b) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit)
 - (c) 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. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
 - (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.
 - (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 must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
 - (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). 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) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
 - (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.
 - (m) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - (n) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.

- (o) Scale, north point and appropriate legend.
- (p) Landscape specification notes including general establishment and maintenance requirements.

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

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

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

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

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

4. Before the development (including demolition) starts, a Tree Replacement Fee of \$505.75 must be paid in full to the Responsible Authority for the planting of trees within the nature strip adjacent to the frontage of the site or elsewhere within the Municipality.
5. Before plans are endorsed under Condition No.1 of this Permit, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of this Permit. The SDA must be prepared by a suitably qualified professional and must:
 - (a) Detail the sustainable design strategies to be incorporated into the development.
 - (b) Outline proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
 - (c) Be accompanied by a report from an industry accepted performance measurement tool.

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

6. The development must not be occupied until a report to the satisfaction of the Responsible Authority prepared by the author of the Sustainability Management Plan (SMP) endorsed under Condition 5 of this Permit, or similarly qualified person, is submitted to the Responsible Authority, confirming that all measures specified in the SMP have been implemented in accordance with the endorsed SMP.
7. Before plans are endorsed under Condition No. 1 of this Permit, a detailed Stormwater Management System Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Stormwater Management System Report will be endorsed and will then form part of this Permit. The report must include:
 - (a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
 - (i) An assessment using an industry recognised stormwater tool;

- (ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
 - (iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
 - (iv) A plan illustrating where all impervious surfaces will be treated and drained;
 - (v) A construction and maintenance schedule;
- (b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
 - (c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;

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

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

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

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

9. Before plans are endorsed under Condition No. 1 of this Permit, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will then form part of this Permit. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must include recommended acoustic attenuation measures and treatments to ensure that:

- (a) Noise levels associated with the operation of nearby non-residential uses, trams and traffic do not impact adversely on the amenity of the dwellings.
- (b) Dwellings are designed to achieve the following noise levels:
 - (ii) Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - (iii) Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

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

- (c) Noise levels within the development (including the operation of plant, mechanical car stackers, roller doors and the use of the car park) do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties.

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

10. Prior to the commencement of development, a Streetscape Improvement Works Plan and associated construction drawing specifications detailing the works to the land must be submitted and approved to the satisfaction of the Responsible Authority. The plan must detail works to the High Street and Harold Street footpaths adjacent to the development. The plans must include the following details:
- (a) A detailed level and feature survey of the footpaths and road adjacent to the site including the depth of the footpaths from the external façades to the kerb.
 - (b) After consultation with Council's Tree Protection Arborist and if planting is to occur in the abutting street frontage as required in Condition No. 4, the location of any street trees detailing the botanical name, common name, size at maturity and quantities of all plants. All footpath planting must be provided in passively irrigated pits, either WSUD pits or resin bound surfacing and flush with the pavement. Planter boxes must not be provided. Planting of any trees within the naturestrip as required in Condition No. 4 to be undertaken by the Responsible Authority.
 - (c) Any required relocation of parking and traffic signs.
 - (d) Any other works to the public land adjacent to the development.

The approved Streetscape Improvement Works Plan will form part of the endorsed plans under the permit and must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, prior to the occupation of the development unless otherwise agreed with the prior written consent of the Responsible Authority.

11. Owner/ occupiers of the development are encouraged to utilise the FOGO bin collection service provided by Council.
12. Only one (1) communal television antenna may be erected on the building and located to be minimally visible from High Street or Harold Street. Individual antennae for individual dwellings/tenancies must not be erected.
13. The development must not adversely affect the amenity of the area, including through the:
- (a) transport of materials, goods or commodities to or from the land;
 - (b) appearance of any building, works, stored goods or materials;
 - (c) emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or oil; and
- and/or in any other way, to the satisfaction of the Responsible Authority.
14. At the completion of the constructed ground floor level(s), and before the starting of the building frame or walls, a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority must be submitted to the Responsible Authority, confirming the ground floor level(s). The report must be submitted to the Responsible Authority no later than 7 days from the date of the inspection.
- The development must not be occupied until a report prepared by a licensed land surveyor to the satisfaction of the Responsible Authority is submitted to the Responsible Authority, confirming the floor level(s).
15. Before the use starts, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.
- The external lighting must be designed, baffled and located to prevent any adverse effect on adjoining and nearby land to the satisfaction of the Responsible Authority.
16. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

17. The land must be drained to the satisfaction of the Responsible Authority.
18. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
 - (a) concealed in service ducts or otherwise hidden from view; or
 - (b) located and designed to integrate with the development,to the satisfaction of the Responsible Authority.
19. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the building without the prior written consent of the Responsible Authority.
20. The plant and equipment proposed on the roof of the building must be located to be minimally visible from the public realm or screened in a manner that integrates with the design of the development, to the satisfaction of the Responsible Authority.
21. A clothesline must be provided to each dwelling. Clotheslines must not be visible from High Street or Harold Street. If clotheslines are located on a balcony, the balcony balustrade must be solid or obscure material.
22. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
23. Before occupation of the development, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - (a) constructed;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat;
 - (d) drained;to the satisfaction of the Responsible Authority.
24. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
25. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
26. Before plans are endorsed under Condition No. 1 of this Permit, a Car Stacker Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Stacker Management Plan will be endorsed and will then form part of this Permit. The Car Stacker Management Plan must include:
 - (a) Allocation of car parking spaces according to vehicle size and type;
 - (b) Ongoing maintenance of the car stacker system;
 - (c) Instructions to owners/occupiers about the operation of the car stacker system;
 - (d) Communicating to prospective residents about the availability of car stacker spaces and sizes; and
 - (e) Specific make and model of all proposed car stackers.The requirements of the endorsed Car Stacker Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

27. This Permit will expire if either:
- (a) The development does not start within three (3) years from the date of this Permit; or
 - (b) The development is not completed within five (5) years of the date of this Permit.
- As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
- (a) Before this Permit expires;
 - (b) Within six (6) months after the expiry date; or
 - (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

NOTATIONS

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

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development or use or both they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5. To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.
- N6. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N7. This planning permit is to be attached to the "statement of matters affecting land being sold", under section 32 of the *Sale of Land Act 1962* and any tenancy agreement or other agreement under the *Residential Tenancies Act 1997*, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

INTRODUCTION AND BACKGROUND

Council's records do not indicate that there is any relevant planning history for the subject site.

Application Background

This application was received by Council on 8 May 2020.

There have been no formal amendments to this application.

The plans under consideration are those advertised by Council, identified as:

- Existing Floor Plan, Proposed Demolition Plans and Existing Elevations, Proposed Floor Plans, Proposed Elevations and Details Plan, Proposed Shadow Diagrams.
- Revision: Revision A (dated 22 July 20).
- Received by Council: 5 August 2020.
- Prepared by: GSA Architects
- The architectural drawing set is accompanied by supplementary reports.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is regular in shape and measures 37.19 metres in length and 6.1 metres in width with a site area of 226 square metres.
- The land is located within the Commercial 1 Zone and is affected by the Development Contributions Plan Overlay.
- The subject site is located on the north west corner of High Street and Harold Street.
- The subject site is currently developed with a double storey building containing an office at ground level and a two (2) bedroom dwelling to the first floor, with a balcony to its rear (west).
- To the east is High Street, which has a central tram route (#86). To the opposite side of High Street is a church and primary school.
- To the west, beyond the rear Right of Way, is a residential area with the adjacent allotment containing a single storey dwelling.
- To the north of the site is a mixed-use development with a medical centre at ground level and dwellings to the upper floors. This development has a three (3) storey height and is constructed to the front and common boundaries.
- To the south of the site, on the opposite side of Harold Street, is a double storey commercial building.
- On street parking restrictions are:

High Street

- East side: No parking and One (1) hour parking 9:00am-6:00pm Monday-Friday, 8:00am-12:30pm Saturday. Clearway 7:00am-9:00am Monday-Friday
- West side: No parking between the subject site and 795 High Street due to the traffic lights and tram stop.
- North of the traffic lights One (1) hour parking 8:00am-6:00pm Monday-Friday, 8:00am-12:30pm Saturday

Harold Street

- North side: Two (2) hour parking 8:00am-6:00pm, Monday-Friday
- South side: One (1) hour parking 8:00am-6:00pm Monday-Friday, 8:00am-1:00pm Saturday

- The site has adequate access to public transport, as it is in proximity to the #86 tram route, Thornbury Railway Station and bus routes are available nearby on Dundas Street and Normanby Road.
- The site is located 1.4 km from the nearest activity centre in Northcote.

