



the place
to live

AGENDA

**Planning Committee meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 22 August 2016
at 7.00 pm.**

Table of Contents

| | |
|---|-----------|
| 1. MEMBERSHIP | 1 |
| 2. APOLOGIES | 1 |
| 3. DISCLOSURES OF CONFLICTS OF INTEREST | 1 |
| 4. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE | 1 |
| 5. CONSIDERATION OF REPORTS | 2 |
| 5.1 APPLICATION FOR PLANNING PERMIT D/770/2015 33 Joffre Street, Reservoir..... | 2 |
| 5.2 APPLICATION FOR PLANNING PERMIT D/988/2015 2-4 Kelsby Street, Reservoir..... | 21 |
| 5.3 APPLICATION FOR PLANNING PERMIT D/643/2015 50-52 Wales Street, Thornbury..... | 46 |
| 5.4 APPLICATION FOR PLANNING PERMIT D/1083/2015 375 St Georges Road, Northcote | 68 |
| 6. OTHER BUSINESS..... | 91 |
| 6.1 GENERAL PLANNING INFORMATION: Scheduled VCAT Applications, Significant Applications and Applications for the next Planning Committee Meeting..... | 91 |
| 7. URGENT BUSINESS | 92 |
| 8. CLOSE OF MEETING | 92 |

Agenda

1. MEMBERSHIP

Councillors

Cr Vince Fontana (Mayor) (Chairperson)

Cr Gaetano Greco

Cr Tim Laurence

Cr Bo Li

Cr Trent McCarthy

Cr Steven Tsitas

Cr Angela Villella

Cr Oliver Walsh

Cr Julie Williams

Council Officers

Steve Hamilton – Acting Chief Executive

Chris Meulblok – Acting Director Assets and Business Services

Darren Rudd – Manager City Development

Peter Rollis – Coordinator Statutory Planning

Jacinta Stevens – Executive Manager Corporate Governance and Performance

Katia Croce – Coordinator Council Business

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE

| |
|-----------------------|
| Recommendation |
|-----------------------|

That the Minutes of the Planning Committee meeting held on 8 August 2016 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/770/2015
 33 Joffre Street, Reservoir

AUTHOR: Statutory Planner – Dale Constable

DIRECTOR: Acting Director Assets and Business Services – Chris Meulblok

OWNER/APPLICANT/CONSULTANT:

| Applicant | Owner | Consultant |
|--|--------------------|-------------------|
| Trent Ustick - Ikonomidis Reid Pty Ltd | Anthony John Nuzzo | |

SUMMARY:

- This application seeks approval for a medium density development comprising eight (8) double storey dwellings.
- Units 1 and 4 will have three (3) bedrooms and access to two (2) car parking spaces. Units 2, 3 and 5-8 will have two (2) bedrooms and access to one (1) car parking space. No visitor parking is provided on site.
- Secluded private open space is provided at ground level for each dwelling with areas of between 25.2 square metres and 40.4 square metres.
- The site is zoned General Residential Zone Schedule 2.
- There is a restrictive covenant on title, the proposed development will not breach the terms of the covenant.
- Forty-five (45) objections were received against this application.
- The proposal fails to meet a number of objectives and standards of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be refused.

CONSULTATION:

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

Recommendation

That Planning Permit Application D/770/2015 be refused and Notice of Refusal be issued on the following grounds:

The proposed building design is contrary to the character of the area and is non-compliant with Clause 22.02 Neighbourhood Character and Clause 55.02-1 Neighbourhood Character.

1. The proposal is contrary to Clause 21.03 Housing and the Darebin Housing Strategy which identifies the land being included within a low change area.
2. The proposal provides insufficient landscaping opportunities to integrate the development with its surrounds and is non-compliant with Clause 22.02 Neighbourhood Character and Clause 55.03-8 Landscaping Clause 55.03-3 Site Coverage, Clause 55.04-1 Side and rear setbacks and Clause 55.04-2 walls on boundaries.
3. The proposed heights and setbacks will result in visual bulk impacts and will be detrimental to the amenity of adjacent properties and are non-compliant with Clause 22.02 Neighbourhood Character and Clause 55.03-3 Site Coverage, Clause 55.04-1 Side and rear setbacks and Clause 55.04-2 walls on boundaries.

Report**INTRODUCTION AND BACKGROUND**

Council records indicate that there is no recent planning history for this site.

ISSUES AND DISCUSSION**Subject site and surrounding area**

- The land is regular in shape and measures 56.69 metres in length and 26.82 metres in width with a site area of 1,520 square metres.
- The land is located within the General Residential Zone Schedule 2 and affected by a Development Contribution Plan Overlay.
- The land is located on the west side of Joffre Street approximately 35 metres south of Queen Street.
- The site is occupied by a double storey brick dwelling with secluded private open space to the side and rear and outbuildings to the rear. Vehicle access is gained via two (2) existing crossovers at the northern and southern edges of the site. There are trees and shrubs throughout the site including two (2) large trees at the frontage of the site. A 1.83 metre wide drainage and sewerage easement extends east from the western boundary along the southern boundary for approximately 11.5 metres, then extends north for the width of the property. The site is relatively flat.
- To the north are four (4) single storey dwellings fronting Queen Street (Nos. 11, 11A, 13 and 13A) of brick or weatherboard construction. The dwellings each have secluded private open space and outbuildings to the rear.

- The dwellings are setback between 7.0 metres and 11.0 metres from the common boundary with outbuildings setback approximately 1.0 metre and 2.0 metres on Nos. 13 and 11A respectively and constructed to the common boundary on No. 11. These dwellings are affected by a heritage overlay and are within the Queen Street Precinct of the Darebin Heritage Study 2011.
- To the south is a single storey brick dwelling fronting Joffre Street with secluded private open space and outbuilding to the rear. The dwelling is setback 5.9 metres from the common boundary with the driveway extending along the common boundary to a garage located at the rear of the site. The garage is setback approximately 1.0 metre from the common boundary. The dwelling has a front setback of 7.5 metres. Also abutting the southern boundary of the subject site is a property fronting Foch Street containing a double storey dwelling. A garage for the dwelling is located in the north-east corner of the site and constructed to the common boundary.
 - To the west are single storey dwellings fronting Foch Street (Nos. 34 and 36). The dwellings are setback in excess of 9.0 metres from the common boundary. A garage at No. 34 is constructed to the common boundary and a shed at No. 36 is setback approximately 0.5 metres.
 - To the east across Joffre Street are single storey brick dwellings fronting Joffre Street and a double storey weatherboard and render dwelling fronting Queen Street.
 - Unrestricted on-street parking is available in front of the subject site and on both sides of the length of Joffre Street. Unrestricted parking is also available on both sides of Queen Street.
 - The site is located within an extensive residential area extending to High Street to the west, Plenty Road to the east, Tyler Street to the south and Broadway to the north. The site is within the area known as the Oakhill Estate with surrounding streets affected by heritage overlays. The Plenty Road/Tyler Street local activity area is located approximately 400 metres to the south-east and the Reservoir Activity Area approximately 1.8 kilometres to the north.
 - The nearest public transport services to the site:
 - Bus route 567 (Northcote-Regent) runs along Tyler Street and Queen Street with stops 400 metres and 120 metres from the subject site.
 - Bus route 555 (Epping - Northland) runs along Oakhill Avenue with stops 190 metres from the subject site.
 - Bus route 566 (Lalor - Northland) runs along Plenty Road with stops metres from the site.
 - Bus route 562 (Northland SC - Whittlesea) runs along Tyler Street with stops 550 metres from the site.
 - Tram line 86 (Bundoora RMIT - Waterfront City Docklands) runs along Plenty Road with stops 550 metres from the site.
 - Regent Railway Station is approximately 1.3km to the west.

Proposal

- The existing buildings on the site are to be demolished.
- It is proposed to construct eight (8) double storey dwellings. Units 1 and 4 will have three (3) bedrooms and access to two (2) car parking spaces. Units 2, 3 and 5-8 will have two (2) bedrooms and access to one (1) car parking space. No visitor parking is provided on site.
- Vehicle access will be gained via an existing crossover at the northern edge of the site and a proposed crossover toward the southern edge of the site. An existing crossover at the southern edge of the site is to be removed.
- The maximum height of the dwellings is to be 7.6 metres.
- The proposed private open space is provided as follows:
 - Unit 1 – 113m² including 26m² of secluded private open space;
 - Unit 2 – 40m² of secluded private open space;
 - Unit 3 - 40.5m² of secluded private open space;
 - Unit 4 - 44.4m² including 25.2m² of secluded private open space;
 - Unit 5 – 54.5m² including 25.2m² of secluded private open space;
 - Unit 6 - 47.5m² including 32.1m² of secluded private open space;
 - Unit 7 - 39.4m² including 34.0m² of secluded private open space;
 - Unit 8 – 103.1m² including 25.2m² of secluded private open space.

Objections

Forty-five (45) objections have been received.

Objections summarised

- Increase parking problems;
- Out of character with Oakhill estate;
- Increased traffic;
- Set an undesirable precedent;
- Does not comply with clause 55;
- Does not comply with clause 21.01-4;
- Inaccurate plans;
- Visual bulk;
- Overdevelopment of the site;
- Lack of parking for emergency vehicles;
- Does not add net value to the community;
- Building over easements;
- Is or should be heritage listed;
- Oversupply of 2 bedroom apartments;

- Demolishes original Oakhill farmhouse
- Loss of shade trees
- Turning circles tight
- Single access way will encourage on-street parking
- Tandem parking encourages on-street parking
- Overlooking
- Noise from residents
- Burden on infrastructure
- Proposal will be student accommodation
- Proposal will not guarantee social or affordable housing
- Negative impact on property values
- Proposal will cause loss of amenity
- Traffic safety and manoeuvring

Officer comment on summarised objectionsIncrease parking problems

See assessment below.

Out of character with Oakhill Estate

Whilst Joffre Street is not affected by a heritage overlay it does have a consistency of built forms and a consistent character of primarily detached dwellings with pitched roofs. Joffre Street is part of the Oakhill Estate and included as part of low change area that was proposed to be included in the Neighbourhood Residential Zone of Amendment C144 and now Amendment C156. This proposal is arguably different in character to the more traditional built forms within the estate and anomalous with the preferred neighbourhood character.

Increased traffic

The increase in traffic movements in the abutting streets, arising from the additional dwellings is considered to be an increment that will not affect local traffic conditions.

Set an undesirable precedent

The possibility of setting an undesirable precedent cannot be substantiated and is not a relevant planning consideration.

Does not comply with Clause 55

As set out in the assessment there are a range of compliance issues.

Does not comply with Clause 21.01-4

The objection makes specific reference to the key issue relating to protection and enhancement of heritage places. The subject site is not within a heritage overlay and therefore the proposal is not required to give regard to heritage considerations in regard to the subject site.

Inaccurate plans

The particular inaccuracy referred to relates to a structure at the rear of 13 Queen Street which is adjacent to the subject site. The plans designate this structure as being a shed - the objection asserts that this structure is an alfresco area. With regard to the proposal Unit 3 has its secluded private open space immediately adjacent to the neighbouring alfresco area and the building is well setback from the common boundary. Therefore the apparent inaccuracy in the plan is of no consequence to Council's consideration.

Visual bulk

See assessment below.

Overdevelopment of the site

Appropriate medium density development is encouraged by both State and Local Planning Policy and whilst this policy is resisted by many, it is nonetheless a sound planning policy and needs to be supported subject to appropriate site responsive design and no unreasonable amenity outcomes. There is an arguable case that the proposal does represent an overdevelopment given a number of compliance issues and inconsistency with the strategic direction for the inclusion of the land in a low change area within the Darebin Housing Strategy.

Lack of parking for emergency vehicles

The planning scheme does not require the provision of parking on a development site for emergency vehicles. It is expected that in the case of an emergency a ambulance or other emergency vehicle could park in the driveway or on the street.

Does not add net value to the community

This ground is unsubstantiated. There have been no demonstrated dis-benefits associated with development. This ground is clearly contrary to the objectives of planning in Victoria.

Building over easements

There are no buildings constructed over the drainage and sewerage easement on the site.

Is or should be heritage listed

The subject site is not listed in any of Council's heritage studies. This application cannot consider the question of whether the subject site should or should not be heritage listed or within a heritage overlay. The application must be considered on the basis of the planning scheme controls that presently apply to the site as well as any applicable policies.

Oversupply of 2 bedroom apartments

The Darebin Housing Strategy 2013-2033 notes that due to an ageing demographic (*"which is expected to continue over the coming two decades"*), household sizes are reducing as a result of *"children leaving the family home, separation or divorce and spousal death."* It should also be noted that *"Darebin has amongst the smallest household size in Melbourne's northern region and amongst the largest proportions of lone person households in metropolitan Melbourne."*

The strategy also established *" the growing significance of higher density forms of housing, principally 1 and 2 bedroom housing, to cater for Darebin's future housing needs."*

Therefore this ground is contrary to Darebin's identified strategic housing needs. It is fundamental that 1 and 2 bedroom dwellings be provided to ensure that Darebin's future housing needs are met and the municipality remains an inclusive place to live.

Demolishes original Oakhill farmhouse

The subject site has not been identified in any Council heritage study as being the original Oakhill farmhouse even though a portion of the Oakhill Estate immediately to the north of the subject site has been included in a heritage overlay.

Loss of shade trees

The application will result in the loss of vegetation from the site. Two large trees at the front boundary are to be retained. Insufficient space has been provided for the planting of canopy trees. Refer to Vegetation Assessment further in this report.

Turning circles tight

The turning circles provided for the development will allow vehicles to manoeuvre and exit the site in a forward direction.

Single access way will encourage on-street parking

The vehicle access to the site complies with the relevant standards of Clause 52.06. It is considered that the proposal will not result in unreasonable level of on-street parking.

Tandem parking encourages on-street parking

Tandem car parking is an accepted form of parking for both medium density developments and single dwellings throughout Metropolitan Melbourne. Tandem parking is only used for Unit 1 of development which has its own vehicle access. It is also noted that the majority of dwellings in the street would have a similar form of parking provision.

Overlooking

See assessment below.

Noise from residents

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

Burden on infrastructure

Medium density housing development is an accepted and encouraged activity in metropolitan Melbourne. It is accepted that this form of development can be readily accommodated within the existing infrastructure network of urban areas. There is no reason to expect that the proposed development will unduly impact on existing services in the immediate area.

Proposal will be student accommodation

The proposal will provide for several 2 bedroom units and the future occupiers of the dwellings are not limited. There is no evidence to suggest that medium density housing development, such as the proposal, will attract students or other undesirable tenants.

Proposal will not guarantee social or affordable housing

A general principle established in Green v Hobsons Bay CC (Red Dot) [2013] VCAT 2091 ('Green') in relation to affordable housing is thus:

- *That in the absence of specific statutory controls in the Planning Scheme, the provision of smaller dwellings, commanding lower prices on the open market than other comparable housing types, sufficiently achieves the intent of general planning policy which encourages affordable housing.*

Local policy guidance with respect to housing is contained in Clause 21.03 of the Scheme. While there is strong policy support for appropriate medium density in-fill in well serviced locations, it is Clause 21.03-3 (Housing Diversity and Equity) that is of particular relevance to the objectors' concerns. The overview sets out (extracted as relevant):

"Housing affordability is a particular housing issue in Darebin. Lack of affordable housing and high rental prices can aggravate housing stress and homelessness. Housing affordability, income levels and demand for social and public housing are highly correlated. An increase in the supply of affordable housing could ease housing stress of low income earners and can decrease the demand for social housing."

Objective 4 of Clause 21.03-3 includes the following strategies:

"Ensure housing in the municipality is sufficiently diverse to provide more affordable and appropriate choices and opportunities."

"Facilitate the provision of affordable housing in terms of purchase price as well as lower ongoing operational costs, by promoting housing growth in areas with good access to services and public transport and encouraging best practice environmentally sustainable housing design to minimise ongoing utility costs"

The proposed development incorporates eight (8) smaller dwellings and increases the diversity of housing choice on the open market. The proposal therefore accords with the principles established in *Green* and the objectives of the relevant local policy.

Negative impact on property values

Property values are speculative and not a planning matter.

Proposal will cause loss of amenity

The proposal has been assessed against amenity as part of the Clause 55 assessment below.

Traffic safety and manoeuvring

There is no reason to consider that the proposal would impact adversely on traffic safety and manoeuvring in the street. With the exception of unit 1, all vehicles are able to enter and exit the site in a forwards direction from the central access way. While the occupants of unit 1 will reverse into Joffre Street from the northernmost access way, this type of movement from a single dwelling into a slow-moving traffic environment such as Joffre Street is typical of suburban development in the area, and replicates an existing situation on the site.

PLANNING ASSESSMENT

Neighbourhood Character Precinct Guideline Assessment - Precinct D5

Existing Buildings

The existing building is to be removed. The dwelling is not affected by a heritage overlay and is not within an intact group of interwar dwellings. The existing dwelling has been extended and modified and its removal will not compromise the streetscape.

Complies

Vegetation

- The proposal will result in the loss of vegetation from the site. The proposed development currently provides for the retention of two (2) large trees at the front boundary and for the provision of sufficient space for the planting of vegetation including canopy trees within the front setback. However there remains insufficient area in the rear yards of the dwellings and along the access way for sufficient landscaping to integrate the development with its surrounds.

Does not comply**Siting**

- The proposal provides for front gardens that are large enough for planting of vegetation to enable the continuation of the garden setting in this area.
- There are landscaping opportunities within the private open space of each of the dwellings.
- The proposed front dwelling of unit 8 will be setback from the side boundary in keeping with the detached character of the neighbourhood. The garage for Unit 1 is constructed to the northern side boundary with part of the structure abutting an existing garage on the common boundary within 11 Queen Street. The proposed garage is setback from the front facade of the dwelling and will not dominate the streetscape or interfere with the rhythm of spacing in the street. Units 6 and 7 are constructed to the southern side boundary but these are located to the rear of the front dwellings and will not detract from the streetscape. The meals areas of units 4 and 5 are located on the rear boundary.
- The garages for each of the dwellings are located either behind the facade of the front dwelling or to the rear of the dwellings and will not dominate the streetscape.

Complies**Height and Building Form**

- The height of dwellings in the neighbourhood is predominantly single storey but there are double-storey dwellings in proximity of the site. The upper levels of the Units 1 and 8 have been marginally setback from the front wall of the dwellings the width of a room as specified in the design response for this precinct. The preferred character statement for this precinct identifies that "maintaining the predominant single storey scale of building frontages of the area" is required to preserve the character of this area. The upper level setbacks and form of the development fail to properly respect the predominant character and built forms. The narrow width and vertical elements of the front dwellings is disruptive to the rhythm of what is a largely intact streetscape.
- The proposed development fails to have regard to the traditional built forms of adjoining buildings through its articulation and design. The use of lightweight cladding throughout the development is not consistent with materials evident in the surrounding neighbourhood.

Does not comply

Height and Building Form/Frontage Width

- The development will introduce two dwellings across the single frontage, these are narrow and vertical forms in the streetscape and not in keeping with the wider symmetrical forms elsewhere in the street.

Does not comply

Materials and Design Detail

- The form and facades of the proposed dwellings are poorly articulated in the context of the streetscape with materials, openings, vertical architectural elements that are inconsistent with the traditional designs of dwellings in the area.
- As discussed elsewhere in this report, the use of light weight cladding for the proposed dwellings is not considered appropriate within the neighbourhood context. It is not particularly evident in the street and surrounding area.

Does not comply

Front Boundary Treatment

- A 1.5 metre high fence is proposed. This is at odds with the more traditional low fencing provided elsewhere in the street.

Does not comply

Clause 55 Assessment

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

Clause 55.02-1 B1 Neighbourhood Character

Before deciding on an application, the responsible authority must consider the neighbourhood character policy and as outlined above there are substantial shortcomings under Clause 22.02. The proposal has failed to adequately respond to its context and presents an inappropriate design response.

Does not comply

Clause 55.03-3 B8 Site Coverage

The area covered by buildings should not exceed a site coverage of 60%. The site coverage is 45%. Pertinent to this objective before deciding on an application, the responsible authority must consider inter alia:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The site coverage of adjacent properties.

- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

In this instance the proposal:

- Fails to respond to Clause 22.02 Neighbourhood Character Policy.
- Presents an inappropriate design response.
- Fails to have regard to the existing landscape character / low prevailing site coverage.
- Results in visual bulk impacts to the north (number 11A, 13 and 13A Queen Street) and west (34 and 36 Foch Street) adjacent secluded private open spaces.

Does not comply

Clause 55.03-8 B13 Landscaping

The surrounding landscape character is generally semi mature and informal with large open spaces and spacious setbacks. Having regard to the landscape character of the area and the ground and first floor setbacks / the scale of the development the open spaces are insufficient to provide adequate landscaping.

Does not comply

Clause 55.04-1 B17 Side and Rear Setbacks

Ground floor

| Boundary | Maximum Wall height | Required Setback | Proposed Minimum Setback |
|----------|---------------------|------------------|--------------------------|
| Northern | 3.6 metres | 1.0 metres | 1.73 metres |
| Western | 3.6 metres | 1.0 metres | 3.28 metres |
| Southern | 3.6 metres | 1.0 metres | 1.2 metres |

First Floor

| Boundary | Wall height | Required Setback | Proposed Minimum setback |
|----------|-------------|------------------|--------------------------|
| Northern | 6.5 metres | 1.0 metres | 2.4 metres |
| Western | 6.5 metres | 1.0 metres | 3.4 metres |
| Southern | 6.5 metres | 1.0 metres | 1.9 metres |

The minimal first floor setbacks, minimal ground level landscaping opportunities / ground floor walls on boundaries and unbroken mass of the first floor of the development will impact detrimentally upon the amenity of secluded private open spaces to the north and west and represents a development contrary to the character of the area.

Does not comply

Clause 55.04-2 B18 Walls 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 and length | Maximum length allowable | Proposed length |
|------------------------|--------------------------|---|
| Northern: 56.69 metres | 21.67 metres | 6.5 metres |
| Southern: 56.69 metres | 21.67 metres | 8.6 metres (in two sections of 4.0 metres and 4.6 metres) |
| Western: 26.82 metres | 14.20 metres | 7.9 metres (in two sections of 3.9 metres and 4.0 metres) |

- The wall heights of 3.2 metres on the southern and western boundaries comply with the standard. The height of the garage wall on the northern boundary has an average height of 3.3 metres which marginally exceeds the standard of 3.2 metres. Given part of the garage wall will abut a garage on the neighbouring property, the garage is well setback from the front boundary, the discrepancy is minor and the wall is located to the south of the neighbouring secluded private open space, the proposed wall height is considered to be satisfactory.
- Notwithstanding the extent of walls on the west boundary in conjunction with the extent of the first floor is an unacceptable design response.

Does not comply

Clause 55.04-6 B22 Overlooking

- The ground levels of the proposed dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary. Proposed 1.9 metre high fences on the northern, southern and western boundaries will sufficiently limit overlooking.
- 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.

Complies

Clause 55.04-7 B23 Internal Views

- Any potential for internal views between dwellings at ground level is minimised by proposed 1.8 metre high fences separating each dwelling's secluded private open space.
- Measures outlined under Standard B22 to screen views of adjoining properties also minimise internal views from upper levels for most dwellings.

- There is potential for internal views between Units 6 and 7. The upper level TV rooms of each dwelling have windows facing the secluded private open space of the other.

The plans submitted with the application do not indicate if the windows to the TV rooms have been designed and/or screened to limit internal views. In addition to this the north-facing bedroom 1 window of unit 6 and the north-facing bedroom 1 and 2 windows of unit 7 have potential to view into the ground floor family areas of units 2 and 3.

Does not Comply

Clause 55.05-4 B28 Private Open Space

- The development provides adequate private open space (pos) for the reasonable recreation and service needs of residents.
- This is achieved through the provision of 40 square metres of secluded private open space at the 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.

| | Total POS | Secluded POS | Minimum dimension of secluded POS |
|--------|---------------------------|---------------------|--|
| Unit 1 | 113.0 square metres | 26 square metres | 5.0 metres |
| Unit 2 | 40 square metres | 40 square metres | 3.2 metres |
| Unit 3 | 40.5 square metres | 40.5 square metres | 3.2 metres |
| Unit 4 | 44.4 square metres | 25.2 square metres | 3.3 metres |
| Unit 5 | 54.5 square metres | 25.2 square metres | 3.3 metres |
| Unit 6 | 47.5 square metres | 32.1 square metres | 3.0 metres |
| Unit 7 | <u>39.4 square metres</u> | 34.0 square metres | 3.2 metres |
| Unit 8 | 103.1 square metres | 25.2 square metres | 3.1 metres |

- The private open space for Unit 7 does not comply with the standard requiring a total of 40 square metres. Although the discrepancy is minor it is considered essential that in this location the standard be met
- All secluded private open space areas have direct access to a living room.

Does not comply

Clause 55.05-5 B29 Solar Access to Open Space

Solar access is provided into the secluded private open space of the new dwellings as follows:

| | Wall Height to North | Required Depth | Proposed Depth |
|--------|-------------------------|----------------|--------------------------------|
| Unit 1 | N/A as no wall to north | | |
| Unit 2 | N/A as no wall to north | | |
| Unit 3 | 4.4 metres | 6.0 metres | <u>4.0 metres - 5.0 metres</u> |
| Unit 4 | 3.5 metres | 5.2 metres | 7.6 metres |
| Unit 5 | 3.5 metres | 5.2 metres | 15.4 metres |
| Unit 6 | 6.6 metres | 7.9 metres | 15.8 metres |
| Unit 7 | 6.6 metres | 7.9 metres | 15.8 metres |
| Unit 8 | 6.6 metres | 7.9 metres | 8.2 metres |

The secluded private open space of Unit 3 does not comply with the standard. A structure in the rear yard of 13 Queen Street is located to the north of the secluded private open space.

Does not comply

Clause 55.06-1 B31 Design Detail

The design detail of the development does not respect the existing or preferred neighbourhood character having regard to the scale to the rear; roof form; veranda treatment; eave widths and parapets.

Does not comply

Clause 52.06 Car Parking

Number of Parking Spaces Required

- One car parking space is provided for each of the two bedroom dwellings.
- Two car parking spaces are provided for each of the three bedroom dwellings with one space under cover.
- One (1) visitor parking space is required for each five dwellings. The proposed development would require the provision of one (1) visitor parking space. There are no visitor parking spaces provided. Whilst a reduction in the visitor parking is supported by Transport Management and Planning it is considered appropriate for a development of this size to comply with the requirements of this clause. In order to achieve this provision it is recommended that Unit 4 be modified to a two (2) bedroom dwelling and the car space currently allocated to this dwelling as a three (3) bedroom dwelling be used as a visitor car space. The single space garage for Unit 4 will provide compliance for a two (2) bedroom dwelling. A condition of approval will require this modification.

Design Standards for Car parking

- The car parking spaces, the garaging and the access ways have appropriate dimension to enable efficient use and management. Vehicles are able to enter and exit the site in a forward direction. Transport Management and Planning have advised that "it is noted that some vehicles may be required to undertake a 3-point turn manoeuvre however the use of a 3-point turn for resident car parking is supported by AS2890.1:2004."
- The car parking facilities are designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.
- Garage dimensions of 6.0 metres length x 3.5 metres width comply with the minimum requirements of the standard.
- Access dimensions to the car spaces comply with the standard.

CLAUSE 55 COMPLIANCE SUMMARY

| Clause | Std | | Compliance | |
|----------------|-----------|--|------------|-----|
| | | | Std | Obj |
| 55.02-1 | B1 | Neighbourhood character | | |
| | | Please see assessment in the body of this report. | N | N |
| 55.02-2 | B2 | Residential policy | | |
| | | The proposal fails to comply with the relevant residential policies outlined in the Darebin Planning Scheme, with the subject land identified as a low change area.. | N | 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 | | |
| | | Units 1 and 8 appropriately integrate with the street. | Y | Y |
| 55.03-1 | B6 | Street setback | | |
| | | The required setback is 7.5 metres; the dwellings are set back 7.5 metres from the street frontage. | Y | Y |
| 55.03-2 | B7 | Building height | | |
| | | 7.6 metres | Y | Y |
| 55.03-3 | B8 | Site coverage | | |
| | | 45% Please see assessment in the body of this report. | Y | N |

| Clause | Std | | Compliance | |
|-----------------|------------|---|------------|-----|
| 55.03-4 | B9 | Permeability | | |
| | | 36.2% | 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 | | |
| | | Please see assessment in the body of this report. | N | N |
| 55.03-9 | B14 | Access | | |
| | | Access is sufficient and respects the character of the area. | Y | Y |
| 55.03-10 | B15 | Parking location | | |
| | | Parking facilities are proximate to the dwellings they serve, the access is observable, habitable room windows are sufficiently set back from accessways. | Y | Y |
| 55.04-1 | B17 | Side and rear setbacks | | |
| | | Please see assessment in the body of this report. | Y | N |
| 55.04-2 | B18 | Walls on boundaries | | |
| | | Please see assessment in the body of this report. | N | N |
| 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. | 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. | Y | Y |
| 55.04-6 | B22 | Overlooking | | |
| | | Please see assessment in the body of this report. | Y | Y |

| Clause | Std | | Compliance | |
|----------------|------------|---|------------|---|
| 55.04-7 | B23 | Internal views | | |
| | | Please see assessment in the body of this report. | N | 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. | N | Y |
| 55.05-5 | B29 | Solar access to open space | | |
| | | Please see assessment in the body of this report. | N | Y |
| 55.05-6 | B30 | Storage | | |
| | | Sufficient storage areas are provided. | Y | Y |
| 55.06-1 | B31 | Design detail | | |
| | | Please see assessment in the body of this report | N | N |
| 55.06-2 | B32 | Front fences | | |
| | | A 1.5 metre high front fence is proposed which is appropriate in the neighbourhood context. | Y | Y |
| 55.06-3 | B33 | Common property | | |
| | | Common property areas are appropriate and manageable. | Y | Y |
| 55.06-4 | B34 | Site services | | |
| | | Sufficient areas for site services are provided. | Y | Y |

REFERRAL SUMMARY

| Department/Authority | Response |
|-----------------------------------|--|
| Capital Works | No objection, subject to condition included in recommendation |
| Transport Management and Planning | No objection, subject to condition included in recommendation |
| Darebin Parks | No objection, subject to condition included in recommendation |
| Urban Design | No objection, subject to conditions included in recommendation |

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08-4 (General Residential Zone - Schedule 2) – construction of two or more dwellings on a lot.
- The subject land is encumbered by a Development Contributions Plan Overlay however the approved plan expired on 30 June 2014.

Applicable provisions of the Darebin Planning Scheme

| Section of Scheme | Relevant Clauses |
|----------------------------------|--|
| SPPF | 11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1 |
| LPPF | 21.05-1, 21.05-2, 21.05-3, 22.02 |
| Zone | 32.08 |
| Overlay | 45.06 |
| Particular provisions | 52.06, 55 |
| General provisions | 65.01 |
| Neighbourhood Character Precinct | D5 |

POLICY IMPLICATIONS

Environmental Sustainability

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

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

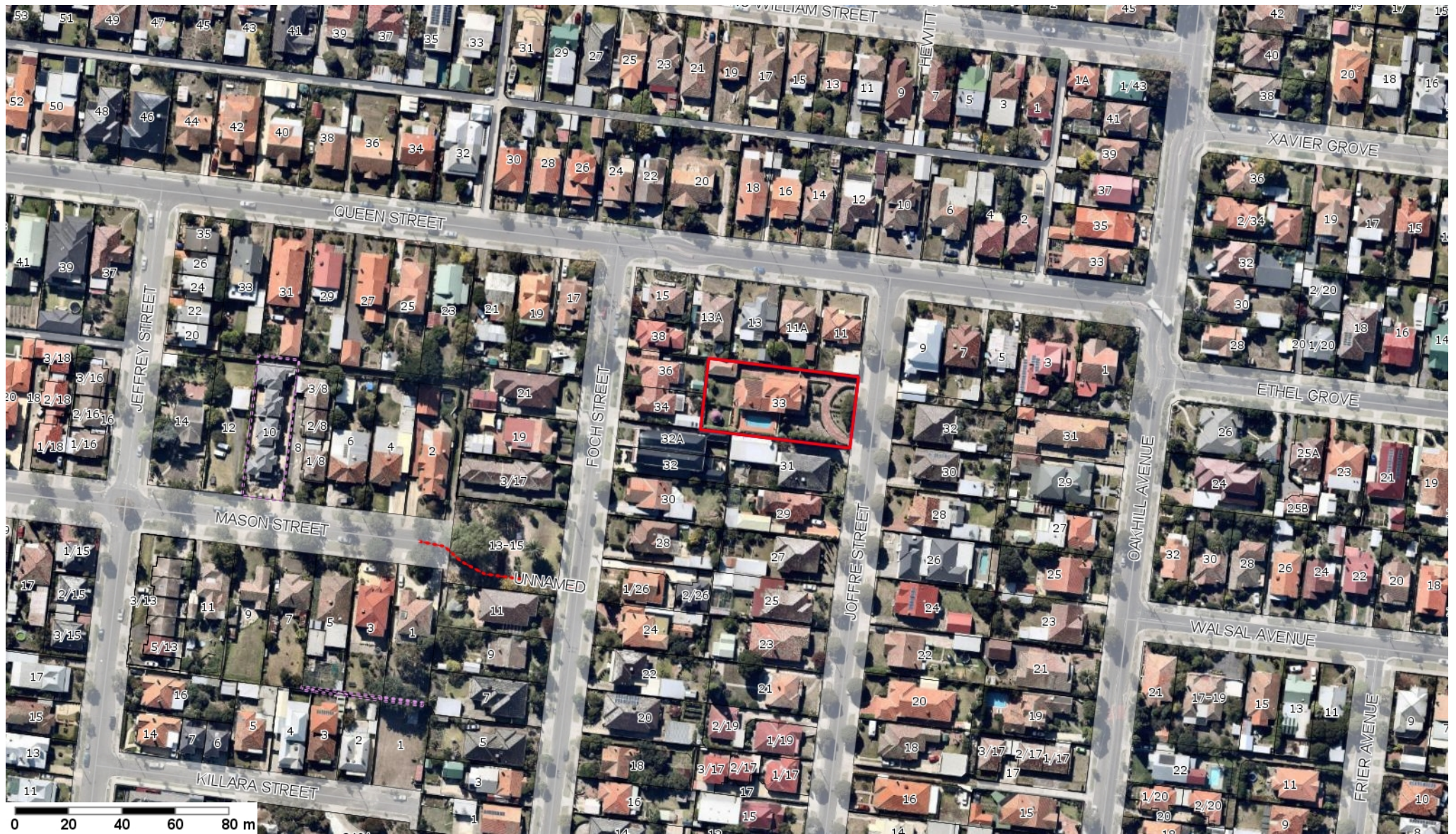
DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

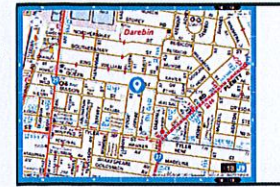
Darebin Planning Scheme and the *Planning and Environment Act (1987)* as amended.





QUEEN STREET

LOCAL AMENITY SCHEDULE



LOCALITY PLAN NOT TO SCALE MELWAY REF 18 J9 LEGEND

- TRAIN STATIONS**
PRESTON TRAIN STATION WITH IN 3 KM
- PARKS / RESERVES**
GE ROBINSON PARK
A.J. DAVIS RESERVE
FG PIKE RESERVE
ALL WITH IN 0.1 KM
- PLACES OF WORSHIP**
HOLY NAME CATHOLIC CHURCH
AT APRESM SYDNEY ORTHODOX CHURCH
HIGH STREET PRESTON UNITING CHURCH
ALL WITH IN 4 KM
- HOSPITALS/HEALTH CENTRES**
DOCTORS ON BROADWAY
SUMMER HILL MEDICAL CENTRE
RESERVOIR MEDICAL GROUP
ALL WITH IN 4.0 KM
- PRIMARY SCHOOLS**
HOLY NAME PRIMARY SCHOOL
PRESTON PRIMARY SCHOOL
RESERVOIR EAST PRIMARY SCHOOL
ST GABRIEL'S EAST PRIMARY SCHOOL
RESERVOIR PRIMARY SCHOOL
ALL WITH IN 4.0 KM
- SECONDARY SCHOOLS**
RESERVOIR HIGH SCHOOL
BUNDOORA SECONDARY SCHOOL
PARADE COLLEGE
LOYOLA COLLEGE
THORNBERY HIGH SCHOOL
ALL WITH IN 10 KM
- SHOPPING/ENTERTAINMENT FACILITIES**
NORTHLAND SHOPPING CENTRE
SUMMER HILL SHOPPING CENTRE
UNIT HILL SHOPPING CENTRE
ALL WITH IN 6 KM
- DISTANCE TO CBD**
APPROX. 10 KM

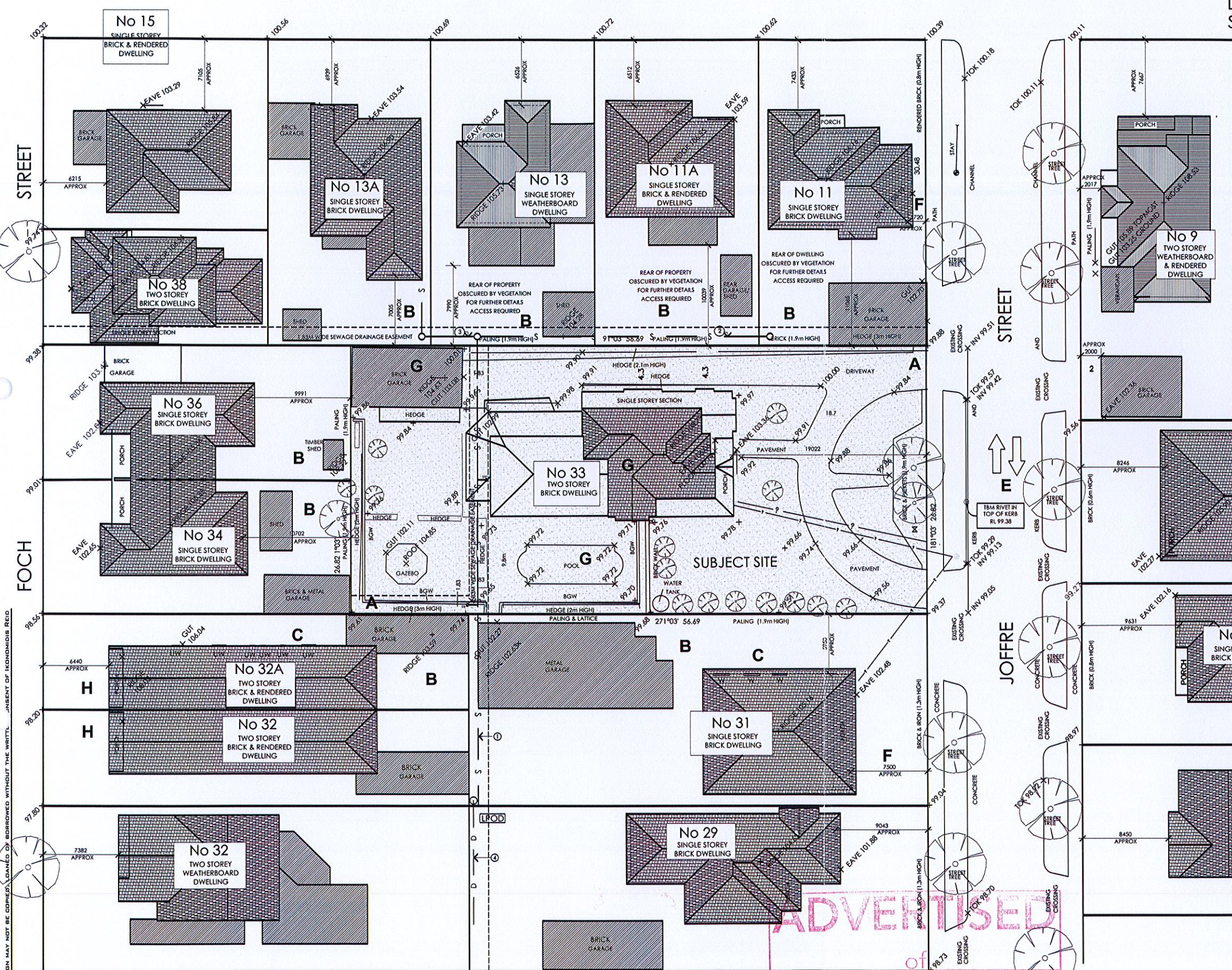
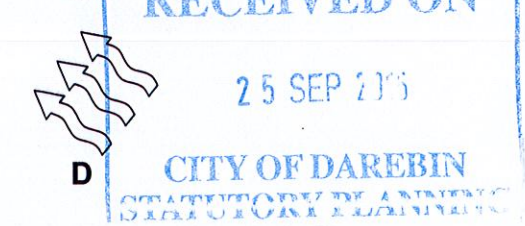
LEGEND

- EXISTING SPOT LEVELS
- EXISTING TREES
- PROPOSED LANDSCAPE TO FUTURE DETAIL
- TREES TO BE REMOVED
- STIP SEWER TIE IN POINT CONFIRM LOCATION ON SITE
- W UM RELOCATE IF NEEDED HABITABLE WINDOW UPPER WINDOW
- SELECTED PAVERS
- SELECTED CONCRETE DRIVEWAY
- MB/ELEC MAIL BOX & ELE METRE BOX UNITS 1-8
- ELEC POWER POLE
- NOTE: ALL LEVELS ARE TO A.H.D
- POWER LINES
- TO BE REMOVED OR DEMOLISHED

LEGAL POINT OF DISCHARGE (LPD)
THE STORM WATER FROM THE PROPERTY TO BE CONNECTED TO THE PROPOSED DRAIN TO COUNCILS REQUIREMENTS WITH DISCHARGE FROM THE WHOLE SITE BEING LIMITED TO NOT MORE THAN 0.35 COEFFICIENT OF RUN OFF DETENTION STORAGE AT 1.10 YEAR ARI AND SITE DISCHARGE OF ONE IN FIVE YEARS
DISCHARGE FROM SITE MUST BE VIA GRAVITY. NO PUMP SYSTEM PERMITTED.
REFER TO DAREBIN COUNCIL LEGAL POINT OF DISCHARGE

SITE CHARACTERISTICS

- A** - SITE FALLS APPROX. 0.27m FROM EAST TO WEST
- B** - ADJACENT OPEN SPACE TO BE PROTECTED FROM OVER-LOOKING & OVER-SHADOWING
- C** - SOLAR ACCESS & PRIVACY TO ADJOINING WINDOWS TO BE PROTECTED
- D** - SURROUNDING AREA EXPOSED TO PREVAILING WINDS AND BAD WEATHER
- E** - DIRECTION OF MAIN VEHICULAR & PEDESTRIAN TRAFFIC ACCESS TO THE SITE
- F** - EXISTING FRONT SETBACKS TO BOTH ADJOINING PROPERTIES
- G** - EXISTING DWELLING, GARAGE & POOL ON SITE TO BE DEMOLISHED AND SITE CLEARED
- H** - EXISTING MEDIUM DENSITY UNIT DEVELOPMENTS WITHIN CLOSE PROXIMITY TO THE SITE



ADVERTISED of AB
Date _____

NEIGHBOURHOOD & SITE DESCRIPTION

SCALE 1:200

PROPOSED MULTI-UNIT DEVELOPMENT 33 JOFFRE ST RESERVOIR

TP-01 A JOB NO. SCALE. DRAWN. DATE. 009833 1:200 TU 09/15

IKONOMIDIS REID
architecture + development solutions
713 PLENTY ROAD RESERVOIR 3073 EMAIL: ADMIN@IKONREID.COM.AU
PH. 94782836 FX. 94782034

