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## AGENDA

Planning Committee Meeting to be held  
at Darebin Civic Centre,  
350 High Street Preston  
on Thursday, 20 June 2019  
at 7.00pm.



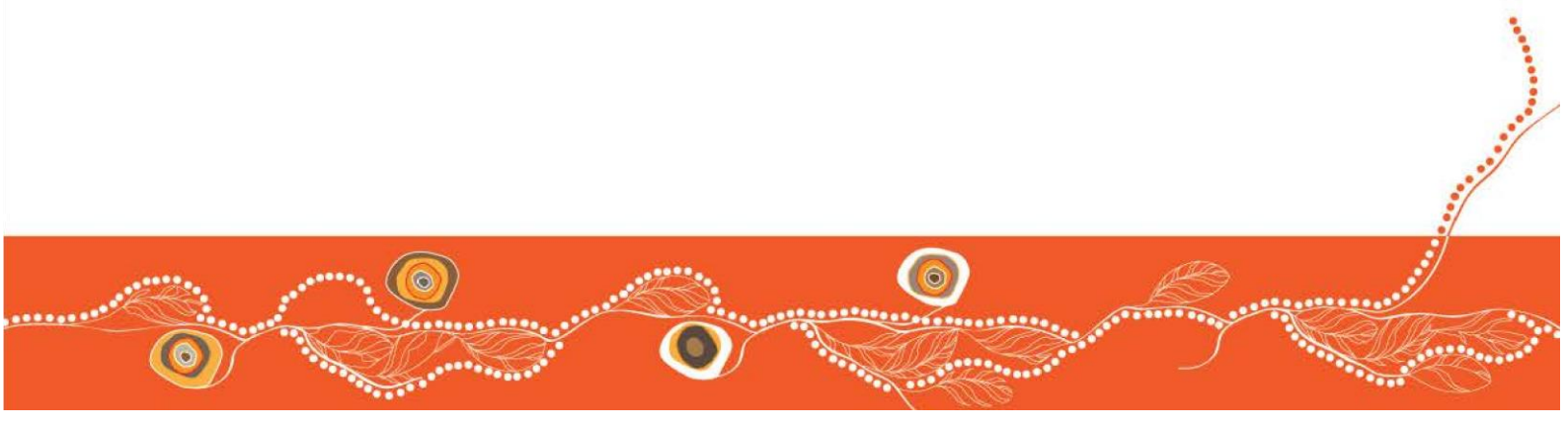
## **ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN**

Darebin City Council acknowledges the Wurundjeri people as the traditional owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and future.

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

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

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



## English

This is the Agenda for the Planning Committee meeting. For assistance with any of the agenda items, please telephone 8470 8888.

## Arabic

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

## Chinese

这是规划委员会会议议程。如需协助了解任何议项，请致电8470 8888。

## Greek

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

## Hindi

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

## Italian

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

## Macedonian

Ова е Дневниот ред за состанокот на Одборот за градежно планирање (Planning Committee). За помош во врска со која и да било точка од дневниот ред, ве молиме телефонирајте на 8470 8888.

## Nepali

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

## Punjabi

ਇਹ 'ਯੋਜਨਾਬੰਦੀ ਕਮੇਟੀ' (Planning Committee) ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

## Somali

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

## Spanish

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

## Urdu

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

## Vietnamese

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

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# Agenda

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## 1. MEMBERSHIP

Cr. Susan Rennie (Mayor) (Chairperson)

Cr. Susanne Newton (Deputy Mayor)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Kim Le Cerf

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Julie Williams

## 2. APOLOGIES

## 3. DISCLOSURES OF CONFLICTS OF INTEREST

## 4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

<b>Recommendation</b>
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**That** the Minutes of the Planning Committee Meeting held on 13 May 2019 be confirmed as a correct record of business transacted.

## 5. CONSIDERATION OF REPORTS

### 5.1 APPLICATION FOR A PLANNING PERMIT - D/843/2017 295-297 Gilbert Road Preston

**Author:** Principal Planner

**Reviewed By:** General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
Architectural Home Designs 6 Duncan Street FAIRFIELD VIC 3078	Tahir and Medina Suljovic 295-297 Gilbert Road PRESTON VIC 3072	N/A