Proposal

- Demolition of the existing ground floor office and shopfront and first floor dwelling (no permit required).
- At ground level the office at the front (in the existing building footprint) is to have an area of 60 square metres, the shopfront is to be altered to create a zero lot line with the existing awning to the façade to remain, a bin storage area and toilet are to be provided to the rear of the office.
- Dwelling 1 is to be above the existing office and will have an entry from Harold Street with stair and lift access to all levels, with a single garage containing two (2) car spaces in a car stacker. The first floor is to have two (2) bedrooms. The second floor is to have a kitchen/dining/living area with a balcony to the façade of 18 square metres. The third floor is to have a bedroom and deck to the front of 19 square metres.
- Dwelling 2 is to the rear (west) of the office and Dwelling 1 and at ground level it is to have an entry with lift and stair access to the upper floors, with a single garage containing two (2) car spaces in a car stacker. The first floor is to have two (2) bedrooms. The second floor is to have a bedroom and sitting room with a balcony to the south of 6 square metres. The third floor is to have a kitchen/meals/living area with a balcony 12 square metres.
- Dwelling 3 is to the rear (west) of the site and at ground level it is to have a study and double garage with lift and stair access. The first floor is to have two (2) bedrooms a balcony to the façade. The second floor is to have a kitchen/meals/living area, with a balcony of 16 square metres. The third floor is to have a bedroom and balcony.
- The building will have a contemporary design, with materials being brick, tiles, metal cladding with a flat roof.
- The overall height is to be approximately 14.145 metres.
- Vehicle access to the car stackers will be obtained via a centrally located proposed crossover on Harold Street and the double garage will be accessed from the ROW adjacent to the western boundary.

PLANNING ASSESSMENT

Clause 21.03-2 Housing Development

The following key challenges have been identified for housing development within Darebin:

- *Population growth projections for 2011-2031 estimate an additional 30,300 new residents will call Darebin home; around 1517 new residents each year. This is expected to generate demand for approximately 13,600 additional dwellings over the next 20 years.*
- *Ageing of the population and a trend toward fewer people in each dwelling will place considerable pressure on existing housing.*
- *Vacant land has become relatively scarce in Darebin, declining from 1087 lots in 2004 to 623 lots in 2013. Infill redevelopment of existing lots and brownfield redevelopment are likely to be the primary area for accommodating future housing growth in Darebin.*

- *The challenge is accommodating the required increase in dwellings in locations with good public transport access, while conserving and enhancing the valued character and heritage qualities of residential areas.*
- *Housing in suitable locations proximate to public transport will reduce car dependency and promote more walking and cycling and contribute to better health and wellbeing.*
- *Challenge in ensuring where housing development opportunities can be maximised, that this does not come at the expense of amenity, safety, accessibility and connectivity in and around those places.*
- *As population increases along with demand for services, there is a need to achieve a balance between wider community benefit and potential amenity impacts of non-residential uses in residential areas.*

The site is located within a Substantial Change Area and therefore the following objectives and strategies apply to the development of the subject site:

Objective 1 – Housing Provision:

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

Strategies to achieve the objective:

- *Encourage housing development in accordance with the Strategic Housing Framework Plan as follows:*
 - *In Substantial Housing Change Areas, encourage a variety of housing typologies at increased densities and to discourage underdevelopment, with the scale of development appropriate to precinct characteristics and context as identified by a structure plan or adopted policy of Council, and generally in accordance with the hierarchy of residential growth identified at Clause 21.03-1.*
- *Ensure that the design of development at interfaces between Substantial Change and Incremental or Minimal Change Areas, or between Incremental and Minimal Change Areas, provides a sensitive transition, with particular consideration given to:*
 - *Design and layout which avoids unreasonable amenity impacts on adjoining sensitive residential interfaces due to overshadowing, loss of privacy and unreasonable visual intrusion;*
 - *Site orientation, layout and topography in determining the appropriate built form envelope and in assessing the impact of proposed development on adjoining amenity.*
 - *Sympathetic response to the identified values of any adjoining heritage overlays.*

As discussed in this report, the development is considered to provide an appropriate building design and height to the street. The proposal provides an appropriate height and street wall presentation, and appropriately transitions in height and scale to the adjoining properties to the rear with adequate setbacks, addressing visual bulk and overlooking (amongst other issues). It also responds to the potential development of adjoining sites within the Commercial 1 Zone.

Complies

Objective 2 – Housing density:

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

Strategies to achieve the objective:

- *Support a diversity of housing types, sizes, designs and configurations and support redevelopment at higher overall densities in Substantial Housing Change Areas and on Strategic Opportunity Sites, as identified in the Strategic Housing Framework Plan.*
- *Discourage underdevelopment of areas that are identified as Substantial Housing Change Areas and on Strategic Opportunity Sites.*
- *Encourage lot consolidation in Substantial Housing Change Areas, to facilitate increased densities, efficient use of land and to facilitate sustainable design outcomes.*
- *Encourage housing development in the Preston Central, Northland East Preston, Northcote and Reservoir Activity Centres in accordance with Structure Plans and related zone and overlay provisions in this Planning Scheme.*
- *Encourage multi-level, mixed use developments that incorporate contemporary designs, providing interesting architectural forms and creative urban design responses, including the development of landmark buildings that contribute to the distinctiveness and positive image of Darebin.*

The proposal is a mixed use development at higher density and achieves an interesting architectural form and urban design response. Although it does not achieve lot consolidation to facilitate increased densities, it does provide efficient use of the land and facilitates sustainable design outcomes.

Complies**Objective 3 – Residential Amenity:**

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

Strategies to achieve the objective:

- *Require a high standard of design (including architectural quality and environmentally sustainable design) be achieved in residential and mixed-use developments through the use of design and development overlays, urban design frameworks, development plans and local policies as appropriate.*
- *Ensure mixed use developments are designed to provide adequate amenity to residences on the site, minimising the need for screening and limiting unreasonable negative amenity impacts on surrounding residential uses.*

The proposal provides an appropriate increase in density in this Substantial Housing Change area. It also provides diversity and affordable accommodation, in accordance with broader policy direction. As discussed elsewhere in this report, the development is considered to provide an appropriate standard of design quality. The proposal provides an appropriate mixed-use development, with a high level of amenity to residences on the site and limits unreasonable negative amenity impacts on surrounding residential uses. As such, it meets the envisaged built forms for this area.

Complies

Clause 21.04 – Economic Development:

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

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

- Mixed use development is encouraged in and around activity centres.
- Intensive development (including commercial and residential development) is encouraged in and around activity centres.
- Council Policy is to facilitate a higher intensity of activity in and around activity centres.
- There is an active frontage and awning at ground floor.

It is also noted that the residential entry does not dominate the street frontage and car parking, bicycle parking and waste storage are at the rear, from the side street. With the intensification of the site, the proposal provides better use of services and facilities in the area.

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

Clause 22.05 – High Street Corridor Land Use and Urban Design

This clause applies to the land located along the High Street corridor and implements the High Street Land Use and Urban Design objectives and strategies in the MSS and the recommendations of the High Street Urban Design Framework and Precinct Guidelines.

The policy has a number of general requirements, which should be met regarding setbacks and building bulk:

- The title shows a 3.0 metre wide Right of Way to the rear and the policy requires it to be widened to 6.0 metres. A condition on permit is recommended to require the development to be set back from the rear to allow a 6.0 metre separation distance to the rear.
- The rear setbacks are extrapolated from Standard B17 of Clause 55 and the proposal generally complies with an encroachment to the upper floor level. This encroachment is considered to be acceptable in that it is minor (i.e. approximately 400mm) and is adjacent to the front yard of the dwelling to the west (rather than any habitable room windows or secluded private open space areas), so that there will be no direct unreasonable amenity impacts (see standard B17 below).

The subject site is in Precinct 6 – Thornbury Central where policy is:

- *To encourage the redevelopment of this area for ground floor showroom uses and residential uses primarily above and behind.*
- *To provide for office uses at ground floor level.*
- *To discourage small scale retail uses from locating in this area, other than to provide small scale convenience shops that serve the immediate locality.*
- *To ensure new development is designed to protect the amenity of adjoining residential properties.*

It is appropriate to support the proposed office space as it is an existing office located on a narrow lot and there is no potential to consolidate with other sites in order to provide a larger office or retail space.

Additionally, there are a number of decision guidelines within the policy, with which a proposal should comply. It is considered that the proposal is appropriate in terms of the policy requirements in that:

- The building is four (4) storeys in height and does not exceed the maximum five (5) storey height limit.
- To High Street the development maintains the existing street wall height of 9.6 metres (meeting the 8-10 metre requirement) and upper floors are set back greater than 1.5 metres per floors from the façade.
- To Harold Street the proposal provides a street wall height of 9.91 metres to 12.23 metres, which exceeds the façade wall height of 8-10 metres in places. Nevertheless, it is considered to be acceptable, as it provides a three (3) storey façade, will not appear as visually bulky and is not considered to be unreasonable in this instance.
- The design includes appropriate measures (such as contrasting wall materials) that provide articulation to the elevations and appropriate setbacks to the rear.

It is considered that the proposal responds to the preferred pattern of development in terms of height and scale to the façade in this policy.