REV DATE ISSUE REV DATE ISSUE REV DATE ISSUE REV DATE ISSUE

A 22.09.15 TOWN PLANNING ISSUE NEIGHBOURHOOD & SITE DESCRIPTION





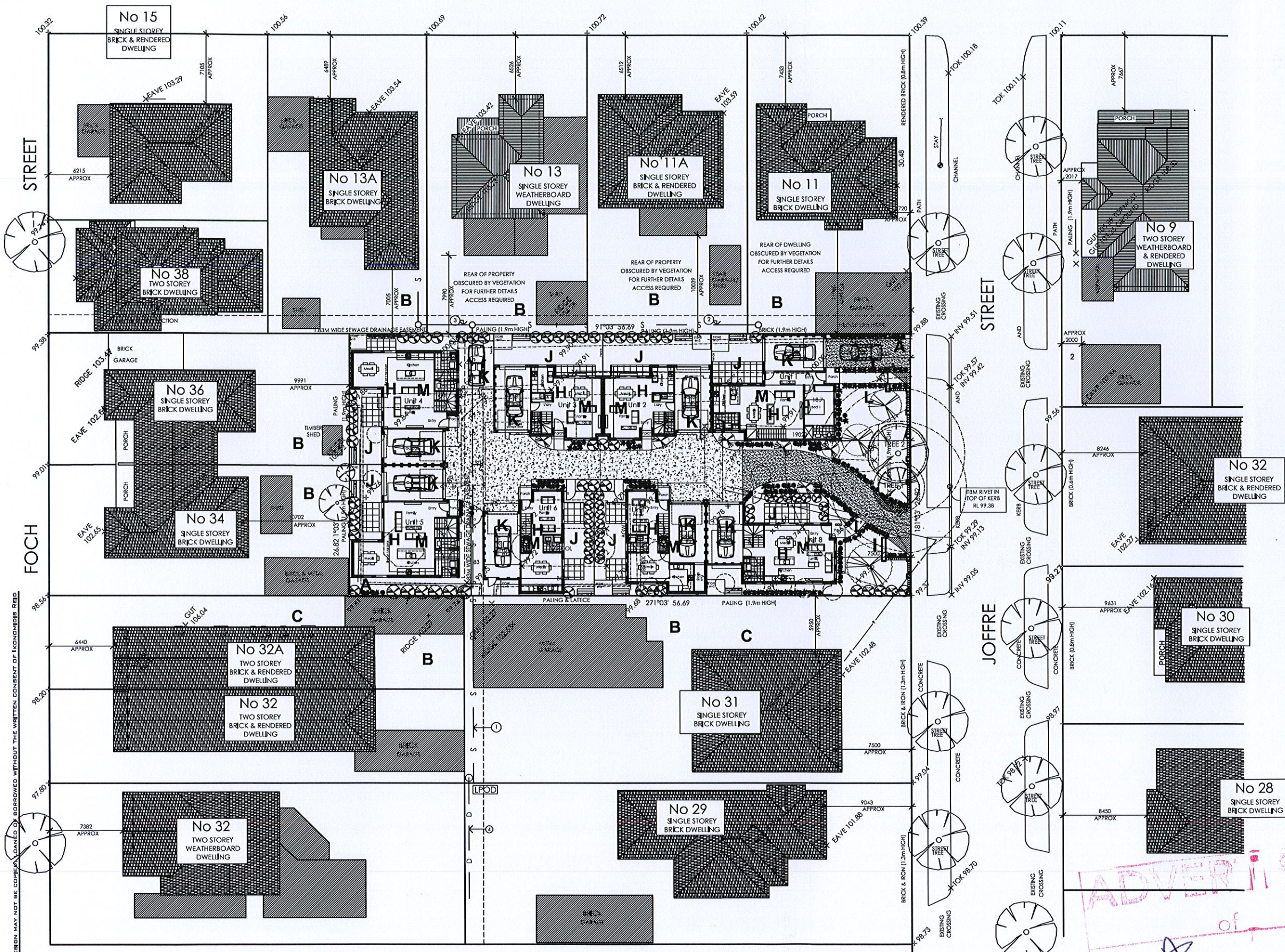
QUEEN STREET

LEGEND

- 1 YARRA VALLEY WATER ASSET SEWER PIPE 150mm DIA CONCRETE PIPE, 2.82M, OFFSET UNKNOWN N, CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION
 - 2 YARRA VALLEY WATER ASSET SEWER PIPE 100 mm DIA MATERIAL UNKNOWN, 2.2 m DEEP, OFFSET UNKNOWN NORTH OF NORTH BOUNDARY, CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION
 - 3 YARRA VALLEY WATER ASSET SEWER PIPE 150 mm DIA PVC-UP, 1.97 m DEEP, OFFSET UNKNOWN NORTH OF NORTH BOUNDARY, CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION
 - 4 COUNCIL DRAINAGE PIPE PIPE SIZE MATERIAL UNKNOWN, DEPTH, OFFSET UNKNOWN, CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION
- PEDESTRIAN VISIBILITY SPREAD NOTE: PEDESTRIAN VISIBILITY SPREADS MEASURING 2.0m (WIDTH) ACROSS THE FRONTAGE BY 2.5m (DEPTH) INTO SITE, TO THE NORTH WEST SIDE OF THE EXISTING CROSSOVER TO JOFFRE ST RESERVOIR WHERE WITHIN THE SUBJECT SITE, ANY STRUCTURES OR VEGETATION WITHIN THESE SPREADS MUST NOT BE MORE THAN 0.5m IN HEIGHT.
- EXISTING SPOT LEVELS
EXISTING TREES
PROPOSED LANDSCAPE TO FUTURE DETAIL
TREES TO BE REMOVED
SIP SEWER BEIN POINT CONFIRM LOCATION ON SITE
W RELOCATE IF NEEDED
UM HARBLE WINDOW UPPER WINDOW
- SELECTED PAVERS
SELECTED CONCRETE DRIVEWAY
SELECTED PERMEABLE PAVING 75m²
- POWER LINES
TO BE REMOVED OR DEMOLISHED
POWER LINES
- LEGAL POINT OF DISCHARGE (LPD)
THE STORM WATER FROM THE PROPERTY TO BE CONNECTED TO THE PROPOSED DRAIN TO COUNCILS REQUIREMENTS WE DISCHARGE FROM THE WHOLE SITE BEING BEING LIMITED TO NOT MORE THAN 0.35 COEFFICIENT OF RUN OFF DETENTION STORAGE AT 1.10 YEAR ARI AND SITE DISCHARGE OF ONE IN FIVE YEARS
DISCHARGE FROM SITE MUST BE VIA GRAVITY, NO PUMP SYSTEM PERMITTED.
REFER TO DAREBIN COUNCIL LEGAL POINT OF DISCHARGE
- NOTE: ALL LEVELS ARE TO A.H.D

SITE CHARACTERISTICS

- A - SITE FALLS APPROX. 0.27m FROM SOUTH EAST TO NORTH WEST
- B - ADJACENT OPEN SPACE TO BE PROTECTED FROM OVERLOOKING & OVERSHADOWING
- C - SOLAR ACCESS & PRIVACY TO ADJOINING WINDOWS TO BE PROTECTED
- H - LIVING AND DINING AREAS OPEN UP TO PRIVATE OPEN SPACE APPROPRIATELY DIMENSIONED TO CAPTURE SUN.
- I - FRONT SETBACK DETERMINED BY THE RESCUE MIN
- J - PRIVATE OPEN SPACE IS APPROPRIATELY PROPORTIONED TO PROVIDE GOOD NORTH EXPOSURE TO SOLAR ACCESS
- K - CAR PARKING AVAILABLE ON SITE IS AS FOLLOWS 1 ENCLOSED SECURE DOUBLE GARAGE 7 x ENCLOSED SECURE SINGLE GARAGES & 1 CARSPACE
- L - SURVEILLANCE OF JOFFRE ST POSSIBLE FROM UNIT 1 & 2 & ALL OTHER UNITS
- M - GROUND & FIRST FLOOR AREA LOCATED TO THE CENTER OF THE SITE IN ORDER TO MINIMISE OVERLOOKING AND OVERSHADOWING TO NEIGHBOUR



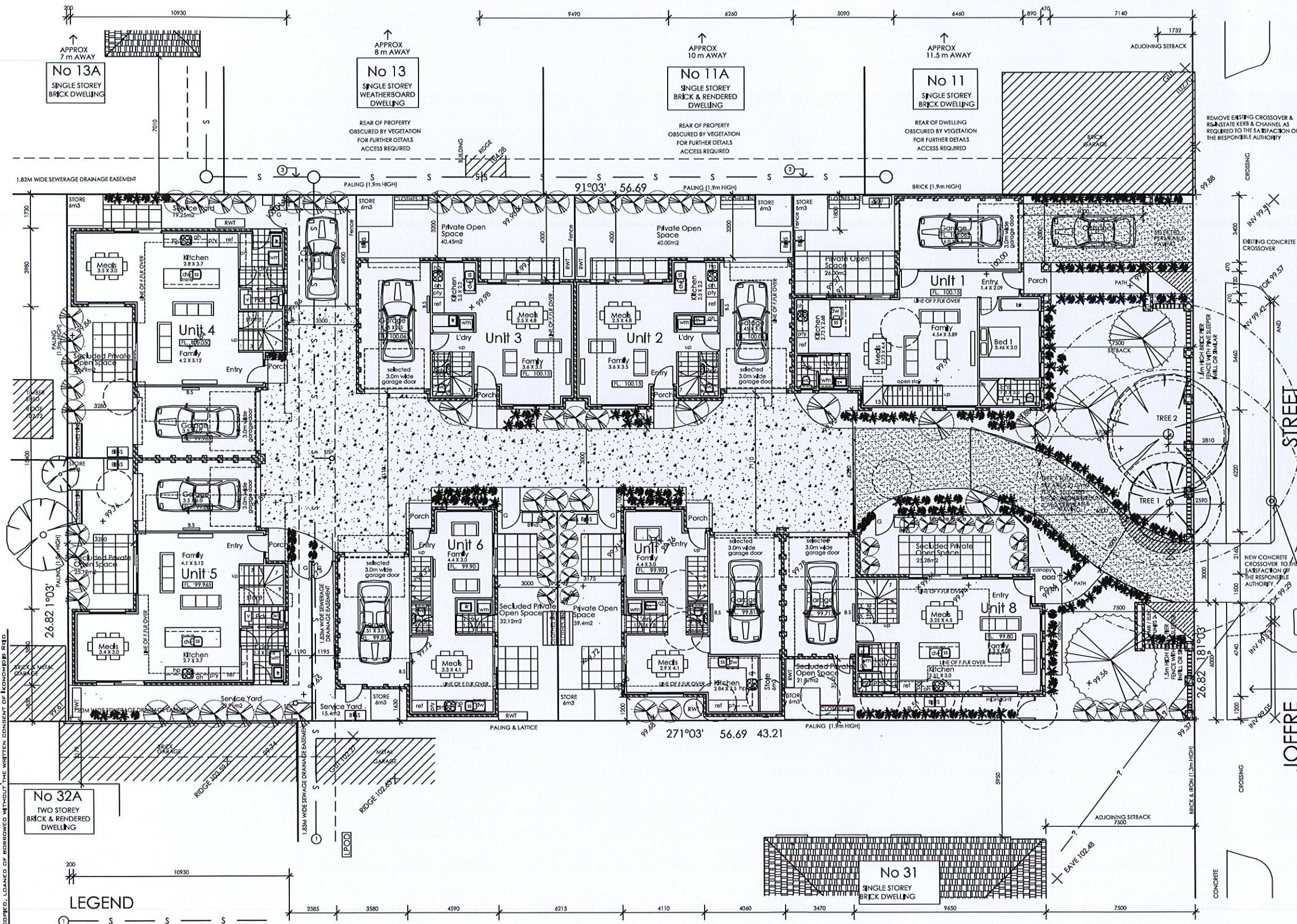
ADVERTISED
Date AB of

RECEIVED ON
10 MAY 2016
CITY OF DAREBIN
STATUTORY PLANNING

PROPOSED MULTI-UNIT DEVELOPMENT
33 JOFFRE ST
RESERVOIR

DESIGN RESPONSE
SCALE 1:200





| EXTERNAL FINISHES SCHEDULE | |
|----------------------------|-------------------------|
| ROOFING | METAL DECK |
| WALLS | FACE BRICKWORK |
| | FEATURE FACE BRICK WORK |
| | LIGHT WEIGHT CLADDING |
| GUTTERS & DOWNPIPES | COLORBOND |
| WINDOWS & DOORS | POWDER COATED ALUMINIUM |

| DEVELOPMENT SUMMARY | | | |
|---------------------|---------------------------|------------------------|----------------------------|
| SITE AREA | 1520m ² | BUILDING SITE COVERAGE | 485.1m ² (32%) |
| DENSITY | 1:190 | SITE PERMEABILITY | 551m ² (36.25%) |
| NO OF DWELLINGS | 8 | | |
| CARPARKING | 10 | PRIVATE OPEN SPACE | 350m ² |
| UNIT 1 | (DOUBLE GARAGE SPACE) | UNIT 1 | 40m ² |
| UNIT 2 | (SINGLE GARAGE 1 SPACE) | UNIT 2 | 40.45m ² |
| UNIT 3 | (SINGLE GARAGE 1 SPACE) | UNIT 3 | 40.45m ² |
| UNIT 4 | (SINGLE GARAGE) CAR SPACE | UNIT 4 | 39.4m ² |
| UNIT 5 | (SINGLE GARAGE 1 SPACE) | UNIT 5 | 42.3m ² |
| UNIT 6 | (SINGLE GARAGE 1 SPACE) | UNIT 6 | 42.3m ² |
| UNIT 7 | (SINGLE GARAGE 1 SPACE) | UNIT 7 | 42.9m ² |
| UNIT 8 | (SINGLE GARAGE 1 SPACE) | UNIT 8 | 42.9m ² |

| GROSS BUILDING AREA / UNIT: | | | | |
|-----------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| | UNIT 1 | UNIT 2 | UNIT 3 | UNIT 4 |
| GROUND | 79.8m ² | 48.73m ² | 48.73m ² | 73.9m ² |
| GARAGE | 24.04m ² | 25.4m ² | 25.7m ² | 23.72m ² |
| PORCH | 2.35m ² | 6.12m ² | 6.12m ² | 66.31m ² |
| TOTAL | 106.19m ² (1.63sq) | 133.33m ² (1.45sq) | 135.63m ² (1.45sq) | 163.97m ² (1.74sq) |
| | UNIT 5 | UNIT 6 | UNIT 7 | UNIT 8 |
| GROUND | 72.21m ² | 47.15m ² | 50.56m ² | 58.8m ² |
| GARAGE | 23.76m ² | 25.93m ² | 26.67m ² | 24.2m ² |
| PORCH | 57.94m ² | 63.3m ² | 63.33m ² | 42.9m ² |
| TOTAL | 153.91m ² (1.65sq) | 136.41m ² (1.48sq) | 140.56m ² (1.51sq) | 127.86m ² (1.37sq) |

| CONSTRUCTION | |
|----------------|---|
| INTERNAL WALLS | 90mm THICK MIBER STUD CONSTRUCTION |
| EXTERNAL WALLS | PART GROUND FLOOR = 240mm THICK BRICK VENEER CONSTRUCTION |
| | PART GROUND FLOOR / FIRST FLOOR = 90mm THICK MIBER STUD CONSTRUCTION WITH RENDERED F.C. SHEETING OR SIMILAR LIGHT WEIGHT CLADDING |

| LANDSCAPING | |
|--|--|
| FOR DETAILS OF LANDSCAPING PLEASE REFER TO SEPARATE LANDSCAPE PLAN TO BE SUBMITTED AT A LATER DATE | |

| STORM WATER | |
|--|--|
| ALL STORM WATER INCLUDING ROOF AND PAVEMENT TO BE COLLECTED VIA ON SITE SYSTEM AND CONNECTED TO LEGAL POINT OF DISCHARGE TO BE SUBMITTED AS PART OF BUILDING PERMIT. NO STORM WATER TO BE DISCHARGED | |

| LEGEND | |
|--------|--|
| 1 | YARRA VALLEY WATER ASSET SEWER PIPE 150mm DIA CONCRETE PIPE - 2.82M, OFFSET UNKNOWN N. CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION |
| 2 | YARRA VALLEY WATER ASSET SEWER PIPE 100mm DIA CONCRETE PIPE - 2.2m DEEP, OFFSET UNKNOWN N. CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION |
| 3 | YARRA VALLEY WATER ASSET SEWER PIPE 150mm DIA PVC-MR, 1.97m DEEP, OFFSET UNKNOWN NORTH OF NORTH BOUNDARY. CONFIRM EXACT POSITION ON SITE PRIOR TO CONSTRUCTION |

ADVERTISED

Date of AB

4. SMP Report Summary and comments

- The design will meet the NCC code for the energy efficiency requirements.
- LED to be used (w/ vsm controller).
- Good level of access to daylight to living areas and bedrooms.
- Good level of natural cross ventilation achieved.
- High efficient instantaneous gas hot water system (5 stars).
- Reverse cycle air conditioning.
- Daylight and motion sensors will be used for all external lighting.
- 2.5klvmp rainwater tanks (730qm roof catchment) connected to all light fittings. (Charged system).
- Permeable parking sections to driveways (7sqm).
- Water efficient fixtures and fittings (4 stars).
- Water efficient landscape.
- Double glazing to living areas and bedrooms windows.

REFER TO REPORT PREPARED BY KEYSTONE ALLIANCE REF 11433 DATED MAY 16

8. SMP Report Summary and comments

- The design will meet the NCC code for the energy efficiency requirements.
- LED to be used (w/ vsm controller).
- Good level of access to daylight to living areas and bedrooms.
- Good level of natural cross ventilation achieved.
- High efficient instantaneous gas hot water system (5 stars).
- Reverse cycle air conditioning.
- Daylight and motion sensors will be used for all external lighting.
- 2.5klvmp rainwater tanks (730qm roof catchment) connected to all light fittings. (Charged system).
- Permeable parking sections to driveways (7sqm).
- Water efficient fixtures and fittings (4 stars).
- Water efficient landscape.
- Double glazing to living areas and bedrooms windows.

REFER TO REPORT PREPARED BY KEYSTONE ALLIANCE REF 11433 DATED MAY 16

LEGEND

- EXISTING SPOT LEVELS
- EXISTING TREES
- PROPOSED LANDSCAPE TO FUTURE DETAIL
- TREES TO BE REMOVED
- SMP SEWER TIE IN POINT CONFIRM LOCATION ON SITE RELOCATE IF NEEDED HABITABLE WINDOW UPPER WINDOW
- INTERNAL TIMBER FENCE 1.8M HIGH
- SELECTED PAVERS
- SELECTED CONCRETE DRIVEWAY
- SELECTED PERMEABLE PAVING 75mm²
- TO BE REMOVED OR DEMOLISHED
- POWER LINES
- EXISTING POWER POLE
- 2500L RAINWATER TANK PER UNIT
- BICYCLE SPACE
- MB/ELEC MIBER BOX & ELE METRE BOX UNITS 1.0
- RWT
- B.S.
- FENCE/G
- SELECTED PERMEABLE PAVING 75mm²
- TO BE REMOVED OR DEMOLISHED
- POWER LINES

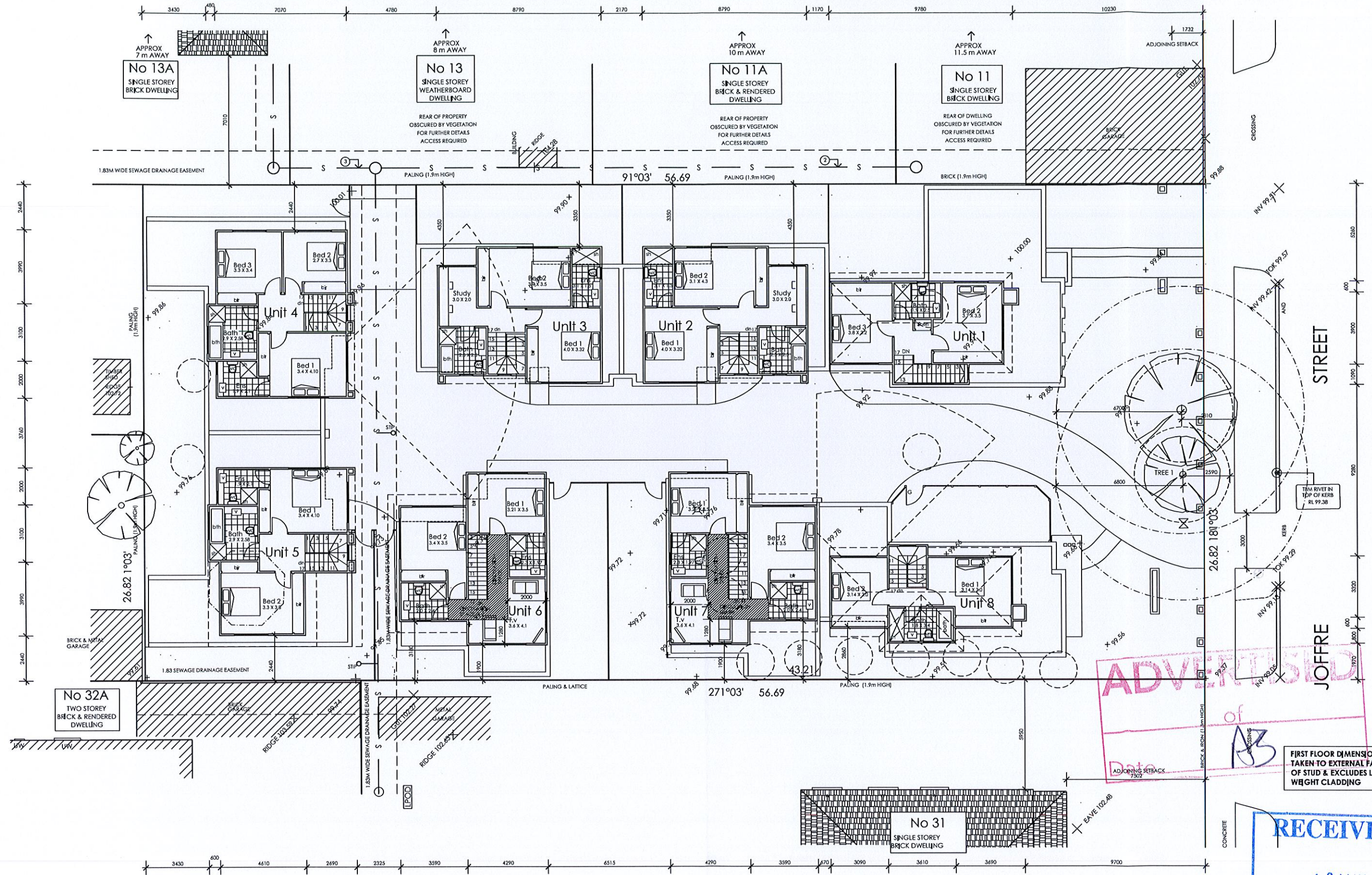
PEDESTRIAN VISIBILITY SPLAYS NOTE: PEDESTRIAN VISIBILITY SPLAYS MEASURING 2.0m (WIDTH ACROSS THE FRONTAGE BY 2.5m (DEPTH INTO SITE), TO THE NORTH WEST SIDE OF THE EXISTING CROSSOVER TO JOFFRE ST RESERVOIR WHERE VIEW BY THE SUBJECT SITE, ANY STRUCTURES OR VEGETATION WITHIN THESE SPLAYS MUST NOT BE MORE THAN 0.9m IN HEIGHT.

NOTE: ALL LEVELS ARE TO A.H.D.

LEGAL POINT OF DISCHARGE (LPD): THE STORM WATER FROM THE PROPERTY TO BE CONNECTED TO THE PROPOSED DRAINAGE BASEMENT OF THE DISCONTINUED RIGHT OF WAY SOUTH TO THE EXISTING PIPE AT THE REAR OF 31 JOFFRE STREET TO COUNCILS REQUIREMENTS WITH DISCHARGE FROM THE WHOLE SITE BEING LIMITED TO NOT MORE THAN 0.35 COEFFICIENT OF RUN OFF DETERMINED STORAGE AT 1.0 YEAR ARI AND SITE DISCHARGE OF ONE IN FIVE YEARS DISCHARGE FROM SITE MUST BE VIA GRAMMY, NO PUMP SYSTEM PERMITTED REFER TO DAREBIN COUNCIL LEGAL POINT OF DISCHARGE

SR2 - STRUCTURAL ROOT ZONE REFER TO ARBORIST REPORT BY TREE RESPONSE

TP1 - TREE PROTECTION ZONE REFER TO ARBORIST REPORT BY TREE RESPONSE



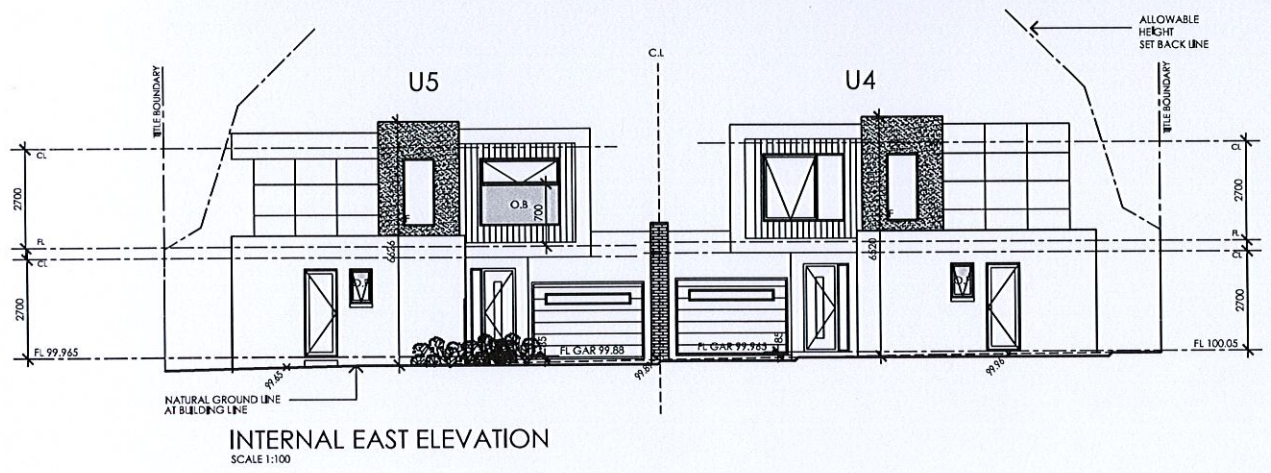
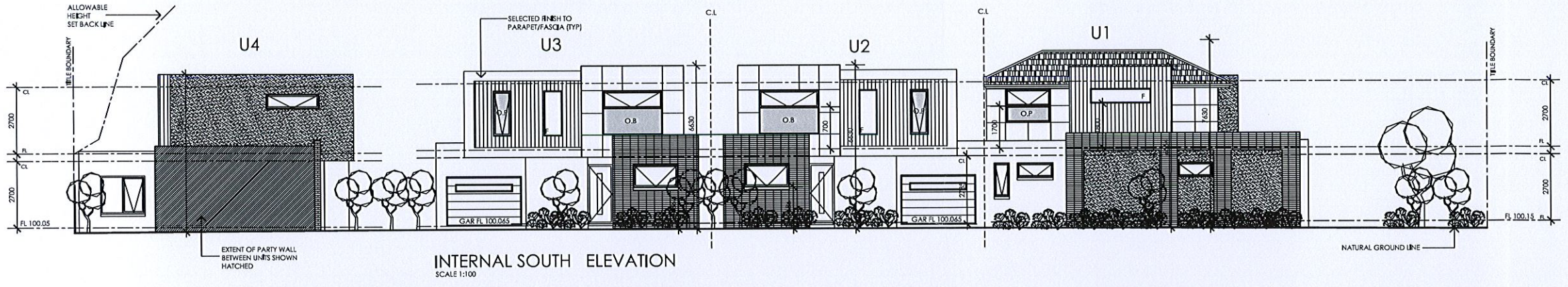
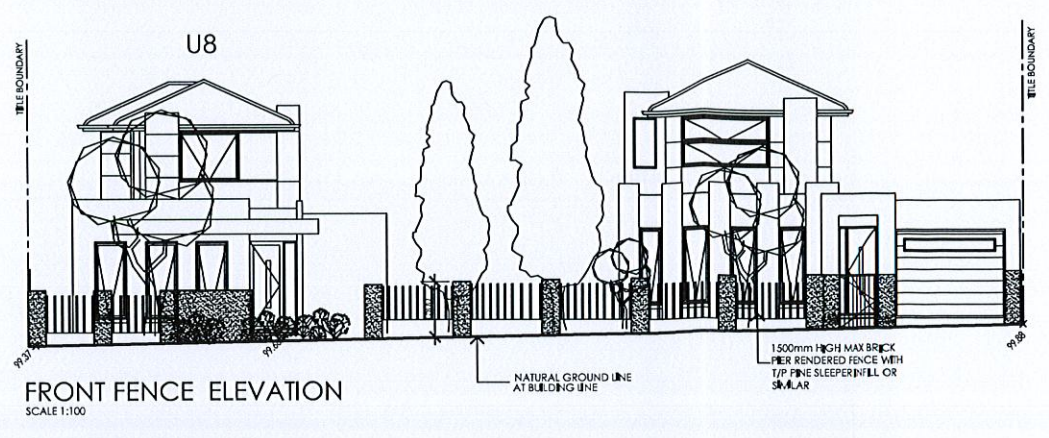
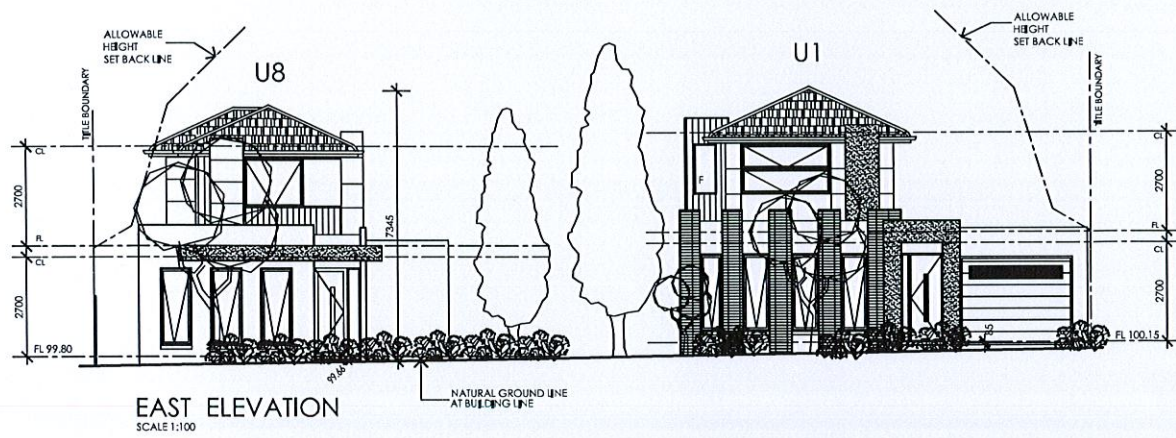
RECEIVED ON
 10 MAY 2016
 CITY OF DAREBIN
 STATUTORY PLANNING

PROPOSED MULTI-UNIT DEVELOPMENT
 33 JOFFRE ST
 RESERVOIR

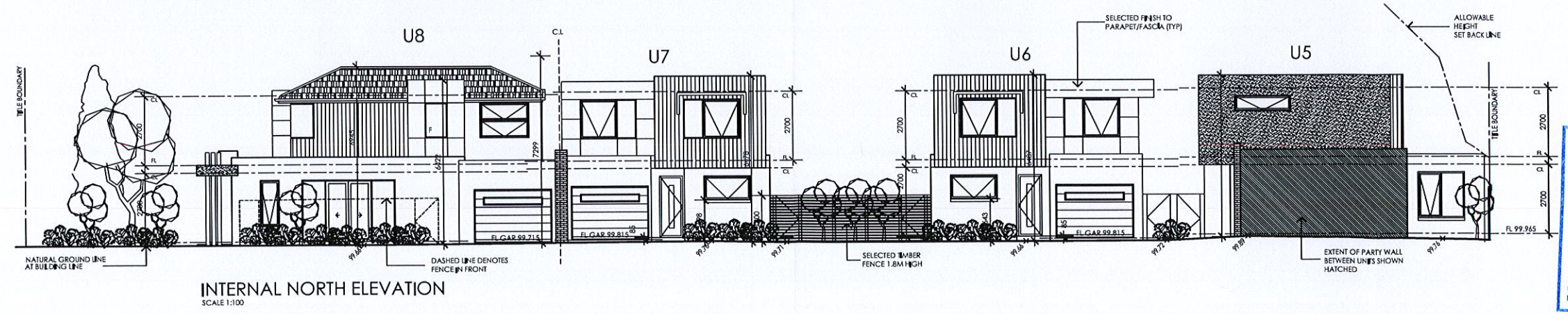
TP-04 C JOB NO. SCALE. DRAWN. DATE.
 009833 1:100 TB 09/15

GROUND FLOOR PLAN





- EXTERNAL FINISHES LEGEND**
- MATRIX CLADDING OR SIMILAR
 - SELECTED FACE BRICK WORK
 - SELECTED STACKBOND
 - SELECTED FEATURE FACE BRICK WORK
 - RENDER FINISH LIGHT WEIGHT CLADDING
 - VERTICAL CLADDING LIGHT WEIGHT CLADDING
 - ALUMINIUM POWDER COATED WINDOWS
 - 2400mm HEAD HEIGHT TO TO ALL WINDOWS UNLESS OTHERWISE SPECIFIED
 - 3-FIXED OBSCURE GLAZING 1.2M ABOVE FFL MIN 25% TRANSPARENT
 - OPAQUE GLAZING
 - FIXED GLAZING

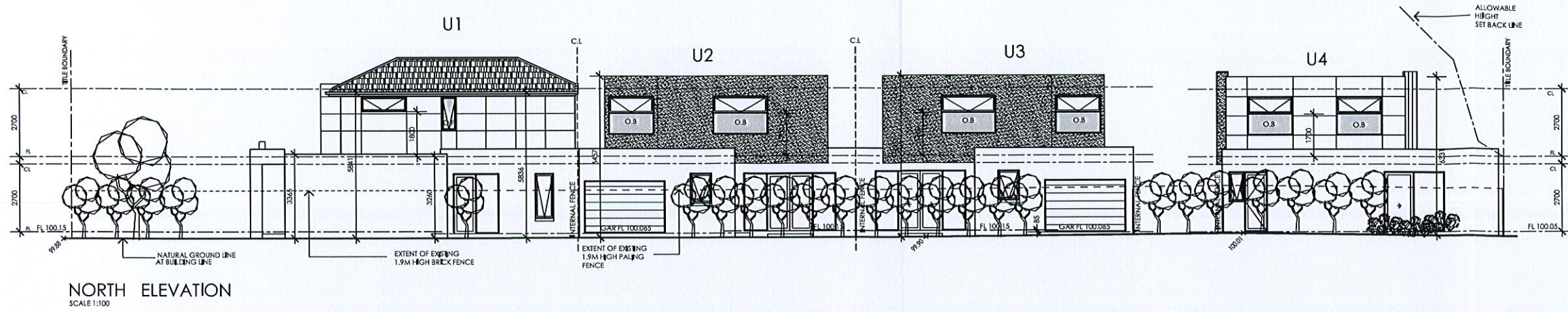


ADVERTISED
of
Date **AB**

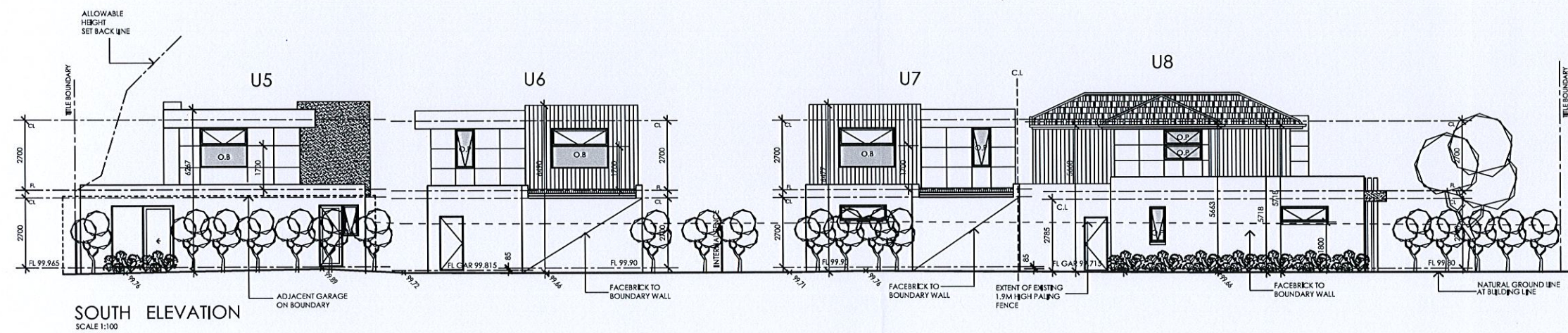
RECEIVED ON
10 MAY 2016
CITY OF DAREBIN
STATUTORY PLANNING

THIS PLAN OR DESIGN MAY NOT BE COPIED, LOANED OR BORROWED WITHOUT THE WRITTEN CONSENT OF IKONOMIDIS REID.





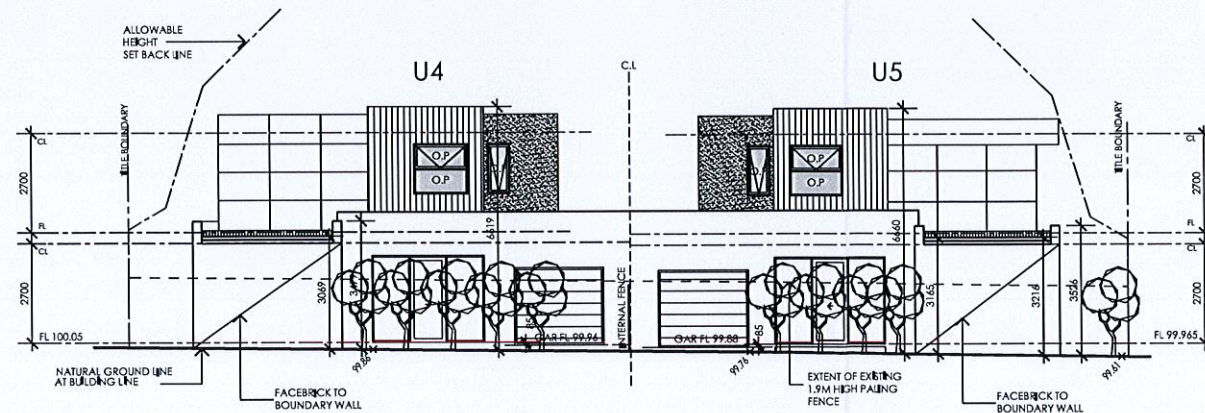
NORTH ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100

EXTERNAL FINISHES LEGEND

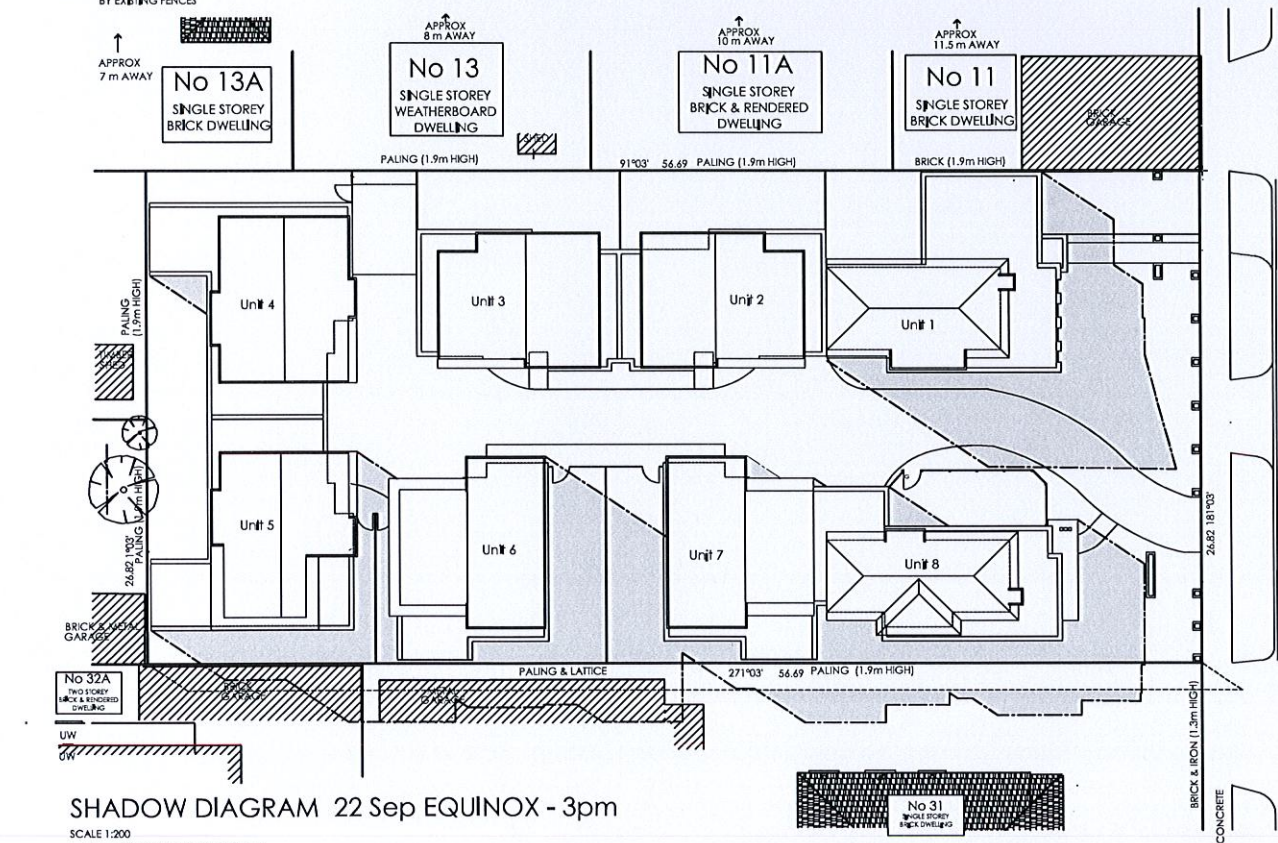
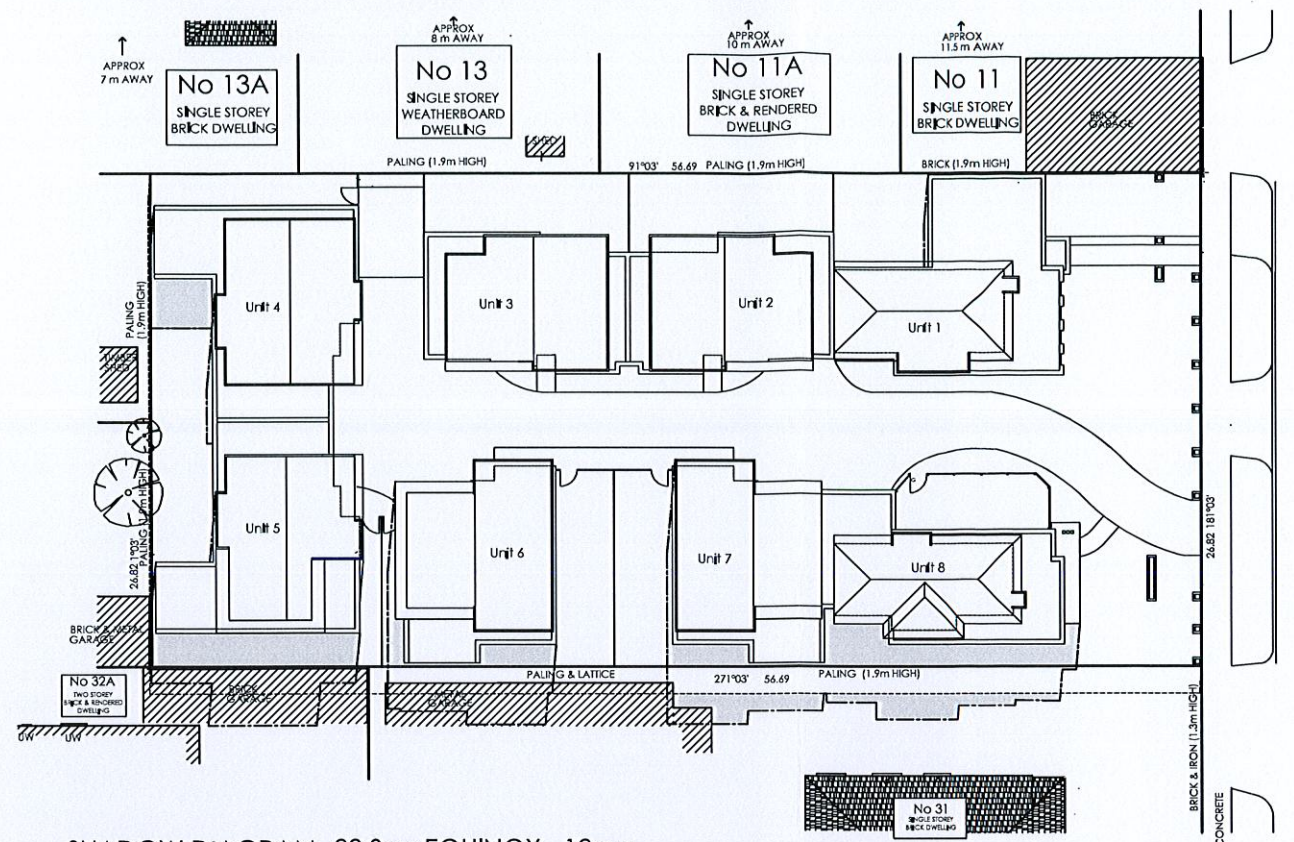
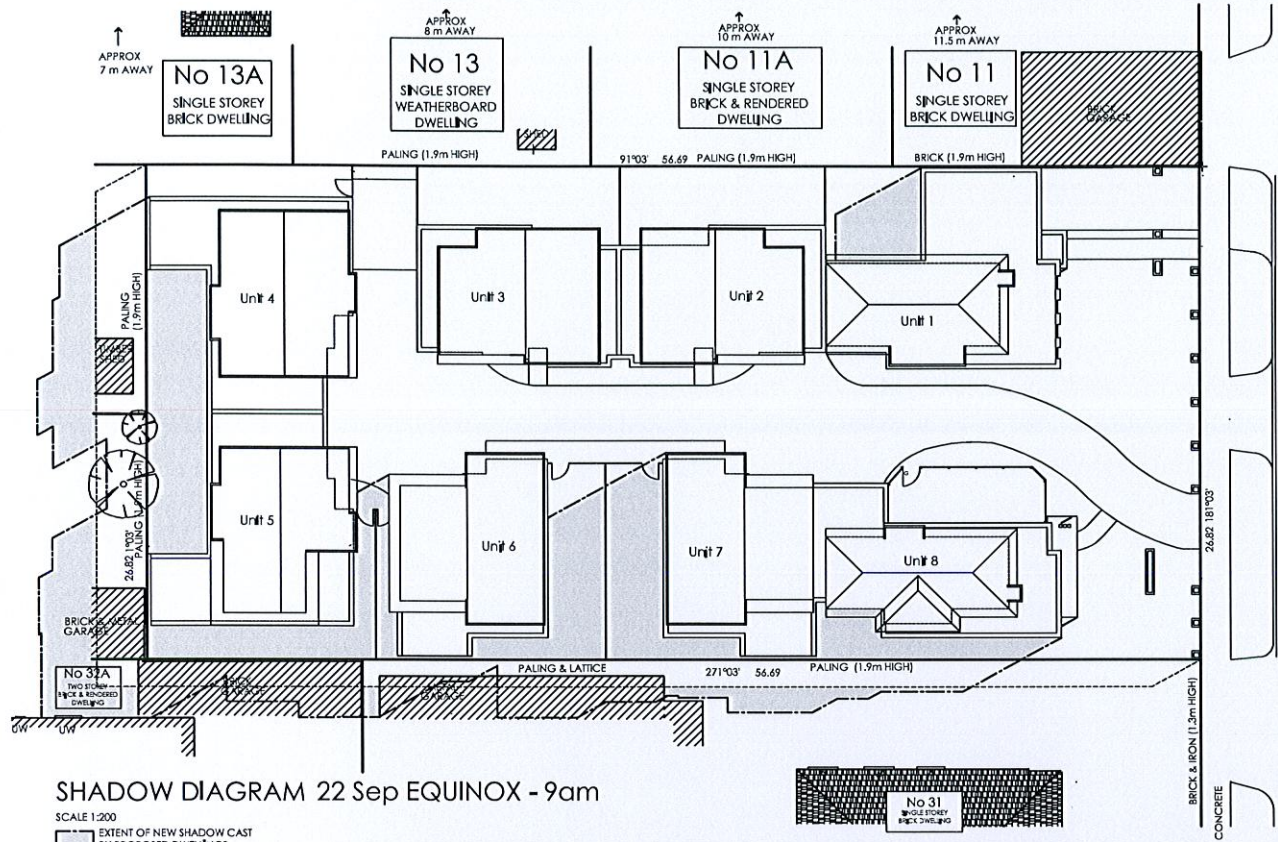
- MATRIX CLADDING OR SIMILAR
- SELECTED FACE BRICK WORK
- SELECTED STACKBOND
- SELECTED FEATURE FACE BRICK WORK
- RENDER FINISH
- LIGHT WEIGHT CLADDING
- VERTICAL CLADDING
- LIGHT WEIGHT CLADDING
- ALUMINUM POWDER COATED WINDOWS
- 2400mm HEAD HEIGHT TO ALL WINDOWS U.N.O
- 0.3m FIXED OBSCURE GLAZING
- 1.7m ABOVE FFL MIN 25% TRANSPARENT
- 0.3m OPAQUE GLAZING
- 1.7m FIXED GLAZING



ADVERTISED
of
Date A3

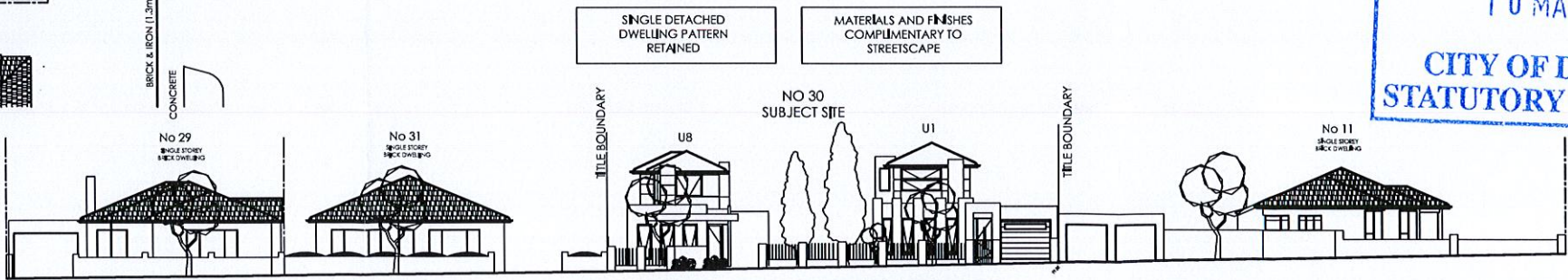
RECEIVED ON
10 MAY 2016
CITY OF DAREBIN
STATUTORY PLANNING

THIS PLAN OR DESIGN MAY NOT BE COPIED, LOANED OR BORROWED WITHOUT THE WRITTEN CONSENT OF IKONOMIDIS REID.