### SUMMARY

- The application is recommended for approval subject to conditions.
- The conditions address ESD, materials, landscaping windows and shading.
- The proposal is recommended for approval because it attains a satisfactory level of compliance with the objectives and standards of Clauses 32.08, 52.06 and 55 of the Darebin Planning Scheme. The proposal also has strong strategic support in the Planning Scheme with the Municipal Strategic Statement identifying the Gilbert Road corridor as a substantial housing change area. The site is supported for increased residential density under the General Residential Zone which allows development of up to 3-storeys in height.
- The proposal involves the retention of the existing milk bar and development of six (6) dwellings above and to the rear of the milk bar. Dwellings 1, 2, 3 and 4 provide a 3-storey height, with dwellings 5 and 6, located to the rear providing a height of 2-storeys.
- All dwellings provide a similar layout comprising either 1 or 2 bedrooms with first floor living spaces and a north or east facing balcony. In addition to ground level courtyards to dwellings 2 – 6.
- One (1) car parking space is provided to each dwelling. This presents a full complement of resident car parking. No car parking is provided to the existing milk bar to be retained. This represents a reduction of one (1) car parking space.
- Visitor car parking is not required as the site is located on the Principal Public Transport Network.
- A General Residential Zone (Schedule 2) applies.
- The mandatory garden area requirement is 30%. The proposal achieves a garden area of 30.42% (193.63 square metres).
- There is no restrictive covenant on the title for the subject land.
- Six (6) objections were received against this application.

### CONSULTATION:

- Public notice was given via a sign posted on site and letters sent to surrounding owners and occupiers.

- This application was referred internally to the Capital Works Unit, Transport Management and Planning Unit, Property Unit and the ESD officer.
- This application was not required to be referred to external authorities.

<b>Recommendation</b>
-----------------------

**That** Planning Permit Application on D/843/2017 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 (plans identified as: P1, P2, P3, P4 and P5, dated 16 May 2019, WD 1 to 6, dated 17 May 2019 and prepared by Architectural Plans and Permits and S1 to S16, dated 21 May 2019 and prepared by D&A Consulting Group) but modified to show:
  - a) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 4 of this Permit).
  - b) A landscape plan in accordance with Condition No. 5 of this Permit.
  - c) Modifications in accordance with the Stormwater Management System Report (refer to Condition No. 6 of this Permit).
  - d) A comprehensive schedule of construction materials, external finishes and colours (including colour samples). Timber weatherboards are discouraged.
  - e) 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.
  - f) External operable sun shading devices (excluding roller shutters) to all west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness.
  - g) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors where not located directly under an eave or overhang. Where sun shading devices are being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not to extend within 1 metre of a property boundary.
  - h) Window operation on all elevation plans. Window operation must not increase overlooking of secluded private open space and/ or habitable room windows. Casement, sliding, sash and or louver windows must be provided to maximise ventilation.
  - i) Details of the garage door to Dwelling 1 fronting Gilbert Road.
  - j) Location of indicative signage to the milk bar.
  - k) Solar panels to the roof of each dwelling.
  - l) The setback of balconies from the north boundary.
  - m) The right of way labelled as constructed (refer to Condition No. 7 of this Permit).
  - n) A section diagram of the 1.7 metre balustrades and screens provided to Dwellings 2, 3, 4, 5 and 6. The screens must be no more than 25% open and constructed utilising durable materials.

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) Before the development starts, a detailed Stormwater Management System Report must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority. The report must include:
- a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
    - i) An assessment using an industry recognised stormwater tool;
    - ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
    - iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
    - iv) A plan illustrating where all impervious surfaces will be treated and drained; and
    - v) A construction and maintenance schedule.
  - b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces;
  - c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements;
- The development must be constructed and maintained in accordance with the requirements/ recommendations of the approved Stormwater Management System Report to the satisfaction of the Responsible Authority.
- (7) Prior to the occupation of the development:
- a) Plans detailing the construction and surfacing including drainage of the right of way abutting the southern boundary of the property, commencing from Gilbert Road to the western end of the property, must be submitted to and approved by Council.

- b) The right of way abutting the southern boundary of the property, commencing from Gilbert Road to the western end of the property must be constructed, surfaced and drained in accordance with the approved plans.

All works must be carried out by the developer at their cost and be under supervision of the responsible authority. The works must be carried out to the satisfaction of the responsible authority.

- (8) Before the development is occupied, streetscape improvement works in the Gilbert Road road reserve adjacent to the subject site must be carried out by the developer at their cost, under supervision and be to the satisfaction of the responsible authority. The streetscape improvements must include the following:
- a) Demolition of the existing footpath pavement and replacement with new concrete paving with joints. The new concrete is to match the colour of the existing concrete as closely as practicable.
- b) Install a council suite of furniture including a recycling and waste bin (side by side) bench seat and bike hoop.
- (9) 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.
- (10) 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.
- (11) The existing milk bar must be retained in accordance with endorsed plans.
- (12) 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.
- (13) 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.
- (14) 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.
- (15) The land must be drained to the satisfaction of the Responsible Authority.
- (16) Boundary walls facing adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
- (17) 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.