Clause 22.06 - Multi Residential and Mixed Use Development

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

Element	Comment	Compliance
Sustainability	<p>The development provides shared floors, internal stairs, multi storey construction, all of which contribute to energy efficiency.</p> <p>The development provides front and rear facing dwellings.</p> <p>There is no reliance on borrowed light.</p> <p>There are appropriate opportunities for natural ventilation.</p> <p>It is considered that the dwellings have appropriate levels of daylight and ventilation, with a high level of internal amenity and energy efficiency.</p> <p>An appropriate Sustainability Management Plan is required by conditions on any approval.</p>	Complies subject to condition
Design and Materials	<p>The design contributes to a preferred character, it does not mimic the existing character of the area and provides an appropriate infill development.</p> <p>The proposed materials palette consists of brick, tiles, metal cladding and glazing. These are considered to be largely appropriate and present a contemporary design.</p> <p>The building mass is largely located towards the street frontage, reducing the impact of visual bulk towards the rear of the lot.</p> <p>The development is proposed to be four (4) storeys, with the height stepping down at the rear, to provide a graduated increase in height over adjoining building forms. This provides an acceptable transition and respects the preferred character of the area.</p> <p>The proposed relationship to adjoining properties is therefore appropriate, given the site context.</p>	Complies

Element	Comment	Compliance
	<p>The development exhibits an appropriate standard of design, materials of construction and external finishes. The proposed materials consist of render and lightweight cladding. These are considered to be appropriate and present a contemporary design.</p> <p>The proposed design provides an active street frontage, awning to the façade, passive surveillance, articulation through setbacks and materials and an acceptable contemporary design.</p> <p>Rooftop services and plant are not detailed on the plans and may be requested via conditions of any approval.</p>	
Building Height	<p>A consideration of height requires a balanced deliberation of all the related policy drivers such as: urban design; policy direction; housing diversity; affordability; and urban consolidation. Furthermore, the consideration of height should be balanced against the design and massing of the building and its response to the preferred character, including adjacent dwellings.</p> <p>The State planning policy framework generally encourages Melbourne to become a more compact city by accommodating a substantial portion of its future household growth within its established urban areas. Activity centres, strategic redevelopment sites and locations well served by public transport are the preferred locations for new residential development, which is encouraged to comprise an intensive scale and built form.</p> <p>At a local planning level, there is a preferred character for higher scale development on this site and in the area.</p> <p>Surrounding development is predominantly single and double storey in scale, with a number of higher scale developments and a preferred character of higher scale development in the area.</p> <p>A height of up to five (5) storeys is encouraged in this area. The proposed four (4) storey building height is acceptable, having regard to the above.</p> <p>Importantly, it also provides an appropriate graduated height increase over the adjoining residential land to the west, as it steps down at the rear.</p> <p>Therefore, the height of the development is considered to be appropriate.</p>	Complies
Dwelling diversity	<p>The development provides a small level of diversity of layouts comprising three (3) x 3-bedroom dwellings. Whilst greater diversity and intensity is encouraged on sites in this location this proposal does provide for three (3) bedroom dwellings which are less often provided for in new apartment constructions.</p>	Complies
Parking and vehicle access	<p>Vehicle access is appropriately provided to the rear Right of Way and side street.</p>	Complies

Element	Comment	Compliance
	<p>Parking is not a dominant feature.</p> <p>The site is adjacent to the #86 tram route and in proximity to Thornbury Railway Station, as well as bus routes, which are considered sufficient to justify a reduction in car parking – refer to the Clause 52.06 assessment below.</p> <p>An analysis of the bicycle parking is also provided below.</p> <p>Adequate security is provided to the car parking area by way of garage doors.</p>	
Street address	<p>The proposal meets the policy guidelines in respect to street address in that the commercial premises maintains an active street frontage and the residential address is via the side street.</p> <p>A dominant active shopfront and weather protection are provided in the design.</p> <p>The proposal provides good pedestrian access directly from the street frontage. The dwellings provide windows and balconies to the street frontages.</p> <p>Mailboxes are located to the entry area and the entry area can be adequately lit.</p>	Complies
Amenity Impacts Including Overshadowing and Overlooking	<p>There are adjacent dwellings to the west. In looking at the effect on the adjoining residential zone (west), the following is noteworthy:</p> <ul style="list-style-type: none"> • Views of adjoining dwellings to the west from balconies and windows are not required to be screened, as there are no unreasonable views of any sensitive areas. However, it is noted that the north-facing upper floor windows may have views to the adjoining balcony areas to the north. Although these are screened, screen detail will be required as condition of permit. • Overshadowing to the residential zone to the west will occur in the mornings; however, the proposal does not adversely affect the secluded private open space of dwellings in the residential zone. • The proposal will not lead to overshadowing of sites to the south. • The nearby dwellings will not be unreasonably affected by reduced daylight to habitable room windows. • Services and plant are not detailed on the plans and may be requested via conditions of any approval. 	Complies subject to condition
On-Site Amenity and Facilities, including Private Open Space	<p>Each of the dwellings has access via a lift and stairs to all levels. The proposal will be accessible to people with limited mobility.</p> <p>The dwellings have an appropriate sense of address and entry, in compliance with Clause 55.05-2.</p> <p>Habitable room windows will have access to natural light and ventilation and will face an appropriate outdoor area</p>	Complies subject to condition

Element	Comment	Compliance
	<p>in compliance with Clause 55.05-3. Whilst the light court facing north associated with Dwelling 2 is only 1.001 metre in width, its widest dimension allows maximum north facing light and all but one (a second bedroom) of the associated rooms have additional windows that face larger open space areas.</p> <p>Open spaces are provided in balconies of 8 square metres or greater and are considered to be acceptable, as they are well integrated with principal living areas, have varying aspects and provide sufficient amenity, in compliance with Clause 55.05-4.</p> <p>Some external storage is provided; however, each dwelling must be required to have appropriate storage volumes, as per clause 55. This will be required as a condition of permit.</p> <p>Appropriate space is available for services.</p> <p>The dwellings have ample daylight and ventilation.</p> <p>Weather protection is incorporated to the private open space areas.</p> <p>A single communal antenna may be required by condition.</p> <p>The proposed dwellings are not required to be assessed against the room dimensions of table D8 of Clause 58 Apartment Developments however the internal dimensions of the living rooms meet the minimum width of 3.6 metres as required for all 3-bedroom dwellings.</p>	
Waste Management	<p>An area to store waste and recyclables is provided at ground level.</p> <p>A Waste Management Plan is required as condition of permit.</p>	Complies subject to condition
Equitable Access	<p>Lift access is provided to all levels.</p> <p>The ground floor of the development is accessible to persons of limited mobility. Appropriate disabled access can be provided to the commercial premises.</p> <p>The upper level is provided with lift access.</p>	Complies

Clause 55 Assessment

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

Clause 55.03-1 – Standard B6 – Street Setback

The development retains the existing front and side walls to the street frontages to High Street and Harold Street, which is appropriate for a development in a Commercial 1 zone.

The site is on a corner and the dwellings to Harold Street are required to be set back 3.0 metres from the frontage. The development is constructed to the Harold Street boundary. Nevertheless, this is an acceptable design response, given that:

The existing building is constructed to the Harold Street boundary.

The site is in a Commercial 1 zone where buildings are often constructed to front and side boundaries on corner allotments.

The site is separated from the adjoining dwelling in the General Residential zone by the Right of Way and so there is no 'abutting' allotment with a frontage to Harold Street. Regardless, the Right of Way provides a visual separation between the subject site and the greater setbacks in the residential zone.

Complies with objective

Clause 55.03-3 – Standard B8 – Site Coverage

The area covered by buildings should not exceed a site coverage of 60%. The site coverage is approximately 80%, which does not comply with the standard. Nevertheless, it is considered to comply with the objective (when taking the decision guidelines into account), in that:

- The site is located in a Commercial 1 zone where more intense development is encouraged and buildings generally have a high site coverage often up to 100%.
- Other than the subject standard, there is no relevant neighbourhood character objective, policy or statement set out in the Planning Scheme that requires a particular site coverage.
- The site is located in an area of small and narrow allotments. Therefore, buildings in the area often have a high site coverage, to make use of all available land. The proposed level of site coverage is consistent with other development along High Street and in this area.
- The design response is appropriate, in that it provides appropriate rear setbacks, so that it is not considered that the proposal will adversely affect the amenity of adjoining dwellings through visual bulk, given the design, setbacks and articulation.

Complies with objective

Clause 55.03-4 – Standard B9 – Permeability

To reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration, at least 20% of the site should be permeable. The site is largely paved with no permeability. Nevertheless, it is considered to comply with the objective (when taking the decision guidelines into account), in that:

- The site is located in a Commercial 1 zone where more intense development is encouraged and buildings generally have a high level of paving and low permeability, often none.
- The development will include rainwater tanks to collect runoff.
- Internal referral comments from Council's Assets and Capital Delivery Unit provide no objection, with condition requiring connection of stormwater to Council requirements. Therefore, the drainage network is considered to have capacity to accommodate additional stormwater
- The site is located in an area of small and narrow allotments. Therefore, buildings in the area often have a high site coverage, to make use of all available land (as indicated by adjoining dwellings). The proposed level of site coverage is not unusual in the area.
- The site has an area of less than 300 square metres, so that the achieving the minimum site coverage of pervious surfaces is not practical.

Complies with objective

Clause 55.04-1 – Standard B17 – Side and Rear Setbacks

The site is located in a Commercial 1 zone, so that the application of this standard has limited relevance. Nevertheless, Clause 22.05 (High Street Corridor Land Use and Urban Design) provides appropriate setbacks to the adjacent residential area to the west. It is noted that these rear setback requirements are based on an extrapolation of Standard B17.

The development is constructed to the northern common boundary and abuts Harold Street to the south. Therefore, the western common boundary is addressed below.