ADVERTISED
of
Date A3

RECEIVED ON
10 MAY 2016
CITY OF DAREBIN
STATUTORY PLANNING



SINGLE DETACHED DWELLING PATTERN RETAINED
MATERIALS AND FINISHES COMPLEMENTARY TO STREETSCAPE

PROPOSED MULTI-UNIT DEVELOPMENT
33 JOFFRE ST
RESERVOIR

THIS PLAN OR DESIGN MAY NOT BE COPIED, LOANED OR BORROWED WITHOUT THE WRITTEN CONSENT OF IKONOMIDIS REID.



5.2 APPLICATION FOR PLANNING PERMIT D/988/2015
 2-4 Kelsby Street, Reservoir

AUTHOR: Principal Planner – John Limbach

DIRECTOR: Acting Director Assets and Business Services – Chris Meulblok

OWNER/APPLICANT/CONSULTANT:

| Applicant | Owner | Consultant |
|----------------|-----------------|----------------|
| ODR Architects | M. Soosaipillai | ODR Architects |

SUMMARY:

- It is proposed to demolish the existing dwellings and construct eight (8) double storey dwellings. Units 1 to 5 are located to the north and Units 6 to 8 are located to the south of the site, separated by the central common access way.
- The dwellings will have living areas at ground level, with Dwellings 1 to 5 to have three (3) bedrooms at the first floor level and Dwellings 6 to 8 having two (2) bedrooms and a study alcove to the first floor. Dwellings 1 to 5 are to have a single garage and tandem car space and Dwellings 6 to 8 are to have a single garage.
- Vehicle access is via a common central access way for Units 2-8 and the existing crossover to the north for Unit 1. The dwellings will have a contemporary design with brick walls to the ground level and lightweight cladding to the first floor and largely flat roofs (with pitched/gabled features to the front). It is to have a height of 8 metres to the ridge of the gabled roof feature.
- The site is zoned General Residential Zone Schedule 2.
- There is no restrictive covenant on the title for the subject land.
- 21 objections were received against this application. This includes a petition with six (6) signatures.
- 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 two (2) signs posted on the site frontage and letters were sent to surrounding owners and occupiers.
- This application was referred internally to the Capital Works Unit, Transport Management and Planning Unit and ESD Officer.
- This application was not required to be referred to external authorities.

Recommendation

That Planning Permit Application D/98/2015 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as drawing nos TP200B, TP201B, TP202B, TP300B, TP301B revision C, dated 18 April 2016, job no. 014-007 and prepared by ODR Architects) but modified to show:
 - a) All dwellings labelled with unit numbers on all elevations and floor plans.
 - b) All elevations labelled according to their orientation on drawing numbers TP300B and TP301B.
 - c) First and ground floor boundary setbacks dimensioned for all dwellings.
 - d) The landscape strip to the front (south) of Unit 4 deleted.
 - e) The landscaped area to the east of the driveway to remain unfenced and is not to be included within the secluded private open space areas of Units 5 and 6. The secluded private open space areas of Units 5 and 6 are not to extend any further than their ground floor southern and northern walls respectively.
 - f) The driveway to be a maximum width of 5 metres for the first 7 metres of the site and the remaining width to be taken up by landscaping.
 - g) The proposed crossover is to have a width of 5 metres and line up with the driveway.
 - h) The garages are to have minimum internal dimensions of 3.5 metres in width and 6 metres in length, clear of any obstructions, such as storage areas.
 - i) Pedestrian doors are not to open into the garages.
 - j) The tandem car space dimensions of Units 1 to 5 must be shown to be a minimum of 4.9 metres length x 2.6 metres width.
 - k) Removal of any redundant crossover and reinstatement of the kerb, channel and nature strip.
 - l) Dimensions to the first floor studies of Units 6, 7 and 8 illustrating a maximum dimension in one (1) direction of 1.9 metres.
 - m) A pedestrian door is to be provided between the garages and secluded private open space areas of Units 1 and 8.
 - n) Each dwelling is to be provided with a minimum of 6 cubic metres of externally accessible secure storage.
 - o) Full dimensions and areas of all private open space areas for Units 1, 5, 6, 7 and 8 illustrating a minimum overall area of 40 square metres, with one part of the private open space consisting 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. The footprints of dwellings may require reducing to meet this requirement, no boundary setbacks are to be reduced.

- p) Full dimensions and areas of all secluded private open space for Units 2, 3 and 4 illustrating a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room.
- q) Full details of the proposed screens to first floor balconies 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.
- r) Full dimensions and areas of the balconies for Units 2, 3 and 4 illustrating a minimum depth of 1.8 metres.
- s) The south-facing upper floor window of the north eastern bedroom of Unit 5 and the north facing first floor north eastern bedroom window of Unit 6 provided with either:
- A sill with a minimum height of 1.7 metres above finished floor level,
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - Fixed obscure glazing (not film) with a maximum transparency of 25% to a minimum height of 1.7 metres above finished floor level.

Where fixed screens are being utilised a section diagram must be included to demonstrate how the screens minimise overlooking of adjoining properties.

- t) The height of fences on the southern and eastern boundaries (except within 4.5 metres of the front boundary of the land) to be a minimum height of 1.8 metres as measured above natural ground level.

Where necessary, the fence height may be increased by raising the height of the fence or by the provision of free-standing, self-supporting trellis adjacent the fence to the required height. If utilised, such trellis must be a maximum of 25% open and be fixed, permanent, durable and coloured or painted to blend with the development.

- u) Provision of sections of Units 6, 7 and 8 and the stairways, showing height and setback details to the south boundary, indicating full compliance with Standard B17 (side and rear setbacks) at Clause 55.04-1 of the Planning Scheme.
- v) The south-facing living area windows of Units 1 to 4 and the north-facing dining and living room windows of Units 6 to 8 must be shown to have sill heights of a minimum of 1.4 metres above the access way.
- w) The provision of pedestrian visibility splays measuring 2.0 metres (width across the frontage) by 2.5 metres (depth into the site), to the sides of the proposed crossover. Where within the subject site, any structures or vegetation within these splays must be not more than 1.15 metres in height.

- x) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.
- y) A comprehensive schedule of external materials, colours and finishes (including colour samples). Construction materials are to be low maintenance. External materials and finishes (including glazing) are to be of a low reflectivity level. The use of painted surfaces must be minimised.

Annotated coloured elevations showing the location/application of the materials, colours and finishes must be provided.
- z) Any modifications in accordance with a revised Sustainable Design Assessment (Refer to Condition No. 8 of this Permit).
 - aa) A Landscape Plan in accordance with Condition No. 5 of this Permit.
 - bb) A Waste Management Plan in accordance with Condition No. 9 of this Permit.
 - cc) All finished floor levels to Australian Height Datum (AHD).
 - dd) An operable window to the northern wall of the ground floor bathroom of Unit 7.
 - ee) Solar tubes that allow for light and ventilation to all first floor bathrooms and ensuites that do not have access to operable windows.
 - ff) Window operation on all elevations, awning windows are to be avoided where possible with louvre and casement windows preferred.
 - gg) External operable sun shading devices (excluding roller shutters) to all east and west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a section diagram or photograph must be included to demonstrate the shading type and effectiveness.
 - hh) Fixed external sun shading devices to all north facing habitable room windows. The shading is to extend both from the window and past the window sides at least the distance given below:
 - a) 450mm where window height is 900–1,200mm.
 - b) 600mm for a window height of 1,200–1,350mm.
 - c) 900mm for a window height of 1,350–2,100mm.
 - d) 1000mm for a window height of 2,100–2,700mm.

Where sun shading devices are being utilised a section diagram must be included to demonstrate their effectiveness. Shading should not sit directly above the window/ glazing.

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

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

3. This Permit will expire if either:
- The development does not start within three (3) years from the date of this Permit; or
 - The development is not completed within five (5) years of the date of this Permit.

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

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
4. Once commenced, the development must be continued and completed to the satisfaction of the Responsible Authority.
5. Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
 - b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
 - c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the responsible authority.
 - d) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available. All canopy trees are to have a minimum height of 1.6 metres in 40 litre containers at the time of installation. Canopy trees must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
 - e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) Hard paved surfaces at all entry points to dwellings.
 - h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.

- i) Type and details of edge treatment between all changes in surface (e.g. Grass (lawn), gravel, paving and garden beds).
 - j) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
6. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
7. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
8. Before the development starts, revised Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The SDA must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SDA.
- The development must be constructed in accordance with the requirements/recommendations of the Sustainable Design Assessment to the satisfaction of the Responsible Authority.
9. Before the development starts, a waste management plan, to the satisfaction of the Responsible Authority, demonstrating the operation of the garbage and recyclables storage area must be submitted to the Responsible Authority.
- The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (ie. cardboard paper plastic and metals recycling or comingled waste, general waste and even organic waste), types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles, location of bins for collection and any other relevant matter. The plan may require bin sharing or that collection be undertaken by a private contractor if it cannot be demonstrated to the satisfaction of the Responsible Authority that the kerb-side collection of individual bins will not cause car parking and/ or amenity issues.

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

10. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2010. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
11. All dwellings that share dividing walls and floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
12. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to each unit, access to each garage and car parking space and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

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

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

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

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

NOTATIONS

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

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

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

- N4 This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of Darebin City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria to that adopted for the approval of this Planning Permit.
- N5 To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.

Report

INTRODUCTION AND BACKGROUND

Application for Planning Permit D509/15 for ‘A medium density housing development comprising the construction of eight (8) double storey dwellings and an associated reduction of car parking (one (1) visitor space)’ lapsed on 15 November 2015.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land is regular in shape and comprised of two (2) allotments at 2 and 4 Kelsby Street Road. It has a total frontage of 26.22 metres (i.e. 13.11 metres per lot), a depth of 56.388 metres and an overall area of 1478 square metres.
- The land is located within the General Residential Zone 2 and a Development Contribution Plan Overlay.
- The site is located on the east side of the street approximately 40 metres to the north of the intersection with Edwardes Street.
- The allotments each contain a single storey weatherboard dwelling, with pitched and gabled tile roofs. The allotments also have vehicle access to their respective northern common boundaries with garages/outbuildings in the rear yard areas.
- To the east of the site are the rear yard areas of a single storey dwelling and a double storey dwelling fronting Harbury Street.
- To the west, on the opposite side of the road, is the side of a single storey dwelling fronting Edwardes Street as well as a medium density development of five (5) single and double storey dwellings.
- To the north of the site is a single storey brick dwelling, with a front setback of 9 metres and a setback of approximately 1.4 metres to the common boundary.
- To the south of the site is a single storey brick dwelling constructed to the rear yard of the dwelling to the corner of Edwardes Street and Kelsby Street. The dwelling has a front setback of 3 metres and is set back 4 metres to the common boundary, with vehicle access along the common boundary. To its east are the rear yards of dwellings fronting Edwardes Street, which also abut the common boundary.
- No parking restrictions apply to Kelsby Street in vicinity of the site.
- The site is approximately 350 metres to the west of the Reservoir Activity Centre. Reservoir Railway Station is approximately 750 metres to the east. Edwardes Lake Park is approximately 300 metres to the west. Reservoir Primary School is approximately 750 metres to the north east. Buses operate along Edwardes Street and Gilbert Road.

Proposal

- It is proposed to demolish the existing dwellings and construct eight (8) double storey dwellings.
- Units 1 and 6 are located to the front (separated by the central access way), with Units 1 to 5 located along the northern boundary and Units 6 to 8 located to the south.
- Units 1 to 5 are to have a living area at ground level and three (3) bedrooms to the first floor, with a single garage and tandem car space each.
- Units 6 to 8 will have a living area at ground level and two (2) bedrooms and a study to the first floor, with a single garage each.
- Vehicle access is a common central access way for Units 2-8 and the existing crossover to the north for Unit 1.

- The dwellings will have a contemporary design with largely brick walls to the ground level and lightweight cladding to the first floor and largely flat roofs (with pitched/gabled features to the front).

Objections

- 21 objections have been received.

Objections summarised

- Over supply of 1 and 2 bedroom dwellings / under supply of family accommodation.
- Units 6, 7 and 8 have additional studies that may be used as bedrooms.
- Contrary to standards and objectives of Clause 55, with regard to residential policy, character, height, sustainability, solar access and diversity.
- Inadequate internal amenity with internal toilets.
- Inadequate replacement planting shown.
- Inadequate parking will result in increased parking congestion and increased safety risks to pedestrians.
- Waste bins for Dwelling 1 must be carried out through the dwelling.
- Parking reduction is inappropriate and no parking for emergency vehicles.
- Overdevelopment of the site, given predominant single storey detached dwellings.
- Warrants consideration by the Darebin Planning Committee.
- Excessive bulk and scale and visual impact.
- The proposal does not add net value to the community.
- The number of objections indicates a negative social effect.
- Does not meet the standards in the Planning Scheme.
- Will not guarantee affordable accommodation.
- Overdevelopment of Kelsby Street and change in character.
- Loss of period home.
- Overshadowing and daylight impacts.
- Overlooking.
- Kelsby Street is narrow and difficult to reverse out of driveway.
- Increased traffic congestion.
- Increased noise from people and air conditioning.
- Loss of views.
- Visual bulk and inadequate setbacks.

Officer comment on summarised objections

Over supply of 1 and 2 bedroom dwellings / under supply of family accommodation

Council's Municipal Strategic Statement (MSS) sets out the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. Relevantly, Clause 21.02-2 sets out the following key influence with respect to population growth and change:

"Ageing families and declining household sizes are placing pressure on housing supply as fewer people occupy more housing."

The MSS continues with the following future housing issue at 21.01-4:

"Facilitation of well-designed housing to meet anticipated housing needs, both in terms of number and diversity."

The policy guidance with respect to housing is contained in Clause 21.03. While there is strong policy support for appropriate medium density in-fill in well serviced locations, it is Clause 21.03-3 (Housing Diversity and Equity) that is of particular relevant to the objectors' concerns. The overview sets out (extracted as relevant):

"Housing affordability is a particular housing issue in Darebin. Lack of affordable housing and high rental prices can aggravate housing stress and homelessness. Housing affordability, income levels and demand for social and public housing are highly correlated. An increase in the supply of affordable housing could ease housing stress of low income earners and can decrease the demand for social housing."

This informs the following objectives (extracted as relevant):

"To ensure that housing diversity is increased to better meet the needs of the local community and reflect demographic changes and trends."

"To increase the supply of affordable and social housing"

An oversupply of one (1) and two (2) bedroom dwellings is unsubstantiated by any statistical data and is contrary to the demographic issues and housing objectives contained in Council's MSS. Additionally, there are five (5) x three (3) bedroom dwellings in the proposal and three (3) x two (2) bedroom dwellings. The development comprises a reasonable mix of dwelling types and configurations and adds to the mix of housing types in the immediate area, which includes detached dwellings and medium density developments.

Dwellings 6, 7 and 8 have additional studies that may be used as bedrooms.

A condition of any approval will require these rooms to have a maximum dimension of 1.9 metres in one (1) direction so as to ensure that they are not utilised as additional bedrooms.

Contrary to standards and objectives of Clause 55, with regard to residential policy, character, height, sustainability, solar access and diversity

As can be seen in the assessment below, the proposal has a high level of compliance with the objectives and standards of Clause 55.

Inadequate internal amenity with internal toilets

The proposal provides adequate internal amenity with ample living areas and adequate access to natural daylight and ventilation. The internal toilets for Units 1 to 5 is not unusual and allows living areas to be located to receive daylight and ventilation from windows.

Inadequate replacement planting shown

No planning approval is required for the removal of any vegetation from the site and there is adequate space on the site for appropriate levels of vegetation to the sides and rear respect the landscape character of the area. Although a landscape plan has not been submitted, this may be required by condition.

Inadequate parking will result in increased parking congestion and increased safety risks to pedestrians.

It is not considered that the proposal will lead to an unreasonable increase in traffic and parking congestion and any overflow parking resulting from the development would be within reasonable limits and will not negatively impact on the surrounding streets or pedestrian safety.

Waste bins for Dwellings 1 must be carried out through the dwelling.

This is a valid concern and may be addressed by condition requiring a door to the garage of Unit 1 allowing access to the rear yard area.

Parking reduction is inappropriate and no parking for emergency vehicles.

Although a parking waiver is required, it is not considered that this will place unreasonable demand on the area. Parking and access for emergency vehicle is not required for the development.

Overdevelopment of the site, given predominant single storey detached dwellings.

Although the development is double storey, Council must assess the proposal on its merits, in the context of the site and area. Firstly, the development proposes a modest rise from the single storey buildings on the adjoining properties, noting that it is a generally held planning principle that a gradual increase in height is appropriate. It is also noted that there are double storey buildings in the neighbourhood context, so that the two (2) storey height is consistent with the emerging character of development in the area. A double storey height is also considered to be low-scale and that it is reasonable to expect double storey heights in established residential areas in Melbourne. The development is considered to be respectful of the prevailing scale of housing stock in the area.

Notwithstanding the above, compliance with Clause 55 is an established tool for determining whether a development is of an appropriate scale relative to the site and its specific context and characteristics. As can be seen in the assessment below, the proposal complies with the objectives of clause 55 and is not considered to be an overdevelopment.

Warrants consideration by the Darebin Planning Committee

The application is to be decided by Council's Planning Committee.

Excessive bulk and scale and visual impact

The proposed dwellings are to have a maximum height of 8 metres, which is under the 9 metre maximum as required by the standard. Double storey construction is a satisfactory design outcome in a suburban residential setting such as this and provides an appropriate transition in height above the adjoining single storey dwelling.

Issues surrounding the bulk and scale of the development are assessed below in the Clause 55 assessment and the Neighbourhood Character Study Assessment.

The siting, setbacks and location of the development ensures the proposal does not impose an unreasonable visual impact upon neighbouring sites.

The proposal does not add net value to the community

At a planning application level, it is difficult to quantify the concerns surrounding this reason for objection, particularly as no grounds have been offered that substantiate this objection. It is necessary for a development to meet the State and Local planning policy objectives and it is considered that the proposed development generally meets these objectives.

The number of objections indicates a negative social effect

Section 60(1)(f) of the Act, deals with significant social effects. This section states:

- (1) *Before deciding on an application, the responsible authority must consider-*
 - (f) *any significant social effects and economic effects which the responsible authority considers the use or development may have.*

In *Hoskin v Greater Bendigo City Council [2015] VSCA 350 (16 December 2015)* The Supreme Court of Appeal made the following observations about section 60(1)(f):

1. *Section 60(1) describes matters which the responsible authority and, in turn, the Tribunal must consider. It does not stipulate that a particular matter should necessarily be determinative of the decision as to whether a permit be granted or refused.*
2. *It is for the responsible authority and, in turn, for the Tribunal on review to determine whether something constitutes a significant social effect and what weight it should be given in reaching a decision whether to grant or refuse a permit.*

It is considered that 22 objections, in itself, is not a determining factor as to whether there are negative social effects or if a permit should be granted or refused in this instance. A development of eight (8) dwellings is not considered to be likely to cause significant social effects for residents or visitors to the area.

This ground is unsubstantiated. There are no demonstrated dis-benefits associated with the development. The proposal provides additional dwellings on the site, resulting in community benefit.

Does not meet the standards in the Planning Scheme

The proposal has been assessed against relevant standards contained within the Scheme with particular focus on Clauses 52.06 and 55 and the Darebin Neighbourhood Character Guidelines. As can be seen in the assessment below, the proposal has a high level of compliance with the relevant aspects of the Planning Scheme.

Will not provide affordable accommodation

The proposal will provide eight (8) dwellings on a site where there are only two (2) dwellings at present and thus provides a level of affordability and diversity, in compliance with relevant State and Local policies.

Overdevelopment of Kelsby Street and change in character

The site is located in an established area in proximity to facilities. Urban consolidation policies therefore encourage increased densities, which will result in a changing character over time. In this respect the character of the street will not remain static and it is not considered that the street is overdeveloped.

Loss of period home

The site is not located in a Heritage Overlay. Therefore, the dwellings may be demolished without planning permission.

Overshadowing and daylight impacts

Concerns were raised about the overshadowing of the adjoining properties. Although shadow diagrams indicate that the development will overshadow a portion of the adjoining private open space areas, the shadows will only marginally exceed the existing shadows cast by boundary fences. Importantly, the extent of overshadowing is within the prescriptive measures of Standard B21.

The proposed dwellings are adequately set back from the habitable room windows of adjoining dwellings so that daylight will not be unreasonably affected.

Overlooking

Overlooking of private open spaces of adjoining properties may be addressed by appropriate screening to 1.7 metres above floor level at the first floor level in accordance with the requirements of Standard B22.

Kelsby Street is narrow and difficult to reverse out of driveway.

The width of Kelsby Street, illegal parking and difficulty in reversing out of driveway are issues beyond the consideration of this application. The common driveway will, subject to condition, allow for vehicles to enter and exit in a forwards direction and provides for a vehicle passing area to the street. It is considered acceptable for one (1) dwellings, being Unit 1, to have a driveway that requires a vehicle to reverse into the street.

Increased traffic congestion

It is not considered that the increased traffic from the proposal will unreasonably affect the operation of Kelsby Street and the surrounding street network.

Increased noise from people and air conditioning

It is considered that the potential for the generation of residential noise is not a reason to refuse a development proposal and the type of the noise (such as children playing and music etc.) associated with residential uses are a part of normal urban life. Noting that when such noise becomes a nuisance, there will be relevant laws appropriate to deal with that sort of problem. The proposal would result in increased number of people and traffic from the site; however, the additional numbers would not be overly detrimental to the locality and the proposal is unlikely to give rise to noise levels significantly above that already experienced.

The proposed use is residential and will have noise impacts consistent with those normal to a residential zone, unlike a commercial or an industrial use which would create noise impacts that are not normal to a residential zone. Speech, laughter, music etc. are noises associated with residential uses and are generally not a relevant consideration in assessing medium density development.

Nevertheless, the placement of air-conditioning units may be addressed by condition.

Loss of views

It is a well-recognised planning principle that there is no right to a view and that over time views change. However, it is recognised that bulk and heights may have an adverse effect on aspect and amenity. These are assessed below.

Visual bulk and inadequate setbacks

The proposal provides appropriate heights and setbacks that meet the standards of Clause 55. It is not considered that it will unreasonably affect amenity through visual bulk.

PLANNING ASSESSMENT

Neighbourhood Character Precinct Guideline Assessment - Precinct E6

Existing Buildings

- Although there is a preference to retain older dwellings that contribute to the valued character of the area, it is noteworthy that the site is not located in a Heritage Overlay; therefore the building may be demolished without planning permission. Additionally, the site is not in an intact streetscape, with a variety of dwelling types and forms to the street.
- It is important to assess the merits of the proposed development. Given the assessment below, it is considered that the replacement buildings are respectful to the scale and character of the neighbourhood and will make an appropriate contribution to the surrounding character.

Complies

Vegetation

- The site is not subject to any Planning Scheme controls which would require a permit for the removal of any trees. Therefore, vegetation may be removed without planning permission. Regardless, there are no significant trees on the site. Nevertheless, the proposal should provide appropriate landscaping to respect the landscape character of the area.
- Whilst a landscape concept plan has not accompanied the application, in addressing landscape character, it is considered that the proposal provides sufficient space for appropriate landscaping to the front, sides and rear.
- The proposal presents double storey buildings extending along the length of the site; however, it provides an appropriate design response, given the proposed setbacks and separation between the upper floors. Therefore, appropriate setbacks and separation limits the effect on the rear yard/garden character.

Complies subject to condition

Siting

- The front garden is ample for planting of vegetation, to enable the continuation of the garden setting in this area. The proposal also allows large enough garden space to the sides and rear for appropriate landscaping.

- Ample separation is maintained in building forms to the street, respecting the rhythm of dwelling spacing.
- Unit 1 is not set back from the northern common boundary; however, the adjoining dwelling is set back from the common boundary, so that some separation is maintained in buildings forms to the street.
- In addition, Unit 8 is set back from the southern common boundary and Units 1 and 8 are separated by the central common access way, so that the proposed building form respects the detached rhythm of dwelling spacing.
- The design maintains the two (2) existing crossovers to the street, which is acceptable given that the site has a wide frontage extending over two (2) existing allotments. Additionally, most of the dwellings are provided with the garages and car spaces to the rear, and the garage for Unit 1 is set back from the façade, so that car parking structures do not dominate the street frontage.

CompliesHeight and building form

- Adequate articulation is provided to the façade through setbacks, materials and openings. The development is not out of scale with the adjoining buildings and does not dominate the streetscape, as it presents a graduated increase in height over adjoining single storey buildings and matches the nearby double storey dwellings.
- There is no lengthways subdivision at the front, as the site extends over two (2) allotments and provides two (2) distinct building forms to the street.

CompliesMaterials and design detail

- The proposal provides brick, render and lightweight wall materials, which are considered acceptable. A condition of any approval will require a materials and colour schedule to be submitted.
- The development has a contemporary design, which is acceptable as the design objective encourages innovative architectural responses and by presenting visually interesting facades to the street. The proposal presents an appropriate architectural response with a visually interesting facade.
- Articulation in the façade is achieved through the use of brick, lightweight cladding and render to the walls, as well as setbacks and varied fenestrations in windows and door openings.

Complies subject to conditionFront boundary treatment

There is to be a 1 metre high front fence, which is appropriate and allows views of the façade and landscaped front yard area.

Complies

Clause 55 Assessment

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

Clause 55.03-1 B6 Street Setback

- The front setbacks of the adjoining dwellings are 9 metres and 3 metres to the north and south respectively. The standard therefore requires a setback of 6 metres.
- The proposed front setback is 4.5 metres to 7 metres and does not comply with the standard; however, the design response is considered to be acceptable due to the following:
- The setback addresses the relevant requirements of the Neighbourhood Character Study, in that it allows adequate provision for landscaping. Under 'Key Characteristics' the Neighbourhood Character Study notes that 'Buildings are mostly set back 5 - 7 metres from the front ... Some front setbacks range from 3 – 5 metres'. The front setback provides an appropriate transition between the adjacent buildings and is appropriately within the above range.
- The design provides a graduated and staggered setback leading from the lesser 3 metre setback to the south and the larger setback to the north.
- The front façades are appropriately articulated.
- The front setback will not result in unreasonable visual bulk when viewed from the street or adjoining properties.
- The proposed setback results in efficient use of the site.
- The existing streetscape is not consistent and provides for varied setbacks.

Complies with objectiveClause 55.03-5 B10 Energy Efficiency

The proposal is considered to be generally energy efficient due to the following:

- Attached construction.
- Cross ventilation is available in the design.
- The development does not unreasonably affect the solar access and energy efficiency of neighbouring dwellings.
- Open space and living areas with access to north light.
- Space for outdoor clothes drying facilities.
- Conditions of any approval will require a Sustainable Design Statement, increased ventilation and sun shading.

Complies subject to condition

Clause 55.03-8 B13 Landscaping

- The surrounding landscape character is generally semi mature and informal with large open spaces and spacious setbacks.
- The open spaces and setbacks are generally large enough to provide sufficient landscaping.
- A detailed landscape plan will be required as a condition of any approval.

Complies subject to condition

Clause 55.03-10 B15 Parking Location

- Parking facilities will be proximate to the dwellings they serve.
- The proposed garages are an adequately secure form of parking.
- The access is observable.
- The south-facing living area windows of Units 1 to 4 and the north-facing dining and living room windows of Units 6 to 8 are adjacent to the access way and must be shown to have sill heights of at least 1.4 metres above the access way.

Complies subject to condition

Clause 55.04-1 B17 Side and Rear Setbacks

There is a significant level of compliance with the setbacks required under Standard B17. It is unclear if the stairways of Dwellings 6, 7 and 8, comply with the standard to the south. Although it appears that the stairs have an angled wall and roof to comply, this must be confirmed by condition.

Complies subject to condition

Clause 55.04-2 B18 Walls 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 and length | Maximum length allowable | Proposed length |
|-------------------------|--------------------------|--|
| Northern: 56.388 metres | 21.597 metres | 6 metres |
| Southern: 56.388 metres | 21.597 metres | 12 metres (in two sections of 8 metres and 4 metres) |

- The wall heights of the garages to Dwellings 1 and 6 are 3.2 metres maximum and comply with the standard.
- Although the wall heights of the garages to Dwellings 7 and 8 are not shown (southern common boundary), this is acceptable as these abut the adjoining outbuilding and will not cause unreasonable detriment.

Complies with objective

Clause 55.04-3 B19 Daylight to Existing Windows

- An area of at least 3.0 square metres with a minimum dimension of 1.0 metre clear to the sky is provided opposite all existing habitable room windows, which complies with the standard.
- The development allows adequate daylight to neighbouring existing habitable room windows.

CompliesClause 55.04-6 B22 Overlooking

- The ground floor of the proposed dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary. The existing 1.8 metre high boundary fence on the northern boundary will sufficiently limit overlooking. Fence heights to the south and eastern common boundaries are to be confirmed to be a minimum of 1.8 metres in height.
- The development is designed to limit views into neighbouring secluded private open space and habitable room windows, with habitable room windows screened to 1,700mm to the north and south.
- The following windows will be required to be screened to limit views in to adjoining residential properties:
- Unit 5: The south-facing upper floor window of the north eastern bedroom.
- Unit 6: The north-facing first floor window of the north eastern bedroom.
- In addition to the above, details of balcony screening is required.

Complies subject to conditionClause 55.04-7 B23 Internal Views

- Any potential for internal views between dwellings is minimised by proposed fences separating each dwelling's secluded private open space.
- Measures outlined under Standard B22 to screen views of adjoining properties also minimise internal views from upper levels.

Complies subject to conditionClause 55.05-4 B28 Private Open Space

- The development provides adequate private open space (pos) for the reasonable recreation and service needs of residents.
- This is achieved through the provision of 40 square metres of secluded private open space at the 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 or
- 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 secluded POS |
|------------|-------------------------|---------------------------|--|
| Dwelling 1 | 91 square metres | <u>24 square metres</u> | 3 metres |
| Dwelling 2 | 42 square metres | 27 square metres | 4.5 metres |
| Dwelling 3 | 42 square metres | 27 square metres | 4.5 metres |
| Dwelling 4 | 40 square metres | 25 square metres | 4.1 metres |
| Dwelling 5 | 40 square metres | <u>24.5 square metres</u> | 3.45 metres |
| Dwelling 6 | 62 square metres | <u>19.8 square metres</u> | 3 metres |
| Dwelling 7 | <u>36 square metres</u> | 25 square metres | 3.8 metres |
| Dwelling 8 | <u>38 square metres</u> | 25 square metres | 3 metres |

- All secluded private open space areas have direct access to a living room.
- Some of the private open space areas do not appear to meet the standard requirement. A condition on any approval must require that the minimum standard is met.

Complies subject to condition

Clause 55.05-6 B30 Storage

Adequate storage facilities are not shown on the plans. Conditions will require a minimum of 6 cubic metres of externally accessible secure storage.

Complies subject to condition

Clause 55.06-4 B34 Site Services

- Sufficient area is provided to allow for the installation and the maintenance of site services.
- It is noted that the waste bins for Unit 1 are located in the rear yard and no access is shown through the garage (requiring bins to be taken out through the dwelling). Conditions must require a pedestrian door, to provide connection between the garage and secluded private open space area.
- A condition of any approval will require a waste management plan to be submitted due to the large number of bins required to be placed on the frontage of the site.

Complies subject to condition

Clause 52.06 Car Parking

Number of Parking Spaces Required

- One (1) car parking space is provided for each of the two (2) bedroom dwellings.
- Two (2) car parking spaces are provided for each of the three (3) bedroom dwellings with one space under cover.
- Although one (1) visitor car space is required, there is no provision for visitor parking on the site. Nevertheless, this reduction is considered to be acceptable in that the intermittent demand of one (1) car space will not place an unreasonable burden on the on-street parking in the area. Additionally, the site is close to public transport and other services and facilities and there is adequate on-street parking afterhours (when greater visitor demand is typically experienced) nearby.

Design Standards for Car parking

- The car parking facilities are designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.
- Conditions restricting the width of the studies to Units 6, 7 and 8 are considered to adequately restrict their use as bedrooms. In addition, they are open to adjacent corridor and landing.
- The garage dimensions must be shown to be of 6.0 metres length x 3.5 metres width to comply with the minimum requirements of the standard.
- The tandem car space dimensions of Dwellings 1 to 5 must be shown to be a minimum of 4.9 metres length x 2.6 metres width to comply with the minimum requirements of the standard.
- Vehicles are able to enter and exit the site in a forward direction.
- A passing area is provided to the front.

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 | | |
| | | Units 1 and 8 are appropriately integrated with the | Y | Y |

| Clause | Std | | Compliance | |
|-----------------|------------|--|------------|-----|
| | | Street. | | |
| 55.03-1 | B6 | Street setback | | |
| | | Please see assessment in the body of this report. | N | Y |
| 55.03-2 | B7 | Building height | | |
| | | 8 metres | Y | Y |
| 55.03-3 | B8 | Site coverage | | |
| | | 48% | Y | Y |
| 55.03-4 | B9 | Permeability | | |
| | | 32% | 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 | | |
| | | Please see assessment in the body of this report. | 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 | | |
| | | Please see assessment in the body of this report. | Y | Y |
| 55.04-1 | B17 | Side and rear setbacks | | |
| | | Please see assessment in the body of this report. | Y | Y |
| 55.04-2 | B18 | Walls on boundaries | | |
| | | Please see assessment in the body of this report. | Y | Y |
| 55.04-3 | B19 | Daylight to existing windows | | |
| | | Please see assessment in the body of this report. | Y | Y |

| Clause | Std | | Compliance | |
|----------------|------------|---|------------|-----|
| 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. | Y | Y |
| 55.04-6 | B22 | Overlooking | | |
| | | Please see assessment in the body of this report. | Y | Y |
| 55.04-7 | B23 | Internal views | | |
| | | Please see assessment in the body of this report. | 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 |
| 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 dwellings is appropriate in the neighbourhood setting. | Y | Y |
| 55.06-2 | B32 | Front fences | | |
| | | A 1 metre high front fence is proposed which is | Y | Y |

| Clause | Std | | Compliance | |
|----------------|------------|---|------------|---|
| | | appropriate in the neighbourhood context. | | |
| 55.06-3 | B33 | Common property | | |
| | | Common property areas are appropriate and manageable. | Y | Y |
| 55.06-4 | B34 | Site services | | |
| | | Please see assessment in the body of this report. | Y | Y |

REFERRAL SUMMARY

| Department/Authority | Response |
|-----------------------------------|---|
| Capital Works | No objection, subject to condition included in recommendation |
| Transport Management and Planning | No objection, subject to conditions included in recommendation. |
| ESD Officer | No objection, subject to numerous conditions. |

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

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

Applicable provisions of the Darebin Planning Scheme

| Section of Scheme | Relevant Clauses |
|----------------------------------|--|
| SPPF | 11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1 |
| LPPF | 21.02-3; 21.03-2; 21.03-3; 21.03-4; 21.05; 22.02 |
| Zone | 32.08 |
| Overlay | 45.06 |
| Particular provisions | 52.06, 55 |
| General provisions | 65.01 |
| Neighbourhood Character Precinct | E6 |

POLICY IMPLICATIONS

Environmental Sustainability

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

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

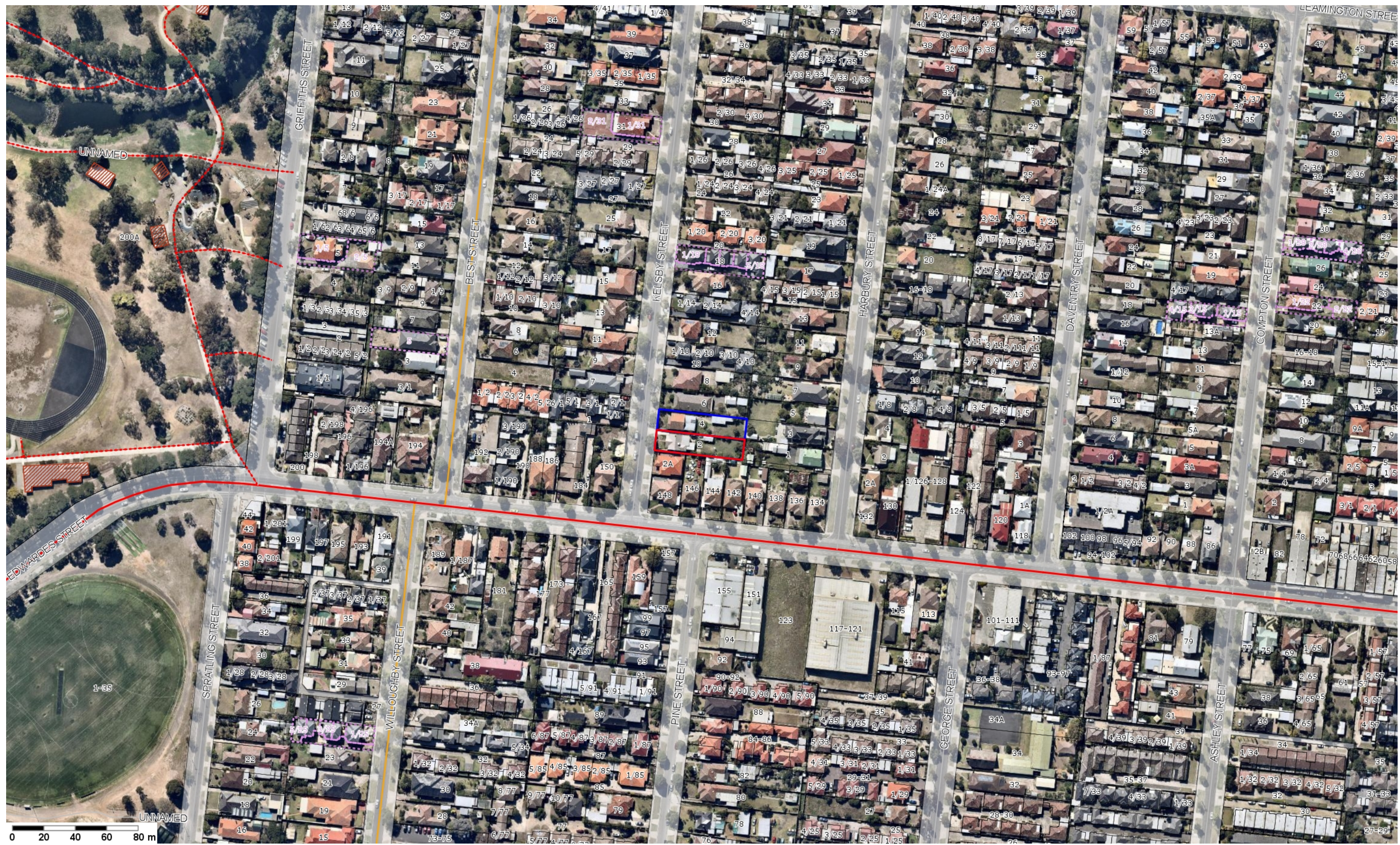
DISCLOSURE OF INTERESTS

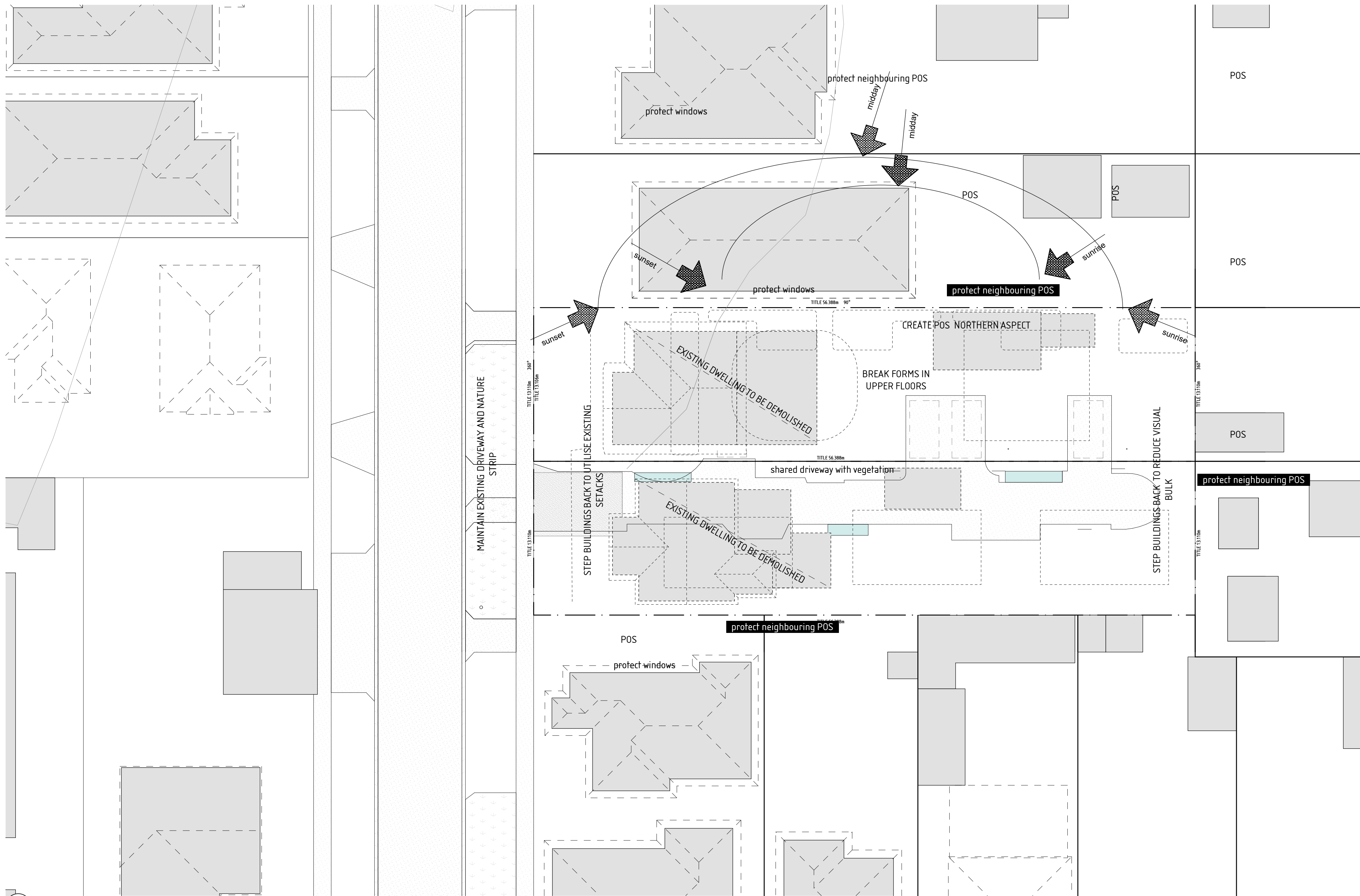
Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