- (18) 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.
- (19) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- (20) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- a) Constructed;
  - b) Properly formed to such levels that they can be used in accordance with the plans;
  - c) Surfaced with an all-weather sealcoat; and
  - d) Drained
- to the satisfaction of the Responsible Authority.
- Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

### NOTATIONS

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

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

- N5 To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.

## INTRODUCTION AND BACKGROUND

No planning history applies to the site.

## ISSUES AND DISCUSSION

### Subject site and surrounding area

- The land is regular in shape and measures 13.49 metres in width and 45.72 metres in length with a site area of 636 square metres.
- A General Residential Zone (Schedule 2) applies.
- The site is identified for substantial housing change within the Municipal Strategic Statement, including development of up to 3-storeys in height.
- A Road Zone (Category 2) applies to Gilbert Road.
- An unmade right of way (ROW) adjoins the south boundary of the site.
- The land is located on the west side of Gilbert Road, north of the intersection with Bruce Street.
- The land is developed with a single storey milk bar and associated dwelling attached to the rear of the milk bar. The milk bar accounts for the initial quarter of the building (approximately) and is constructed to the front boundary. The remaining section of the building is dedicated to the dwelling. A garage and area of secluded private open space is located to the rear of the site and adjacent the north boundary. The larger part of the south boundary is finished with an opaque corrugated laser light fence to an approximate height of 3 metres.
- A garden comprising trees and shrubs is located to the rear.
- The site provides a fall of approximately two (2) metres from the south-east corner to the north-west corner of the site.
- To the north of the site is a single storey dwelling setback 9.15 metres from the Gilbert Road frontage and 850mm from the common boundary. Three (3) windows are located adjacent the common boundary.
- To the south on the opposite side of the ROW is a former warehouse and factory constructed to the front boundary and with a large site coverage. No formal car parking area is provided on site. This site was the subject of planning application D/820/2015 to develop a three (3) and four (4) storey mixed use development comprising a retail premises and 23 dwellings. The application was refused by Council. This decision was subsequently affirmed by the Tribunal.
- To the south of the site on the north-west corner of the Gilbert Road and Bruce Street is a medical centre. The adjacent section of the medical centre occupies a shopfront constructed to the street frontage. The other section of the medical centre has the appearance of a dwelling and is setback from Gilbert Road and Bruce Street. A car park is provided to the rear of the site.
- To the south of the site on the south-west corner of the Gilbert Road and Bruce Street is a double storey building which is used as a pharmacy and dwelling.

- To the east of the site on the opposite side of Gilbert Road are various single and double storey residential developments.
- To the west of the site is a single storey dwelling fronting Belmont Street. A garage and shed is located within the rear of the property near the rear boundary of the site.
- On-street parking on Gilbert Road is subject to a *Clearway (4pm-630pm Mon-Fri)* restriction on the western side (site frontage) and subject to a *Clearway (7am-9am Mon-Fri)* restriction on the eastern side.
- A small group of shops and services are located approximately 250m to the south at the intersection of Gilbert Road and Bell Street. Another small group of shops are located 500m to the north at the intersection Gilbert Road and Murray Road. A larger group of shops are located 1km to the south around the intersection of Gilbert Road and Miller Street.
- Tram services operate on Gilbert Road.
- Preston Principal Activity Centre and Preston Railway Station are located over a 1km to the north east of the site.

### Proposal

- Retention of the existing milk bar and the development of six (6) dwellings above and to the rear of the milk bar.
- The milk bar provides a zero setback to Gilbert Road and a floor area of 49.29 square metres. A glazed shop front is provided.
- Dwelling 1 sits above the milk bar and is setback 2.5 metres from the frontage. A living room with a 24 square balcony facing Gilbert Road is provided at 1<sup>st</sup> floor level. Two (2) bedrooms are provided at 2<sup>nd</sup> floor level. An open car space is provided at ground level to the north of the milk bar with access via the existing crossover to Gilbert Road.
- Dwellings 2, 3 and 4 provide a 3-storey height comprising study space and retreat at ground level, 1<sup>st</sup> first floor living spaces with north facing 13 square metre balconies and two (2) bedrooms at 2<sup>nd</sup> floor level.
- Dwelling 5 provides a 2-storey height comprising a study and bedroom at ground level and a further bedroom and living space with north facing 9.4 square metre balcony at 1<sup>st</sup> floor level.
- Dwelling 6 provides a 2-storey height comprising a study and bedroom at ground level and a living space with north facing 9.79 square metre balcony at 1<sup>st</sup> floor level.
- Dwellings 2 – 6 provide north facing courtyards of 32.5 square metres.
- One (1) enclosed car parking space is provided to dwellings 2- 6 with access from the adjacent unmade ROW or Gilbert Road. Dwelling 1 has access to an open car space.
- The dwellings are finished in brick at the ground level and vertical cladding at 1<sup>st</sup> and 2<sup>nd</sup> floor level.