Boundary	Wall height	Required Setback	Proposed setback
Western Ground floor	3.5 metres	3.0 metres (6.0 metres including the ROW)	3.058 metres (6.0 metres including the ROW)
Western First floor	6.6 metres	3.0 metres (6.0 metres including the ROW)	3.058 metres (6.0 metres including the ROW)
Western Second floor (balcony balustrade)	7.7 metres	2.79 metres	3.5 metres
Western Second floor	9.8 metres	4.89 metres	5.688 metres
Western Third floor (balcony balustrade)	10.7 metres	5.79 metres	6.7 metres
Western Third floor	<u>12.9 metres</u>	<u>7.99 metres</u>	<u>7.6 metres</u>

As noted above, the proposal generally complies with the standard, with an encroachment to the upper floor level. This encroachment is considered to be acceptable in that it is minor (i.e. approximately 400mm) and is adjacent to the front yard of the dwelling to the west (rather than any habitable room windows or secluded private open space areas), so that there will be no direct unreasonable amenity impacts.

Complies with objective

Clause 55.04-2 – Standard B18 – Wall on Boundaries

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

Boundary & length	Maximum length allowable	Proposed length
Northern: 37.19 metres	16.8 metres	24.71 metres (in three (3) sections of 13.2 metres for the existing wall, 5.16 metres and 6.35 metres)

The wall height reaches 13.655 metres. Although the development does not comply with the standard, this is acceptable in this instance because:

- The site is located in a Commercial 1 zone where higher scale and more intense development is encouraged.
- On small sites such as this, boundary walls are encouraged to make efficient use of a site.

- The adjoining site to the north has a boundary wall along the common boundary for most of the site length.
- The development will not cause detriment through overshadowing or daylight impact to habitable room windows.

Complies with objective

Clause 55.04-6 – Standard B22 – Overlooking

The existing boundary walls to the north will obscure overlooking from the ground floor level.

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

All upper storey windows are appropriately designed and/or screened to ensure no overlooking.

Views adjoining properties from balconies and windows are not required to be screened, as there are no unreasonable views of any sensitive areas. It is noted that the north-facing upper floor windows may have views to the adjoining balcony areas. Although these are screened, screen detail is required as a condition of permit.

Complies subject to condition

Clause 55.04-8 – Standard B24 – Noise Impacts

The proposal abuts High Street with noise from trams and traffic. An acoustic report is required to ensure the residents will have appropriate amenity.

Further information is required on plant and mechanical parking to ensure noise will not impact on adjacent residents.

Complies subject to condition

Clause 55.05-4 – Standard 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 8 square metres with a minimum width of 1.6 metres and convenient access from a living room.

	Total POS	Secluded POS	Minimum dimension of SPOS
Dwelling 1	37 square metres (balconies)	13 square metres (balcony)	2.0 metres
Dwelling 2	24 square metres (balconies)	12 square metres (balcony)	1.6 metres
Dwelling 3	29 square metres (balconies and service yard)	12 square metres (balcony)	2.1 metres

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

Complies

Clause 55.05-6 – Standard B30 – Storage

Adequate storage facilities are provided for Dwelling 2. No storage is shown for Dwelling 1 and it is unclear if Dwelling 3 is able to accommodate 6.0 cubic metres of storage.

Dwellings 1 and 3 are required to be shown with storage in the form of 6.0 cubic metres of externally accessible secure storage as a condition of permit.

Complies subject to condition

Clause 52.06 Car Parking

Use		Required Rate	Requirement	Parking Provided
Dwellings	3x3 bedrooms	2 spaces / 3 bedroom dwelling	6 spaces	6 spaces
Office*	60 square metres	3.0 to each 100 square metres of leasable floor area *	1 space (1.8) **	0 spaces
Total:			7 spaces	6 spaces

* Under Clause 52.06-5, Column B applies if any part of the land is identified as being within the Principal Public Transport Network (PPTN) Area. The site is located in the PPTN area and column B requires 3.0 to each 100 square metres of leasable floor area.

** Under Clause 52.06-5, if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

As can be seen in the assessment above, the proposal requires a reduction in car parking of one (1) car space for the office use.

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

The reduction of car parking for the office is considered acceptable, due to the following:

- The site has adequate access to public transport, as it abuts the #86 tram route, and is in walking distance of Thornbury Railway Station. Bus routes are also available nearby on Dundas Street and Normanby Road.
- Council’s Climate Emergency and Sustainable Transport Unit does not object to the waiver of car parking associated with the proposal.
- The applicant has submitted an assessment of the car parking demand and indicates the following:
 - The existing office and dwelling have a car parking credit of five (5) spaces.
 - There are ample car parking spaces available along High Street and Harold Street to cater to the demand.
 - The site is in very close proximity to public transport.
 - There will be minimal impact on local pedestrian amenity.
 - The site is in proximity to bike routes as a form of alternative transport modes.
 - Additional traffic generated by the site will have no discernible impact to the surrounding street network.

It is considered that the reduction of the car parking requirement of one space is acceptable.

Clause 52.06-8 - Design Standards for Car parking

The following matters are to be addressed via conditions of any approval to ensure the parking design, access and layout comply with Clause 52.06-8 of the Darebin Planning Scheme:

- The accessway is at least 3 metres in width.
- Vehicle accessway dimensions are acceptable.
- Appropriate headroom clearance of 2.1 metres is to be confirmed by condition.
- Details of the storage area in the garage for Dwelling 3 must also be provided to ensure appropriate clearance (and volume).
- Access dimensions to the car spaces comply with the standard.
- Adequate turning areas are provided to allow vehicles at the rear to enter and exit the street network in a forward direction.
- The double garage has a length of 6.0 metres and appears to have a width of 5.5 metres. However, this must be confirmed by condition, with internal dimensions clear of storage, bicycle racks, bins and door openings.
- The single garage dimensions are 6.0 metres length x 3.5 metres width and are able to accommodate the mechanical parking. However further details of the mechanical parking is required to ensure appropriate clearance from bicycle racks and bins. In addition, further information is required of the side roll roller doors to ensure appropriate clearance to the single garages.
- Ramp gradients appear to be acceptable; however, conditions must ensure appropriate levels to enable access.
- The use of mechanical car parking is appropriate conditions may require the car stackers to confirm compliance with minimum headroom clearance (i.e. 25% of car spaces are to have a minimum clearance of 1.8 metres) and the type of stacker to be noted on plan.
- Management of mechanical car parking is to be addressed by condition, with the car spaces in the mechanical parking to be accessed independently.

Traffic generated by the development can be adequately accommodated by the surrounding road network.

Decision Guidelines

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see assessment in the body of this report.	Y	Y
55.02-2	B2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		N/A as development contains less than 10 dwellings	Y	Y
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development	Y	Y

Clause	Std		Compliance	
55.02-5	B5	Integration with the street		
		The development fronts the street network.	Y	Y
55.03-1	B6	Street setback		
		Please see assessment in the body of this report.	N	Y
55.03-2	B7	Building height		
		Four (4) Storey building height in an area where five (5) storeys are envisaged.	Y	Y
55.03-3	B8	Site coverage		
		Please see assessment in the body of this report.	N	Y
55.03-4	B9	Permeability		
		Please see assessment in the body of this report.	N	Y
55.03-5	B10	Energy efficiency		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties.	Y	Y
55.03-6	B11	Open space		
		N/A as the site does not abut public open space	Y	Y
55.03-7	B12	Safety		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
55.03-8	B13	Landscaping		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
55.03-9	B14	Access		
		Access is sufficient and respects the character of the area.	Y	Y
55.03-10	B15	Parking location		
		Parking facilities are proximate to the dwellings they serve.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Please see assessment in the body of this report.	N	Y
55.04-2	B18	Walls on boundaries		
		Please see assessment in the body of this report.	N	Y
55.04-3	B19	Daylight to existing windows		
		Sufficient setbacks exist to allow adequate daylight	Y	Y
55.04-4	B20	North-facing windows		
		There are no north facing windows within 3.0 metres of the common boundary with the subject site.	Y	Y
55.04-5	B21	Overshadowing open space		
		Shadow cast by the development is within the parameters set out by the standard.	Y	Y

Clause	Std		Compliance	
55.04-6	B22	Overlooking		
		Please see assessment in the body of this report.	Y	Y
55.04-7	B23	Internal views		
		There are no internal views	Y	Y
55.04-8	B24	Noise impacts		
		Please see assessment in the body of this report.	Y	Y
55.05-1	B25	Accessibility		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
55.05-2	B26	Dwelling entry		
		The entries are visible and easily identifiable. A sense of address and shelter is also provided.	Y	Y
55.05-3	B27	Daylight to new windows		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
55.05-4	B28	Private open space		
		Please see assessment in the body of this report.	Y	Y
55.05-5	B29	Solar access to open space		
		Sufficient depth is provided for adequate solar access.	Y	Y
55.05-6	B30	Storage		
		Please see assessment in the body of this report.	Y	Y
55.06-1	B31	Design detail		
		Design detail of the building is appropriate in the neighbourhood setting.	Y	Y
55.06-2	B32	Front fences		
		N/A in a Commercial 1 Zone	Y	Y
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Sufficient areas for site services are provided.	Y	Y

Whilst there are a number of standards that are not satisfied when assessed against Clause 55 this is a result of the fact that the proposal is in a Commercial Zone, in a ‘Substantial Change Area’, abutting the Principal Public Transport Network and on a narrow site. Whilst not complying with some standards the proposal does comply with all the objectives relative to its location on High Street in a Commercial 1 Zone.