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

RELATED DOCUMENTS

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



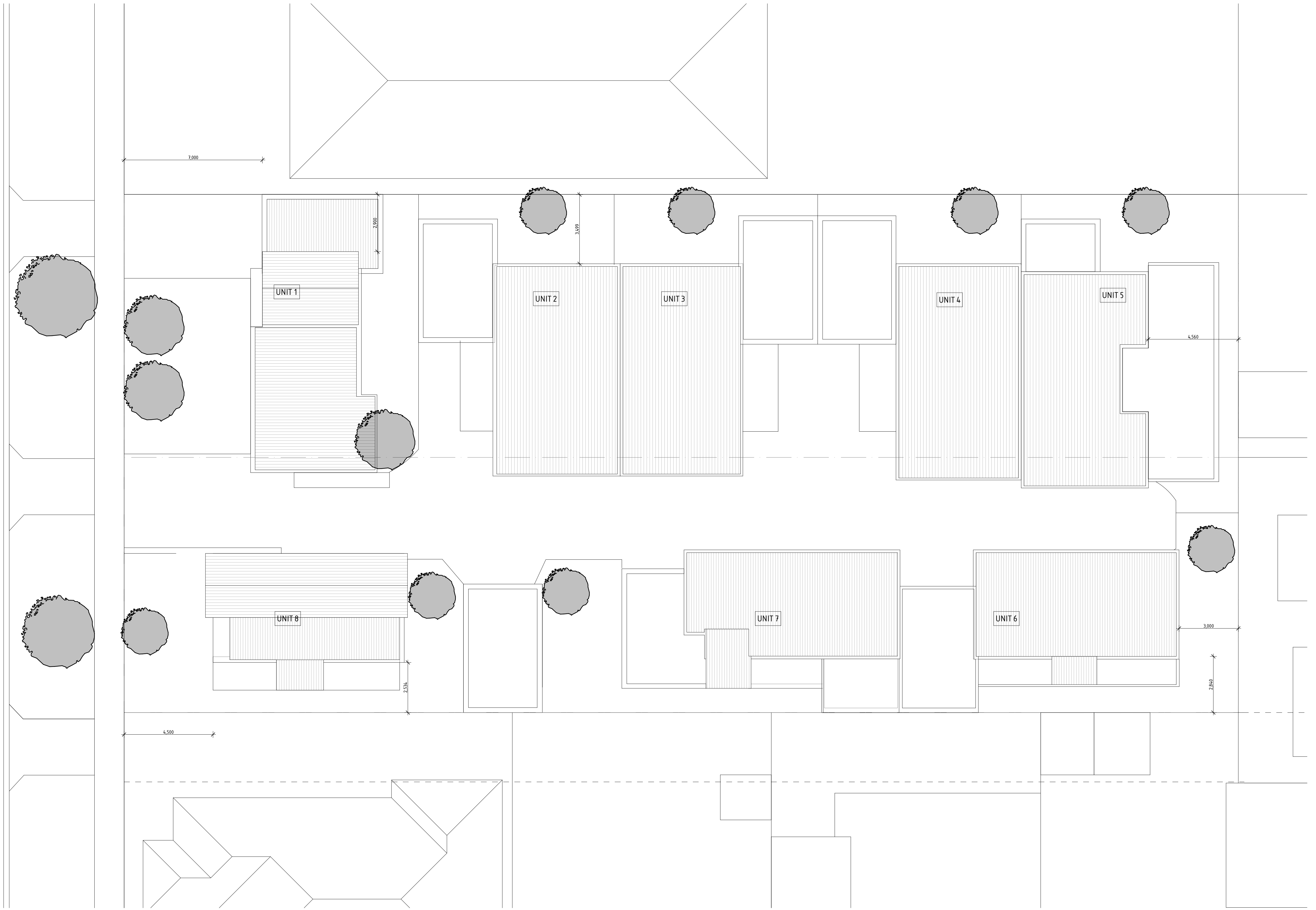


01 Design Response

1200

GLAZING NOTE:
 Any habitable room window or balcony with a direct view of the site into a habitable room or secluded private open space area of an existing dwelling has a sill height of at least 1.7m above finished floor level, has fixed obscure glazing to any part of the window below 1.7m above finished floor level or has permanently fixed external screens to at least 1.7m above finished floor level with no more than 25% transparency.

| | |
|------------------------|------------------------------|
| Site Area | 1,478.5 m ² |
| Unit 1 - Ground Floor | 87.5 m ² |
| Unit 2 - Ground Floor | 88.9 m ² |
| Unit 3 - Ground Floor | 88.9 m ² |
| Unit 4 - Ground Floor | 88.9 m ² |
| Unit 5 - Ground Floor | 87.8 m ² |
| Unit 6 - Ground Floor | 86.7 m ² |
| Unit 7 - Ground Floor | 85.1 m ² |
| Unit 8 - Ground Floor | 71.9 m ² |
| driveway | 24.6 m ² (garage) |
| Building Area Coverage | 710.5 m ² 48% |
| Impervious Area | 1015.4 m ² 68% |



01 Site Plan Proposed

1:100

| | |
|------------------------|------------------------------|
| Site Area | 1,478.5 m ² |
| Unit 1 - Ground Floor | 87.5 m ² |
| Unit 2 - Ground Floor | 88.9 m ² |
| Unit 3 - Ground Floor | 88.9 m ² |
| Unit 4 - Ground Floor | 88.9 m ² |
| Unit 5 - Ground Floor | 87.8 m ² |
| Unit 6 - Ground Floor | 86.7 m ² |
| Unit 7 - Ground Floor | 85.1 m ² |
| Unit 8 - Ground Floor | 71.9 m ² |
| driveway | 24.6 m ² (garage) |
| driveway | 304.9 m ² |
| Building Area Coverage | 710.5 m ² 48% |
| Impervious Area | 1015.4 m ² 68% |



01 Proposed Ground Floor

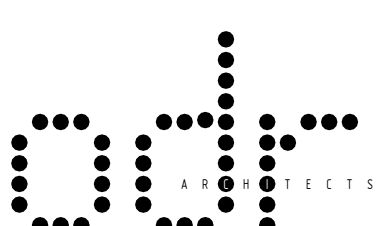
1:100

GLAZING NOTE
 Any habitable room window or balcony with a direct view of the site into a habitable room or secluded private open space area of an existing dwelling has a sill height of at least 1.7m above finished floor level, has fixed obscure glazing to any part of the window below 1.7m above finished floor level or has permanently fixed external screens to at least 1.7m above finished floor level with no more than 25% transparency.

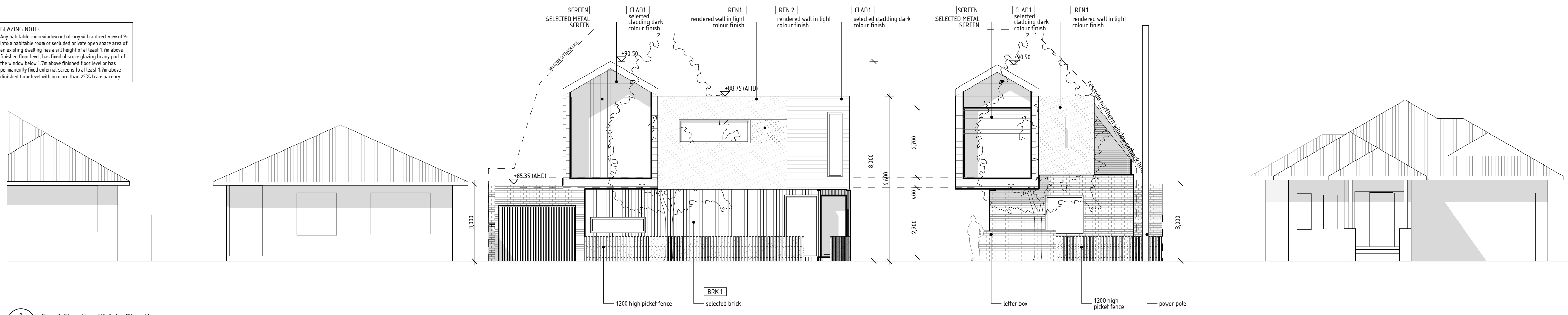


01 Upper Floor

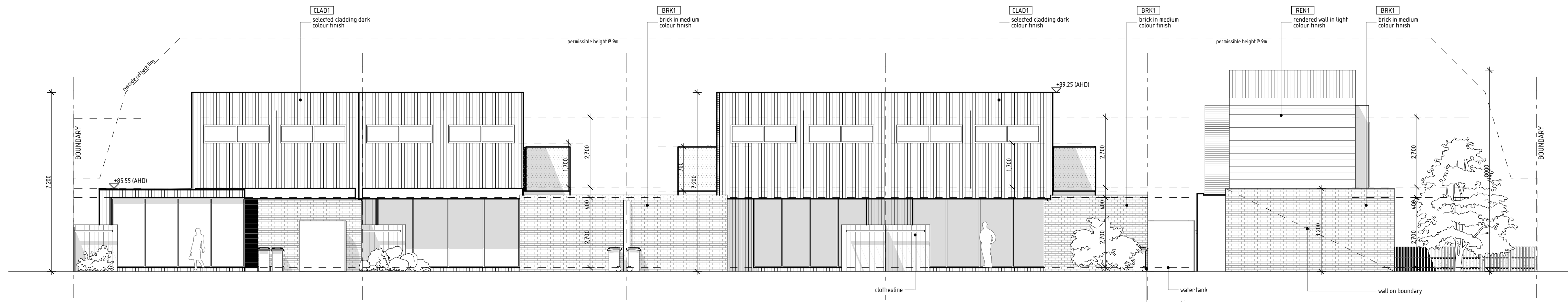
1:100



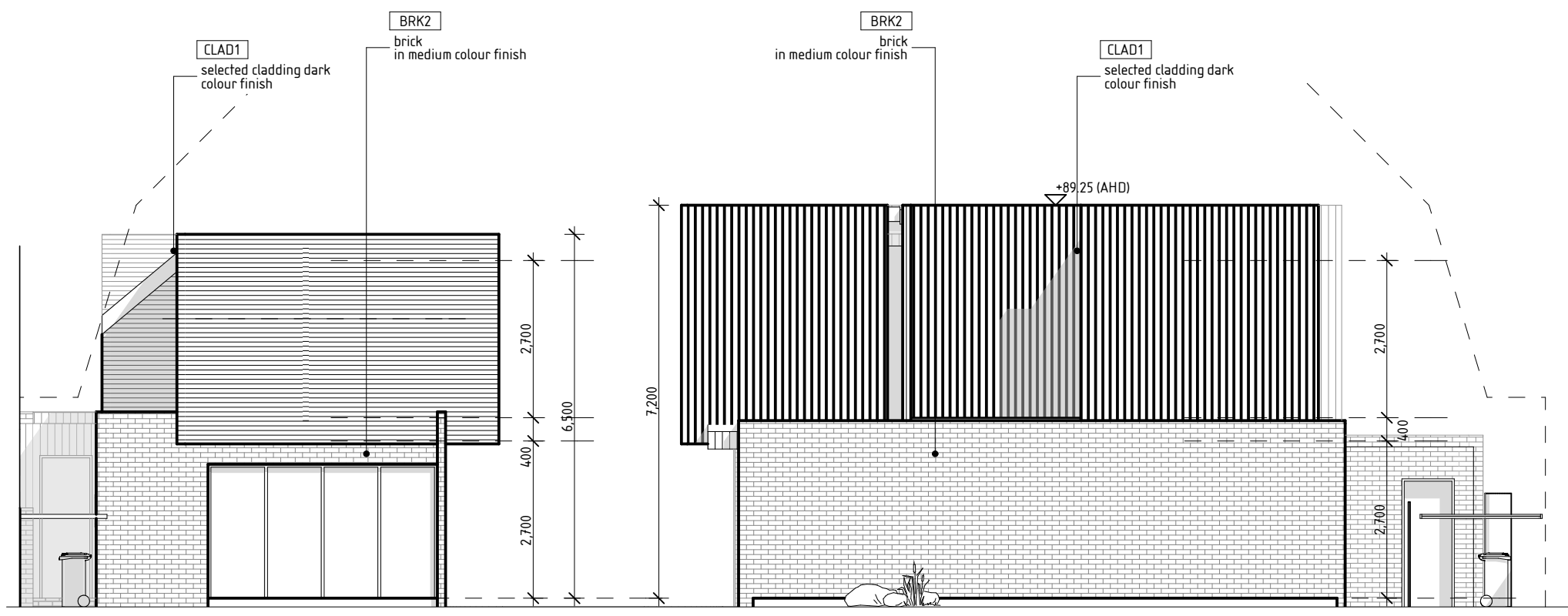
GLAZING NOTE:
 Any habitable room window or balcony with a direct view of the site or a habitable room or enclosed private open space area of an existing dwelling has a sill height of at least 1.7m above finished floor level. Has fixed obscure glazing to any part of the window below 1.7m above finished floor level or has permanently fixed external screens to at least 1.7m above finished floor level with no more than 20% transparency.



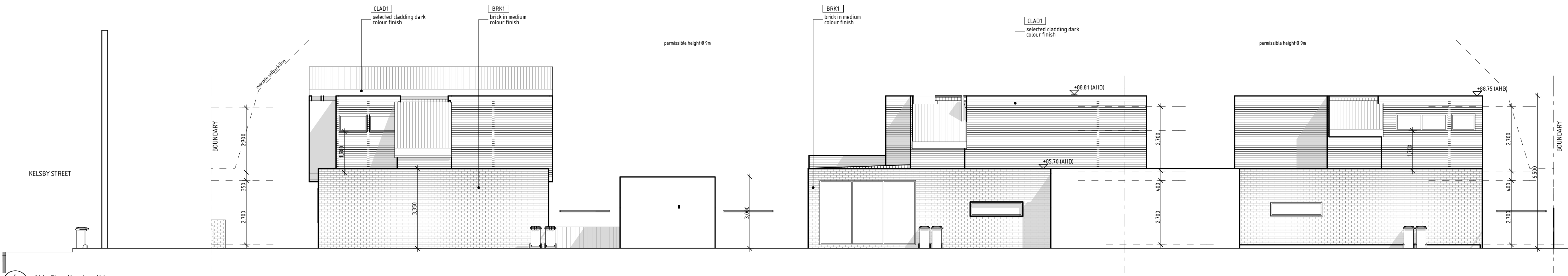
1 Front Elevation (Kelsby Street) 1:100



2 North Elevation 1:100

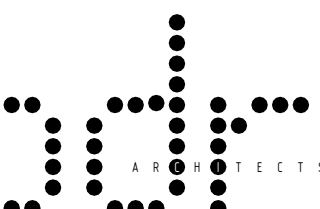
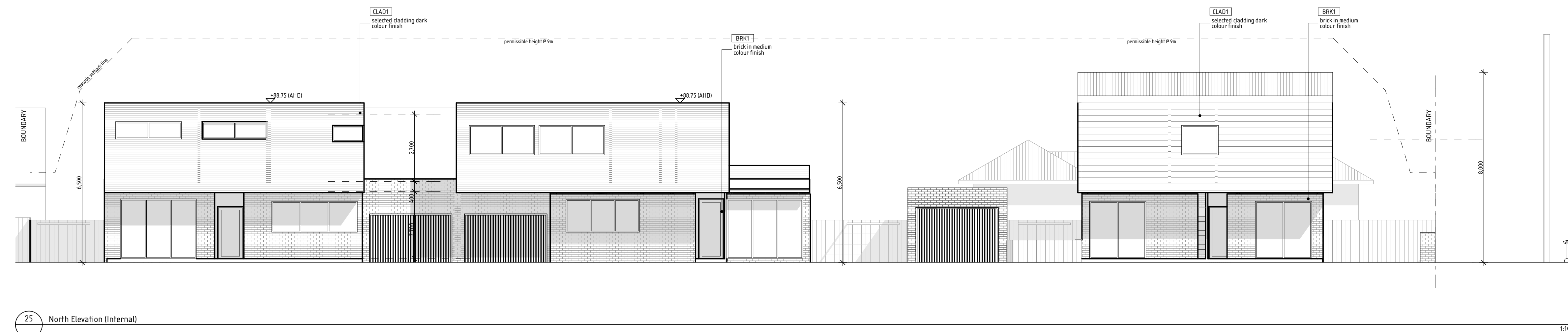
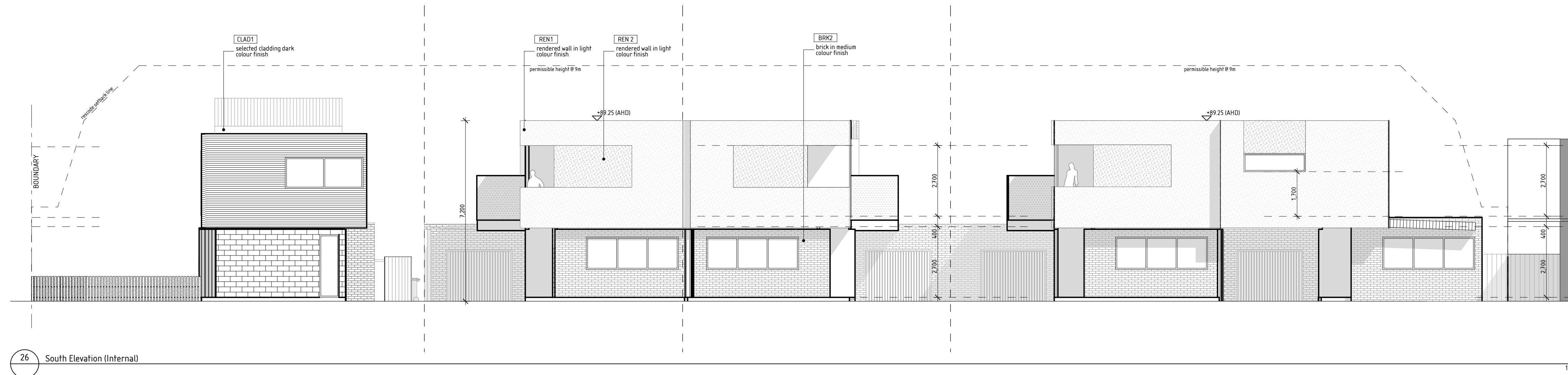
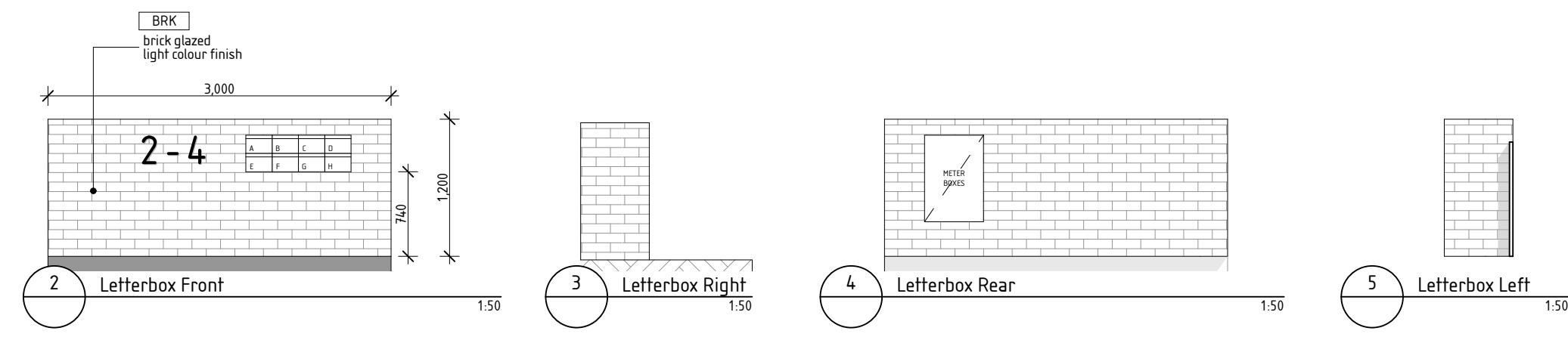


3 Rear Elevation 1:100



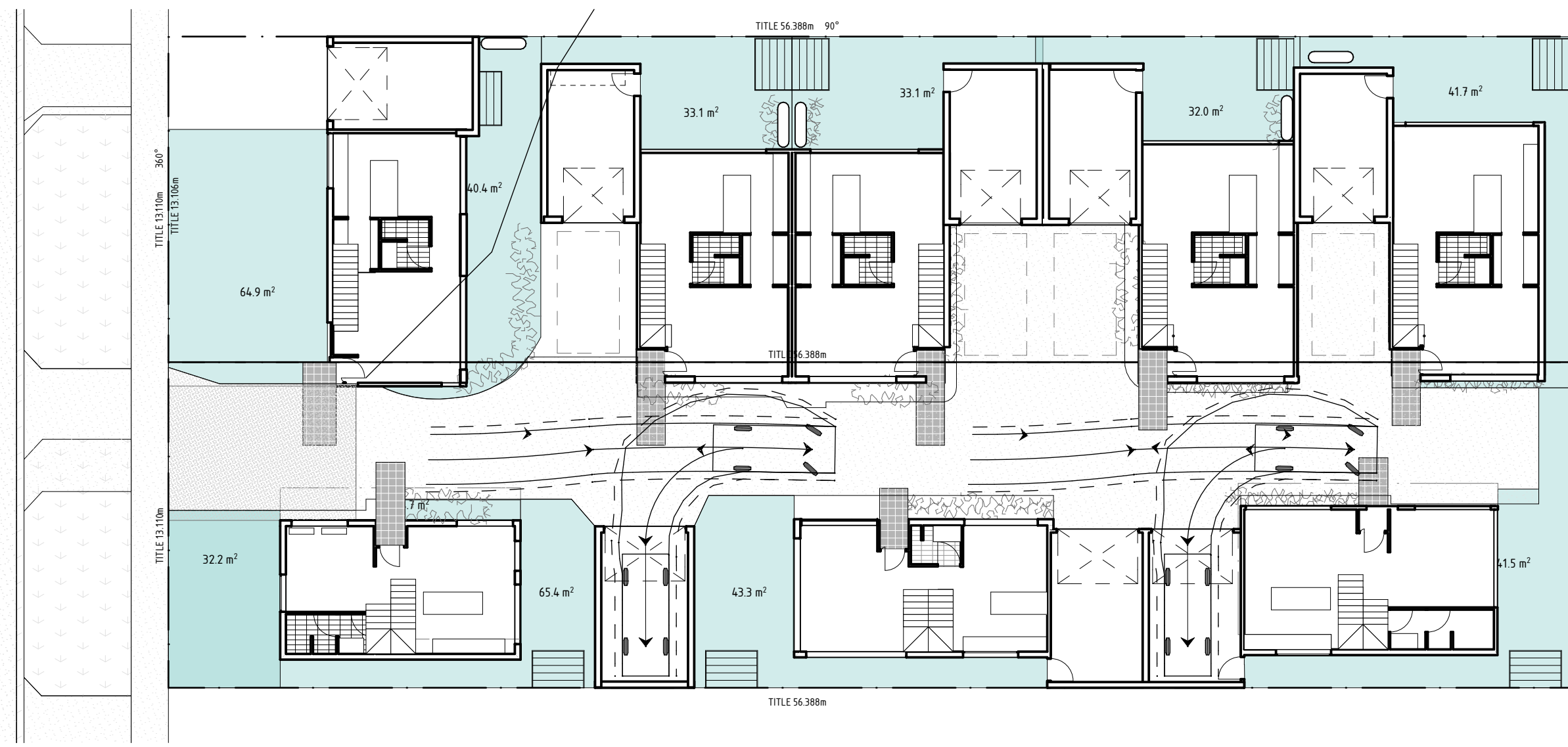
4 Side Elevation (south) 1:100

GLAZING NOTE:
 Any habitable room window or balcony with a direct view of the site or a habitable room or enclosed private open space area of an existing dwelling has a sill height of at least 1.7m above finished floor level. The finished floor level of any part of the window below 1.7m above finished floor level or has permanently fixed external screens to at least 1.7m above finished floor level with no more than 25% transparency.

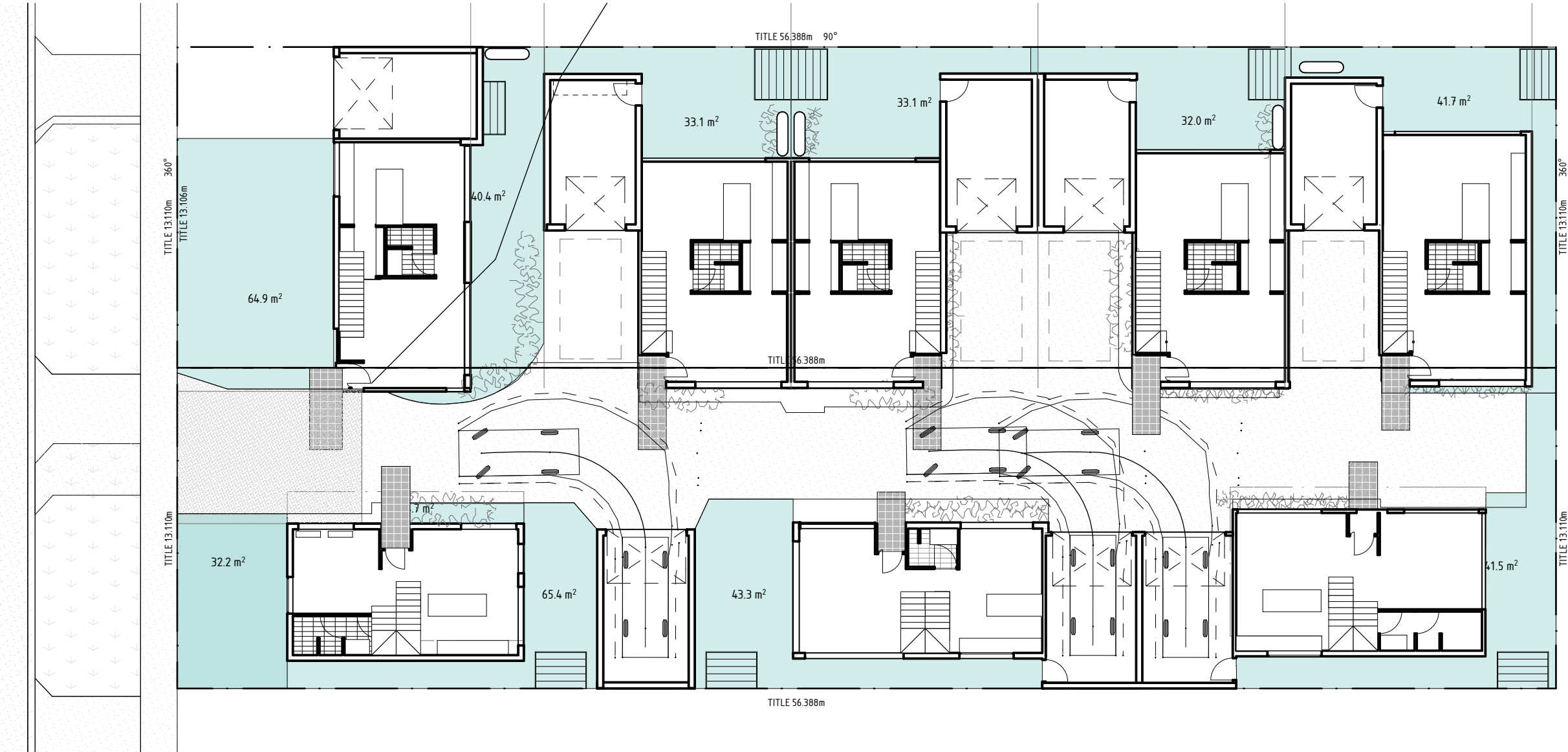




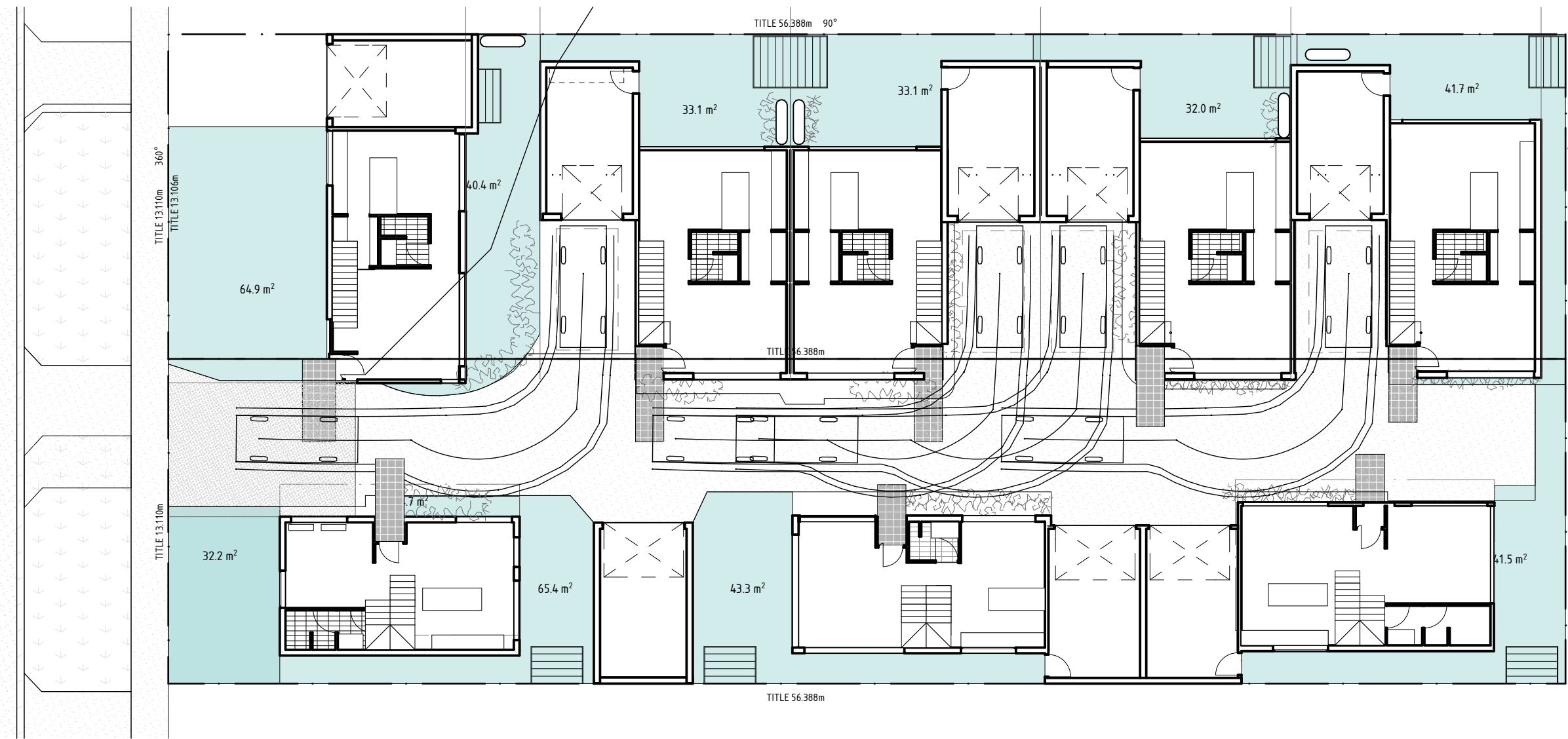
Proposed Shadows
 Existing Shadows



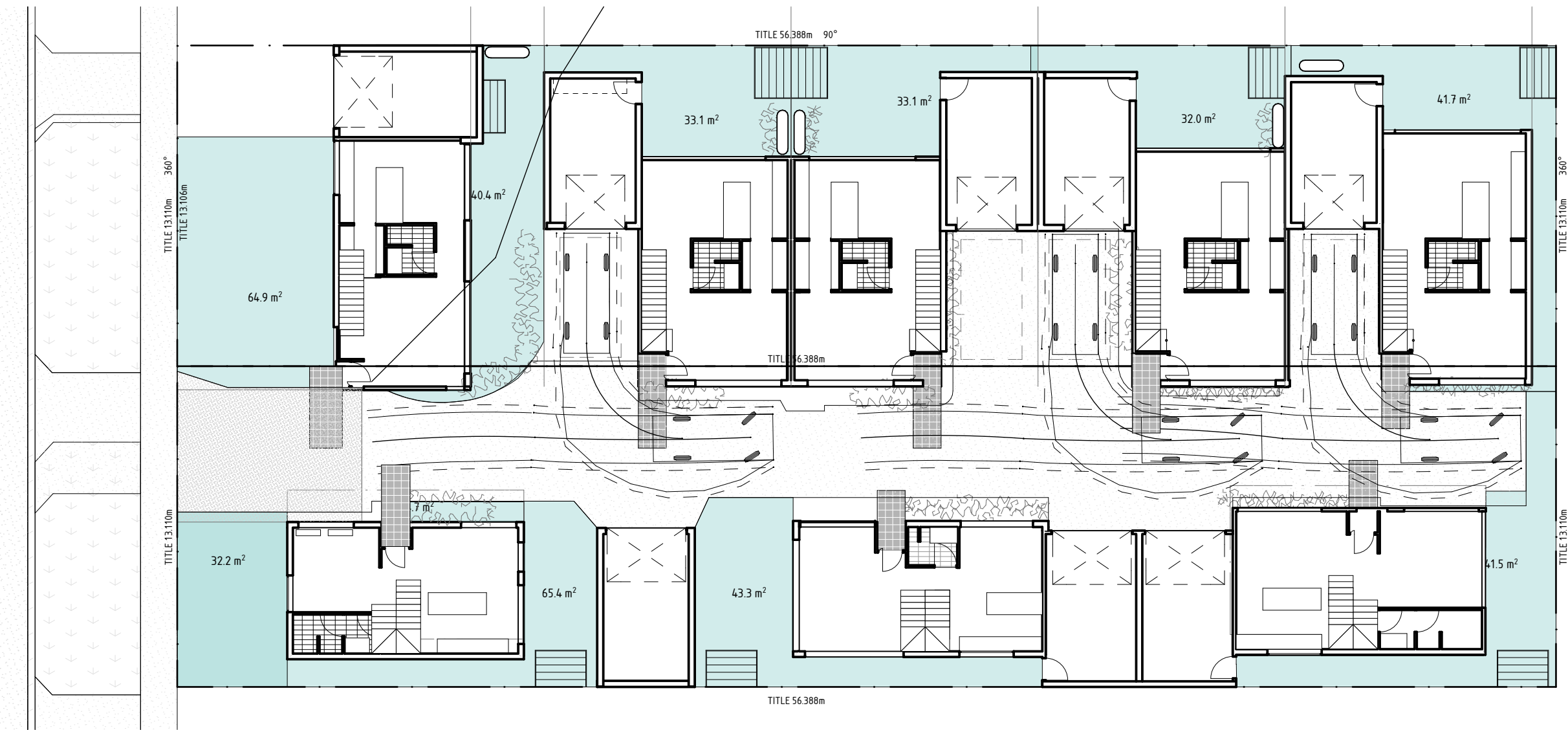
2 Turning Circles - ingress 1:200



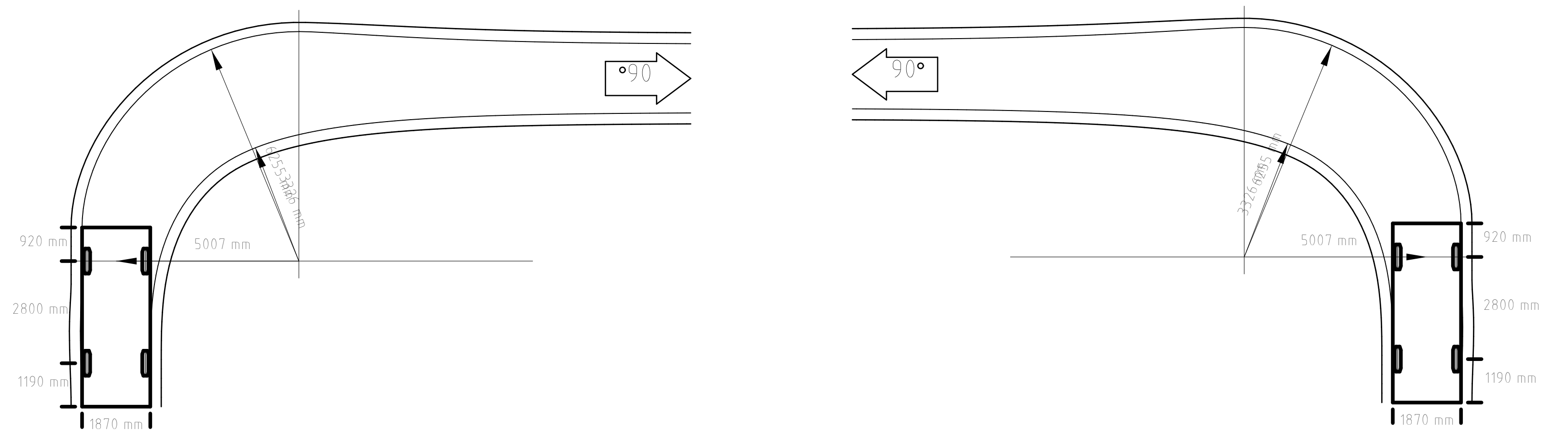
4 Turning Circle Egress 2 1:200



1 Turning Circles ingress 2 1:200



3 Turning Circles Egress 1:200



5.3 APPLICATION FOR PLANNING PERMIT D/643/2015
 50-52 Wales Street, Thornbury

AUTHOR: Principal Planner – Jennifer Roche

DIRECTOR: Acting Director Assets and Business Services – Chris Meulblok

OWNER/APPLICANT/CONSULTANT:

| Applicant | Owner | Consultant |
|------------------|-------------------|--|
| Archsign Pty Ltd | Fredasken Pty Ltd | Andrew Smith Terrain Consulting Group (Titles advice) Stem Arboriculture (Arborist report) |

SUMMARY:

- This application seeks approval for a medium density development comprising five (5) double storey dwellings.
- Dwellings 1 and 2 will have two (2) bedrooms and access to one (1) car space and Dwellings 3-5 will have three (3) bedrooms and access to two (2) car parking spaces.
- No visitor parking is provided on site.
- Secluded private open space is provided at first floor level in the form of balconies for Dwellings 1-3 with areas between 9m² and 18m² and at ground level I for Dwellings 4 and 5 with areas of 41 square metres and 32 square metres respectively.
- The site which comprises two (2) lots is within two zones. The property at 50 Wales Street is within a General Residential Zone Schedule 2 and the property at 52 Wales Street is within a Commercial 1 Zone.
- There is no restrictive covenant on the title for the subject land.
- Twenty-one (21) 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 two (2) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Darebin Parks, Transport Management and Planning and Capital Works.
- This application was not required to be referred to external authorities.

Recommendation

That Planning Permit Application D/643/2015 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as Site/Ground Floor Plan and First Floor Plan TP1 Rev C and Elevations TP2 Rev C, dated 25 February 2016 and prepared by Archsign) but modified to show:
 - a) A landscape plan in accordance with Condition No. 5 of this Permit. The plan must include at least four (4) suitable medium canopy trees and four (4) suitable small canopy trees to the satisfaction of the Responsible Authority.
 - b) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 4 of this Permit).
 - c) Annotations detailing Tree Protection Zones and associated Tree Protection Fences with radii as follows (measured from the outside edge of the trunk) for the nominated trees in accordance with the requirements of Condition 8 of this Permit.
 - i. 4.4 metres for the Kohuhu (*Pittosporum tenuifolium*) located at 24 Speight Street Thornbury;
 - ii. 2.8 metres for the Jacaranda (*Jacaranda mimosifolia*) located at 24 Speight Street Thornbury;
 - iii. 4.0 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in front of 24 Speight Street;
 - iv. 4.9 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in Speight Street (identified as Tree 4 in Stem Arboriculture's Arboricultural Assessment and Report, dated 30 November 2015);
 - v. 4.0 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in Speight Street (identified as Tree 5 in Stem Arboriculture's Arboricultural Assessment and Report, dated 30 November 2015);
 - vi. 2.0 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in Wales Street (identified as Tree 6 in Stem Arboriculture's Arboricultural Assessment and Report, dated 30 November 2015);
 - vii. 2.0 metres for the Lemon Tree (*Citrus limon*) located at 48 Wales Street.A notation must be added to state that any works in the Tree Protection Zone must be carried out without excavation.
 - d) A 1.0 metre, fully constructed pathway between the front doors of Dwellings 2-5 and the public footpath at the front of the property.
 - e) A swept path assessment, prepared by a suitably qualified transport professional, confirming the ability of vehicles accessing Dwellings 2-4 to egress the site in a forward direction.

- f) A minimum height clearance of 2.1 metres within all car parking and vehicle circulation areas clearly marked.
- g) The ground level room immediately adjacent to the entry nominated as a living room or home office.

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

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

- The development is not completed within five (5) years of the date of this Permit.

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

- Before this Permit expires;
 - Within six (6) months after the expiry date; or
 - Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.
- 4. Before the development starts, a Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The SDA must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. It is recommended that a Built Environment Sustainability Scorecard (BESS) report is undertaken as part of the SDA.

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

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

- a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified.
- b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- c) A diversity of plant species and forms. All proposed planting must be to the satisfaction of the responsible authority.
- d) Where the opportunity exists, an appropriate number and size of canopy trees are to be shown within the secluded private open space areas of each dwelling and within the front setback of the property, commensurate with the size of planting area available.

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

- e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, retaining walls, raised planter bed and decking.
 - f) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
 - g) Hard paved surfaces at all entry points to dwellings.
 - h) All constructed items including letter boxes, garbage bin receptacles, lighting, clotheslines, tanks, outdoor storage etc.
 - i) Type and details of edge treatment between all changes in surface (e.g. Grass (lawn), gravel, paving and garden beds).
 - j) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences must be shown on the landscape plan. The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
 - k) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
 - l) Scale, north point and appropriate legend. Landscape plans are to be clear, legible and with graphics drawn to scale, and provide only relevant information.
6. The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.
- No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.
7. The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.
8. Before buildings and works (including demolition) start, tree protection fences must be erected around the following trees at radii as noted from the base of the trunk to define a 'tree protection zone' -
- i. 4.4 metres for the Kohuhu (*Pittosporum tenuifolium*) located at 24 Speight Street Thornbury;
 - ii. 2.8 metres for the Jacaranda (*Jacaranda mimosifolia*) located at 24 Speight Street Thornbury;
 - iii. 4.0 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in front of 24 Speight Street;

- iv. 4.9 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in Speight Street (identified as Tree 4 in Stem Arboriculture's Arboricultural Assessment and Report, dated 30 November 2015);
- v. 4.0 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in Speight Street (identified as Tree 5 in Stem Arboriculture's Arboricultural Assessment and Report, dated 30 November 2015);
- vi. 2.0 metres for the QLD Brush Box (*Lophostemon confertus*) on the naturestrip in Wales Street (identified as Tree 6 in Stem Arboriculture's Arboricultural Assessment and Report, dated 30 November 2015);
- vii. 2.0 metres for the Lemon Tree (*Citrus limon*) located at 48 Wales Street.

The fences must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority and installed around the naturestrip trees adjacent to the subject site prior to any work on-site.