REFERRAL SUMMARY

Department/Authority	Response
Infrastructure and Capital Delivery Unit	No objection, subject to condition included in recommendation

Department/Authority	Response
Climate Emergency and Sustainable Transport Unit	No objection, subject to condition included in recommendation
Darebin Parks	No objection, subject to condition included in recommendation
Environmental Sustainability Officer	No objection, subject to condition included in recommendation
City Urban Designer	No objection, subject to condition included in recommendation

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Under the Commercial 1 Zone, a permit is required for a dwelling as the frontage at ground floor level exceeds 2 metres.
- Clause 34.01-4 requires a permit for buildings and works.
- Clause 52.06 (Car Parking) – Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
PPF	11.01-1S, 11.01-R1, 11.02-1S, 11.03-1S, 15, 15.01-1S, 15.01-R, 15.01-2S, 15.01-5S, 15.02-1S, 16, 17, 17.02-1S, 18, 19, , 19.03
LPPF	21.01-6, 21.02, 21.02-3, 21.02-4, 21.03, 21.04, 22.05,22.06,22.12
Zone	34.01
Overlay	45.06
Particular provisions	52.06, 52.34,53.18,55
General provisions	65.01

POLICY IMPLICATIONS

Environmental Sustainability

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

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

RELATED DOCUMENTS

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

Attachments

- Aerial Photograph (**Appendix A**)
- Advertised Plans (**Appendix B**)

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any general or material interest in a matter to which the advice relates.

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

Darebin City Council
28/01/2021

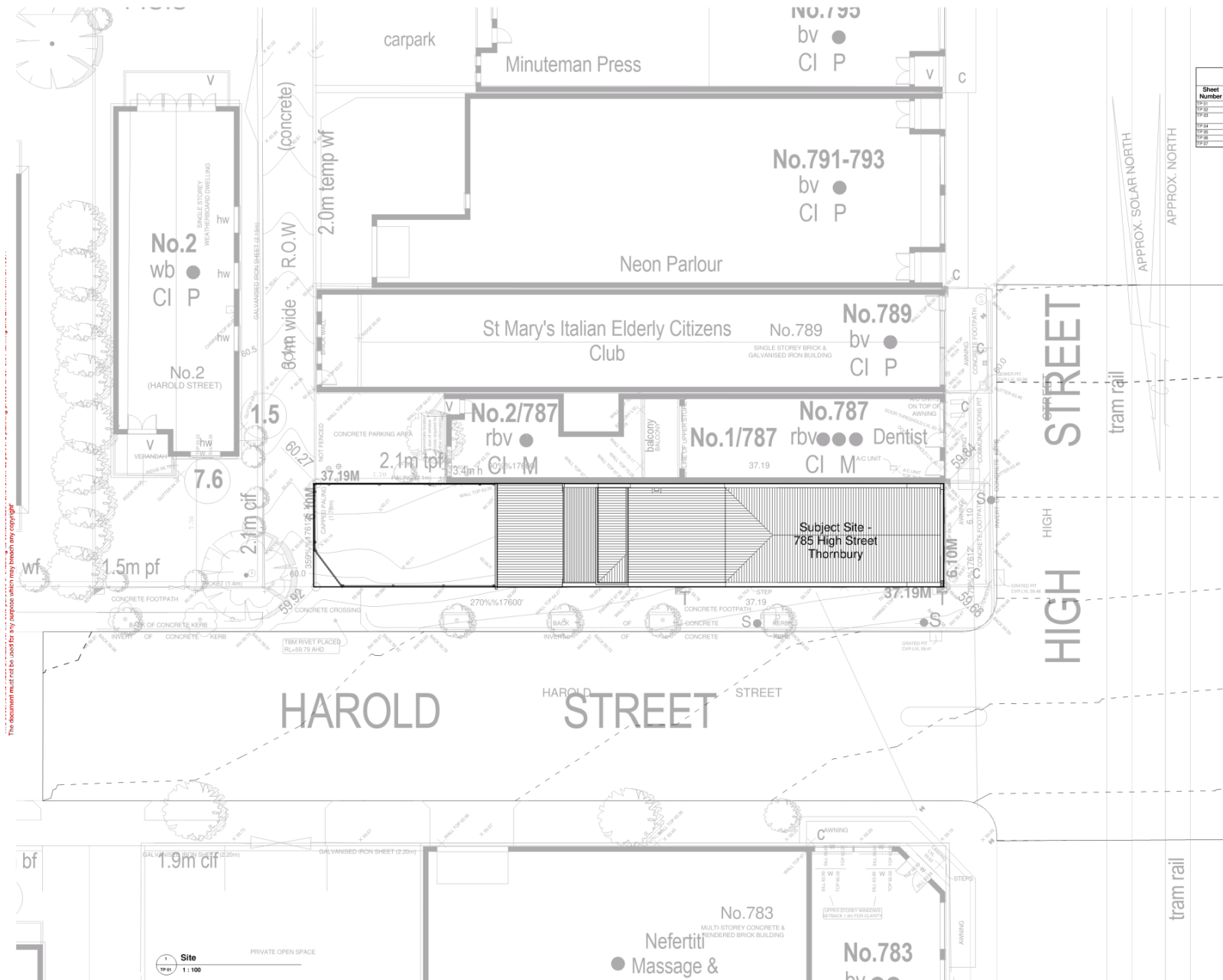


Whilst every endeavour has been made to ensure that the information in this product is current and accurate, the City of Darebin does not accept responsibility or liability whatsoever for the content, or for any errors or omissions contained therein © City of Darebin

Advertised Document D/254/2020 pages 1 of 7



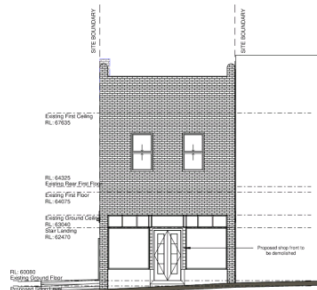
Sheet Number	Sheet Name	Drawn By	Project Status	Project Issue Date
TP 01	Existing Site Plan	KG/GS	Town Planning	April 2020
TP 02	Existing Floor Plans	KG/GS	Town Planning	April 2020
TP 03	Proposed Enclosure Plans and	KG/GS	Town Planning	April 2020
TP 04	Existing Elevations	KG/GS	Town Planning	April 2020
TP 05	Proposed Floor Plans	KG/GS	Town Planning	April 2020
TP 06	Proposed Floor Plans	KG/GS	Town Planning	April 2020
TP 07	Proposed Elevations and Details	KG/GS	Town Planning	April 2020
TP 08	Proposed Shadow Diagrams	KG/GS	Town Planning	April 2020



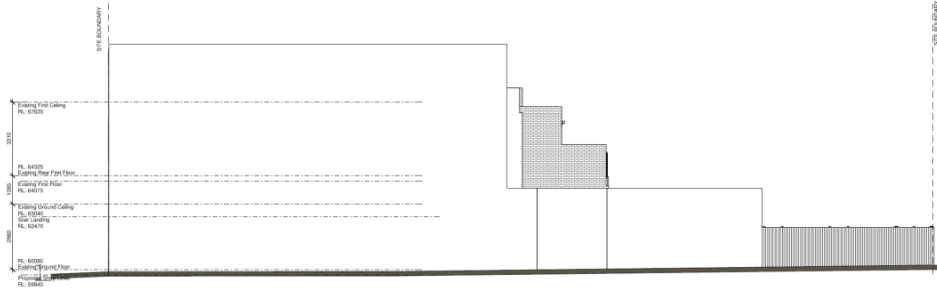
FILE:	Existing Site Plan
PROJECT:	Proposed 3 Dwellings & Office
PROJECT ADDRESS:	785 High Street, Thornbury, VIC, 3071
CLIENT:	M Nick Sarantis
USE:	Town Planning
ISSUED FOR:	TP 01
REVISION:	DATE
	April 2020
SOUTH:	BY:
	KG/GS
SCALE:	1:100
DATE:	19/03/20
REV No	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	



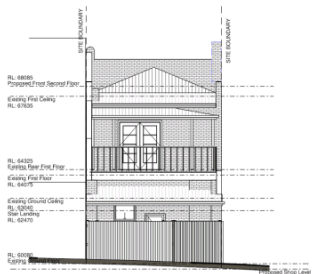
Advertised Document D/254/2020 pages 3 of 7



Existing East Elevation
1:100



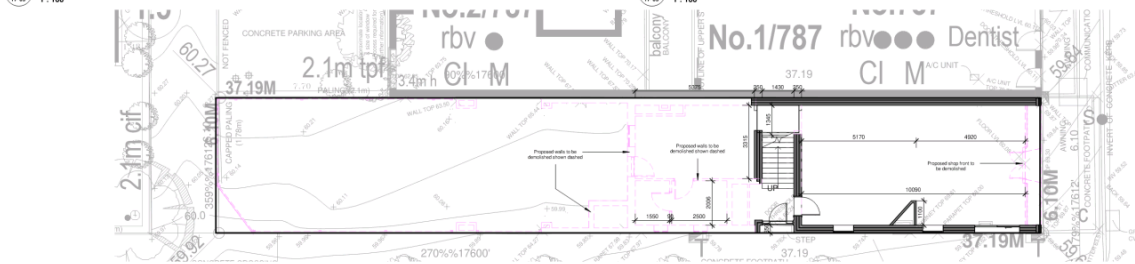
Existing North Elevation
1:100



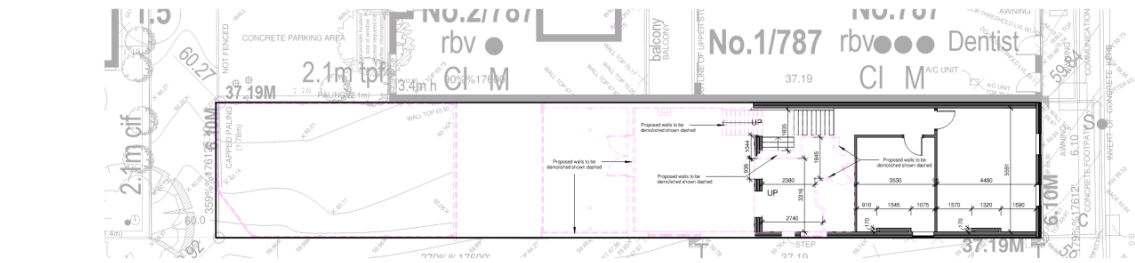
Existing West Elevation
1:100



Existing South Elevation
1:100



Demolition - Ground Floor
1:100



Demolition - First Floor
1:100

Proposed Demolition Plans and Existing Elevations

PROJECT: Proposed 3 Dwellings & Office

PROJECT ADDRESS: 785 High Street, Thornbury, VIC, 3071

CLIENT: M-Nick Securities

SCALE: Town Planning

ISSUED FOR: TP 03 REVIEW: DATE: April 2020

SHEET SIZE: A1
SCALE: 1:100
DATE: 19035

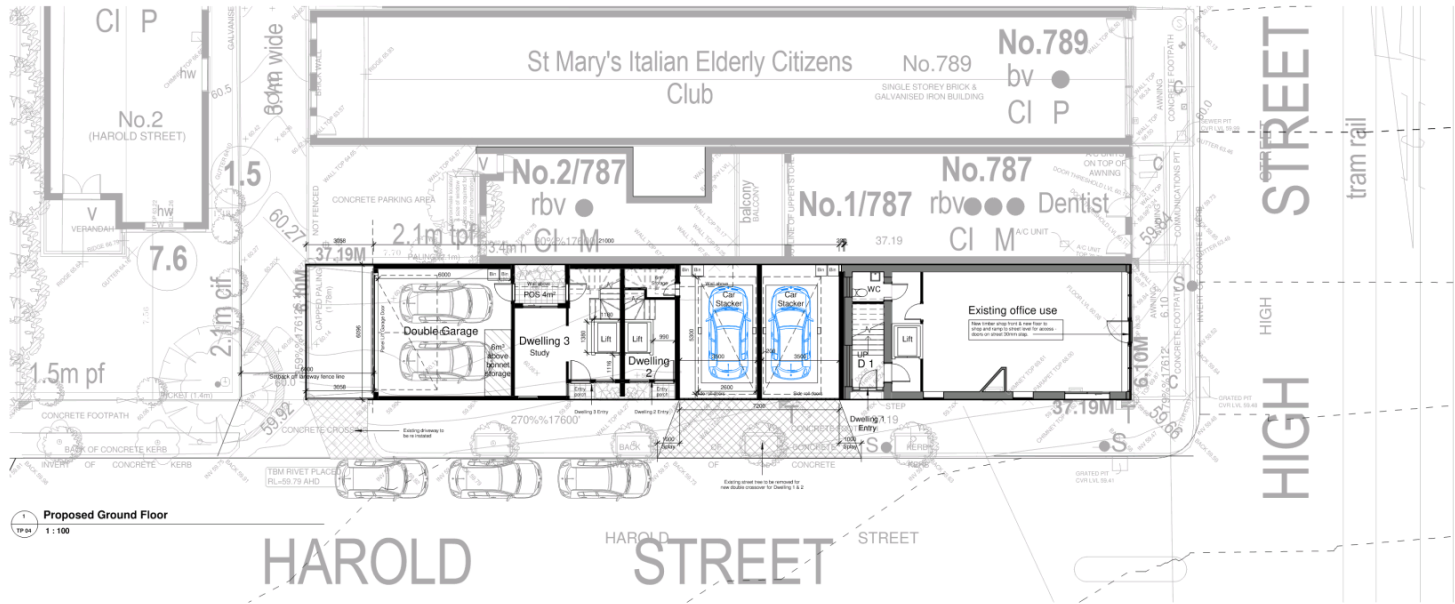
BY: DESCRIPTION:

GSA architects

AN ACTING PT. ARCHITECTS, BY AND THROUGH
PLANNING, 255 GARDNER ST. A/C 1903 5000
MELB. VIC 3000
WWW.GSAARCHITECTS.COM.AU

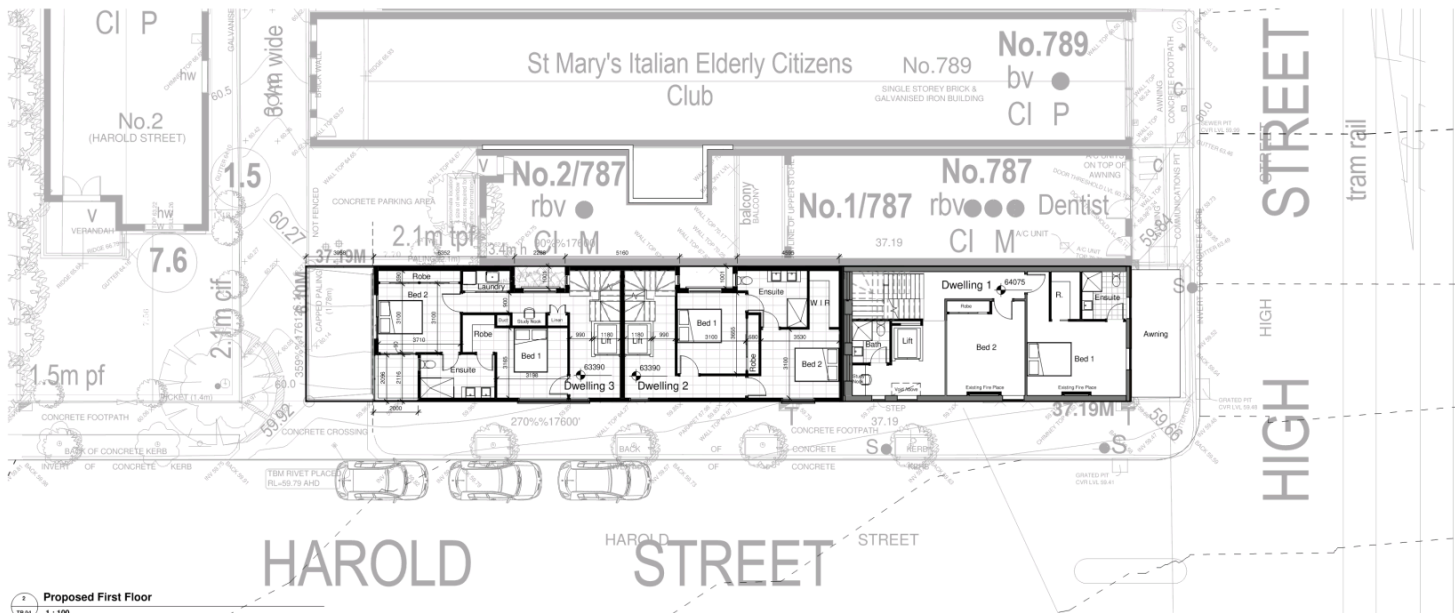
This document must not be used for any purpose which may breach any copyright

Advertised Document D/254/2020 pages 4 of 7



Area Analysis
1:100

Site Area	226m ²
Existing Office	103m ²
Carport	45m ²
Driveway / Open Space	67m ²
Existing Dwelling	
Ground Floor entry	10m ²
First Floor	114m ²
POS - FF verandah	23m ²
Proposed Office	60m ²
Dwelling 1	
GF Entry	13m ²
First Floor	78m ²
Second Floor	61m ² + 18m ² POS
Third Floor	32m ²
Dwelling 2	
GF Entry	36m ²
First Floor	58m ²
Second Floor	53m ² + 4m ² POS
Third Floor	38m ² + 20m ² POS
Dwelling 3	
GF Entry	60m ²
First Floor	62m ² + 4m ² POS
Second Floor	50m ² + 16m ² POS
Third Floor	20m ² + 11m ² POS