The tree protection fences must remain in place until construction is completed and be installed in accordance with Australian Standard AS4970 - 2009: Protection of trees on development sites.

No vehicular or pedestrian access, trenching or soil excavation is to occur within the tree protection zone.

The tree protection fencing for Trees 4 and 6 (as identified in Stem Arboriculture's Arboricultural Assessment and Report, dated 30 November 2015) can be moved whilst accommodating crossover construction and reinstated to original distance immediately after.

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

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

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

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

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

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

NOTATIONS

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

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

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

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

| |
|---------------|
| Report |
|---------------|

INTRODUCTION AND BACKGROUND

An application under section 50 of the *Planning and Environment Act 1987* was made to amend the proposal from six (6) dwellings to five (5) dwellings.

Council records indicate that there is no other planning history for this site.

ISSUES AND DISCUSSION

Subject site and surrounding area

- The land comprises two (2) lots and is regular in shape and measures 32.05 metres in length and 21.34 metres in width with a site area of 748 square metres.
- The lot known as 50 Wales Street is L-shaped with a portion of the land immediately to the east of No. 52. This portion of No. 50 is encumbered by carriageway easement for which only No.52 derives the right of carriageway.
- The land is located in two (2) zones with 50 Wales Street within a General Residential Zone Schedule 2 and 52 Wales Street within a Commercial 1 Zone. The entire site is affected by a Development Contribution Plan Overlay.
- The land is located on the south-east corner of Wales Street and Speight Street.
- The land known as 50 Wales Street is L-shaped and occupied by a single storey detached, brick dwelling with secluded private open space and outbuilding to the rear. Vehicle access is gained via a single crossover on Speight Street. The land known as 52 Wales Street is occupied by a single storey building currently used as a dwelling but previously used for commercial purposes. The building is constructed to the front and side boundaries. Vehicle access is gained via a single crossover on Speight Street, located to the west of the crossover to 50 Wales Street. There are trees and shrubs throughout the site but no significant vegetation. The site has a fall of approximately 2.0 metres from the south-west corner to the north-east corner. A 1.83 metre wide easement extends the width of the rear boundary of both dwellings.
- To the south is a double storey brick dwelling with secluded private open space and outbuildings to the rear. A carport to the side of the dwelling and outbuildings to the rear are constructed along the common boundary. The dwelling is setback 2.7 metres from the common boundary and has a front setback of approximately 3.7 metres.

- To the east is a single storey weatherboard dwelling fronting Speight Street. The dwelling is setback 1.2 metres from the common boundary. There are two (2) trees within the front setback that overhang the subject site.
- To the west across Wales Street are single storey dwellings including a "shop" building attached to the dwelling on the south-west corner of Wales Street and Speight Street. On the north-west corner of the streets is Wales Street Primary School.
- To the north across Speight Street are single and double storey dwellings.
- No on-street parking is available in front of the subject site on Wales Street due to 'No Standing' restrictions associated with the roundabout controlling the intersection of Wales and Speight Streets. Parking on either side of Wales Street is unrestricted to the south of the 'No Standing' controls. There are 'No Standing' restrictions adjacent to the subject site on Speight Street as well. The same applies on the northern side of Speight Street. Parking on either side of Speight Street is unrestricted to the east of the 'No Standing' controls.
- The site is located within an extensive residential area extending to High Street to the west, Station Street to the east, Bell Street to the north and Separation Street to the south. The Northcote Major Activity Area is located approximately 1.2 metres to the south. There are several parks in proximity of the site including All Nations Park approximately 600 metres from the site and McDonnell Park approximately 920 metres from the site.
- The nearest public transport services to the site consists of:
 - Bus route 510 (Essendon - Ivanhoe) runs along Wales Street with stops approximately 11 metres from the site.
 - Bus route 251 (Northland SC - City) runs along Victoria Road with a stop approximately 300 metres to the east.
 - Bus route 552 (North East Reservoir - Northcote Plaza) runs along Darebin Road with a stop approximately 300 metres to the east.
 - Tram route 86 (Bundoora RMIT - Waterfront City Docklands) runs along High Street approximately 900 metres to the west.
 - Croxton Railway Station is approximately 1.5km to the west.

Proposal

- The existing buildings on 50 Wales Street are to be demolished. The majority of the buildings on 52 Wales Street are to be demolished but the facade and 7.0 metres of the northern boundary wall are to be retained.
- It is proposed to construct five (5) double storey dwellings. Dwellings 1 and 2 will have two (2) bedrooms and access to one (1) car space comprising a single space garage. Dwellings 3-5 will have three (3) bedrooms and access to two (2) car parking spaces comprising a double space garage for Dwelling 3 and a single space garage and tandem car space for each of Dwellings 4 and 5. No visitor parking is provided on site.
- Vehicle access is to be gained via a new crossover on Wales Street and two (2) existing, modified crossovers on Speight Street.
- The maximum height of the dwellings is to be 8.2 metres.

- The proposed private open space is provided as follows:
 - Dwelling 1 – 48m² including a 18m² balcony;
 - Dwelling 2 – 19m² including a 9.0m² balcony;
 - Dwelling 3 - 23.8m² including a 12m² balcony;
 - Dwelling 4 - 51m² including 41m² of secluded private open space;
 - Dwelling 5 - 42m² including 32m² of secluded private open space.

Objections

- Twenty-one (21) objections have been received.

Objections summarised

- Increased parking problems
- Safety concerns for primary school children
- Out of character with the area
- Increased traffic congestion
- Loss of shop facade on Speight Street
- Overdevelopment of the site
- Loss of commercially zoned land and reduction in diversity
- Oversupply of 1 and 2 bedroom dwellings
- Loss of shade trees
- Waste collection is inadequate
- Car parking reduction is contrary to Darebin Planning Scheme
- Lacking of parking for emergency vehicles
- Visual bulk
- Does not add net value to community
- Negative social effect on the community
- Does not comply with the Darebin Planning Scheme
- Does not guarantee affordable accommodation

Officer comment on summarised objections

Increased parking problems

Car parking has been provided on site for residents in accordance with the provisions of Clause 52.06 of the Darebin Planning Scheme. Council's Transport Management and Planning Unit have no objection to the waiving of the one (1) visitor's car space required under the Planning Scheme. It is considered that any overflow parking resulting from the development would be within reasonable limits and will not negatively impact on the surrounding streets.

Safety concerns for primary school children

It is estimated that the number of vehicle movements associated with the proposed development is unlikely to increase the safety risk of children moving around the neighbourhood.

Each of the crossovers in Speight Street will provide access for one dwelling as is currently the case. The proposed crossover on Wales Street will provide access for three (3) dwellings but it appears that adequate space has been provided to allow vehicles to exit the site in a forward direction thereby minimising the potential for conflict between vehicles and pedestrians. A condition of approval will require swept path diagrams to be provided to confirm that forward ingress and egress is possible.

Out of character with the area

State and Local Planning Policy encourages appropriate medium density housing in well serviced areas such as this. As a result the appearance of streets will change. Whilst the predominant character of both Wales Street and Speight Street is formed by single storey detached dwellings, there are double storey dwellings in proximity of the site including one directly opposite the subject site on Speight Street and a neighbouring property on Wales Street. The proposed double storey dwellings have been designed to have minimal impact on the streetscape with a high level of articulation.

Increased traffic congestion

The increase in traffic movements in the abutting streets, arising from the additional dwellings is considered to be an increment that will not affect local traffic conditions.

The application has been referred to Transport Management and Planning and no objections have been raised with regard to impacts on the road network by increased traffic movements.

Loss of shop facade on Speight Street

The proposed development will retain the existing shop facade as well as 7.0 metres of the side wall to Speight Street. The applicant has provided advice from a structural engineer that the facade can be retained for the proposed development. The loss of part of the boundary wall to the existing building will not detract from the character of the area.

Overdevelopment of the site

Appropriate medium density development is encouraged by both State and Local Planning Policy. The proposed application satisfies the objectives of Clause 55 and is not considered an overdevelopment of the site.

Loss of commercially zoned land and reduction in diversity

Whilst the land at 52 Wales Street is within a Commercial 1 Zone, it is currently used as a dwelling. A dwelling is a permitted use in a Commercial 1 Zone.

Oversupply of 1 and 2 bedroom dwellings

Three of the five dwellings will have three (3) bedrooms and two will have two (2) bedrooms and it is considered that the proposal provides housing diversity consistent with state and local planning policy.

Loss of shade trees

The proposal will result in the loss of trees and these have been identified as having low-medium retention value. The proposed development provides adequate space within the front yards of each dwelling and the rear yards of Dwellings 4 and 5 for the planting of canopy trees. A condition of the approval requires the submission of a landscape plan which must include at least eight (8) canopy trees.

Waste collection is inadequate

Adequate space is available on site for the storage of waste bins for each dwelling and with frontage to two streets sufficient area is available for waste collection at the kerbside.

Car parking reduction is contrary to Darebin Planning Scheme

See assessment below.

Lacking of parking for emergency vehicles

The planning scheme does not require the provision of parking on a development site for emergency vehicles. It is expected that in the case of an emergency a ambulance or other emergency vehicle could park in the driveway or on the street.

Visual bulk

See assessment below.

Does not add net value to community

This ground is unsubstantiated. There have been no demonstrated dis-benefits associated with development. This ground is contrary to the objectives of planning in Victoria.

Negative social effect on the community

The proposal is for dwellings on residentially zoned land and commercially zoned land currently used for residential purposes. It is reasonable to anticipate that this land would be developed for the purpose of a residential development. This is entirely consistent with expected land use and therefore the proposal will not have any negative social effects on the surrounding and wider community.

Does not comply with the Darebin Planning Scheme

See assessment below.

Does not guarantee affordable accommodation

Whilst the Darebin Planning Scheme does not mandate that all residential development must be affordable housing in monetary terms local policy in Clause 21.03 of the Darebin Planning Scheme sets out that "*housing affordability is a particular housing issue in Darebin. Lack of affordable housing and high rental prices can aggravate housing stress and homelessness. Housing affordability, income levels and demand for social and public housing are highly correlated. An increase in the supply of affordable housing could ease housing stress of low income earners and can decrease the demand for social housing.*"

As established in Green v Hobsons Bay CC (Red Dot) [2013] VCAT 2091 ('Green') in relation to affordable housing, the provision of smaller dwellings, commanding lower prices on the open market than other comparable housing types, sufficiently achieves the intent of general planning policy which encourages affordable housing. Also, the notion of affordable housing can also include the provision of additional housing opportunities in locations that are well served by existing infrastructure, the functions and services of nearby activity centres and available public transport.

PLANNING ASSESSMENT

Zone Provisions

The subject site is within two zones under the Darebin Planning Scheme. The lot at 50 Wales Street is within a General Residential Zone Schedule 2 and 52 Wales Street is within a Commercial 1 Zone. The application will be assessed against the provisions of both zones.

Neighbourhood Character Precinct Guideline Assessment - Precinct C2

Vegetation

- The proposal will result in the loss of trees from the site but the development has been designed to provide sufficient space for the planting of vegetation including canopy trees with the front setbacks and in the rear yards of Dwellings 4 and 5.
- A condition of approval will require the submission of landscape plans providing at least eight (8) canopy trees.

Complies

Siting

- The proposal provides for front gardens that are large enough for planting of vegetation to enable the continuation of the garden setting in this area.
- The garage for Dwelling 1 is setback 3.0 metres from the frontage to Wales Street and whilst its southern wall will be visible from the street it has been designed to minimise its impact on the streetscape. The garage will be setback from the front wall of the dwelling (which is on the front boundary), the setback will be landscaped including canopy trees to providing appropriate screening and windows are to be included along this elevation to provide articulation. The garages to Dwellings 2 and 3 will be located to the rear of this garage and will not have a dominate presence on the streetscape. The garages for Dwellings 4 and 5 are setback from the front facades of the dwellings and will not dominate the streetscape.

Complies

Height and Building Form

Whilst there is a period home located on the neighbouring properties to the east, the land is not affected by a heritage overlay. The proposed development is contemporary comprising two-storey dwellings that are respectful of the neighbourhood. Both Wales Street and Speight Street have a mix of housing styles from different eras which include double storey structures. The development is well articulated through the use of materials, openings, setbacks and variations in wall surfaces and the combination of both pitched and flat roof elements is compatible with surrounding dwellings. The upper levels have been well setback from side and rear boundaries providing a reasonable transition between the single storey dwelling to the east and double storey dwelling to the west.

Complies

Materials and Design Detail

- The form and facades of the proposed dwellings are adequately articulated through the materials, openings and setbacks and appropriately address the traditional designs of dwellings in the area.
- The materials (brick, timber and timber-look cladding and corrugated iron roof sheeting) are considered appropriate within the neighbourhood context.

Complies**Front Boundary Treatment**

- The front fencing proposed for Wales Street has a height of between 1.1 metres and 1.6 metres whilst the front fencing on Speight Street will have a height of 0.9 metres. These composite timber batten fencing will maintain openness to the street.

Complies**Clause 55 Assessment**

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

Clause 55.03-1 B6 Street Setback

- The front setback of the adjoining dwelling is 3.7 metres. The standard therefore requires a setback of 3.7 metres.
- The facade of the existing building on 52 Wales Street is to be retained. This is constructed to the front boundary at a zero setback. The garage for Dwelling 1 is setback 3.0 metres which is considered satisfactory as follows:
 - The setback addresses the relevant requirements of the Neighbourhood Character Study, in that it allows adequate provision for landscaping.
 - Dwelling 1 and its garage's facade are appropriately articulated.
 - The front setback will not result in unreasonable visual bulk when viewed from the street or adjoining properties.
 - The proposed setback results in efficient use of the site.
 - The existing streetscape is not consistent and provides for varied setbacks.
- Dwellings 2-5 are setback 3.15 metres from their frontage to Speight Street which complies with the 3.0 metre standard required for dwellings fronting a side street.

Complies with objectiveClause 55.03-9 B14 Access

- Vehicle access to and from the site is safe, manageable and convenient. The number and design of the vehicle crossovers respects the neighbourhood character. The proposed development comprises a new crossover on Wales Street and retention of two (2) existing single crossovers on Speight Street.

- The width of the access ways is 3.0 metres.
- The single crossover to the Wales Street is taking up 14% of the frontage, is acceptable given that the standard requires that no more than 33% of the frontage should be taken up by vehicle access ways.
- It appears that adequate turning areas are provided to allow vehicles to enter the site on both Wales and Speight Streets and exit the site on Wales Street in a forward direction. The vehicles associated with Dwellings 4 and 5 will reverse out onto Speight Street as is the existing conditions. The vehicles associated with Dwellings 1-3 have adequate space to manoeuvre and exit the site in a forward direction. A condition of approval will require this be clearly demonstrated through a swept path assessment and modifications made to ensure vehicles can leave the site in a forward direction.

Complies subject to condition

Clause 55.04-6 B22 Overlooking

- The ground levels of the proposed dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary. Existing 1.8 metre high boundary fence on the eastern boundary, and a proposed 1.8 metre high fence on the southern boundary, will sufficiently limit overlooking.
- 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.

Complies

Clause 55.05-4 B28 Private Open Space

- The development provides adequate private open space (pos) for the reasonable recreation and service needs of residents.
- This is achieved through the provision of 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 or 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 secluded POS |
|------------|------------------|----------------------------|--|
| Dwelling 1 | 48 square metres | 18 square metres (balcony) | 2.0 metres |
| Dwelling 2 | 19 square metres | 9 square metres (balcony) | 2.0 metres |
| Dwelling 3 | 24 square metres | 12 square metres (balcony) | 2.0 metres |
| Dwelling 4 | 51 square metres | 41 square metres | 4.2 metres |
| Dwelling 5 | 42 square metres | 32 square metres | 3.7 metres |

- All secluded private open space areas have direct access to a living room. With regard to the 'reverse living' arrangement it is important to note relevant cases that have stood before the Victorian Administrative Appeals Tribunal (VCAT). In Catania Investments P L v Darebin CC [2015] Member Cimino stated:
 - *The Council submits that the proposal presents poor internal amenity for future residents given the 'reverse' living arrangements for 7 of the proposed dwellings. The Council says that this type of arrangement is typically associated with intense housing development close to activity centres. The Council submits that there is no strategic imperative for more intense development on this site as it is not within 400m of an activity centre.*
 - *These arguments would be applicable to a ground of refusal asserting that there is a lack of strategic support for the proposed development. However, the Council's arguments fail to show why there would be adverse impacts on the amenity of future residents.*
 - *As conceded in the Council's submission, the 'reverse' living arrangement is now becoming commonplace. It is not unusual within townhouse style developments. Indeed, it is a layout that is often applied to the design of much larger dwellings and conventional residential lots, particularly in areas where there is opportunity for views, such as a long Beach Road and other coastline areas where residents seek to maximise opportunities for views.*
 - *In some situations, the 'reverse' layout provides better amenity than if the traditional layout was employed. This is because first floor level living areas are elevated, thus providing better access to daylight, sunlight and opportunities for long distance views. All of these work to enhancing rather than detracting from amenity for future residents.*
 - *In some cases, the provision of upper level living can give rise to potential for overlooking of neighbours and the need for substantial screening. This can detract from internal amenity. However, in this case, limited screening of balconies and windows is required to protect the amenity of surrounding properties such as the neighbour to the north at 85 Spring Street.*
 - *The proposed reverse living dwellings provide good standard of amenity, with good daylight and sunlight access, appropriate open space and functional internal layouts.*
- Having regard to the above, the proposed dwelling arrangements are acceptable. In particular, the proposed balconies are oriented to the street. They do not require screening which will allow for views and outlook, and ensure good amenity for the residents of those dwellings. Additionally, the balconies are oriented north and therefore will have excellent access to daylight – far better than another arrangement which would require ground floor open space to be located at the rear or side of a dwelling on this lot. Finally, the site is within 600 metres of All Nations Park which is a significant recreational space.

Complies

Clause 55.05-5 B29 Solar Access to Open Space

Solar access is provided into the secluded private open space of the new dwellings as follows:

| | Wall Height to North | Required Depth | Proposed Depth |
|------------|-----------------------------|-------------------------|--------------------------------|
| Dwelling 1 | N/A as no wall to north | | |
| Dwelling 2 | N/A as no wall to north | | |
| Dwelling 3 | N/A as no wall to north | | |
| Dwelling 4 | 3.6 metres - 6.5 metres | 5.2 metres - 7.9 metres | <u>4.3 metres - 6.2 metres</u> |
| Dwelling 5 | 3.6 metres - 5.8 metres | 5.2 metres - 7.2 metres | 8.8 metres - 11.0 metres |

The secluded private open space for Dwelling 4 does not fully comply with the standard. The living room projects south beyond the southern wall of the dining room and the setback of both the living room and Bedroom 1 above it are not sufficient to allow direct sunlight into this section of the secluded private open space until late afternoon. The section of secluded private open space directly to the south of the dining room however, should receive direct sunlight from noon onwards. This section has an area of 21 square metres and it is considered that given the availability of direct sunlight to in excess of half the secluded private open space of this dwelling in the afternoon and during the warmer months, solar access is sufficient and will provide a good level of amenity for the residents.

Complies with objective

Clause 34.01 - Commercial 1 Zone

The use of the land as well as the proposed buildings and works on the land at No. 50 Wales Street require a planning permit under the provisions of this clause. The proposal has been assessed against the decision guidelines and is considered satisfactory as follows:

- A search of Council’s rates database dating from 1996-2015 showed no record of No. 50 Wales Street being used for a commercial purpose. Additionally, the Darebin Economic Land Use Strategy adopted by Council in September 2014, identifies the Wales Street shopping strip (of which No. 50 forms the southernmost part) as a:
 - Small local centre of around 10 shops of which only two now operate as businesses (a new cafe/coffee shop is now the focus and a hair dressing business is nearby). The balance are either vacant or have been converted for residential use. The centre is located adjacent to a primary school and represents an attractive location for mixed use development. Recommendation: Rezone to the Mixed Use Zone.
- The proposed use of No. 50 for dwellings accords with the pattern of use tending towards mixed and residential uses in this strip. While Dwellings 2-5 are typical dwellings, Dwelling 1 has been designed with a flexible ground floor layout, to allow for the a small office or home occupation at the ground level which could function separate to the upstairs dwelling.

- The subject site is located in an area with good connection to services.
- The traffic generated by the proposed use and development is not likely to impact on abutting streets or nearby residents. This is discussed in more detail elsewhere in the report.
- The proposed development has been designed to provide convenient access to abutting streets for each dwelling. Vehicle and pedestrian movements associated with the subject site will not interfere with adjacent paths and roads.
- Adequate car parking is provided on site for residents and sufficient on-street parking is available for visitors to the site. This is discussed in more detail elsewhere in the report.
- The proposed development has been designed to respect the existing streetscape. Part of the existing building on 52 Wales Street is to be retained and the new buildings have been designed to minimise visual bulk and complement surrounding built form.
- Bins associated with each dwelling are to be located either within a purpose built enclosure on the site or within rear yards. Waste bins will not be visible from the streets.
- Overlooking and overshadowing have been considered in the assessment under Clause 55.
- The proposed buildings have been designed to allow for solar access to the dwellings and their secluded private open space with north facing habitable room windows and secluded private open space to most dwellings and access to northern light for all dwellings.
- The proposed development complies with the objectives and decision guidelines of Clause 55 and generally satisfies the standards as demonstrated in the body of this report.

Clause 52.06 Car Parking

Number of Parking Spaces Required

- One car parking space is provided for each of the two bedroom dwellings.
- Two car parking spaces are provided for each of the three bedroom dwellings with one space under cover.
- One (1) visitor parking space is required for each five dwellings. The proposed development would require the provision of one (1) visitor parking space. There are no visitor parking spaces provided. Having regard to the following:
 - The availability of on-street parking in proximity of the site and public transport within walking distance.
 - The intermittent, transitory nature of the demand for visitor spaces.
 - Observed levels of on-street parking vacancy in the immediate vicinity.
- The waiver of one (1) visitor parking space is not considered to detrimentally impact on the amenity of the area.

Design Standards for Car parking

- The car parking spaces, the garaging and the access ways appear to have appropriate dimensions to enable efficient use and management. As discussed previously a condition will require a swept path assessment to confirm vehicles associated with Dwellings 1-3 can exit the site in a forward direction.
- The car parking facilities are designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.
- Dwelling 1 contains a room at ground level that has been not been identified. It is unlikely to be used as an additional bedroom given its configuration and location it is considered appropriate that the room be identified on the plans as either a living space or home office.
- The double garage's dimensions of 6.0 metres length x 6.0 metres width comply with the minimum requirements of the standard.
- The single garage dimensions of 6.0 metres length x 3.5 metres width comply with the minimum requirements of the standard.

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 | | |
| | | All dwelling appropriately integrate with the Street. | Y | Y |
| 55.03-1 | B6 | Street setback | | |
| | | Please see assessment in the body of this report. | N | Y |
| 55.03-2 | B7 | Building height | | |
| | | 8.2 metres | Y | Y |
| 55.03-3 | B8 | Site coverage | | |
| | | 57% | Y | Y |

| Clause | Std | | Compliance | |
|-----------------|------------|---|------------|-----|
| 55.03-4 | B9 | Permeability | | |
| | | 27% | 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 | | |
| | | Please see assessment in the body of this report. | Y | Y |
| 55.03-10 | B15 | Parking location | | |
| | | Parking facilities are proximate to the dwellings they serve, the access is observable, habitable room windows are sufficiently set back from accessways. | Y | Y |
| 55.04-1 | B17 | Side and rear setbacks | | |
| | | Dwellings are set back in accordance with the requirements of this standard. | Y | Y |
| 55.04-2 | B18 | Walls on boundaries | | |
| | | Length: 7.0 metres Height: 3.2 metres Walls on boundaries comply with the requirements of this standard. | Y | Y |
| 55.04-3 | B19 | Daylight to existing windows | | |
| | | Sufficient setbacks exist to allow adequate daylight | Y | Y |
| 55.04-4 | B20 | North-facing windows | | |
| | | Development is set back in accordance with the standard. | Y | Y |

| Clause | Std | | Compliance | |
|----------------|------------|---|------------|---|
| 55.04-5 | B21 | Overshadowing open space | | |
| | | Shadow cast by the development is within the parameters set out by the standard. | Y | Y |
| 55.04-6 | B22 | Overlooking | | |
| | | Please see assessment in the body of this report. | Y | Y |
| 55.04-7 | B23 | Internal views | | |
| | | There are no internal views | Y | Y |
| 55.04-8 | B24 | Noise impacts | | |
| | | Noise impacts are consistent with those in a residential zone. | Y | Y |
| 55.05-1 | B25 | Accessibility | | |
| | | The ground levels of the proposal can be made 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 | | |
| | | Please see assessment in the body of this report. | N | Y |
| 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. | Y | Y |
| 55.06-2 | B32 | Front fences | | |
| | | A front fence of between 1.1 metres and 1.5 metres on Wales Street and front fences of 0.9 metres on Speight Street are proposed which is appropriate in the neighbourhood context. | Y | Y |

| Clause | Std | | Compliance | |
|----------------|------------|---|------------|---|
| 55.06-3 | B33 | Common property | | |
| | | Common property areas are appropriate and manageable. | Y | Y |
| 55.06-4 | B34 | Site services | | |
| | | Sufficient areas for site services are provided. | Y | Y |

REFERRAL SUMMARY

| Department/Authority | Response |
|-----------------------------------|---|
| Capital Works | No objection, subject to condition included in recommendation. |
| Transport Management and Planning | No objection, subject to condition included in recommendation |
| Darebin Parks | No objection, subject to condition included in recommendation |
| Properties and Assets | No objection. The road easement to the rear is in favour of land contained within the development and easements will merge on subdivision of the development. |

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08-4 (General Residential Zone - Schedule 2) – construction of two or more dwellings on a lot.
- Clause 34.01 (Commercial 1 Zone) - use of the land as a dwelling and to construct a building or construct or carry out works.
- The subject land is encumbered by a Development Contributions Plan Overlay however the approved plan expired on 30 June 2014.

Applicable provisions of the Darebin Planning Scheme

| Section of Scheme | Relevant Clauses |
|-------------------|--|
| SPPF | 11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1 |
| LPPF | 21.05-1, 21.05-2, 21.05-3, 22.02 |
| Zone | 32.01, 34.01 |
| Overlay | 45.06 |

| Section of Scheme | Relevant Clauses |
|----------------------------------|------------------|
| Particular provisions | 52.06, 55 |
| General provisions | 65.01 |
| Neighbourhood Character Precinct | C2 |

POLICY IMPLICATIONS

Environmental Sustainability

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

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

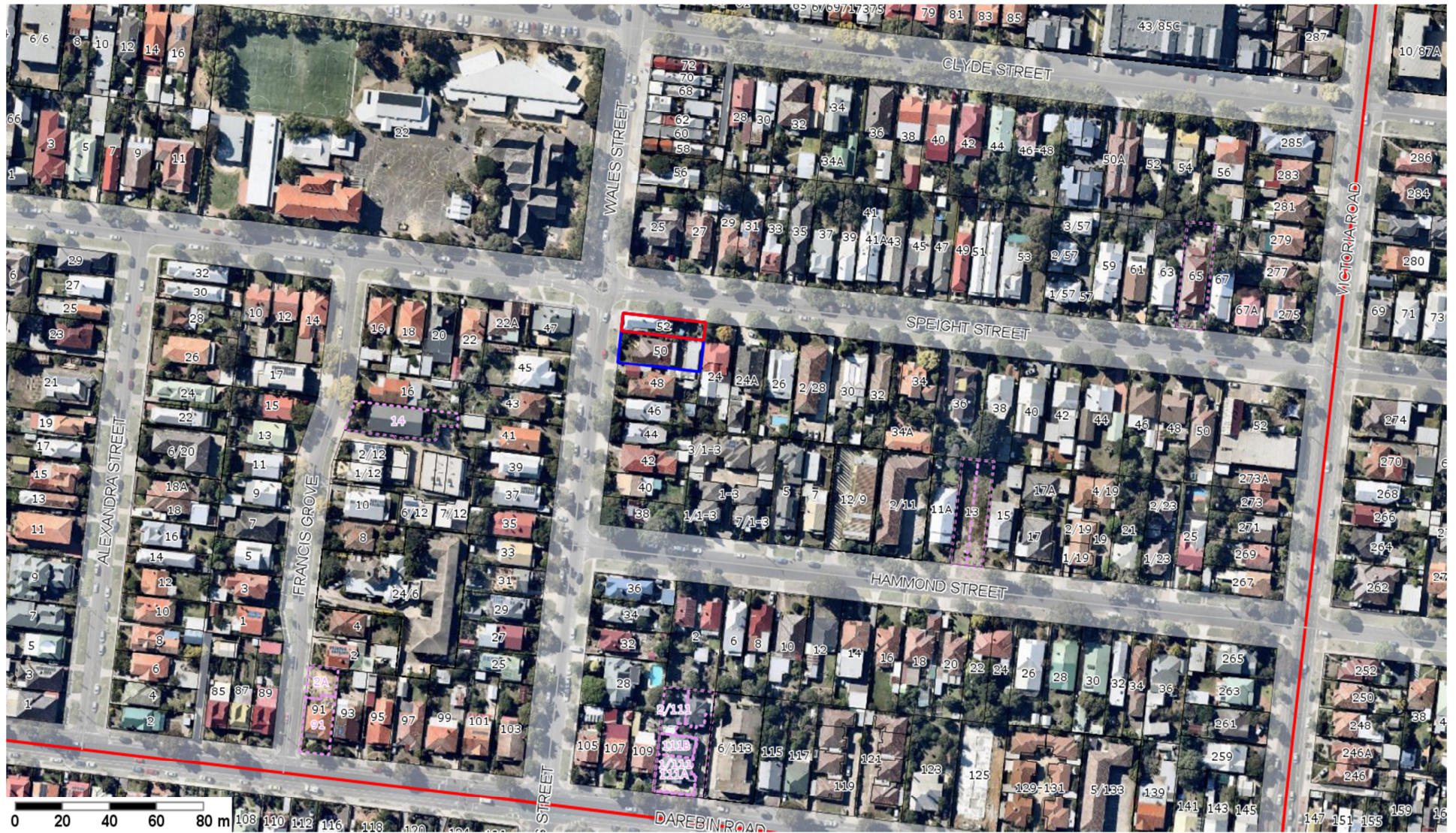
DISCLOSURE OF INTERESTS

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

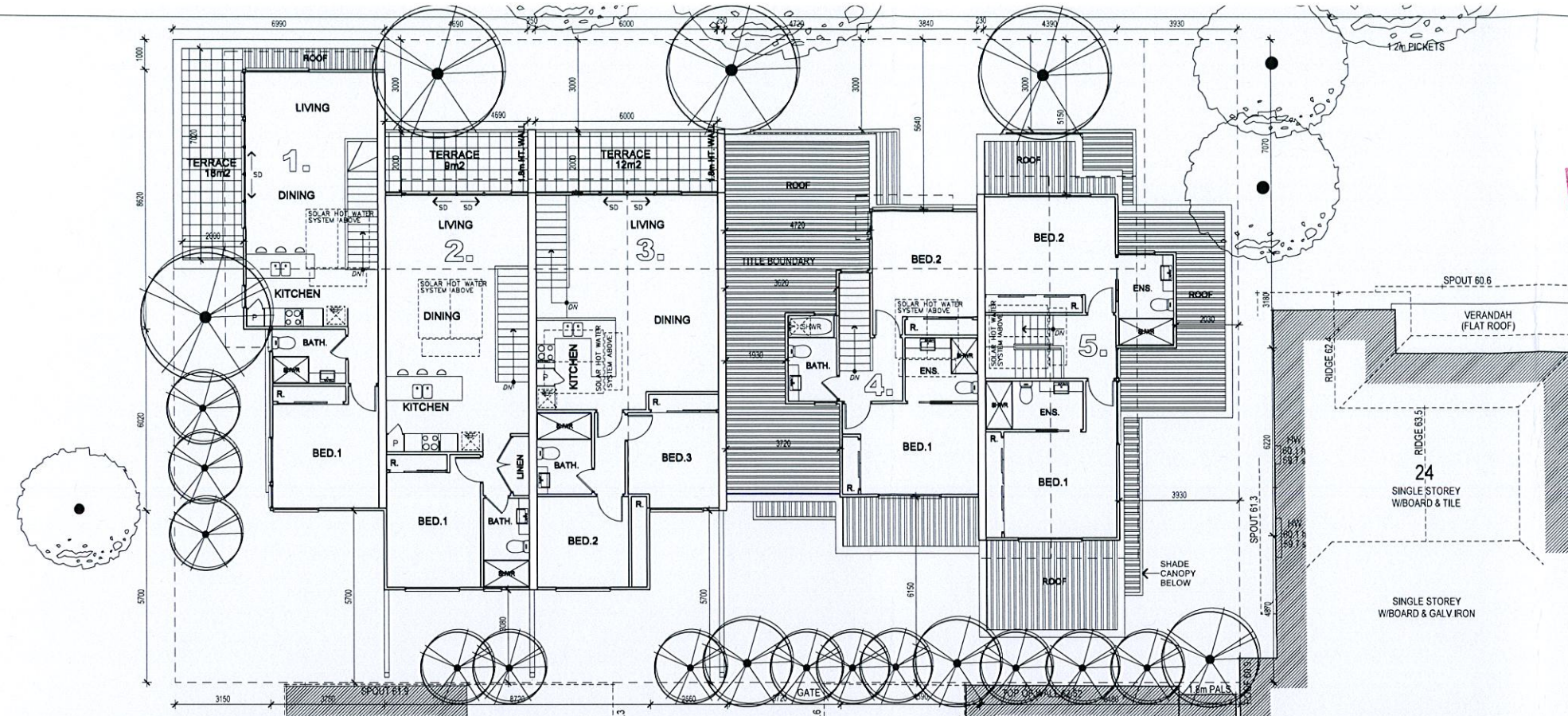
The Manager authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

RELATED DOCUMENTS

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



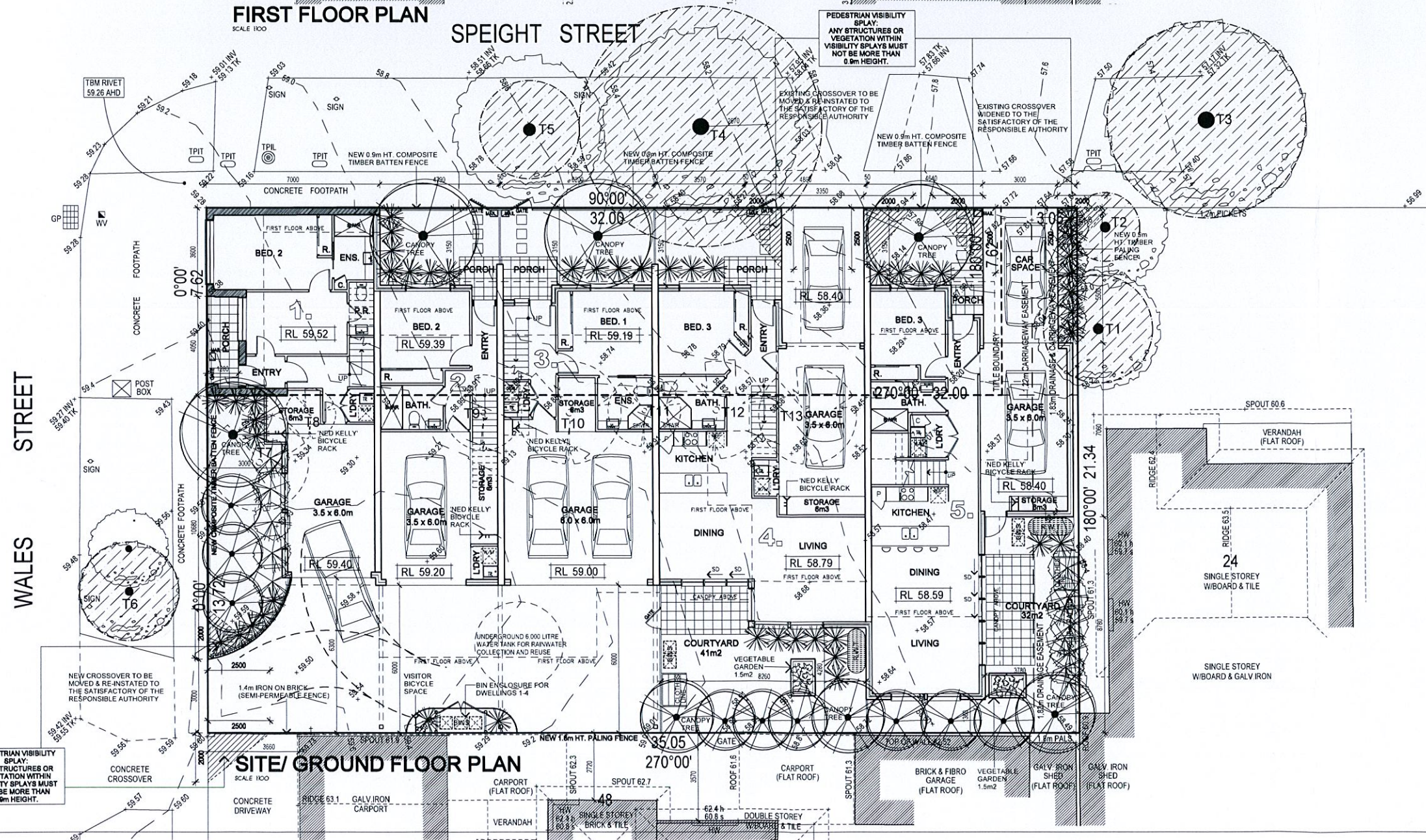
Whilst every endeavour has been made to ensure that the information in this product is current and accurate, the City of Darebin does not accept responsibility or liability whatsoever for the content, or for any errors or omissions contained therein. © City of Darebin



FIRST FLOOR PLAN
SCALE 1:100

ADVERTISED
31 MAR 2016
of
A3 copies
(2 pages)
Date
Date

RECEIVED ON
26 FEB 2016
CITY OF DAREBIN
STATUTORY PLANNING



SITE/ GROUND FLOOR PLAN
SCALE 1:100

DEVELOPMENT SUMMARY

| | |
|--|---|
| TOTAL SITE AREA | 745m ² (10000) |
| TOTAL BUILDING FOOTPRINT | 425m ² (57%) |
| HARD PAVED AREA | 18m ² (16%) |
| TOTAL PERMEABLE SURFACE | 205m ² (27%) |
| NUMBER OF DWELLINGS | 5 |
| CARSPACES | 8 |
| ALL LEVELS SHOWN TO AUSTRALIAN HEIGHT DATUM (AHD) | |
| REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR LANDSCAPE DETAILS | |
| | EXISTING TREE TO BE REMOVED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY |
| | EXISTING TREE TO BE RETAINED |
| | LOCATION OF SOLAR HOT WATER PANELS FOR A GAS BOOSTED SOLAR HOT WATER SYSTEM OR A SIMILAR SYSTEM OF ENHANCED ENERGY EFFICIENCY IS STAR INSTANTANEOUS TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. |
| | ALL DWELLINGS SHALL HAVE STORMWATER COLLECTION TANKS FOR INDIVIDUAL DWELLING RE-USE (2000 litres) |

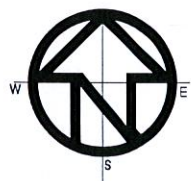
| | | |
|----------------------------|-----------|-------|
| TP COUNCIL FURTHER INFO. 2 | 25.2.2016 | C |
| TP COUNCIL FURTHER INFO | 2.12.2015 | B |
| TP COUNCIL LODGEMENT | 6.8.2015 | A |
| Revision: | Date: | Rev.: |

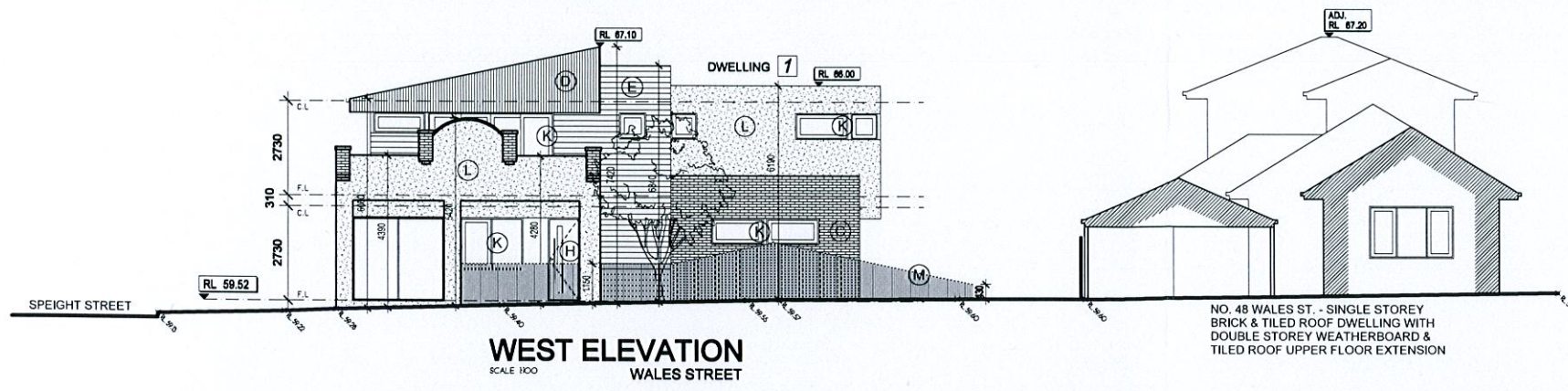
archsign
www.archsign.com.au
Level 1, 32 Mollison Street
Abbotsford Victoria 3067
T: 03 9230 1400 | F: 03 9416 4305
E: info@archsign.com.au

PROPOSED 6-DWELLING DEVELOPMENT AT:
NO. 50-52 WALES STREET THORNBURY

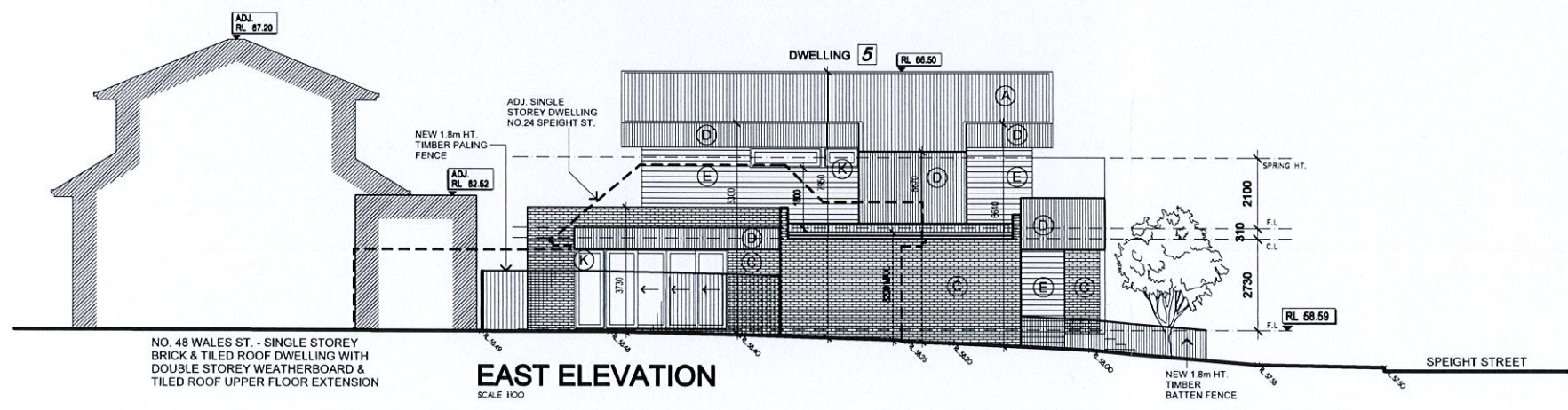
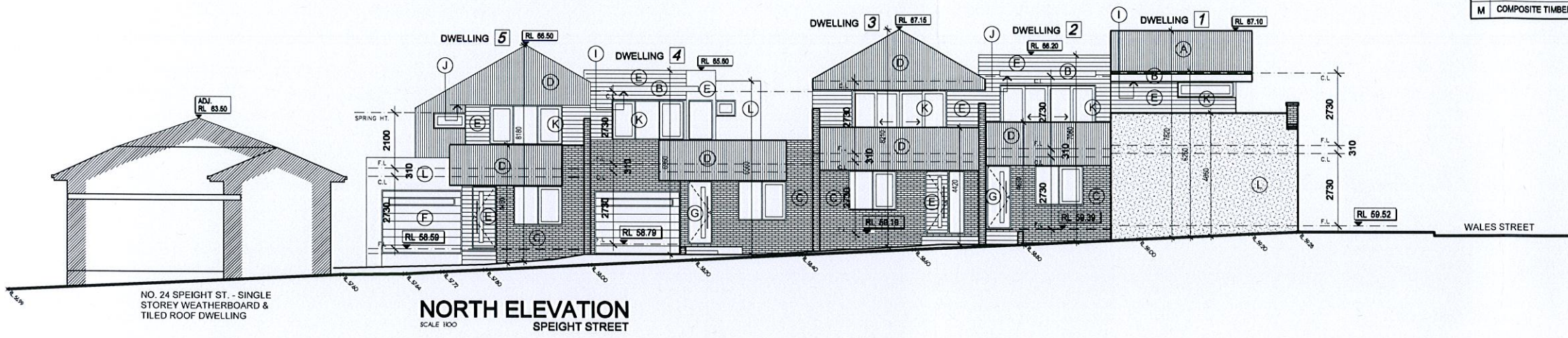
PRELIMINARY DRAWING
NOT TO BE USED FOR CONSTRUCTION PURPOSES

| | | | |
|------------|-------|-----------|---|
| Drawn: | AL | Date: | 10 JUNE 2015 |
| Checked: | | Scale: | A1 @ 1:100 / 1:50 A3 @ 1:200 / 1:100 |
| Job No.: | 15070 | Revision: | C |
| Sheet No.: | TP1 | | |





| EXTERIOR COLOUR & FINISHES | | | |
|----------------------------|--|----------------------------------|----------------------|
| Ref. | Item | Colour | Supplier/ Product |
| A | PAINT FINISH TO CORRUGATED IRON ROOF SHEETING | APPLIANCE WHITE SATIN (90058853) | DULUX PCOAT |
| B | PAINT FINISH TO FASCIA/ GUTTERS/ | NIGHT SKY | DULUX PCOAT |
| C | FACE BRICKWORK | RED GUM (HOMESTEAD RANGE) | AUSTRAL BRICKS |
| D | COMPOSITE TIMBER-LOOK BATTENS CLAD TO BLACK FIBRE CEMENT SHEET BACKING | SPOTTED GUM | BIOWOOD |
| E | STAINED COMPOSITE TIMBER-LOOK BOARD CLADDING TO WALLS & ENTRY DOORS | CHARCOAL | BIOWOOD |
| F | PAINT FINISH TO GARAGE DOORS | APPLIANCE WHITE SATIN (90058853) | DULUX PCOAT |
| G | PAINT FINISH TO TIMBER ENTRY DOORS (HIGH GLOSS - 1) | APPLIANCE WHITE SATIN (90058853) | DULUX (COLOUR MATCH) |
| H | PAINT FINISH TO TIMBER ENTRY DOORS (HIGH GLOSS - 2) | NIGHT SKY | DULUX |
| I | PAINT FINISH TO SOFFIT LINING (1) | APPLIANCE WHITE SATIN (90058853) | DULUX (COLOUR MATCH) |
| J | PAINT FINISH TO SOFFIT LINING (2) | NIGHT SKY | DULUX |
| K | PAINT FINISH TO ALUMINIUM WINDOWS | NIGHT SKY | DULUX PCOAT |
| L | PAINT FINISH TO APPLIED RENDER FINISH | APPLIANCE WHITE SATIN (90058853) | DULUX (COLOUR MATCH) |
| M | COMPOSITE TIMBER-LOOK BATTENS TO FENCE | SPOTTED GUM | DULUX |