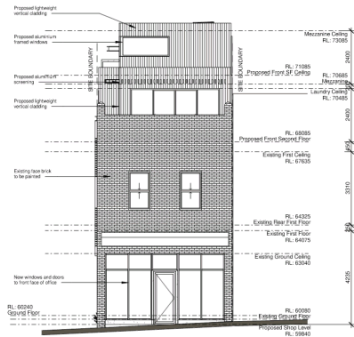


TITLE	Proposed Floor Plans
PROJECT	Proposed 3 Dwellings & Office
PROJECT ADDRESS	785 High Street, Thornbury, VIC, 3071
SUBJECT	M-Nick Securities
SCALE	Town Planning
ISSUED FOR	TP 04
REVISION	DATE
	April 2020
DRAWN BY	AI
CHECKED BY	KG GS
SCALE	1:100
DATE	19/03/20

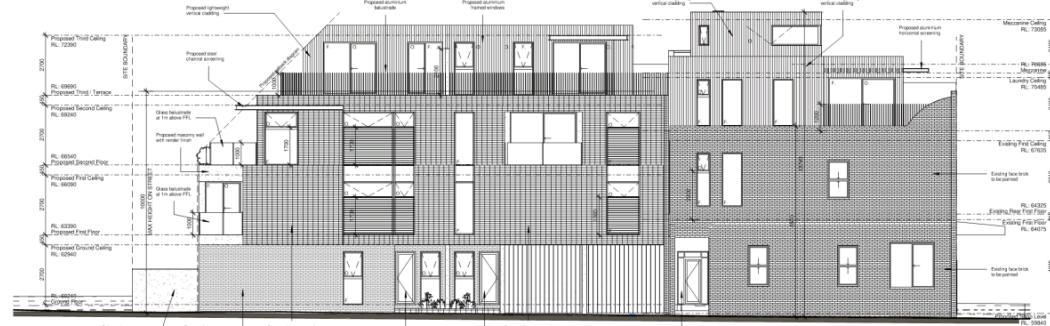


200 PICTURES OF ARCHITECTURE, 100 YEARS OF ARCHITECTURE
 100 YEARS OF ARCHITECTURE, 100 YEARS OF ARCHITECTURE
 100 YEARS OF ARCHITECTURE, 100 YEARS OF ARCHITECTURE
 100 YEARS OF ARCHITECTURE, 100 YEARS OF ARCHITECTURE

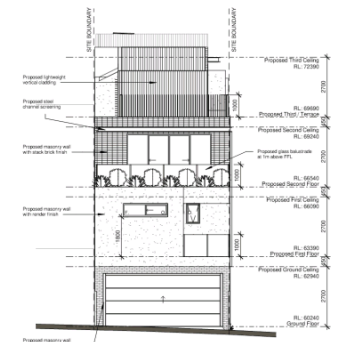
Advertised Document D1254/2020 pages 6 of 7



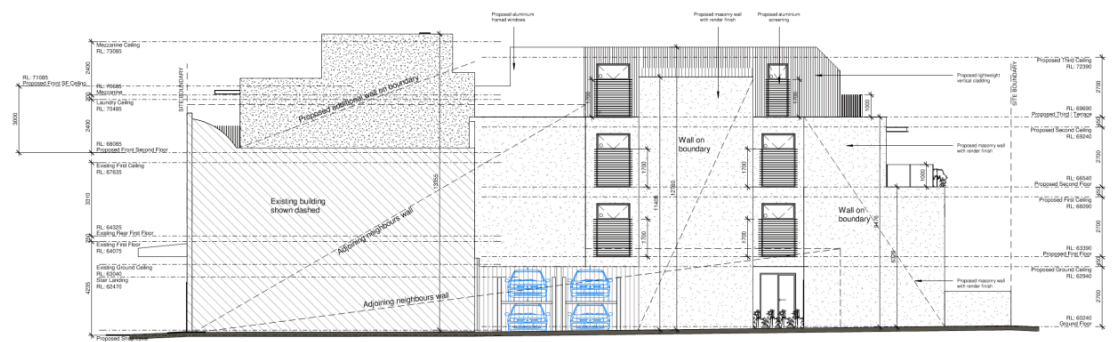
1 Proposed East Elevation
TP 06 1:100



1 Proposed South Elevation
TP 06 1:100



1 Proposed West Elevation
TP 06 1:100



1 Proposed North Elevation
TP 06 1:100



1 3D View 4
TP 06



1 3D View 3
TP 06

Proposed Elevations and Details

PROJECT: Proposed 3 Dwellings & Office

PROJECT ADDRESS: 785 High Street, Thornbury, VIC, 3071

CLIENT: M Nick Sarantis

USE: Town Planning

ISSUED BY: TP 06

REVISION: DATE: April 2020

SCALE: A1

PROJECT NO: 19035

DATE: 1:100

GSA architects

100 HICKS ST, MELB, VIC 3000
 100 HICKS ST, MELB, VIC 3000
 100 HICKS ST, MELB, VIC 3000

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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

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

Recommendation

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

Related Documents

Nil

Attachments

- Applications determined by VCAT for next meeting 8 February 2020 (**Appendix A**)

Delegate Decisions before VCAT

JULY 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/07/2020	D/364/2019	441-443 Plenty Road, Preston Cazaly	Proposed use of the land for dwellings, the construction of three shops and five dwellings and a reduction in the standard car parking requirements	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	Notwithstanding that the site is located on Plenty Road where apartment developments up to 6 storeys are encouraged, the Tribunal found the part 4 part 2 storey townhouse development (above retail) an acceptable response to the site's strategic context and was not an underdevelopment.				
7/07/2020	D/324/2019	20 Barton Street, Reservoir Latrobe	Construction of four (4) double storey dwellings on the lot	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	Upon the lodgement of amended plans which reduced the number of proposed dwellings from 4 to 3, together with increased street setbacks, the parties were in a position to resolve the matter by way of consent order without the need for a contested hearing.				
8/07/2020	D/790/2018	600-606 Plenty Road, Preston Cazaly	Proposed use of land as a food and drink premises together with part demolition of the existing building, the construction of buildings and works for 11 dwellings and a reduction of the required car parking provision	Refusal – Applicant Appeal	
Result	Adjourned to a hearing on 17 February 2021				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

JULY 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/07/2020	D/385/2018/A	2 White Street, Reservoir La Trobe	Construct a medium density housing development comprised of four (4) double storey dwellings	Refusal – Applicant Appeal	Council's refusal affirmed – no Permit granted
Result	The Tribunal found that the proposed amendment did not adequately respond to Council's neighbourhood character policy. In particular, it was determined that the proposed amendment would result in a boundary to boundary development which was considered unacceptable in the context.				
23/07/2020 (Compulsory Conference)	D/513/2019	69 Mitchell Street, Northcote Rucker	Proposed demolition of existing dwelling and construction of two (2) dwellings	Refusal – Applicant Appeal	
Result	The matter did not settle.				
27/07/2020 (Compulsory Conference)	D/260/2019	44 Tyler Street, Preston Cazaly	Construction of four (4) double storey dwellings on a lot within the Design and Development Overlay Schedule 19 (DDO19)	Notice of Decision – Objector Appeal	Council's decision affirmed – Permit granted
Result	Resolved at the Compulsory Conference				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

JULY 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
27/07/2020	D/568/2019	67-69 High Street, Preston Cazaly	Proposed construction of an 8 storey (plus roof top terrace and basement car park) mixed use development comprising 62 dwellings and two shop tenancies, and a reduction in car parking requirements	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal determined that there was sufficient strategic support within the relevant planning policy of DDO3 (Preston Junction) to support the proposed height and design response. Although off-site amenity impacts were taken into consideration, particularly those of the adjoining single aspect apartments to the north, the Tribunal determined that there was insufficient evidence to suggest that the development would result in an unreasonable outcome.				
30/07/2020	VS/21/2019	G01/7 Warrs Avenue, Preston Cazaly	Proposed height extension to front fence in a residential zone	Refusal – Applicant appeal	Council's decision set aside – Permit granted
Result	The Tribunal provided oral reasons only.				
30/07/2020 (Compulsory Conference)	D/673/2020	9-10 Griffiths Street , Reservoir Latrobe	The construction of an apartment development comprising 13 double-storey dwellings and basement car parking.	Refusal – Applicant Appeal	
Result	The matter did not settle.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

AUGUST 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/08/2020 (Compulsory Conference)	D/145/2018	480 Gilbert Road, Preston Cazaly	S87A Amendment request to VCAT remove roof decks to 3 dwellings	Council taking position of opposition	
Result	Matter vacated at the request of the parties - Order dated 28/07/2020.				
6/08/2020	D/181/2013/B	1003 Plenty Road, Kingsbury Latrobe	A medium density housing development comprised of the construction of seven (7) dwellings; a reduction to the car parking requirement for Units 1, 2 & 3; and alteration of access to a road in a Road Zone Category 1	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	While the Tribunal acknowledged that the amendment to provide an additional (fourth) bedroom (through the conversion of part of the existing living area) to three of the dwellings was not an ideal outcome, the proposal resulted in an acceptable outcome. In particular, the Tribunal found that the policy context which encourages higher density development and the fact that living areas and balconies still provided sufficient space for occupants to recreate, favoured supporting the amendment.				
11/08/2020 (Compulsory Conference)	D/673/2018	9-10 Griffiths Street, Reservoir La Trobe	The construction of an apartment development comprising 13 double-storey dwellings and basement car parking.	Refusal – Applicant Appeal	
Result	The matter did not settle.				
12/08/2020 (Compulsory Conference)	D/513/2019	69 Mitchell Street, Northcote Rucker	Proposed demolition of existing dwelling and construction of two (2) dwellings	Refusal – Applicant Appeal	
Result	The matter did not settle.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

AUGUST 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/08/2020	D/957/2018	12 Lawson Street, Reservoir La Trobe	Construction of a medium density development consisting of four (4) dwellings	Notice of Decision – Objector Appeal	Council's decision affirmed – Permit Granted
Result	The Tribunal was satisfied that the proposal responded acceptably to its context and had no unreasonable amenity impacts on the Objector Applicants.				
18/08/2020	D/361/2019	60 Pickett Street, Reservoir Latrobe	Construction of five (5) double storey dwellings on the lot and a waiver of visitor car parking	Refusal – Applicant Appeal	Council's refusal affirmed – no Permit granted
Result	In affirming Council's refusal to grant a Permit, the Tribunal noted that fatal elements included the attached unbroken form of the development, the form of the first floor, the setbacks to Johnson Street and rear setbacks, the amount of hard surfaces and extent of crossovers, and correspondingly a limited ability for the site to be landscaped. In considering these issues, the Tribunal determined that the proposal had not responded to Council's neighbourhood character policy.				
18/08/2020 (Compulsory Conference)	D/522/2019	14-16 Wardrop Grove, Northcote Rucker	A 2-3 storey building comprising seven (7) dwellings	Conditions Appeal	
Result	The matter did not settle.				
20/08/2020	D/343/2019	209 Broadway, Reservoir Latrobe	Proposed construction of six (6) double storey dwellings on land affected by the Special Building Overlay and adjacent to a Road Zone Category 1.	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	After the lodging of amended plans by the Permit Applicant, the critical questions for the Tribunal boiled down to the proposal's built form response and whether acceptable landscaping was provided on site which it ultimately concluded it was.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

AUGUST 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
26/08/2020	D/789/2018	566-568 High Street, Preston Cazaly	Proposed construction of a five-storey (plus basement and rooftop terrace) mixed use development and a waiver of the car parking requirements	Refusal – Applicant Appeal	
Result	Adjourned to 12 May 2021				
28/08/2020	D/41/2016/B	154 High Street, Northcote Rucker	Amendment to Existing Permit which allows a 5 storey building comprised of 13 apartments, shop and car parking reduction to become a 5 storey building comprised of 4 dwellings and 2 apartments over a shop	Refusal – Applicant Appeal	
Result	The Permit Applicant withdrew their application for review prior to the hearing (21 August 2020).				
31/08/2020	D/888/2018	114 Elm Street, Northcote Rucker	Proposed partial demolition and alterations (including a double storey addition) to an existing dwelling on a lot less than 300m2 in a Heritage Overlay	Notice of Decision – Objector Appeal	Council’s decision varied – Permit granted
Result	The Tribunal found that the new extension is distinguishable from the original heritage fabric and is of a scale that will not overwhelm either its host building or the adjacent heritage dwellings. It went on to find the height and recession from the street façade mean the upper storey extension will not overwhelm the outlook available from the park opposite. While Council’s decision was varied, the conditions were to clarify matters of detail relating to overshadowing, and also to render the upper level extension, which were changes volunteered by the Permit Applicant.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

SEPTEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/09/2020	D/637/2018	181 Hutton Street, Thornbury Cazaly	Construction of two (2) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	The Tribunal found that, subject to conditions which ameliorated concerns about neighbourhood character, the proposal would provide an acceptable design response.				
11/09/2020	D/492/2018/A	536 Murray Road, Preston Cazaly	Approved construction of a double storey out-building associated with use as a home-based business.	Notice of Decision – Objector Appeal	Council's decision affirmed – Permit Granted
Result	The Tribunal was satisfied that the proposed amendment responded acceptably to its context and had no unreasonable amenity impacts on the Objector Applicants.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

SEPTEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
16/09/2020	D/212/2019	37 Bruce Street, Preston Cazaly	Medium density development comprising the construction of four (4) three storey dwellings	Refusal – Applicant Appeal	Council's decision affirmed – No permit Granted
Result	In affirming Council's decision, the Tribunal found that there was insufficient support for the full demolition of an existing heritage dwelling ('graded' contributory). Moreover, it was determined that the proposal was an overdevelopment which would result in unreasonable off-site amenity impacts on adjoining properties.				
16/09/2020	D/709/2018	1 Wardrop Grove, Northcote Rucker	Medium density housing development comprising the construction of four (4) triple storey dwellings	Notice of Decision – Objector Appeal	Council's decision set aside – No permit granted
Result	Although the subject site is located within the Northcote Activity Centre which may encourage infill redevelopment, the Tribunal found that the proposed development did not adequately respond to the relevant planning policy. In particular, it was found that the contemporary design would be out of place in the streetscape. Moreover, it was determined that the proposal would provide insufficient setbacks or visual relief, resulting in unacceptable off-site amenity impacts.				
24/09/2020	D/513/2019	69 Mitchell Street, Northcote Rucker	Proposed demolition of existing dwelling and construction of two (2) dwellings	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
	The Tribunal found that, in the absence of specific policy guidance for the site in respect of preferred neighbourhood character, the design response, including the presence of two crossovers and car parking in the front setback was consistent with the existing neighbourhood character. In setting aside Council's refusal, the Tribunal placed a condition on the permit deleting the rooftop terraces as they were not considered to be a characteristic of the existing neighbourhood character.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

SEPTEMBER 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
30/09/2020	D/673/2018	9-10 Griffiths Street, Reservoir La Trobe	The construction of an apartment development comprising 13 double-storey dwellings and basement car parking.	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	In finding the development acceptable, the Tribunal determined that the main issues with the development raised by Council were matters of detail which could be corrected by permit conditions, rather than being fundamentally problematic.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

Planning Committee Decisions before VCAT

JULY 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
6/07/2020	D/526/2018	573-603 High Street & 30 West Street, Preston Cazaly	Construct two (2) buildings, with six (6) individual towers, containing dwellings, retail premises; and Reduce the car parking requirements; and Reduce the loading/unloading requirements.	Failure appeal – Council subsequently resolved to Oppose	Council's deemed refusal affirmed – No permit granted
Result	<p>The Tribunal found that the proposal simply did not respond to its varied street contexts and that the design was not sufficiently well resolved to be worthy of a permit. In particular, the Tribunal considered the following factors as critical in affirming Council's deemed refusal:</p> <ul style="list-style-type: none"> A. The poorly resolved street wall / podium / tower interface to High Street. B. The overall lack of consideration to the emerging character in High Street through building height and setbacks that better respond to this character. C. The intensity and verticality of the ground / mezzanine terrace style form close to both West and Olver Streets that lack design clarity. D. The built form facing West Street that will appear as continuous at ground and mezzanine level, with upper levels that are too dominating for its surrounding residential setting. E. A lack of resolution about the role, function and design of Auto Alley. <p>The Tribunal also criticised the internal amenity of a number of the dwellings due to their distance from storage spaces, poor private open space (which is co-located with the dwelling entry in some cases) and some dwellings having windowless rooms.</p> <p>Finally, the Tribunal noted that even if the Applicant were to volunteer affordable housing on the site, such a proposal would not outweigh the other shortcomings of its design.</p>				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

AUGUST 2020					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/08/2020	D/262/2019	Lot 17, 7 Eunson Avenue, Northcote Rucker	Construction of a double storey dwelling on a lot (Lot 17 of 7 Eunson Avenue, Northcote) less than 300 square metres, removal of vegetation, and a reduction of car parking requirements	Refusal (Contrary to Officer Recommendation) – Applicant Appeal	Council's refusal affirmed – no permit granted
Result	The Tribunal considered the proposal did not respond sensitively to the Merri Creek environs due to its design. In particular, it did not mitigate sufficiently the proposal's visual impact on the Creek. In addition, the Tribunal was concerned about impacts on existing vegetation, which it found were unacceptable.				
20/08/2020	POD/1/2007/H	1056-1070 Plenty Road, Bundoora La Trobe	Application to amend the Polaris 3083 Development Plan in respect of Lot S3 (being precinct 1B. Building 1B-16)	Refusal (In line with Officer Recommendation)	Council's refusal affirmed – no changes to development plan
Result	The Tribunal considered the proposal to alter the building envelope of building 1B-16 from 2-3 storeys to 7 storeys unacceptable given the site's context. While acknowledging taller built form is to be expected along Plenty Road, the Tribunal noted the site did have sensitive interfaces, in particular dwellings to the south. It considered a building of 3 storeys, with 1-2 smaller recessed levels above would be appropriate.				

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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

PLANNING COMMITTEE MEETING

8 FEBRUARY 2021

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


All matters listed until 31 January 2021

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL


8. CLOSE OF MEETING

**CITY OF
DAREBIN**

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au

 **National Relay Service**
relayservice.gov.au

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.

 **Speak your language**
T 8470 8470

العربية	italiano	Soomalii
繁體中文	Македонски	Español
Ελληνικά	नेपाली	اردو
हिंदी	பெங்களி	Tiếng Việt