RECEIVED ON

26 FEB 2016

CITY OF DAREBIN
STATUTORY PLANNING

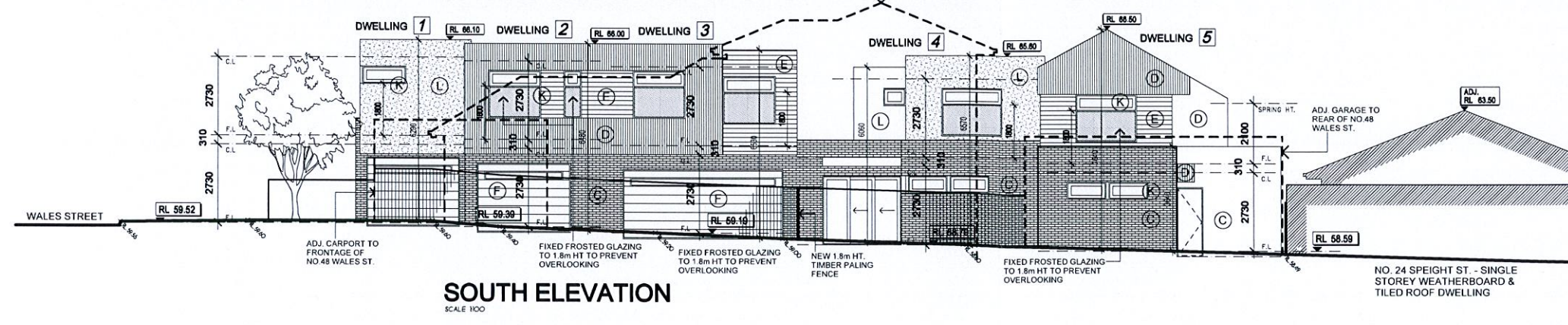
| | | |
|----------------------------|-----------|-------|
| TP COUNCIL FURTHER INFO. 2 | 25.2.2016 | C |
| TP COUNCIL FURTHER INFO. | 2.12.2015 | B |
| TP COUNCIL LODGEMENT | 6.8.2015 | A |
| Revision: | Date: | Rev.: |

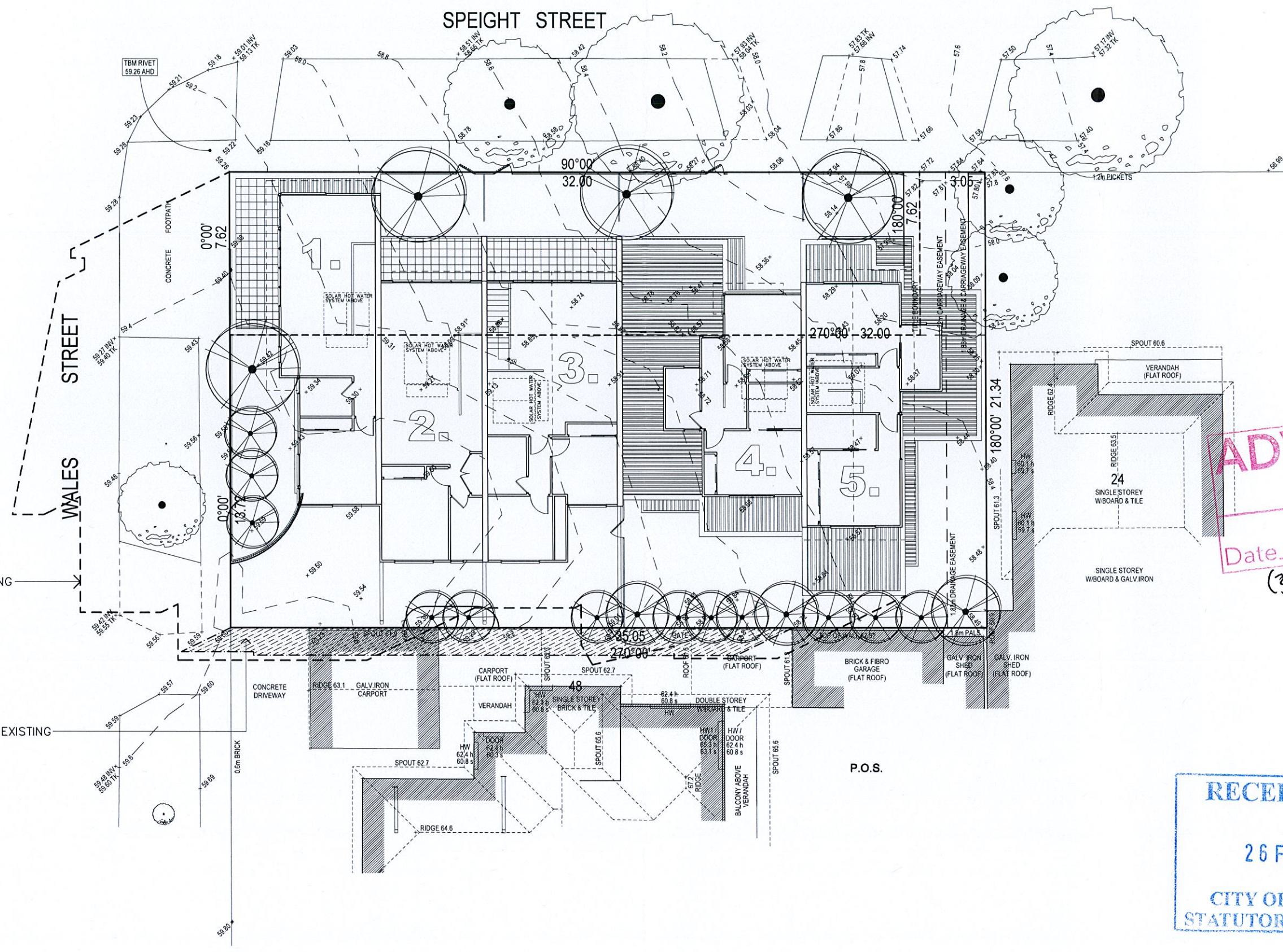
www.archsign.com.au
archsign
 Level 1, 32 Mollison Street
 Abbotsford Victoria 3067
 T: 03 9230 1400 | F: 03 9416 4305
 E: info@archsign.com.au

PROPOSED 6-DWELLING
DEVELOPMENT AT:
NO. 50-52
WALES STREET
THORNBURY

Issue: **PRELIMINARY DRAWING**
NOT TO BE USED FOR CONSTRUCTION PURPOSES

| | |
|----------------|----------------------------|
| Drawing: | Date: 10 JUNE 2015 |
| Drawn: AL | Scale: A1 @ 1:100 / 1:50 |
| Checked: | A3 @ 1:200 / 1:100 |
| Job No.: 15070 | Revision: C Sheet No.: TP2 |





ADVERTISED
 6 of 9
 Date 31 MAR 2016
 (3 pages)

RECEIVED ON
 26 FEB 2016
 CITY OF DAREBIN
 STATUTORY PLANNING

SHADOW DIAGRAM

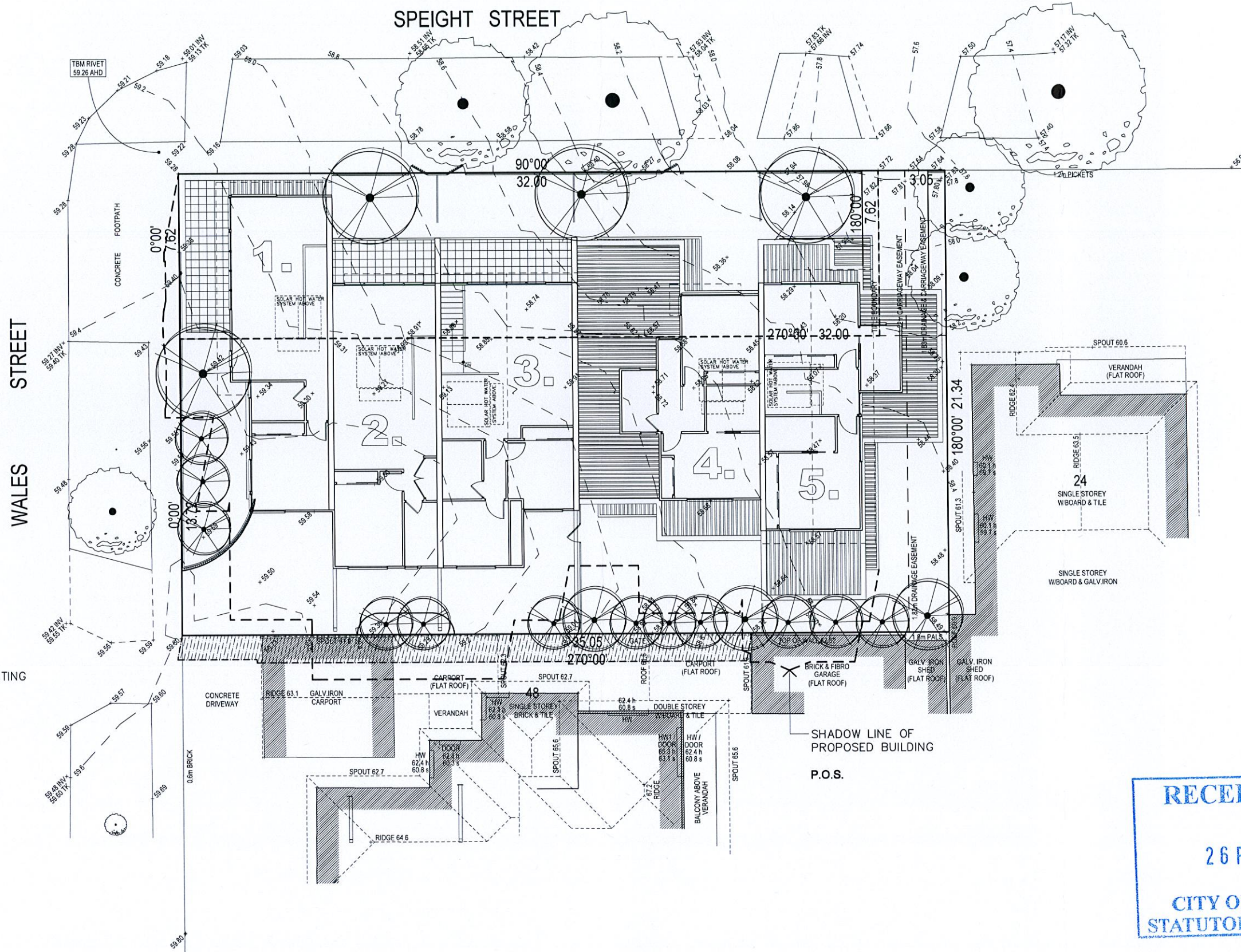
22nd SEPTEMBER - 9:00am

| | | |
|---------------------------|-----------|-------|
| TP COUNCIL FURTHER INFO.2 | 25.2.2016 | C |
| TP COUNCIL FURTHER INFO. | 2.12.2015 | B |
| TP COUNCIL LODGEMENT | 6.8.2015 | A |
| Revision: | Date: | Rev.: |

archsign
 Level 1, 32 Mollison Street
 Abbotsford Victoria 3067
 T: 03 9230 1400 | F: 03 9416 4305
 E: info@archsign.com.au

Project: **PROPOSED 6-DWELLING DEVELOPMENT AT:**
NO. 50-52 WALES STREET THORNBURY

| | |
|--------------------------|----------------------------|
| TOWN PLANNING | |
| Drawing: SHADOW DIAGRAMS | Date: 10 JUNE 2015 |
| Drawn: AL | Checked: [] |
| Scale: A1 @ 1:100 / 1:50 | A3 @ 1:200 / 1:100 |
| Job No.: 15070 | Revision: C Sheet No.: SH1 |

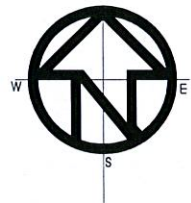


SHADOW LINE OF EXISTING BOUNDARY FENCE

SHADOW LINE OF PROPOSED BUILDING

P.O.S.

RECEIVED ON
26 FEB 2016
CITY OF DAREBIN
STATUTORY PLANNING



SHADOW DIAGRAM

22nd SEPTEMBER - 12:00pm

| | | |
|---------------------------|-----------|-------|
| TP COUNCIL FURTHER INFO.2 | 25.2.2016 | C |
| TP COUNCIL FURTHER INFO. | 2.12.2015 | B |
| TP COUNCIL LODGEMENT | 6.8.2015 | A |
| Revision: | Date: | Rev.: |

archsign
 Level 1, 32 Mellison Street
 Abbotsford Victoria 3067
 T: 03 9230 1400 | F: 03 9416 4305
 E: info@archsign.com.au

Project: **PROPOSED 6-DWELLING DEVELOPMENT AT:**
NO. 50-52 WALES STREET THORNBURY

| | |
|---------------------------|----------------------------|
| TOWN PLANNING | |
| Drawing: SHADOW DIAGRAMS | Date: 10 JUNE 2015 |
| Drawn: AL | Checked: A1 @ 1:100 / 1:50 |
| Scale: A3 @ 1:200 / 1:100 | |
| Job No.: 15070 | Revision: C Sheet No.: SH2 |

5.4 APPLICATION FOR PLANNING PERMIT D/1083/2015
 375 St Georges Road, Northcote

AUTHOR: Principal Planner – Gavin Crawford

DIRECTOR: Acting Director Assets and Business Services – Chris Meulblok

OWNER/APPLICANT/CONSULTANT:

| Applicant | Owner | Consultant |
|--------------------------|------------------------|------------------------------|
| Urban Planning Mediation | 375 St Georges Pty Ltd | Vaastu P/L TTM consulting |

SUMMARY:

- It is proposed to develop the land for a three storey building comprising a takeaway food premises and four (4) dwellings.
- The application also seeks approval for a reduction of the car parking and loading facilities.
- The site is zoned General Residential Zone Schedule 3.
- Amendment C136 seeks to rezone the land to Commercial 1 Zone and introduce the Design and Development Overlay – Schedule 16 (DDO16) with a 4 storey / 14 metre mandatory maximum height.
- There is no restrictive covenant on the title for the subject land.
- 18 objections were received against this application, seven (7) from owners or occupiers within 200 metres of the subject site.
- The proposal is generally consistent with the objectives and standards of Clause 55 of the Darebin Planning Scheme.
- This application was inadvertently determined under delegation and a Notice of Decision to Grant a Planning permit was issued on 25 July 2016 contrary to the Instrument of Delegation and the Planning Committee Charter. Legal advice was sought from Council’s Solicitor. Based on this advice, the Notice of Decision was issued without legal authority, the objectors and applicant were provided with a full disclosure of this mistake and further advised that the matter is to be reported to Planning Committee.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via one (1) sign posted on site and letters sent to surrounding owners and occupiers.
- Public notice of the S57A amendment (to remove a floor, delete a dwelling and alter setbacks from the rear boundary) was given via letters sent owners and occupiers to the rear.
- This application was referred internally to Council's Solicitor, Transport Management, Property Management Unit, ESD officer and Planning Unit and Capital Works Unit.
- This application was referred externally to VicRoads.

| |
|-----------------------|
| Recommendation |
|-----------------------|

That Planning Permit Application D/1083/2015 be supported and a Notice of Decision to Grant a Permit be issued subject to the following conditions:

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as drawing numbers SD2001, SD2002, SD2003, CD2101, SD3001, SD3002, SD3003, SD3004 SD3101 and SD3102 Issue C prepared by Vaastu P/L dated 14 June 2016 Job No 1513) but modified to show:
 - a) The west and south side of the Dwelling A.02 balcony and the south side of the dwelling A.04 balcony provided with either:
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - Fixed obscure glazing (not film) to a minimum height of 1.7 metres above finished floor level.
 - b) The south facing dwelling A.02 eastern bedroom's habitable room window provided with either:
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level,
 - Fixed obscure glazing (not film) to a minimum height of 1.7 metres above finished floor level: or,
 - Sill heights offset a minimum 1.5m above the head height of the north facing habitable room windows at 365 st georges road, head height levels must be provided by a qualified surveyor.
 - c) South facing western bedroom habitable room windows of Dwelling A.02 and dwelling A.04 provided with either:
 - A sill with a minimum height of 1.7 metres above finished floor level,
 - A fixed screen with a maximum permeability of 25% to a minimum height of 1.7 metres above finished floor level or
 - Fixed obscure glazing (not film) to a minimum height of 1.7 metres above finished floor level.

- d) Dwelling A.02 balcony to measure a minimum 2m in width and other balconies to be dimensioned as 1.6m in width with no reduction of setbacks.
- e) If fixed screens are utilised a scaled and dimensioned section diagram provided demonstrating how 25% permeability is achieved having regard to the habitable room windows to the west and south and secluded private open space to the south.
- f) Swept paths for the 85th percentile vehicles entering and exiting the stacker platforms in accordance with the requirements of AS2890.1:2004 with all platforms entered in a forwards direction with a maximum three-point manoeuvre with a 3.05 metre wide right of way (not reliant on adjacent private land).
- g) Provision of two secure bike spaces under the ground floor stair adjacent to the lift.
- h) Provision of daylight tubes, skylights or clerestory windows to second floor habitable rooms.
- i) Any modifications in accordance with the Sustainable Design Assessment (SDA) (Refer to Condition No. 4 of this Permit).
- j) Any modifications and / or notations in accordance with the Acoustic Report (Refer to Condition No. 6 of this Permit).
- k) A single communal antenna for the development. The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
- l) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to be minimally visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building. Full details of all rooftop screening measures with sections and elevation details at 1:50 of screens. Screens are to be a maximum 25% visually permeable.
- m) Details of window operation to all windows.

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

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

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

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

4. Before the development starts, a Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority. The SDA must outline proposed sustainable design initiatives within the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection. A Built Environment Sustainability Scorecard (BESS) report achieving a minimum 50% (i.e. a pass) must undertaken as part of the SDA.

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

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

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

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

6. Before the development starts, an Acoustic Assessment of the development, to the satisfaction of the Responsible Authority, must be submitted to the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures to ensure that:

- a) Noise emissions from the development (including the operation of plant, 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.
- b) Details of any car stacker operation controls required to minimise noise impacts off site (refer condition 16) are taken into consideration.
- c) The design of habitable rooms of all dwellings adjacent to a road limits internal noise levels to a maximum 45 dB(A) (living areas) and 40 dB(A) (bedrooms) in accordance with relevant Australian Standards for acoustic control (including AS3671 – Road Traffic and AS2107 – Recommended Design Sound Levels).

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

7. Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2010.

This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection.

The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.

8. All dwellings that share dividing walls and floors must be constructed to limit noise transmission in accordance with Part F (5) of the Building Code of Australia.
9. Before the dwellings are occupied, an automatic external lighting system capable of illuminating the entry to the dwellings, access to the garage and car parking area and all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

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

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

to the satisfaction of the Responsible Authority.

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

16. Except with the written consent of the Responsible Authority car stackers can only be operated when garage doors are closed to minimise off site noise impacts.
17. Noise from fixed domestic plant must comply with section 48A of the *Environment Protection Act 1970* and the Environment Protection (Residential Noise) Regulations 2008.
18. Before the use commences a contribution must be made (equivalent to one bicycle space) to cycling infrastructure within the vicinity of the subject site (where possible) or within the municipality, to the satisfaction of the Responsible Authority.

NOTATIONS

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

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

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

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

| |
|---------------|
| Report |
|---------------|

INTRODUCTION AND BACKGROUND

- Planning permit 3940 was granted for use of the site for a take-away food premises on 18 August 1980. There were no plans endorsed for the use and no car parking was required to be provided. This permit appears to have been ongoing since this time.

ISSUES AND DISCUSSION**Subject site and surrounding area**

- The land is regular in shape and measures 33.19 metres in length and 7.56 metres in width with a site area of 253.5 square metres.
- The land is occupied by a 105 square metre takeaway food premises.
- The land is located within the General Residential 3 Zone and the Development Contributions Plan Overlay.
- The land is located on the west side of St Georges Road.
- The land is occupied by a single storey takeaway food premises constructed to the front and north side boundaries, with an awning to the street frontage

- To the east on the opposite side of St Georges Road, is a double storey motel with a number of retail/commercial uses to its north.
- To the west, beyond the right of way, is a single storey weatherboard dwelling, fronting Normandy Avenue.
- To the north of the site is a double storey building containing a commercial use at ground floor level with dwellings to the rear and at the upper floor level. Further to the north is a larger commercial premises located on the north west corner of St Georges Road and Normandy Ave.
- To the south of the site is a single storey brick attached dwelling with vehicle access along the common boundary to a garage in the rear yard area.
- Except in proximity to the intersection, on-street parking is unrestricted in Normanby Avenue and St Georges Road.
- Tram Routes 11 and 112 run along St Georges Road and bus route 510 runs along Normanby Avenue.

Proposal

- It is proposed to develop the land for a three storey building comprising a takeaway food premises and four (4) dwellings, use the land for a takeaway food premises, reduce the standard car parking requirement and waive the loading facility requirement.
- There are five (5) car spaces in an independent stacker accessed via the Right of Way.
- All dwellings have two (2) bedrooms.
- The takeaway food premises is 80 square metres in area.

Objections

- 18 objections have been received.

Objections summarised

- Oversupply of 1 and 2 bedroom dwellings / undersupply of family accommodation / will not provide affordable accommodation. Insufficient internal amenity / small dwelling sizes
- Insufficient landscaping / 100% site coverage
- Insufficient car parking
- Car stackers are an inappropriate form of parking
- Inadequate waste collection
- No ambulance parking
- No loading bay provided for the commercial component
- Inconsistent with neighbourhood character
- Impact on traffic and car parking
- Excessive height, bulk and scale
- The proposal does not add net value to the community
- Negative social effect

- Does not meet the standards in the Planning Scheme and proposed amendments
- Overlooking / screening material should be timber not glass
- Insufficient access via Right of Way
- Materials inappropriate
- Front setback inappropriate
- Overshadowing
- Loss of views
- Noise impacts
- Undesirable residents
- Precedent
- Impacts on property value
- Width of Right of Way shown incorrectly
- Overdevelopment
- Poor internal amenity of dwellings.

Officer comment on summarised objections

Oversupply of 1 and 2 bedroom dwellings / undersupply of family accommodation / will not provide affordable accommodation.

Dwelling diversity is not a relevant consideration for a development of less than 10 dwellings. This ground is not supported by evidence and a response is warranted given that The Darebin Housing Strategy 2013-2033 identifies that there is an undersupply of 1 and 2 bedroom dwellings. The Darebin Housing Strategy 2013-2033 notes the following inter alia:

Declining Household Size

An analysis of the service age groups of Darebin - the population divided into age categories that reflect typical life-stages - reveals that an ageing demographic is also influencing Darebin's housing market. In particular, ageing will drive significant growth in the pre-retiree and retiree population, the growth in families without children and families with mature children as well as lone person households in Darebin. In particular, seniors (aged 70-84) are expected to increase by 2,632 persons between 2011-2031, while pre-retirees (50-59) and post-retirees (60-69) are expected to increase by 4,886 and 4,485 respectively over this same period. This forecast change is depicted in Figure 14. These demographic trends help explain the decline in average household size across Darebin, a trend which is expected to continue over the coming two decades.

As households age a number of factors contribute to a decline in household size, including, children leaving the family home, separation or divorce and spousal death. Darebin has amongst the smallest household size in Melbourne's northern region and amongst the largest proportions of lone person households in metropolitan Melbourne. Analysis of the ABS Census data for household/family types in the City of Darebin in 2011 reveals that the proportion of Lone Person households in 2011 was 27.8% compared to 23.3% in Greater Melbourne¹¹. An analysis undertaken by NORTHLink in 2009 into the emerging demographic profile of Melbourne's northern region revealed that in 2006, Darebin had the second highest share of households (in the northern region) with one person after the City of Yarra¹².

This finding is reflected in the average household size; Darebin experienced the second lowest household size (2.46 persons per household) after Yarra (2.16) in 2006, a figure which is expected to continue as the demographic trends outlined earlier continue to drive down household size.

Future Housing Needs

Notwithstanding the various challenges with predicting future housing demand requirements, modelling ... utilising current population and household forecasts, provided an indicative assessment of the future housing needs by type across Darebin. The research revealed that the number of households in Darebin is forecast to increase from around 57,660 in 2011 to around 71,260 in 2031 - an increase of over 13,600 dwellings over the coming 20 years. It is estimated that over the period 2011-2031, the increase will be as follows:

- separate houses will increase by 8%;*
- semi-detached, row or terrace house will increase by 95%; and*
- flats, units and apartment will increase by 29%*

This entails that higher density forms of housing (medium and high density) will represent a significantly greater share of Darebin's housing stock in 2031 compared to 2011. A further assessment prepared by Council based on market assessments of the propensity for certain households to occupy certain types of dwellings ... further emphasises the growing significance of higher density forms of housing, principally 1 and 2 bedroom housing, to cater for Darebin's future housing needs.

Residential Development Analysis

Based on the projections over the next 20 years for an additional 13,600 dwellings, a minimum requirement of 680 dwellings is estimated to be required every year to meet the population growth in the municipality. As such, based on recent development trends, Darebin is experiencing an annual shortfall of approximately 8 dwellings per year. This shortage is demonstrated by low housing vacancy rates and consequences of shortages can include the mismatch between housing needs and stock and house price increases. Increasingly, Council will therefore need to facilitate the provision of additional housing as well as higher (medium and high) density forms of housing to cater for the future needs of Darebin residents.

This ground is contrary to Darebin's identified strategic housing needs. It is fundamental that 1 and 2 bedroom dwellings be provided to ensure that Darebin's future housing needs are met and the municipality remains an inclusive place to live.

Insufficient internal amenity / small dwelling sizes

The internal amenity of the dwellings is reasonable. The dwellings enjoy living rooms with outlook and solar access to the east and west. Bedrooms have windows adequately setback from the south boundary.

Insufficient landscaping / 100% site coverage.

The 85% site coverage is consistent with the strategic intent of the site. See assessment below.

Insufficient car parking

See assessment below.

Car stackers are an inappropriate form of parking and noisy.

Car stackers are a recognised form of car parking used to meet car parking requirements and have been approved on numerous occasions by Council and the Victorian Civil Administrative Tribunal (VCAT). Noise impacts associated with these facilities are consistent with those in a residential zone however conditions are recommended to ensure noise impacts are not unreasonable.

Inadequate waste collection

Adequate bin storage area is provided. A condition of approval will require private waste collection.

No ambulance parking.

It is not a requirement of the planning scheme to provide ambulance parking on site. Adequate emergency vehicle access is available to the site.

No loading bay provided for the commercial component.

See assessment below.

Inconsistent with neighbourhood character

It is considered that the development would be generally consistent with the existing and preferred neighbourhood character.

Impact on traffic and car parking

Resident car parking has been provided on site in accordance with the provisions of Clause 52.06 of the Darebin Planning Scheme. Any overflow parking resulting from the development would be within reasonable limits and will not negatively impact on the surrounding streets. It has been assessed that the increase in traffic movements in the abutting streets, arising from the additional dwellings is considered to be incremented and would not unreasonably affect local traffic conditions.

The stackers are set back 6.73 metres from the rear boundary allowing up to two cars to wait to enter stackers within the with no obstruction of the rear right of way. Alternatively a car can wait to enter the stackers on site whilst a care exits. Council's Traffic Engineers have reviewed the car stacker layout and turning circles (having regarding to the 3.05 metre wide Right of Way), and subject to conditions this arrangement is supported

Excessive height, bulk and scale

Issues surrounding the height, bulk and scale of the development are assessed below. The proposal is three storeys where policy allows four (4) storeys. Subject to conditions acceptable boundary setbacks are provided and the proposal is consistent with Amendment C136.

The proposal does not add net value to the community

At a planning application level, it is difficult to quantify the concerns surrounding this reason for objection, particularly as no ground have been offered that substantiate this objection. It is necessary for a development to meet the State and Local planning policy objectives and it is considered that the proposed development generally meets these objectives.

Negative social effect

This ground is unsubstantiated. There are no demonstrated dis-benefits associated with the development and is contrary to the objectives of planning in Victoria.

In *Backman and Company Pty Ltd v Boroondara City Council* the following was noted:

“33. As I have highlighted, parties seeking to rely on Sections 60(1B) and 84(2)(jb) of the Planning and Environment Act face a significant task in order to substantiate a significant social effect in relation to a housing proposal on residentially zoned land. That significant task extends much further than just garnering a significant level of opposition to a proposed development.

Firstly, parties alleging a significant social effect have to ascertain what the actual significant social effect is, in the framework of a zoning regime where one does not need a permit to use residentially zoned land for residential purposes. The mere identification of significant community opposition to a proposal is not a significant social effect of itself.

Secondly, the significant social effect will need to be sufficiently documented with evidentiary material to demonstrate the likelihood, probability and severity of the social effect. The identification of a social effect is not sufficient, as it also needs to be demonstrated that the social effect will be significant.

Thirdly, as identified in the Rutherford decision, it will need to be demonstrated that any significant social effect outweighs any social benefits that might result from a balanced assessment of a development proposal”.

Does not meet the standards in the Planning Scheme and proposed amendments

See planning assessment.

Provision of affordable housing is not a mandatory requirement of the Planning Scheme. The proposal will provide five (5) two (2) bedroom dwellings and provides a level of affordability and diversity, in compliance with relevant State and Local policies.

Overlooking / Screening material should be timber not glass.

See assessment below.

Insufficient access via Right of Way / safety / pedestrians in right of way / damage in right of way / exiting issues onto Normanby Avenue

The Right of Way was constructed to accommodate vehicle traffic to all adjoining properties and is an appropriate access point for the development, being a legal road and the preferred vehicle access point to the site over St Georges Road. Whilst the proposal will nominally increase traffic in the Right of Way this will not be significant and remains acceptable in volume. Conflicts between pedestrians and vehicles are existing and will not be unreasonably exacerbated by the proposal .

A condition is recommended to show turning circles into the site without relying upon the private land on the west side of the right of way. This may require the stackers to be setback further into the site however this seems unlikely as turning circles provided show one point turns into the stackers where three point turns are the accepted norm.

Materials inappropriate

See assessment below.

Front setback inappropriate

See assessment below.

Overshadowing

See assessment below.

Loss of views

See assessment below.

Noise impacts

The residential uses will have noise impacts consistent with a residential zone. Speech, laughter, music etc. are noises associated with people living their lives and are all part of life in an urban area.

The land is currently used as a takeaway food premises and as such the proposal does not introduce a new use to the land. The permit process provides the opportunity to impose amenity conditions to reduce off site impacts on the surrounds. The layout of the site provides additional buffers to sensitive residential uses to the rear from the existing conditions.

Undesirable residents

The *Planning and Environment Act* and Darebin Planning Scheme do not give consideration to, or discriminate against people's age, race, employment or tenure status.

Precedent

The possibility of setting an undesirable precedent cannot be substantiated and is not a relevant planning consideration.

Impacts on property value

Property values are speculative and not a planning matter.

Width of Right of Way shown incorrectly

The plans incorrectly show the location of the Right of Way. Technically the development does not comply with the Amendment C136 Envelope. The non-compliance has no unreasonable amenity impacts and the proposal meets the intent of the envelope and the proposed setbacks are supported.

Overdevelopment

See assessment below.

PLANNING ASSESSMENT**Amendment C136**

Amendment C136 seeks to introduce built form controls to the St Georges Road corridor with the Commercial 1 Zone and the Design and Development Overlay – Schedule 16 (DDO16) proposed for the site. It is important to note that the planning scheme amendment has been exhibited, supported by an independent planning panel and adopted by Council with a 4 storey / 14 metre mandatory maximum height to apply to this site (excluding plant) on sites more than 15 metres wide. Accordingly this consideration is to be given weight in assessing this application.

Building Height

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16
- Clause 22.06 - Multi-residential and Mixed Use Development
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings

The proposed DDO16 specifies that:

Any new building must not exceed the maximum height shown on the maps to this schedule...[t]he maximum heights shown on the precinct maps to this schedule cannot be varied with a permit.

Rooftop plant and equipment and equipment associated with communal areas can exceed the specified height but such parts should not be visible from the surrounding public realm and adjoining properties to the rear (including laneway separation).

Land to be developed in a Commercial 1 Zone and Mixed Use Zone 1 should have a minimum frontage width of 15 metres.

The sub-precinct mandates a four (4) storey maximum height for the subject site equating to an indicative 14 metre overall height measured above the permanent footpath at the centre of the site frontage. The proposed building is three storeys and 9.75 metres and presents an appropriate building mass and scale to the street.

The subject site has a 7.35 metre frontage to St Georges Road. The applicant originally proposed a four storey form but having regard to the lands width the applicant amended the plans to delete a floor to comply with the proposed DDO, providing a development height commensurate with the width of the site and not resulting in an incongruous built form in the streetscape.

Building Setbacks

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16
- Clause 22.06 - Multi-residential and Mixed Use Development
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings

The proposed DDO16 specifies that:

At the interface with St Georges Road buildings should create the following continuous street wall conditions to retain a pedestrian scale... In a Commercial 1 and Mixed Use Zone 1, the front setback from St Georges Road should be zero for the first four storeys (inclusive).

Greater setbacks are proposed but the proposed setbacks are appropriate.

At ground level, the rear setback of a building from the boundary of an adjoining residential site is to be a minimum of 3 metres (including a laneway where applicable).

A 5.45 metres setback is proposed which is in excess of the proposed control and is appropriate.

At first floor level, the rear setback of a building from the boundary of an adjoining residential site is to be a minimum of 5.5 metres (including a laneway where applicable).

Wall setbacks are a minimum 6.9m and balconies are setback a minimum 5 metres which is in accordance with the proposed control and is appropriate.

Any upper levels are to be set back from an adjoining residential site's boundary in accordance with the 45 degree setback envelope as shown in Figures 1 and 2 below, unless identified otherwise. The angle is to be measured perpendicular to the adjoining residential site's boundary from a height of 3 metres above natural ground level, taken from the middle point of the adjoining site's width.

Privacy screening to rear facing dwellings can protrude into the rear setback envelope by up to 1 metre beyond the setback line in order to accommodate larger secluded private open spaces, provided balconies or terraces are not enclosed via side walls and/or solid fixed roof structures.

Application of the 45 degree rear setback is considered supportable on the basis of Council's exhibited setback and Panel endorsed view of a 45 degree setback. Further to this, VCAT have expressed concern that there can be no confidence in the Minister supporting a Council position that differs from a Panel recommendation that aligns with the exhibited version of the planning scheme amendment.

The plan incorrectly shows the right of way width as 3.5 metres (including parts of 1/75 and 2/75 Normanby Avenue as the Right of Way) as opposed to 3.05 metres. Consequently the proposal is technically not in accordance with the exhibited and panel supported 45 degree rear setback envelope. The 45 degree setback envelope as proposed is not a mandatory requirement and can be varied where circumstances are appropriate.

The noncompliance in this case is minor, with the development having no visual bulk or amenity impacts upon habitable room windows or secluded private open spaces of the dwellings at 1/75 and 2/75 Normanby Avenue's. That part of 2/75 Normanby Road adjacent to the right of way is not usable land providing landscaping and an address to Normanby Avenue. In this context the setbacks are acceptable and deemed to meet the intent of the 45 degree rear setback to ensure appropriately scaled interfaces respectful of adjacent sensitive land uses.

Site coverage, permeability and walls on boundaries requirements

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Having regard to the proposed DDO16 which allow 100% site coverage and 100% of walls on side boundaries, the proposal sits comfortably within these controls.

Building Design

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16.
- Clause 15.01 - Urban Environment.
- Clause 22.06 - Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Having regard to the proposed DDO16 the building has been assessed against the relevant building design requirements as follows:

- The building adequately addresses St Georges Road with commercial premises and dwellings orientated to the east.
- The commercial premises are adequately adaptable.
- The proposal provides natural light and ventilation to habitable rooms either via the street/right of way or supplementary mid-block light courts.

With the intended intensification of the corridor and potential future development of the adjoining sites, the dimensions of the light courts are adequate for light and ventilation to bedrooms.

- The development retains the prevailing grain size and streetscape rhythm by virtue of the vertically segmented façade to St Georges Road.
- The side elevations have appropriate articulation.
- No landscaping elements are proposed. Given the commercial context and the strategic intent of this site this is appropriate.
- All site services have been located internal to the building and are not visible to the public realm.
- The building will provide an appropriate commercial form and setbacks to St Georges Road.
- No weather protection is provided however this is acceptable.
- The ground floor commercial premises provide an appropriate activation of the public realm.
- The residential entry constitutes a minor element of the ground floor frontage which is consistent with the commercial intent of the area.

Context

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 21.03 – Housing.
- Clause 22.02 – Neighbourhood Character Precinct D2.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55.

Under Clause 21.03 the site is in a Substantial Housing Change Area. It is policy that Substantial Housing Change areas have the capacity to accommodate more intense residential development over time, that Substantial Change Areas will support increased residential densities and increased housing diversity and that it is expected that the character of these areas will change substantially in the future. The proposal is consistent with this policy intent.

It is also policy in Substantial Housing Change Areas to encourage a variety of housing typologies at increased densities and mixed use developments along St Georges Road and to discourage underdevelopment, with the scale of development appropriate to precinct characteristics and context as identified by a structure plan.

Clause 21.03 seeks to ensure that the design of development at interfaces between Substantial Change and Incremental 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.

Clause 21.03 seeks to 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.

The proposal provides an appropriate design and a mix of uses on the site, furthering urban consolidation objectives. The proposal has had sufficient regard to the context of the location, in that it takes into account the strategic direction for the land and area.

The applicant has undertaken a site analysis as part of the design process, which has informed the height, scale and massing of the development. Subject to conditions to comply with the proposed Design and Development Overlay building envelope to the west boundary the height of the development provides an appropriate transition to the lower-scale residential area to the west.

The immediately adjacent interface to the north is a commercial property with a two storey form built to the boundary. The proposal is designed to respond to this site context appropriately through articulation on the common boundary at the upper levels.

To the south is a vehicle access way with a dwelling beyond. Having regard to the strategic intent of St Georges Road and the immediate context, interfaces to the north and south are appropriate.

Having regard to the recent amendments to Clause 21.03 and proposed Amendment C136 the Darebin Neighbourhood Character Precinct Guidelines are not key determinants for the assessment of the proposal. Nevertheless, issues of neighbourhood character, building form and context are addressed elsewhere in this report.

The public realm

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16
- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.

- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

The public realm will be enhanced with appropriate pedestrian entries for the dwellings and the commercial premises. The design provides an appropriate entry and passive surveillance from the commercial premises and the upper floor balconies.

The development has a zero set back to St Georges Road which is consistent with the proposed Amendment C136 which seeks to introduce the Commercial 1 Zone for the land. It is also consistent with the location of the existing building on the land.

Safety

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16.
- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

The pedestrian entries are visible and provide an appropriate sense of address, which is secure, with passive surveillance. However, further details of lighting to the entry and right of way must be provided as discussed above.

Overlooking, Landmarks, Views and Vistas

This matter is a relevant consideration under:

- Clause 15.01 - Urban Environment.
- Clause 22.06 - Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Views are not protected under local policy. The proposal provides appropriate articulation to the facades through materials (subject to condition as outlined above), design and varied setbacks. It is considered to provide a suitable outlook to surrounding properties, consistent with the strategic intent of the area.

To the west there are views down from first floor and second floor balconies to a single habitable room window to the west. This window sits below a 2.1m high fence and faces the right of way. Having regard to the location of this window the dwelling A.02 balcony needs to be screened to ensure there is no overlooking to the west. The second floor dwelling A.04 balcony is sufficiently elevated that there will not be any views of consequence to the west.

First and second floor south facing habitable room windows need to be screened or offset a minimum 1.5 metres from north facing habitable room window.

Details of roof top plant are required to be provided as a condition of approval.

Pedestrian Spaces / Access

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Pedestrian access to the site is via the street frontage. The development provides an acceptable entry area and appropriate access to the site.

The design is considered appropriate, with passive interaction and surveillance and an appropriate scale.

Overshadowing / Light and Shade

- Clause 15.01 - Urban Environment.
- Clause 22.06 - Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Having regard to the site context and the orientation of the land, there is no unreasonable loss of sunlight/daylight to the public realm. Furthermore, any shadow cast on the south adjoining property is considered acceptable due to the location of its open space to the south west and the driveway and outbuilding on the common boundary. Shadows cast to the residential property to the south and west comply with Clause 55.

Sustainability

This matter is a relevant consideration under:

- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (by way of Clause 22.06 only).

The proposal provides a mixed use development in an appropriate area to take advantage of existing services. Sustainable Design Assessment (SDA) detailing sustainable design strategies to be incorporated into the development to the satisfaction of the Responsible Authority must be submitted to, and approved in writing by the Responsible Authority.

Landscaping

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16.
- Clause 15.01 – Urban Environment.
- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (by way of Clause 22.06 only).

The proposal has a 85% site coverage and no landscaping, which is considered acceptable in the context of the commercial/retail uses and development in the area.

Building Entries

This matter is a relevant consideration under:

- Clause 22.06 – Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (by way of Clause 22.06 only).

The entrances to the building are clearly identifiable from the façade.

The entrances to the car parking areas are to west from the side street and do not detract from the façade.

The proposal meets the policy guidelines in respect to street address in that the commercial premises provide an active street frontage. The entrance provides good pedestrian access directly from street frontages.

The ground floor of the development is accessible to persons of limited mobility. Appropriate disabled access must be provided to the medical centre.

Access to all upper levels of the building is available via stairs and lift.

Site Services

This matter is a relevant consideration under:

- Clause 22.06 - Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (by way of Clause 22.06 only).

Space for the storage of garbage is provided within the garage area. A waste management plan has been submitted with the application with requires private pick up. The Waste Management Plan is to be secured via condition of any approval.

Mailboxes for the dwellings are sited adjacent to the apartment foyer area.

The compliance of the development with relevant fire fighting requirements, including water supply and access, is assessed at the Building Approval stage.

Dwelling Diversity

This matter is a relevant consideration under:

- Clause 22.06 - Multi-residential and Mixed Use Development.

There will be 4 x 2 bedroom dwellings, providing diversity.

Private Open Space

This matter is a relevant consideration under:

- Clause 22.06 - Multi-residential and Mixed Use Development.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

All dwellings are provided with private open space in the form of balconies, appropriately located adjacent to living areas and with adequate dimensions and access to sunlight. Open spaces areas are acceptable. Private open space is not accessible to the general public.

Use of land

This matter is a relevant consideration under:

- Proposed Amendment C136, Clause 32.01 - Commercial 1 Zone and Design and Development Overlay DDO16.
- Clause 32.08 – General Residential Zone GRZ3.

Under the general residential 1 Zone GRZ3 the use is discretionary and has existing use rights for a takeaway food premises. The site is proposed to be located in a Commercial 1 Zone where the takeaway food premises is an as of right use.

The development has acknowledged the adjoining uses and buildings and maintains an acceptable level of amenity. Importantly in this case the proposed commercial use is an existing use on the land and the proposal will buffer the impacts of this use to the west to lessen the amenity impacts from the existing situation. Given the intensity of the use is being decreased and additional buffers are provided to surrounding properties it is beyond the scope of the proposal to impose hours of operation.

Vehicle Access and Car Parking

This matter is a relevant consideration under:

- Proposed Amendment C136 Design and Development Overlay DDO16.
- Clause 22.06 - Multi-residential and Mixed Use Development.
- Clause 52.06 - Car Parking.
- Clause 52.29 - Land Adjacent to a Road Zone Category 1.
- Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.

Having regard to the proposed DDO16 all vehicle access is located via the rear right of way to mitigate its impact and presentation to St Georges Road.

Under Clause 52.06 the statutory parking requirement for the proposed development and the parking provision is as follows:

| Use | No./area | Parking Rate | Parking requirement | Parking Provision |
|-------------------------|-----------------|--|---------------------|-------------------|
| Dwellings | 4 dwellings | 1 space to each one or two bedroom dwelling | 4 spaces | 5 spaces |
| Take-away food premises | 80 square metre | 4 spaces to each 100 square metres leasable floor area | 3 spaces | 0 spaces |
| Total | | | 7 spaces | 5 spaces |

A reduction of three (3) Take-away food premises (Food & drink premises) car spaces is required for the proposal. Reductions in car parking are governed by considerations contained in Clause 52.06 of the Darebin Planning Scheme.

It is submitted that the reduction of the standard car parking requirement is justified for the following reasons:

- The takeaway food premises use is existing and arguably has an existing credit of 4 parking spaces.
- There is no parking precinct plan for the area.
- Both tram and bus routes on St Georges Road and Normanby Avenue respectively.
- The site has good access to shops and services, encouraging multi-purpose trips, as well as being readily accessible by public transport.
- Council’s Transport Management and Planning Unit have not objected to the reduction in parking generated by the proposal (subject to conditions).
- There is off street parking available in the area.

- The parking reduction relating to the commercial premises is considered acceptable as this would only be short-term demand for customers. Having regard to the additional car space provided for dwellings it is recommended that staff have access to one on site car parking space.

It is therefore considered that the proposal is generally acceptable and the reduction of parking is appropriate.

Loading and Unloading

This matter is a relevant consideration under:

- Clause 52.07– Loading and Unloading.

The commercial use will have the same loading and unloading issues as the existing takeaway food premises and off site impacts will be negligible.

The purpose of the clause is to set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety. There is sufficient on-street opportunity for loading and unloading of goods for the site. The site has sufficient access to the building from the front.

The floor area of the commercial premises is limited and as per many small retail uses, loading and unloading via the front entrance can be accommodated. It is considered that adequate on-street provision is acceptable for loading and unloading vehicles.

Bicycle Parking

This matter is a relevant consideration under:

- Clause 52.34 – Bicycle Parking.

As part of the development the application of the provisions of Clause 52.34 to the proposal requires the following bicycle requirements:

- One (1) visitor bike space for the takeaway food premise.

The proposal provides no spaces. Given the inability to provide facilities on site for the takeaway food premises a condition requiring the contribution to on street bike facilities is recommended. Further resident bike facilities should be provided.

REFERRAL SUMMARY

| Department/Authority | Response |
|--|--|
| Capital Works Unit | No objection, subject to condition included in recommendation. |
| Transport Management and Planning Unit | No objection, subject to condition included in recommendation. |
| ESD Officer | No objection, subject to condition included in recommendation. |
| Property Management Unit | No objection. Subject right of way to rear is on Council's register of public roads. |
| VicRoads | No objection. No conditions. |

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08-1 (General Residential Zone GRZ3), a permit is required for use as convenience shop, convenience restaurant and medical centres.
- Clause 32.08-4 (General Residential Zone GRZ3), a permit is required to construct two or more dwellings on a lot.
- Clause 32.08-6 (General Residential Zone GRZ3), a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.
- Clause 52.06-1 (Car Parking), a new use must not commence until the required car spaces have been provided on the land. In accordance with Clause 52.06-1, a permit may be granted to reduce or waive the number of car spaces required by the table at Clause 52.06-5.
- Clause 52.07 (Loading and Unloading of Vehicles), a planning permit is required to waive the standard loading bay requirements.
- Clause 52.29 (Land Adjacent to a Road Zone, Category 1), a permit is required to create or alter access to a road in a Road Zone Category 1.

Applicable provisions of the Darebin Planning Scheme

| Section of Scheme | Relevant Clauses |
|----------------------------------|---|
| SPPF | 11.01, 11.02-1, 11.04-2, 13.03, 15.01-1, 15.01-2, 15.01-5, 15.02, 16.01, 17.01. |
| LPPF | 21, 22.03, 22.04, 22.10. |
| Zone | 32.08. |
| Overlay | 45.06. |
| Particular provisions | 52.06, 52.07, 52.29, 52.34, 55. |
| General provisions | 65.01. |
| Neighbourhood Character Precinct | D5. |

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

There are no social inclusion or diversity implications as a result of the determination of this application.

Other

There are no other implications as a result of the determination of this application.

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

FUTURE ACTIONS

Nil

DISCLOSURE OF INTERESTS

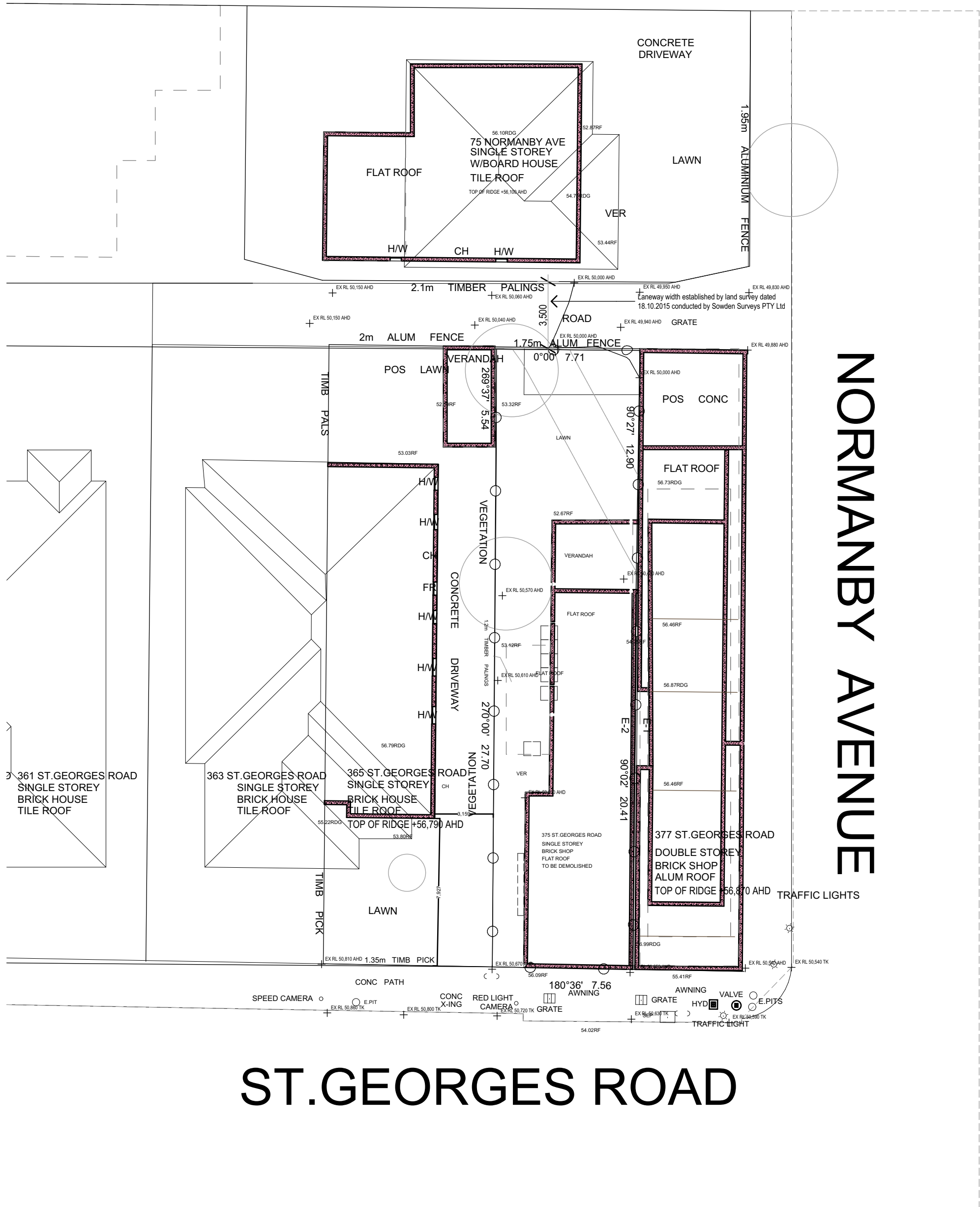
Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

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

RELATED DOCUMENTS

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

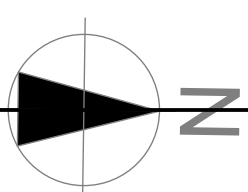




NORMANBY AVENUE

ST. GEORGES ROAD

1



NEIGHBOURHOOD AND SITE DESCRIPTION
ON A3 SCALE 1:200

TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

| | | | |
|---|-------------------------------|----------------------|------------------------|
| Client LUKITO MUSTAFA AND RONNY PO | Scale As Shown | Sheet 1/16 | Job no. 1513 |
| Project Name and Location ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY | Drawn NT | Checked NT | Approved NT |
| Drawing Title NEIGHBOURHOOD PLAN | Drawing no. SD 1001 | Issue C | |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125



C:\Vaastu\Projects\lukito Mustafa & Ronny Poi\160614_MASTER_375 ST GEORGES ROAD THORNBURY.pln_14-06-2016_7:47 PM

SITE CONTEXT

Location:

- The site located on the west side of St Georges Road, one dwelling from the corner of Normanby Ave.
- The area is well served by public transport, schools and recreational facilities.

Public Transport

| | | |
|-----------------------------|------|----|
| Bus Stop (Normanby Ave) | 30m | N |
| Tram Stop (St Georges Road) | 50m | E |
| Train Station (Thornbury) | 800m | NE |

Shopping

| | | |
|-------------------|------|---|
| Thornbury Village | 700m | E |
|-------------------|------|---|

Schools/Education Facilities

| | | |
|---------------|------|----|
| Thornbury P.S | 650m | NE |
| Croxtton P.S | 1km | SW |

Recreational Facilities/ Open Space

| | | |
|----------------|------|----|
| Pearl Reserve | 350m | E |
| Mayer Park | 500m | W |
| Turner Reserve | 700m | NW |

Site Measurements

Site front frontages is 7.56 wide

Site depth is 27.70 long.

Approx. total Site area: 209 square metres

Features of site

- The existing dwelling is a purpose built shop front with overhanging verandah and high parapet.
- The dwelling has no front setback to the footpath and presents to the street as a typical shop with glazing.
- The site contains no easements or other encumbrances.
- The backyard consists of lawn and is fenced of completely by a 1.75m aluminum fence from the rear laneway.
- There is no provision for any car parking currently.
- The site is void of any significant or meaningful vegetation.

Features of surrounds - General Neighbourhood character

- The land abuts a residential dwelling to the south, which is well screened by a continuous line of pittosporum hedge.
- To the north, the existing building is attached to a commercial shop with upper level residential apartments.
- Along St Georges Road are a number of California Bungalows constructed during the interwar period.
- Double fronted brick dwellings with hip and valley roofs from the post war era are also common.
- The older housing stock is predominately constructed from weatherboard or brick, however newer developments employ a variety of materials such as brick veneer, fibro and various lightweight cladding.
- Commercial sites are also common along St Georges Road and especially prominent at corner locations. Some of these sites have been developed into more intensive mix-use developments of up to 4-5 storeys.
- Fence types are varied along the St Georges Road in terms of design and materials with timber picket and brick the most common. Fence heights are predominately low- medium.
- Front setbacks of residential dwellings range from small to medium and are generally consistent, allowing for a well landscaped front garden.
- Position of carports and garages are predominantly at the rear and detached from the dwelling.
- The surrounding lots have varied site coverage.
- Overall a pattern of development is emerging as existing commercial shops along St Georges Road are being re-vitalized and developed into mix-use developments.

Summary:

The site is a commercial premises located within a local convenience centre. Within close proximity of the site are a number of recreational open space and reserves, schools, public transport and other essential services and infrastructure. The growing number of medium density developments along St Georges Road suggests that the current site is ideal for a mix-used development of the kind proposed.

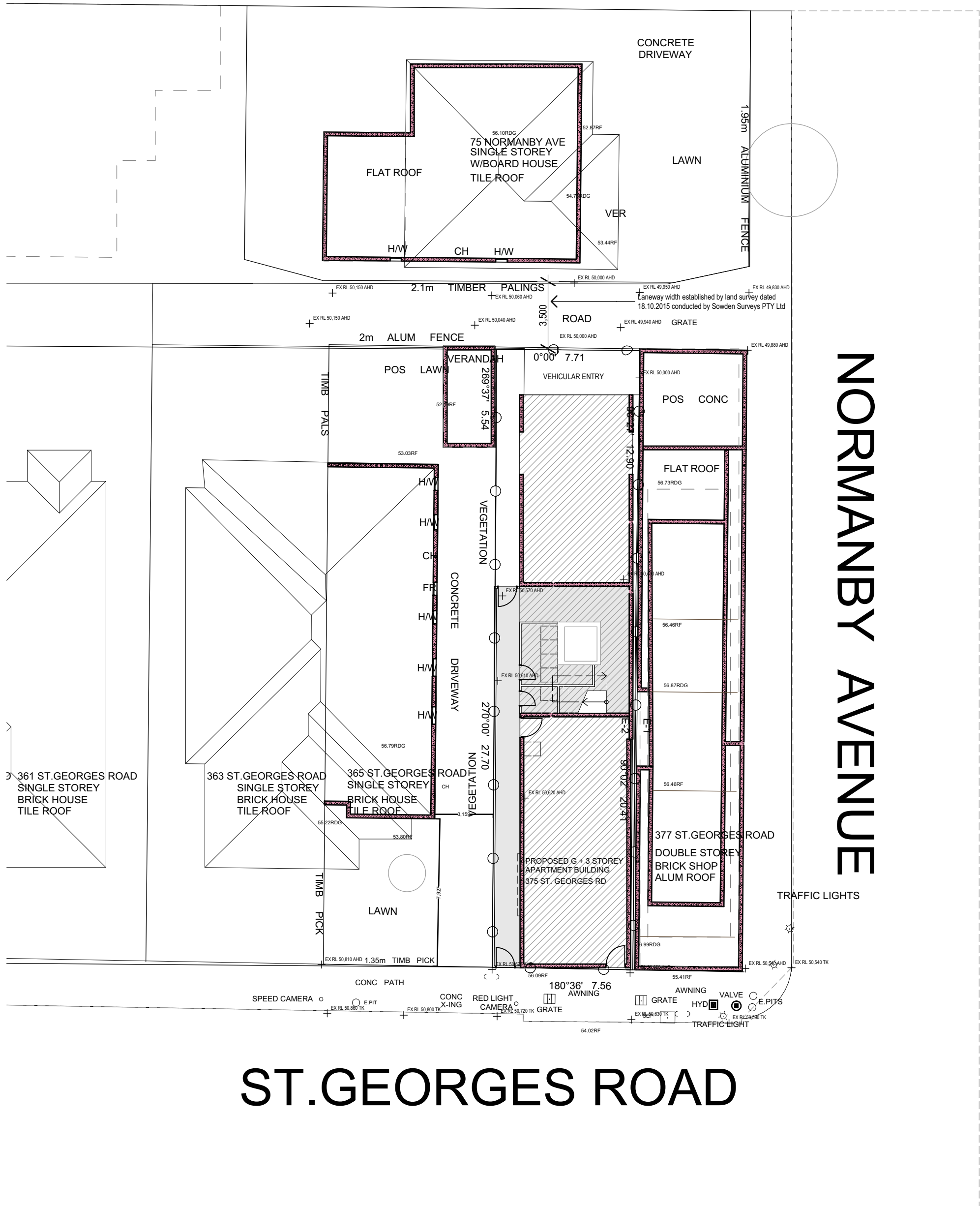
**TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS**
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|------------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| Amendments | | | |

| | | | |
|---|-------------------------------|----------------------|------------------------|
| Client LUKITO MUSTAFAAND RONNY PO | Scale As Shown | Sheet 2/16 | Job no. 1513 |
| Project Name and Location ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY | Drawn NT | Checked NT | Approved NT |
| Drawing Title SITE ANALYSIS | Drawing no. SD 1002 | Issue C | |

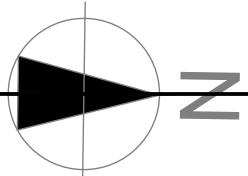
VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125





ST. GEORGES ROAD

1
-



PROPOSED SITE PLAN AND DESIGN RESPONSE ON A3 SCALE 1:200

TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

| | | | |
|---|-------------------------------|----------------------|------------------------|
| Client LUKITO MUSTAFA AND RONNY PO | Scale As Shown | Sheet 3/16 | Job no. 1513 |
| Project Name and Location ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY | Drawn NT | Checked NT | Approved NT |
| Drawing Title PROPOSED SITE PLAN | Drawing no. SD 1003 | Issue C | |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125



C:\Vaastu\Projects\lukito Mustafa & Ronny Poi\160614_MASTER_375 ST GEORGES ROAD THORNBURY.pln_14-06-2016_7:48 PM

AREA ANALYSIS:

SITE AREA: 250 SQM

PROPOSED APARTMENT AREA BREAKDOWN:

| FLOOR | APARTMENT No | INTERNAL AREA (SQM) | COURTYARD / BALCONY | TOTAL AREA (SQM) | BEDROOMS | BATHROOMS | CARSPACE |
|--------------|--------------|---------------------|---------------------|------------------|----------|-----------|----------|
| | | | POS (SQM) | | | | |
| GROUND FLOOR | SHOP 01 | 80 | | 80 | | | |
| | CARPARK | 33 | | | | | |
| FIRST FLOOR | APT.01 | 70 | 9 | 79 | 2 | 2 | 1 |
| | APT.02 | 70 | 8 | 78 | 2 | 2 | 1 |
| SECOND FLOOR | APT.03 | 60 | 8 | 68 | 2 | 1 | 1 |
| | APT.04 | 55 | 8 | 63 | 2 | 1 | 1 |
| | | | | | | | |

DESIGN RESPONSE**Strategic location**

- Council has identified the subject site for potential inclusion into the commercial area by rezoning.
- Amendment C136 seeks to apply a design and development overlay that encourages higher residential densities and allows development up to 4-6 storeys along the St George Road corridor.
- The site is located along St Georges Road and within a local convenience activity centre
- Proposed development site is well served by public transport, schools, activity centres and recreational facilities.

Site responsive design

- The design provides a garage to the west that utilises the rear laneway access.
- Ground floor commercial to the St Georges Road is retained and maintains an active frontage to road with the clear glazing and framing of the façade.
- The upper level is recessive and reducing from the rear, with graduated walls to minimize visual bulk.
- The development is not boundary-to-boundary and will result in a generous setback to the southern residential dwelling
- All dwellings offer good indoor-outdoor living environment, with open living plans providing appropriate interrelationship with balcony areas.
- The upper level of the development has a minimum 1 metre setback to the abutting northern development, which seeks to maximize utilisation of natural sunlight.
- The scale of the built form is not usual, as 4-storey developments are common along the St George Road Corridor.
- Overall the design achieves a balance between minimizing amenity impacts to abutting residential neighbours while also achieving an acceptable presentation to the streetscape.

Visual Bulk

Design utilizes a number of techniques to minimize visual bulk including:

- Employing various colours and materials to add visual interest.
- Dwelling façade is well fenestrated with windows and glass frosting balcony walls.
- Reduced and receding upper level stepping away from rear neighbours.
- Overall building height is minimized - low floor to ceiling heights.
- The built form is well articulated, incorporating a good mix of materials and finishes to break up the façade.
- Overall the visual bulk of the building is acceptable and will sit comfortably within streetscape.

Overshadowing

- The design provides setbacks from both the southern and western boundaries to minimize shadow impacts. The presence of a rear laneway and continuous pittosporum screening of 365 St Georges Road ensures that overshadowing impacts of the development are minimized and acceptable.

Overlooking

- Overlooking is addressed in the design with high sills or obscured glazing or screening that exceeds Rescode standards.
- Windows of habitable room locations have been carefully considered to avoid overlooking and also to gain good solar access.
- Design does not cause any unreasonable off-site amenity impact on adjacent properties.

Summary:

The proposed mixed-use development addresses the need for greater diversity in housing choices within the area. Current proposed amendments to rezone the site into commercial zone and place a DD0 overlay demonstrates Darebin's strategic objectives of encouraging higher densities of development along the St Georges Road Corridor.

The proposal achieves the above aim for higher density and revitalizes the site into a modern mix-used development that feature both commercial and residential uses. The smaller sized open space areas for the upper level apartments will require reduced maintenance and responds to changing household demands in accordance to State and Local Planning Provisions.

Whilst the development is a higher density development, amenity impacts have also been considered and minimized where possible. The building itself is low profile, has clean simple form and is well articulated, thus enhancing and contributing to the emerging future neighbourhood character. The proposal has also ensured appropriate setbacks and recessive upper floors are provided to the abutting residential sites to minimize any amenity impacts of the development.

Overall, the resulting design is responsive to the constraints of the site and will result in a positive outcome for the area.

**TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS**
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| | Amendments | | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
DESIGN RESPONSE

Scale
As Shown

Sheet
4/17

Drawing no.
SD 1004

Job no.
1513

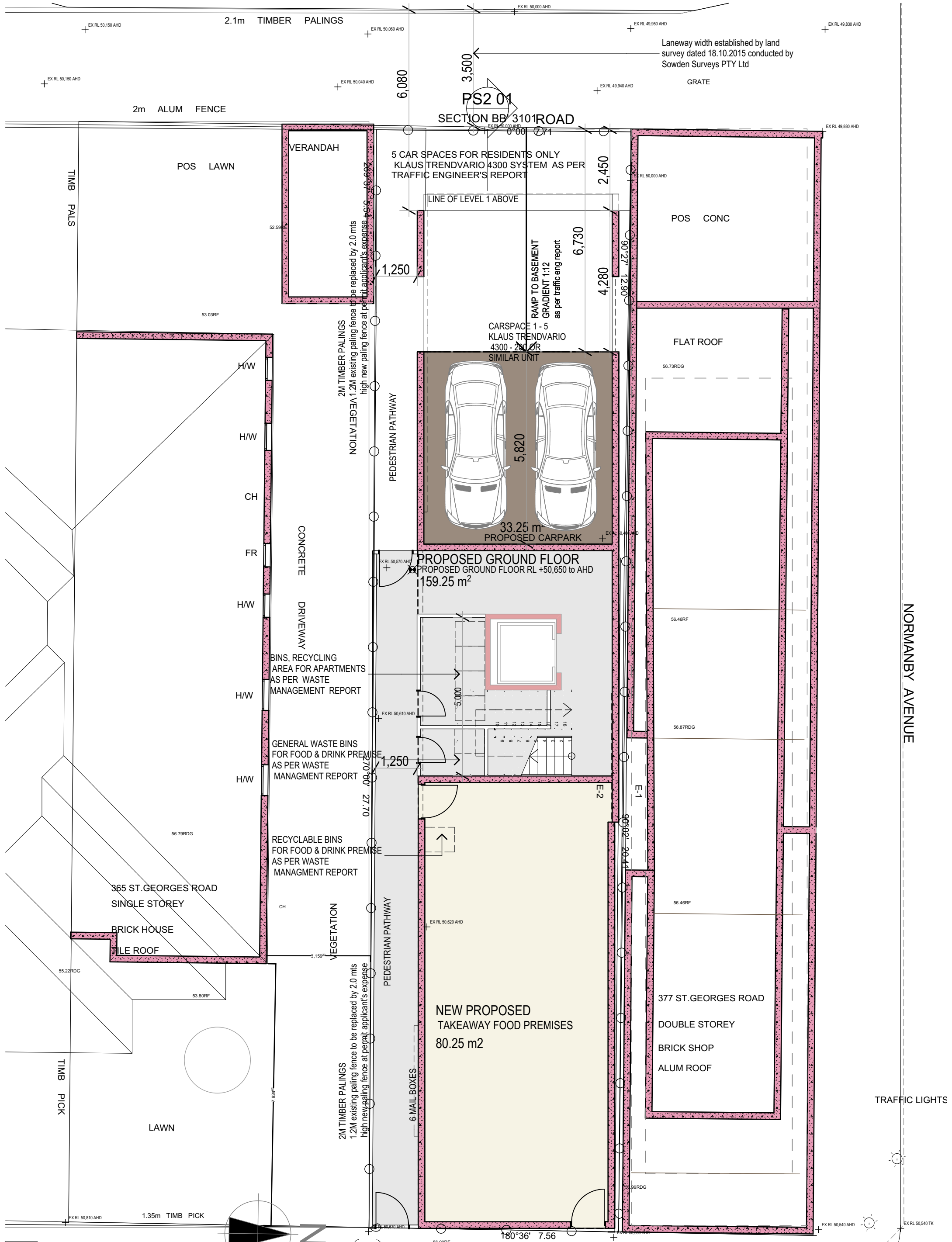
Drawn
NT

Checked
NT

Issue
C

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125





TOWN PLANNING SUBMISSION
ST GEORGES APARTMENTS
 COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

Client
 LUKITO MUSTAFA AND RONNY PO

Project Name and Location
 ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
 FLOOR PLAN - GROUND

| | | |
|-------------------------------|----------------------|------------------------|
| Scale As Shown | Sheet 5/16 | Job no. 1513 |
| Drawn NT | Checked NT | Approved NT |
| Drawing no. SD 2001 | Issue C | |

VAASTU PTY. LTD
 3 MUELLER CLOSE
 BURWOOD VIC 3125



FLOOR PLAN - GROUND
 ON A3 SCALE 1:100

C:\Vaastu\Projects\lukito Mustafa & Ronny Poi\160614_MASTER_375 ST GEORGES ROAD THORNBURY.pln_21-06-2016_2:44 PM

2.1m TIMBER PALINGS

Laneway width established by land survey dated 18.10.2015 conducted by Sowden Surveys PTY Ltd

GRATE

2m ALUM FENCE

PS2 01
SECTION BB 3101ROAD

5,500

0°00' 7.71

POS LAWN

VERANDAH

2,000

BALCONY
8.25 m²

POS CONC
POS CONC

269°37' 5.54

1,570

90°27' 12.90

APARTMENT A.02
A: 70 m²

FLAT ROOF
56.73RDLG

VEGETATION

1,600

1,470

56.46RF

CONCRETE DRIVEWAY

PROPOSED LEVEL 01
PROPOSED LEVEL 01 RL +53,750 to AHD

56.87RDLG

E-1
90°02' 20.41

365 ST. GEORGES ROAD
SINGLE STOREY
BRICK HOUSE
TILE ROOF

56.79RDLG

55.22RDLG

55.22RDLG

53.80RF

VEGETATION

1,600

56.46RF

377 ST. GEORGES ROAD
DOUBLE STOREY
BRICK SHOP
ALUM ROOF

APARTMENT A.01
A: 70 m²

56.99RDLG

BALCONY
8.5 m²

TRAFFIC LIGHTS

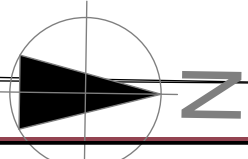
NORMANBY AVENUE

1.35m TIMB PICK

180°36' 7.56

56.09RF

55.41RF



FLOOR PLAN - LEVEL 01
ON A3 SCALE 1:100

1
TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
FLOOR PLAN - LEVEL 01

Scale
As Shown

Sheet
6/16

Job no.
1513

Drawn
NT

Checked
NT

Approved
NT

Drawing no.
SD 2002

Issue
C

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125



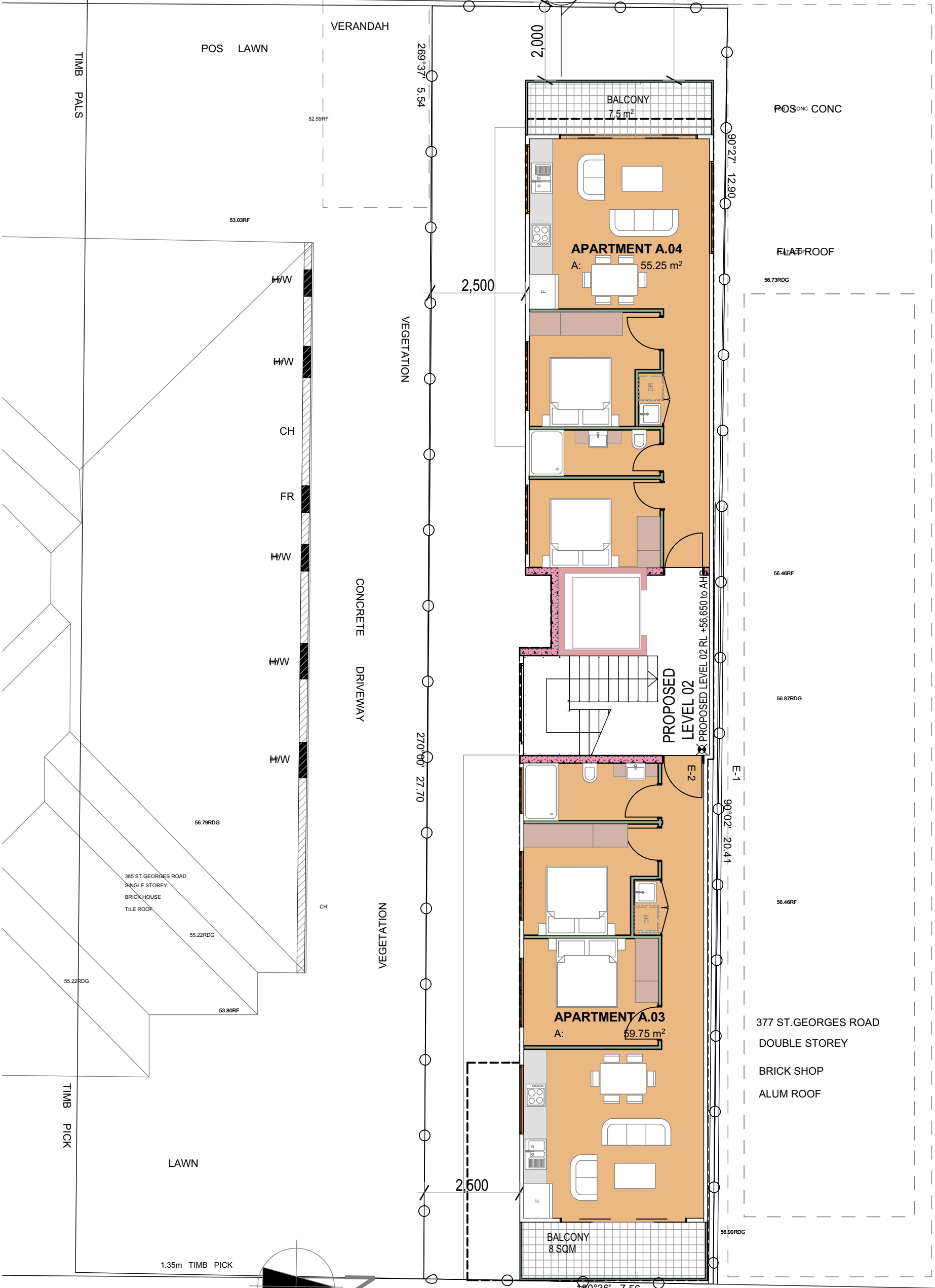
2.1m TIMBER PALINGS

Laneway width established by land survey dated 18.10.2015 conducted by Sowden Surveys PTY Ltd

GRATE

2m ALUM FENCE

PS2 01
SECTION BB 3101ROAD 0°00' 7.71



NORMANBY AVENUE

TRAFFIC LIGHTS

1

TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
FLOOR PLAN - LEVEL 02

Scale
As Shown

Sheet
7/16

Job no.
1513

Drawn
NT

Checked
NT

Approved
NT

Drawing no.
SD 2003

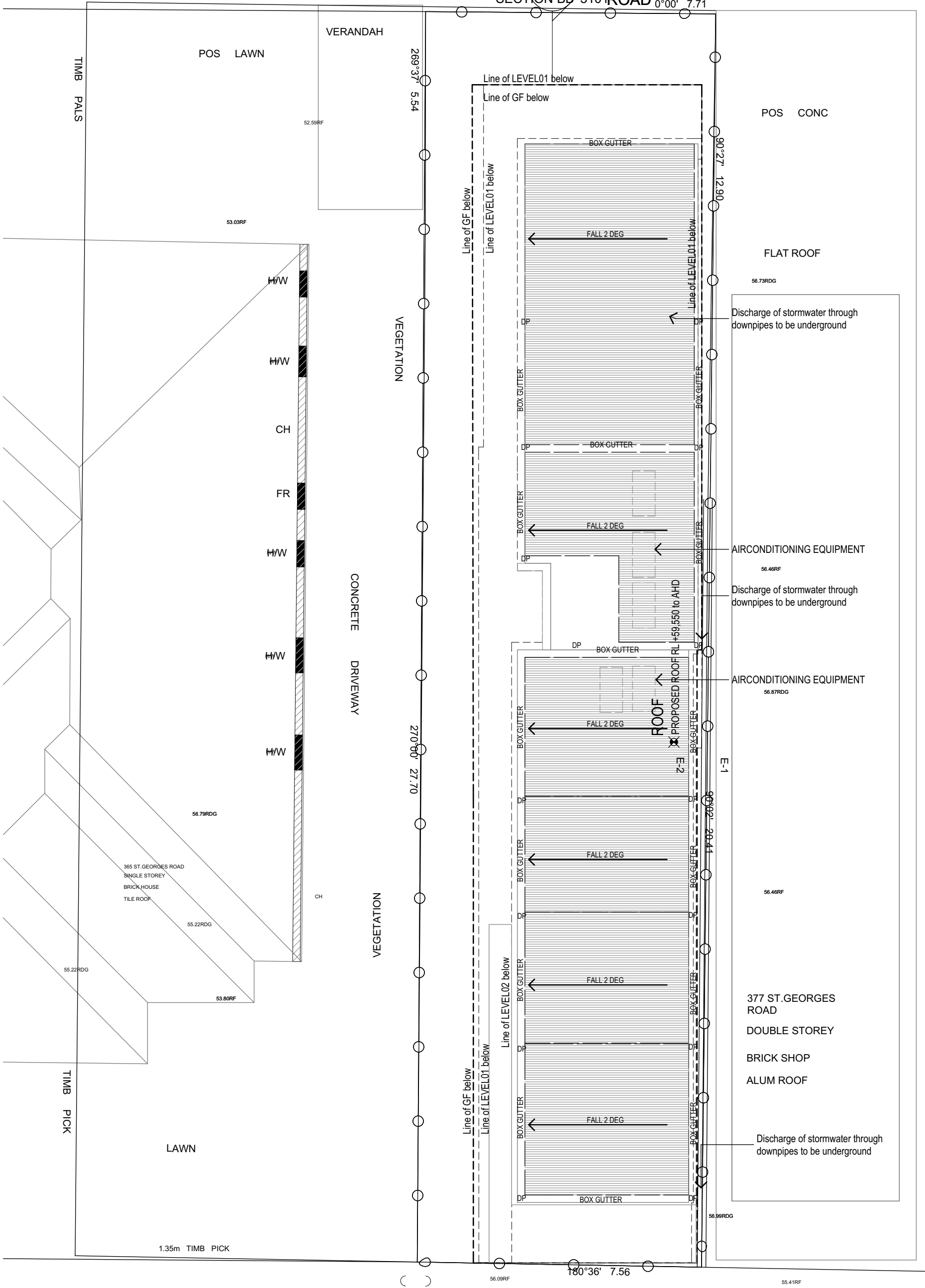
Issue
C

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125

FLOOR PLAN - LEVEL 02
ON A3 SCALE 1:100



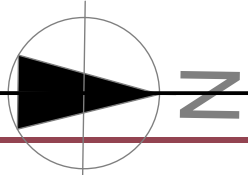
C:\Vaastu\Projects\lukito Mustafa & Ronny Poi\160614_MASTER_375 ST GEORGES ROAD THORNBURY.pln_21-06-2016_2:44 PM



NORMANBY AVENUE

TRAFFIC LIGHTS

1



ST. GEORGES ROAD

ROOF PLAN ON A3 SCALE 1:100

TOWN PLANNING SUBMISSION
ST GEORGES APARTMENTS
 COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

| | | | |
|---|-------------------------------|----------------------|------------------------|
| Client LUKITO MUSTAFA AND RONNY PO | Scale As Shown | Sheet 8/16 | Job no. 1513 |
| Project Name and Location ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY | Drawn NT | Checked NT | Approved NT |
| Drawing Title FLOOR PLAN - LEVEL 03 | Drawing no. SD 2101 | Issue C | |

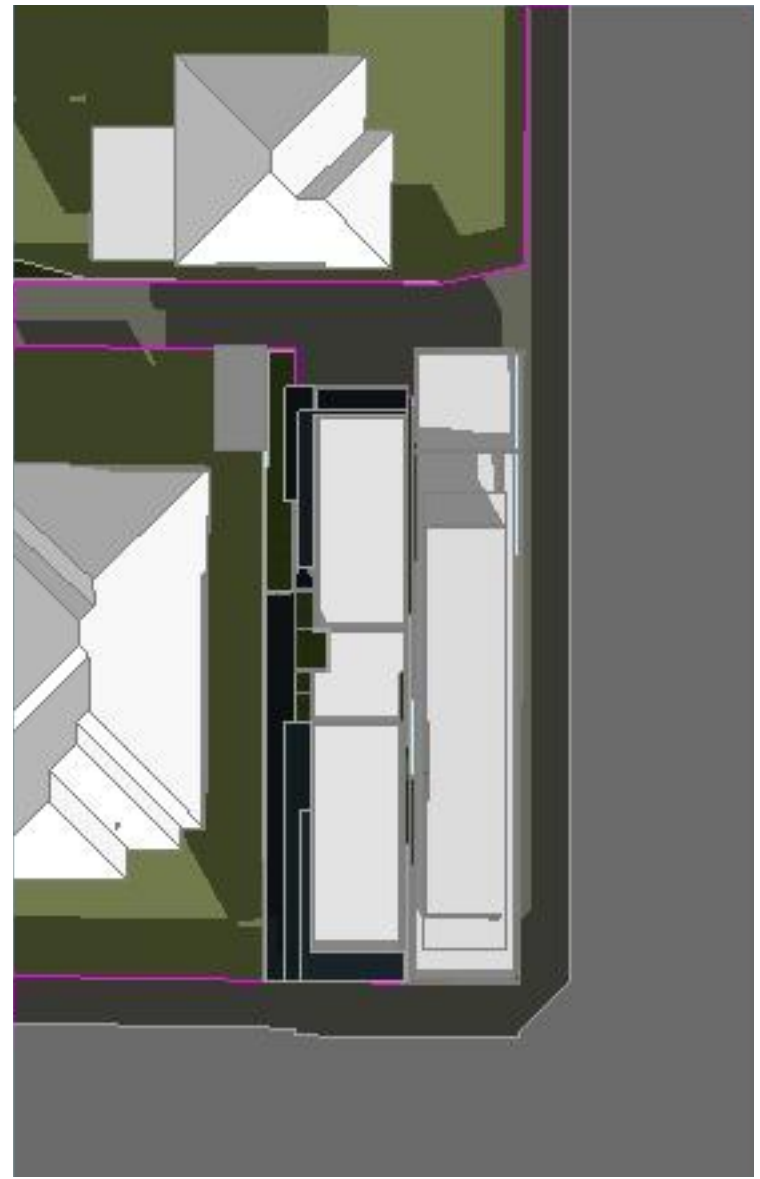
VAASTU PTY. LTD
 3 MUELLER CLOSE
 BURWOOD VIC 3125





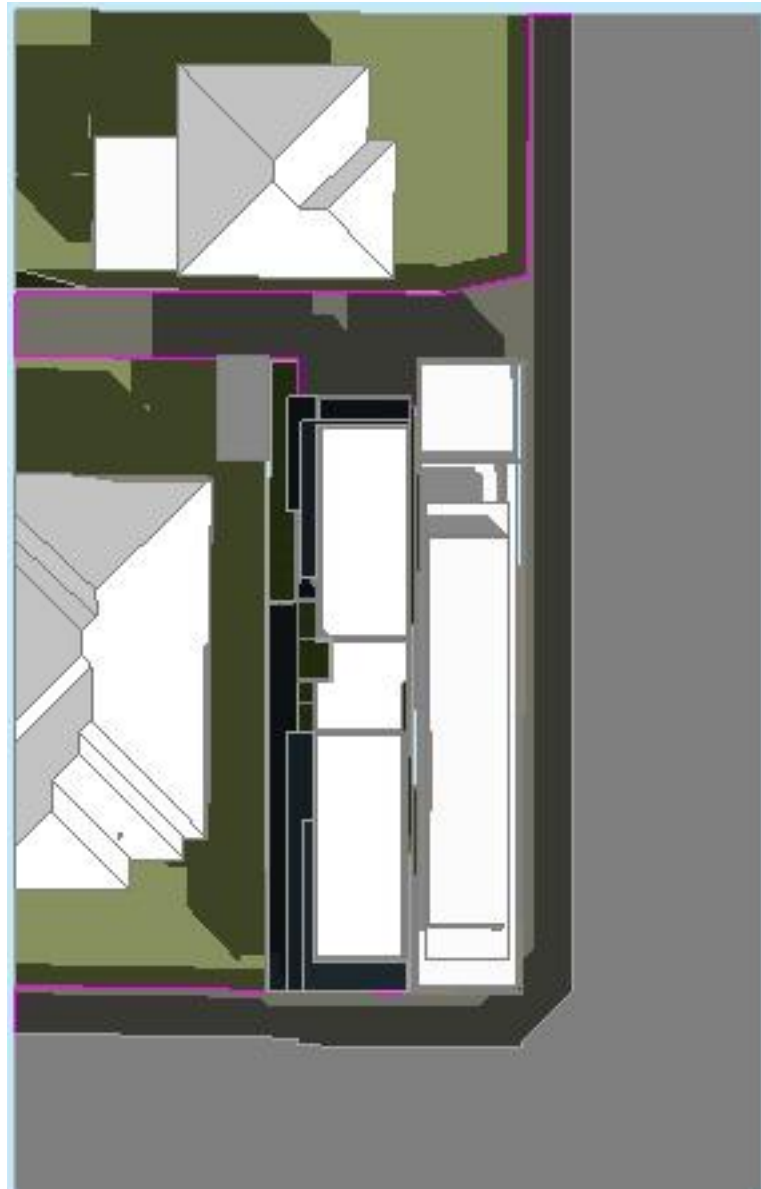
1
-

SHADOW DIAG SEPT 22 09 AM



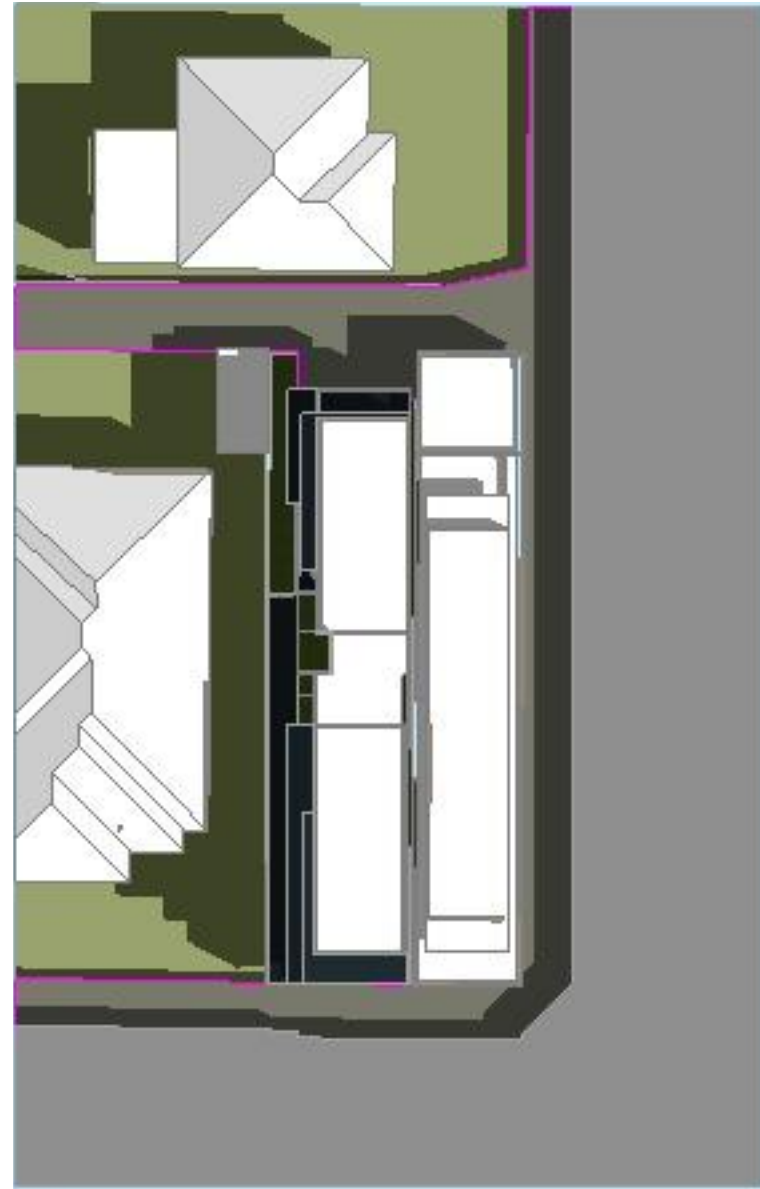
2
-

SHADOW DIAG SEPT 22 10 AM



3
-

SHADOW DIAG SEPT 22 11 AM



4
-

SHADOW DIAG SEPT 22 12 PM

TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
SHADOW DIAGRAMS_01

Scale
As Shown

Sheet
9/16

Job no.
1513

Drawn
NT

Checked
NT

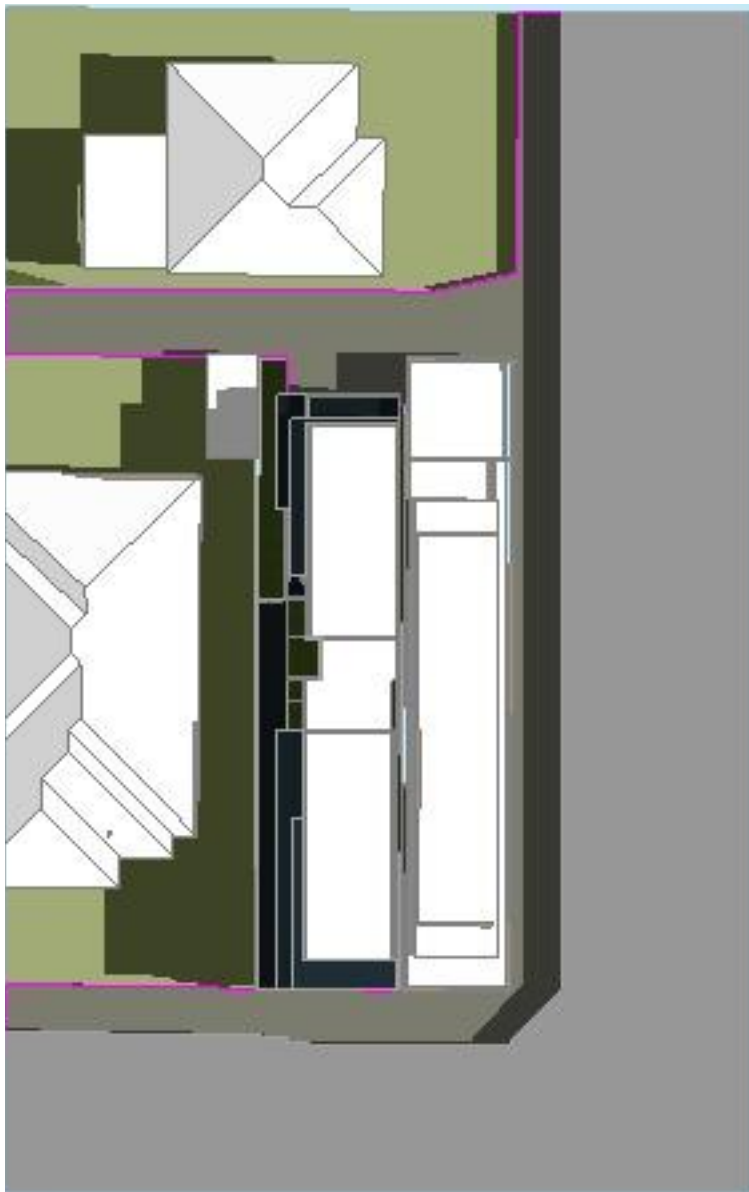
Approved
NT

Drawing no.
SD 2801

Issue
C

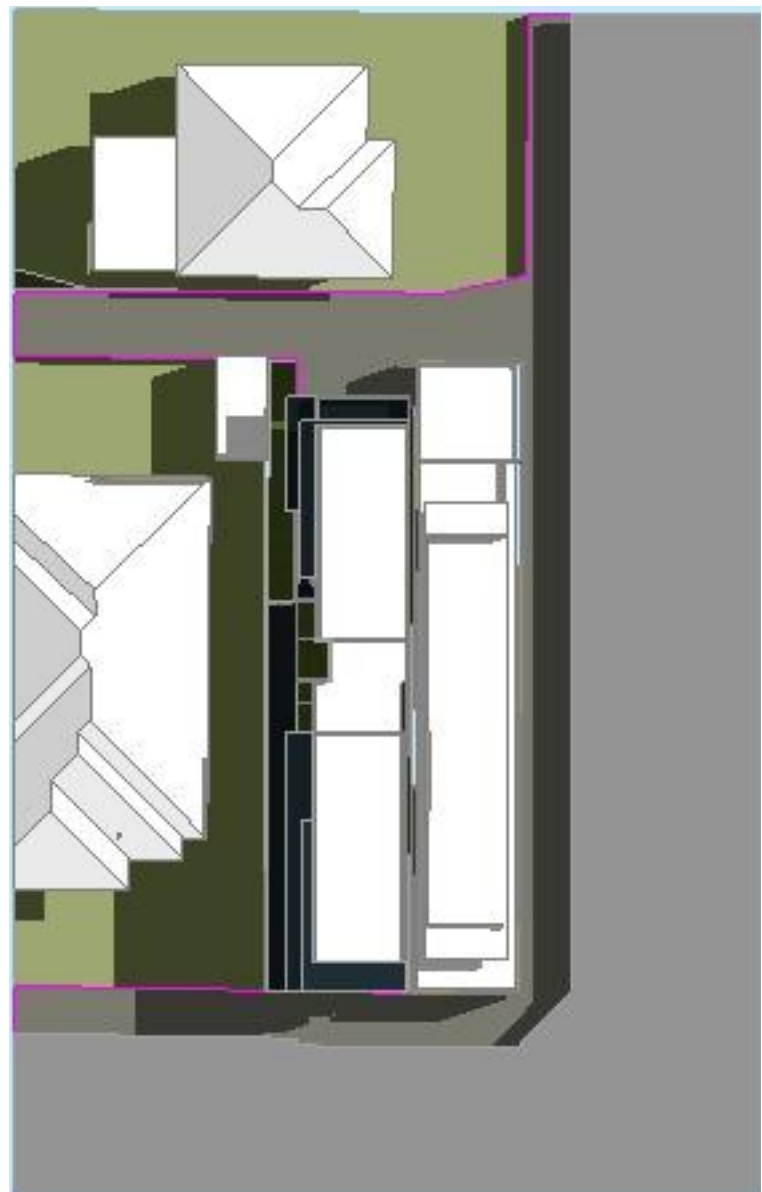
VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125





1
-

SHADOW DIAG SEPT 22 01 PM



2
-

SHADOW DIAG SEPT 22 02 PM



3
-

SHADOW DIAG SEPT 22 03 PM

TOWN PLANNING
SUBMISSION
ST GEORGES
APARTMENTS
COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|-------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |

Amendments

Client
LUKITO MUSTAFA AND RONNY PO

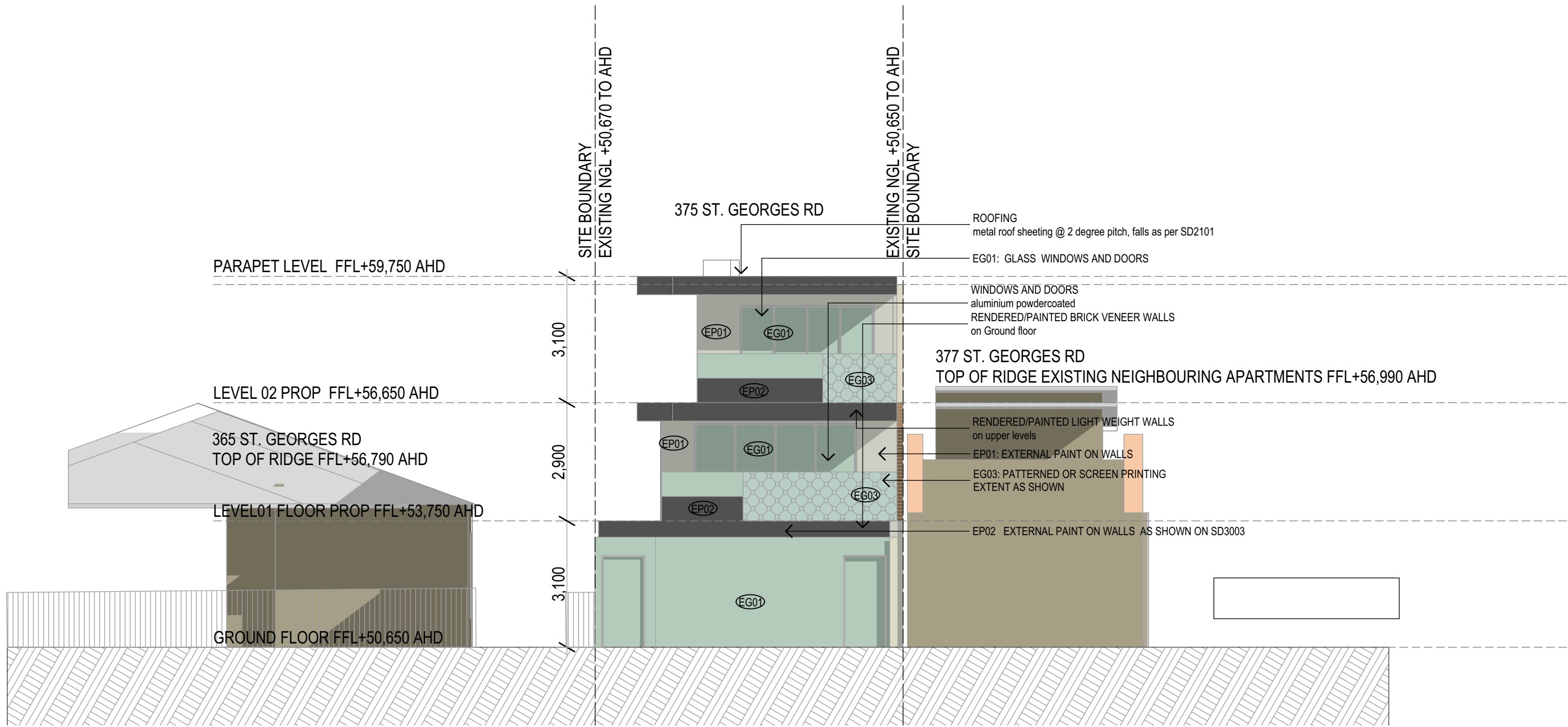
Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORBURY

Drawing Title
SHADOW DIAGRAMS_02

| | | |
|-------------------------------|-----------------------|------------------------|
| Scale As Shown | Sheet 10/16 | Job no. 1513 |
| Drawn NT | Checked NT | Approved NT |
| Drawing no. SD 2802 | Issue C | |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125





1
-

**EAST ELEVATION
ON A3 SCALE 1:100**

TOWN PLANNING SUBMISSION

ST GEORGES APARTMENTS

COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|------------|---|----------|-----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| Amendments | | | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

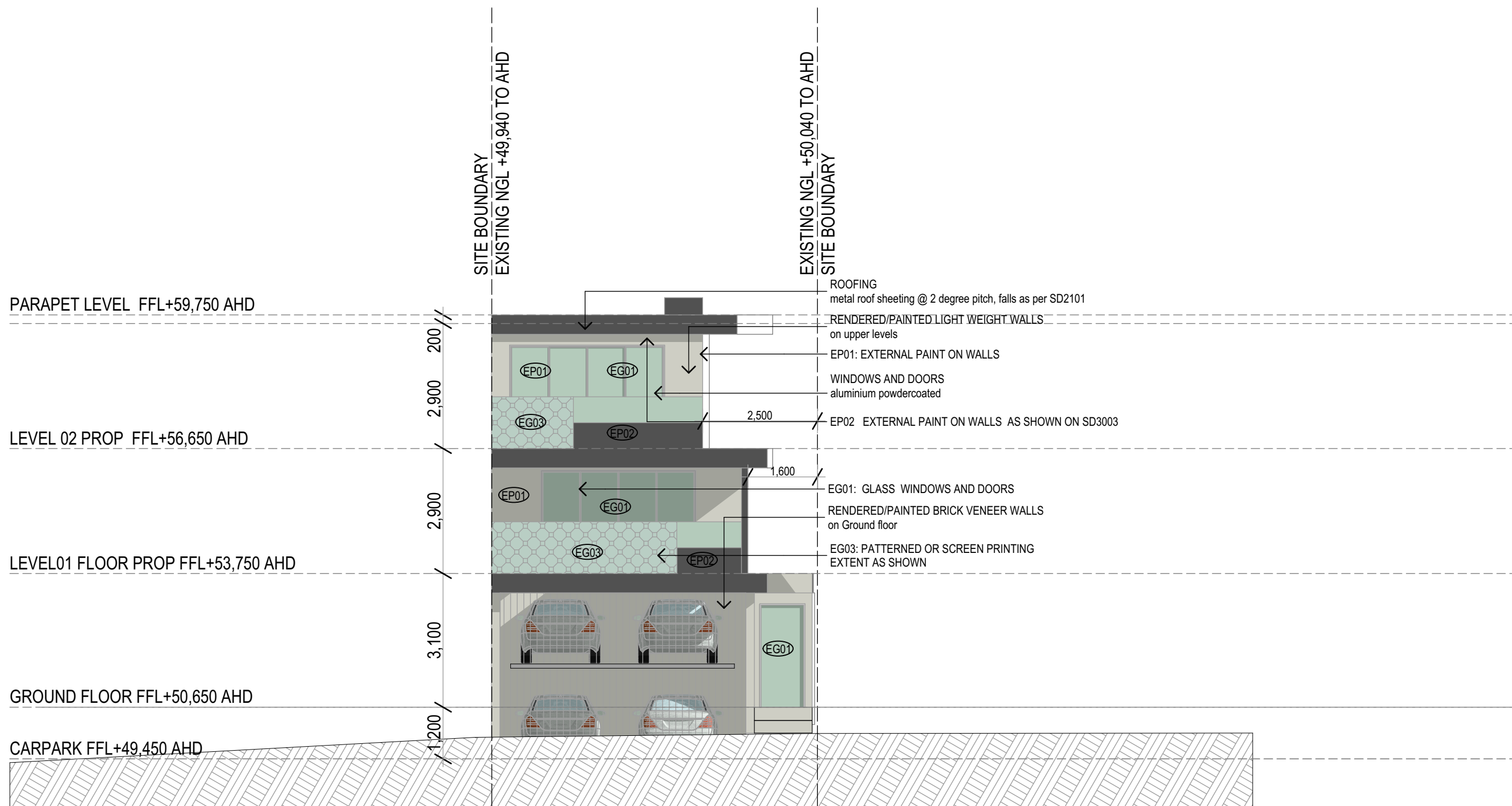
Drawing Title
EAST ELEVATION

| Scale | Dwg No. | Job no. |
|-------------|---------|----------|
| As Shown | 11/16 | 1513 |
| Drawn | Checked | Approved |
| NT | NT | NT |
| Drawing no. | Issue | |
| SD 3001 | C | |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125

DIRECTOR/DESIGNER
NUPUR TOMAR
T: 0433186041





**WEST ELEVATION
ON A3 SCALE 1:100**

1
-

TOWN PLANNING SUBMISSION

ST GEORGES APARTMENTS

COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | By |
|------------|---|----------|----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| Amendments | | | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
WEST ELEVATION

| Scale | Dwg No. | Job no. |
|-------------|---------|----------|
| As Shown | 12/16 | 1513 |
| Drawn | Checked | Approved |
| NT | NT | NT |
| Drawing no. | | Issue |
| SD 3002 | | C |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125

DIRECTOR/DESIGNER
NUPUR TOMAR
T: 0433186041



EXISTING NGL +50,650 TO AHD
SITE BOUNDARY

SITE BOUNDARY
EXISTING NGL +49,950 TO AHD

EM01: LINEAR CLADDING (as shown on SD3003)
Wherever hatched on elevation

RENDERED/PAINTED BRICK VENEER WALLS
on Ground floor

EG03: PATTERNED OR SCREEN PRINTING
EXTENT AS SHOWN

ROOFING
metal roof sheeting @ 2 degree pitch, falls as per
SD2101

EG01: GLASS WINDOWS AND DOORS

EP01: EXTERNAL PAINT ON WALLS
RENDERED/PAINTED LIGHT WEIGHT WALLS
on upper levels

WINDOWS AND DOORS
aluminium powdercoated

45 DEGREE LINE

PARAPET LEVEL FFL+59,750 AHD

Laneway width established by land
survey dated 18.10.2015 conducted
by Sowden Surveys PTY Ltd

LEVEL 02 PROP FFL+56,650 AHD

LEVEL 01 FLOOR PROP FFL+53,750 AHD

GROUND FLOOR FFL+50,650 AHD

NGL +50,000 AHD

CARPARK FFL+49,450 AHD

LINE OF ROOF OF NEIGHBOURING APARTMENT BLDG

2,900

2,900

3,100

1,700

3,500

1

-

NORTH ELEVATION
ON A3 SCALE 1:100

TOWN PLANNING SUBMISSION

ST GEORGES APARTMENTS

COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | By |
|------------|---|----------|----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| Amendments | | | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
NORTH ELEVATION

Scale
As Shown

Dwg No.
13/16

Job no.
1513

Drawn
NT

Checked
NT

Approved
NT

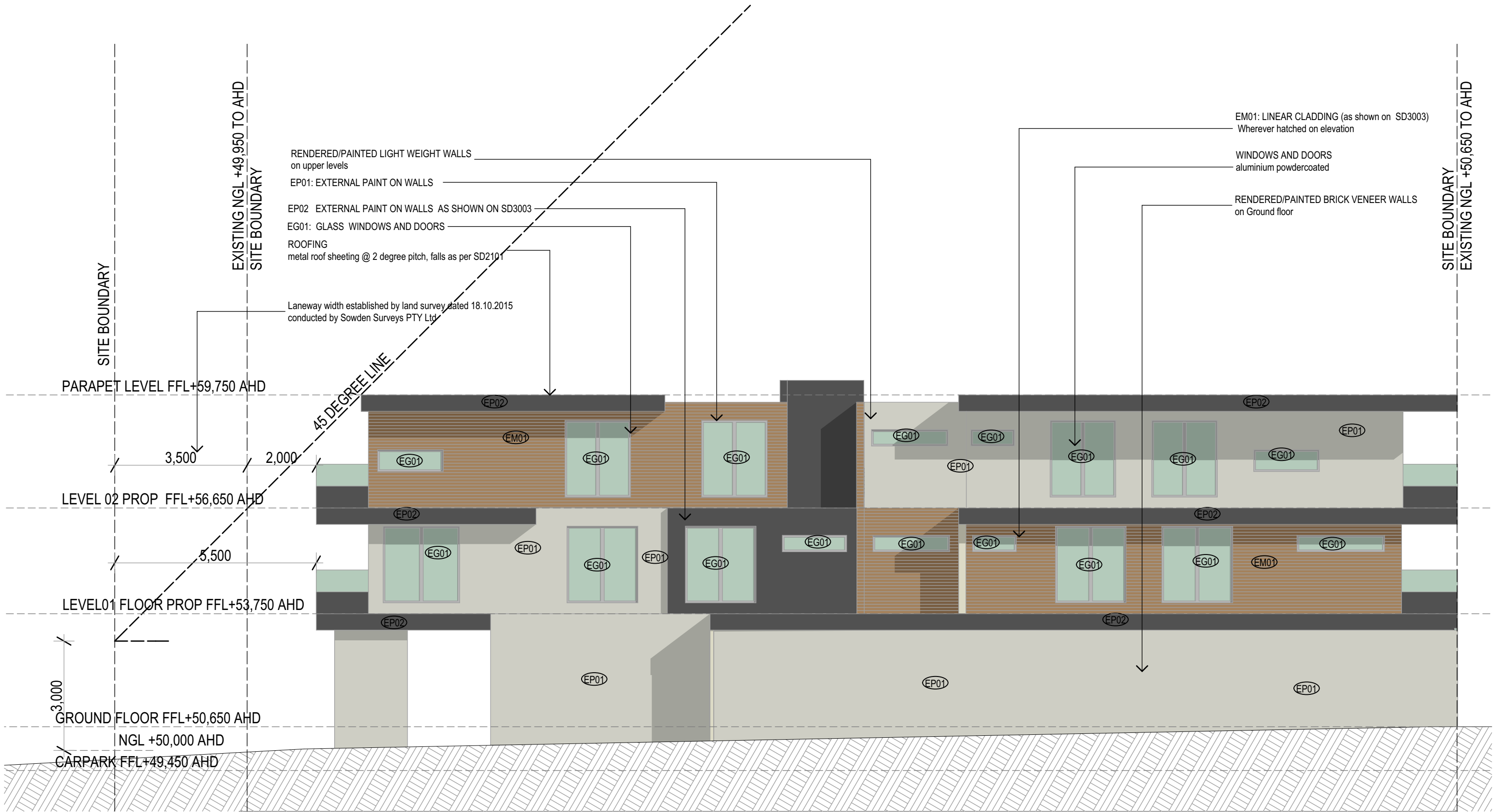
Drawing no.
SD 3003

Issue
C

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125

DIRECTOR/DESIGNER
NUPUR TOMAR
T: 0433186041





1
-

**SOUTH ELEVATION
ON A3 SCALE 1:100**

TOWN PLANNING SUBMISSION

ST GEORGES APARTMENTS

COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | By |
|------------|---|----------|----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| Amendments | | | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

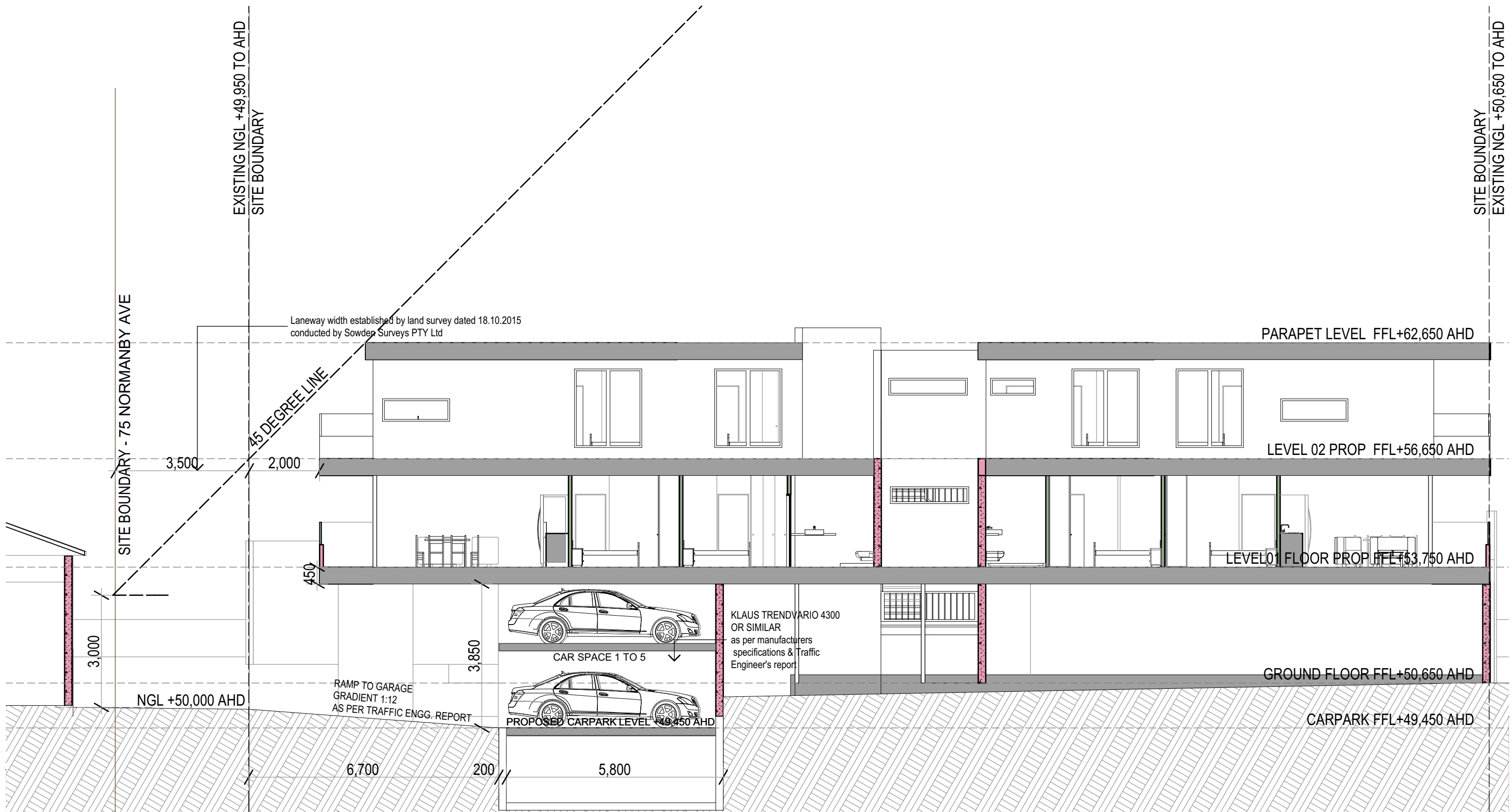
Drawing Title
SOUTH ELEVATION

| | | |
|------------------------|------------------|-----------------|
| Scale As Shown | Dwg No. 14/16 | Job no. 1513 |
| Drawn NT | Checked NT | Approved NT |
| Drawing no. SD 3004 | | Issue C |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125

DIRECTOR/DESIGNER
NUPUR TOMAR
T: 0433186041





1
-

SECTION BB'
ON A3 SCALE 1:100

TOWN PLANNING SUBMISSION

ST GEORGES APARTMENTS

COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | By |
|------------|---|----------|----|
| C | TOWN PLANNING ISSUE: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| Amendments | | | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
SECTIONS AA'

| Scale | Dwg No. | Job no. |
|-------------|---------|----------|
| As Shown | 15/16 | 1513 |
| Drawn | Checked | Approved |
| NT | NT | NT |
| Drawing no. | Issue | |
| SD 3101 | C | |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125

DIRECTOR/DESIGNER
NUPUR TOMAR
T: 0433186041



EXTERNAL FINISHES



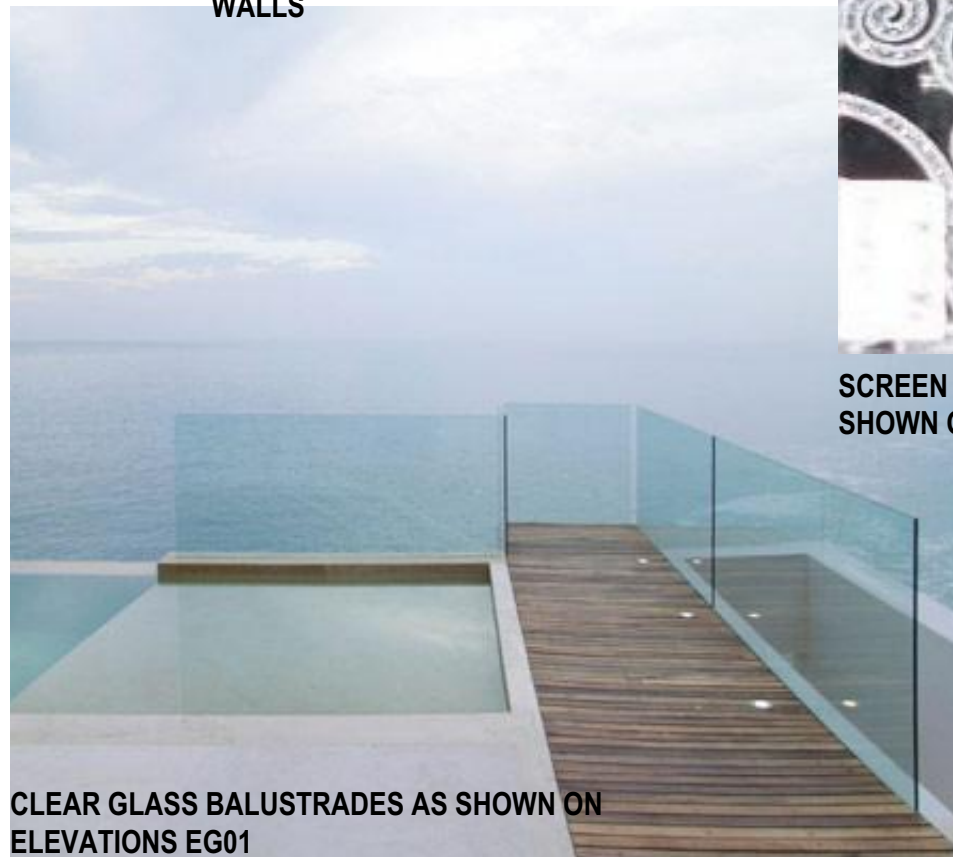
EP02 : PAINT FINISH ON RENDERED EXTERNAL WALLS



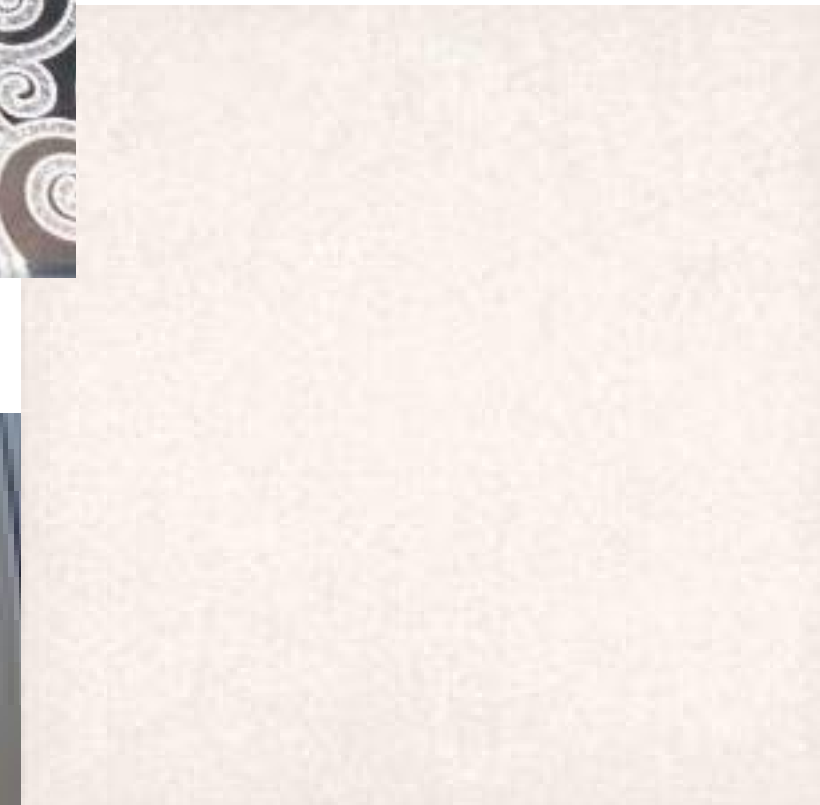
EMO1- SCYON CLADDING



SCREEN PRINTING ON GLASS BALUSTRADES AS SHOWN ON ELEVATIONS EG03



CLEAR GLASS BALUSTRADES AS SHOWN ON ELEVATIONS EG01



EP01 : PAINT FINISH ON RENDERED EXTERNAL WALLS



ROOF

TOWN PLANNING SUBMISSION

ST GEORGES APARTMENTS

COPYRIGHT VAASTU PTY. LTD

| Issue | Revision | Date | In. |
|------------|---------------------------------------|----------|-----|
| C | TOWN PLANNING: COUNCIL RECOMMENDATION | 14.06.16 | |
| B | TOWN PLANNING RFI ISSUE | 29.02.16 | |
| A | TOWN PLANNING SUBMISSION | 01.12.15 | |
| Amendments | | | |

Client
LUKITO MUSTAFA AND RONNY PO

Project Name and Location
ST GEORGES APARTMENTS, 375 ST GEORGES ROAD, THORNBURY

Drawing Title
EXTERNAL FINISHES SCHEDULE

| | | |
|------------------------|------------------|-----------------|
| Scale As Shown | Dwg No. 16/16 | Job no. 1513 |
| Drawn NT | Checked NT | Approved NT |
| Drawing no. SD 3102 | | Issue C |

VAASTU PTY. LTD
3 MUELLER CLOSE
BURWOOD VIC 3125

DIRECTOR/DESIGNER
NUPUR TOMAR
T: 0433186041



6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: Scheduled VCAT Applications, Significant Applications and Applications for the next Planning Committee Meeting

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

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

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

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

| |
|-----------------------|
| Recommendation |
|-----------------------|

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

Delegate Decisions before VCAT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

| MAY 2016 | | | | | |
|------------------------|---|---|--|--|---|
| Date of Hearing | App. No. | Property/Ward | Proposal | Council Decision/Nature of Appeal | VCAT Decision |
| 18/05/2016 | D/485/2016 | 531 St Georges Road, Thornbury Cazaly | Buildings and works associated with a multi level apartment building and basement level car parking | Failure Appeal – Council subsequently determined to oppose | Council's (deemed) refusal affirmed. No permit granted. |
| Result | In reaching its decision, the Tribunal considered the history and progress of amendment C136. Ultimately, having regard to the difference between what was exhibited, discussed at the Panel Hearing, what was adopted by Council and what was submitted to the Minister, the Tribunal concluded there is a lack of certainty of what parts of Amendment C136 that may make it into the planning scheme. Nevertheless, of what guidance could be taken from C136, the Tribunal considered the proposal differed, and accordingly, was not acceptable "at this time". | | | | |
| 25/05/2016 | D/260/2015 | 472 High Street, Preston Cazaly | A six (6) storey building (plus basement) comprising 44 dwellings and four (4) shops and a reduction to the car parking requirement. | Refusal – Applicant Appeal | Council's decision set aside. Permit granted. |
| Result | The Tribunal considered the emerging character of the area was that of 3 or 4 storeys, with the possibility of more floors if they can be accommodated on the site and be recessive. Accordingly, the Tribunal did not consider the 4 storey height limit in the Preston Central Incorporated Plan "absolute". Further, the Tribunal noted all the experts (including Council's own urban designer) did not support 4 storeys absolutely. With the design recommendations of one of the expert witness (which involved a street wall with recessive upper floors), the Tribunal was comfortable the proposal was an acceptable response against the scheme. | | | | |
| 20/05/2016 | D/85/2015 | 52 Charles Street, Northcote Rucker | Partial demolition of the existing dwelling roof, buildings and works to construct a roof deck and garage on land under 300sqm in area and within a Heritage Overlay | Notice of Decision - Objector Appeal | |
| Result | Awaiting VCAT Order – the Permit applicant was required by VCAT to circulate shadow diagrams to the parties after the hearing, before it determines the matter. | | | | |

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

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

| JULY 2016 | | | | | |
|------------------------|--|---|---|--|---|
| Date of Hearing | App. No. | Property/Ward | Proposal | Council Decision/Nature of Appeal | VCAT Decision |
| 20/07/2016 | D/744/2015 | 126 Victoria Road, Northcote Rucker | Construct a medium density housing development comprised of two (2) double storey dwellings behind the existing dwelling. | Refusal – Applicant Appeal | Council's decision set aside. Permit granted. |
| Result | The Tribunal was satisfied the proposal was an acceptable response to neighbourhood character given the contemporary dwellings were to be located to the rear of the existing dwelling. It disagreed there was a pattern of open backyardscapes. The Tribunal was also satisfied the proposal could provide acceptable landscaping and had no unreasonable off site amenity impacts. | | | | |

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

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

Planning Committee Decisions before VCAT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

| JULY 2016 | | | | | |
|------------------------|---|----------------------|-----------------|--|----------------------|
| Date of Hearing | App. No. | Property/Ward | Proposal | Council Decision/Nature of Appeal | VCAT Decision |
| Result | Hearing in September confirmed and costs of the entire proceeding reserved. | | | | |

| JULY 2016 | | | | | |
|------------------------|-----------------|---|---|---|--------------------------------|
| Date of Hearing | App. No. | Property/Ward | Proposal | Council Decision/Nature of Appeal | VCAT Decision |
| 28/07/2016 | D/236/2015 | 943-945 Plenty Road, Kingsbury La Trobe | Mixed use development comprising the construction of a four (4) storey building, use as 9 dwellings and a reduction in the car parking requirements and loading/unloading of vehicle requirements associated with the use as a shop | Refusal (contrary to officer recommendation) - Applicant appeal | Awaiting VCAT decision |
| Result | | | | | |
| 29/07/2016 | D/469/2015 | 17-19 Paywit Street, Preston Cazaly | Medium density housing development comprising construction of four (4) double storey dwellings and two (2) single storey dwellings and a reduction in the visitor carparking requirement | Refusal (contrary to officer recommendation) - Applicant appeal | Adjourned to 16 September 2016 |
| Result | | | | | |

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

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

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

SIGNIFICANT APPLICATIONS UPDATE

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

| Address | Ward | Application No | Proposal Description | Date Received | Status |
|------------------------------------|---------|----------------|---|---------------|--|
| 63-71 Plenty Road, Preston | Cazaly | D/474/2015 | Mixed use development – two (2) shops & 135 dwellings | 30-Jun-15 | Reported to Planning Committee 8 August 2016 |
| 36-46 High Street, Preston | Cazaly | D/465/2015 | Mixed use development – two (2) commercial tenancies & 90 dwellings | 30-Jun-15 | Advertising |
| 445 High Street, Northcote | Rucker | D/319/2011/A | Mixed use development – 6 storey building with 90 dwellings & 5 shops | 1-August -16 | To be allocated |
| 95 Plenty Road, Preston | Cazaly | D/634/2016 | Mixed use development – 6 storey building with 17 dwellings & 1 shop | 9-May-2016 | Application being assessed |
| 1/176-180 High Street, Preston | Cazaly | D/456/2015 | Mixed use development – 74 dwellings plus commercial tenancies | 29-Jun-15 | Further information requested |
| 6-34 High Street, Preston | Cazaly | D/1007/2012 | Mixed use development containing 209 dwellings, seven (7) retail tenancies and gymnasium. | 20-Dec-12 | Advertising completed |
| 195-209 St Georges Road, Northcote | Rucker | D/1011/2012 | Mixed use development – 102 dwellings & supermarket within a six (6) storey building. | 20-Dec-12 | Refusal issued 8-July-16 |
| 531 St Georges Road, Thornbury | Cazaly | D/485/2014 | Residential development – 6 levels with 33 dwellings | 17-Jun-14 | VCAT Practice Note Sent |
| 2 McCutcheon Street, Northcote | Rucker | D/814/2014 | Residential development – 30 dwellings within a four (4) storey building. | 8-Sep-14 | Refusal issued 16-May-16 |
| 208-216 High Street, Preston | Cazaly | D/865/2014 | Mixed use development of 7 levels– 77 dwellings & 4 shops | 23-Sep-14 | Advertising completed |
| 223 Gower Street, Preston | Cazaly | D/1110/2014 | Medium density housing of 3 levels – 16 dwellings | 9-Dec-14 | Advertising completed |
| 305 Plenty Road, Preston | Cazaly | D/187/2015 | Construction of 16 dwellings contained within a five (5) storey building. | 27-Mar-15 | Refusal issued 20-Jun-16 |
| 30 Cramer Street, Preston | Cazaly | D/285/2015 | Construction of 95 dwellings and three (3) shops – nine (9) storey building | 1-May-15 | Amendment received |
| 70 Dundas Street, Thornbury | Rucker | D/542/2015 | Medium density housing of 3 levels – 10 dwellings | 30-Jun-15 | Report in process |
| 167 Station Street, Fairfield | Rucker | D/748/2015 | Construction of a three (3) storey building containing 20 dwellings | 16-Sep-15 | Refusal issued on 21-July-16 |
| 1 Ralph Street, Reservoir | LaTrobe | D/804/2015 | Mixed use development - 5 levels with 22 dwellings and 1 commercial tenancy | 6-Oct-15 | Further information requested |
| 55 Tyler Street Preston | Cazaly | D87/2016 | Construction of a swimming pool associated with an existing school. | 16-Feb-16 | Initial assessment commenced |

| Address | Ward | Application No | Proposal Description | Date Received | Status |
|---------------------------------|---------|----------------|--|---------------|---|
| 314 St Georges Road, Thornbury | Rucker | D939/2015 | Mixed use development of 5 levels – 46 dwellings, 4 commercial tenancies and 1 restaurant | 12-Nov-15 | Report in process |
| 2A Austral Avenue, Preston | Cazaly | D/979/2015 | Multi-level, medium density development – 67 dwellings | 27-Nov-15 | Refused |
| 108 Wood Street, Preston | Cazaly | D/971/2015 | Mixed use development – 3 & 4 levels with 25 dwellings and a medical centre | 25-Nov-15 | Notice of Decision to Grant a Permit issued on 8-July-16 |
| 281 Spring Street, Reservoir | Latrobe | D/1026/2015 | Mixed use development over 7 levels – 50 dwellings and 4 commercial tenancies | 10-Dec-15 | Application being assessed |
| 61 Johnson Street, Reservoir | Latrobe | D/603/2016 | Mixed use development over 4 levels – 11 shops/offices & 74 dwellings | 13-07-16 | Initial assessment started |
| 72A Station Street, Fairfield | Rucker | D/2/2016 | Mixed use development comprising 20 dwellings, three (3) retail premises and reduction in car parking to zero | 5-Jan-16 | Notice of Decision to Grant a Permit issued on 30-May-16 |
| 658 High Street, Thornbury | Rucker | D/1039/2015 | Mixed use development of 6 levels with ground floor commercial tenancies and 28 dwellings | 16-Dec-15 | Advertising completed |
| 1 Matisi Street Thornbury | Rucker | D/1040/2015 | Development and use of the land for warehouses | 11-Dec-15 | Advertising completed |
| 830 Plenty Road, Reservoir | Cazaly | D/458/2015 | Mixed use development comprising 326 dwellings and 962 square metres of office in 10 tenancies. | 29-Jun-15 | Notice of Decision to Grant a Permit issued on 22-July-16 |
| 234-235 Preston Market, Preston | Cazaly | D/398/2016 | Stage 1B – 131 dwellings (9 & 10 storey buildings), relocation of Aldi and other tenancies, reduction of car parking and alterations to vehicle access to Murray Road. | 18 May-16 | Further information requested |
| 234-235 Preston Market, Preston | Cazaly | D/393/2016 | Stage 1C – 193 dwellings (14 storey building), retail tenancies and reduction in car parking | 18 May-16 | Further information requested |
| 32 Station Street, Fairfield | Rucker | D/459/2016 | Relocation of heritage building and its use as a child care centre, display signs and construction of a 4 storey building with 62 dwellings | 2 June-16 | Request for further information received |
| 387-393 High Street, Northcote | Rucker | D/377/2016 | Mixed use development – 10 storey building with 93 dwellings and 2 retail tenancies, reduction in car parking and waiver of loading/unloading requirements | 4 May-16 | Initial assessment started |
| 52 Clyde Street, Thornbury | Rucker | D/444/2016 | Medium density housing – 3 levels | 27 May-16 | Further information requested |
| 1056-1140 Plenty Road, Bundoora | Latrobe | D/400/2016 | Construction of 63 dwellings and fence | 4 May-16 | Further information received |

| Address | Ward | Application No | Proposal Description | Date Received | Status |
|-------------------------------------|---------|----------------|---|---------------|--------------------------------------|
| 13 Olver Street, Preston | Cazaly | D/432/2016 | Medium density housing of 4 levels with 16 dwellings | 31 May-16 | Further information requested |
| Rear of 3B Newlands Road, Reservoir | Latrobe | D/370/2016 | Additional warehouse, upgrade existing warehouses and internal roads | 9 May-16 | Further information requested |
| 23 Bell Street, Preston | Cazaly | D/1086/2015 | Restricted retail premises | 23 Dec-15 | To be advertised |
| 56-58 Elliot Street, Reservoir | Latrobe | D/274/2016 | Construction of residential aged care facility with 110 rooms | 11 Apr-16 | On advertising |
| 345 Bell Street, Preston | Cazaly | D/566/2016 | Mixed use development – six (6) storey building with 30 dwellings and two (2) retail premises | 7 July-16 | Request for further information sent |

LIST OF APPLICATIONS FOR THE NEXT PLANNING COMMITTEE MEETING

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

| Address | Ward | Application No. | Proposal Description | No. of Objections |
|--------------------------------------|----------|-----------------|---|-------------------|
| 5 Banbury Road, Reservoir | La Trobe | D/373/2016 | Medium density - 1 new dwelling to the rear of the existing | 5 |
| 2/238-244 Edwardes Street, Reservoir | La Trobe | D/883/2015 | Dance Studio | 6 |
| 666 Bell Street, Preston | Cazaly | D/784/2015 | 3 storey building constructed over a basement – 8 dwellings | 6 |
| 314-316 St Georges Road, Thornbury | Rucker | D/939/2015 | 5 storey mixed use development | 36 |

7. URGENT BUSINESS

8. CLOSE OF MEETING