### Objections summarised

Six (6) objections received.

- Car parking
- Traffic
- Design / Neighbourhood Character
- Height

- Overshadowing
- Privacy
- Noise
- Overdevelopment / Too many units in the street
- Use of retreat spaces
- Asbestos

**Officer comment on summarised objections**

- Car parking

A full complement of resident car parking is provided to the six (6) dwellings in accordance with Clause 52.06 (Car parking) of the Darebin Planning Scheme.

No car parking is provided to the existing milk bar to be retained. This represents a reduction of one (1) car parking space.

Visitor car parking is not required as the site is located on the Principal Public Transport Network.

A detailed assessment of car parking is provided under the Clause 52.06 (Car parking) assessment below.

- Traffic

Additional traffic is not a critical issue as the adjacent road network has capacity to accommodate the additional vehicle movements associated with the proposal.

- Design / Neighbourhood Character

Refer to the assessment of neighbourhood character under the Planning Assessment section of this report.

- Front setback

As a result of retaining the existing milk bar the front setback to Gilbert Road is zero metres. Council cannot force an applicant to remove a building therefore the front setback is to remain at zero.

- Height

The 3-storey height of the proposal is compliant with the Darebin Planning Scheme which recommends a height of up to 3-storeys for the site and adjacent sites fronting Gilbert Road.

- Overshadowing

Shadow cast by the development will be within the parameters set out at Clause 55 of the Darebin Planning Scheme. It is noted that most of the shadows will be cast over the adjacent ROW located to the south of the site.

- Privacy

All upper storey windows and balconies are appropriately designed and screened to reduce overlooking of adjacent residential properties, in accordance with Clause 55 of the Darebin Planning Scheme.

- Noise

The proposed residential use will have noise impacts consistent with those 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.

- Overdevelopment / Too many units in the street

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

- Use of retreat spaces

Dwellings 2, 3, 4 and 5 provide a retreat at ground level with direct access to a ground level courtyard. The retreat is an open space and transitional space linking the corridor to the courtyard not unlike a living room. Given the lack of privacy afforded to this space it is unlikely that this space would be utilised as an additional bedroom.

- Asbestos

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

## PLANNING ASSESSMENT

### Clause 32.08 General Residential Zone and Local policies

A General Residential (Schedule 2) applies to the site. The relevant purpose of the zone is to implement State and Local Planning Policy, encourage development that respects neighbourhood character and to implement neighbourhood character policy and adopted neighbourhood character guidelines, and to provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

Development of up to 3-storeys (12 metres) is permitted within this zone.

A substantial housing change designation pursuant to Clause 21.03 of the Planning Scheme applies to the site. Substantial change areas are defined in the planning scheme as follows:

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

The site is included in a substantial change area because it has a frontage to a strategic corridor (Gilbert Road) and is proximate to a tram route. Under the policy at Clause 21.03, there is a hierarchy of substantial change areas. The scale and intensity of residential growth will differ across these areas depending on their strategic capacity to accommodate municipal growth and future housing needs. Generally, residential growth adheres to the following hierarchy:

- Preston Central and Northland East Preston Activity Centres
- Reservoir and Northcote Activity Centres

- Neighbourhood Centres
- Strategic Corridors including Plenty Road and St Georges Road
- Other substantial change areas as identified in the Strategic Housing Framework Plan. The residential area to the west of the site is included in an Incremental Change Area pursuant to the policy at Clause 21.03. It is policy that the design of development at interface between Substantial Change and Incremental Areas, provides a sensitive transition.

The Neighbourhood Character policy at Clause 22.02 is also relevant, even though the site is included in a Substantial Change Area. This policy applies to land in the Neighbourhood Residential Zone and the General Residential Zone and policy requires the proposal to be assessed against the preferred character statement and design guidelines in the Darebin Neighbourhood Character Study & Precinct Guidelines 2007.

The State and local planning policy frameworks seeks to:

- *Encourage residential consolidation of established urban areas;*
- *Facilitate residential and commercial development in existing activity centres and where good access to public transport exists;*
- *Encourage the design of energy efficient buildings;*
- *Ensure that development respects existing or preferred neighbourhood character;*
- *Ensure that development improves housing choice, makes better use of existing infrastructure and improves energy efficiency of housing;*
- *Achieve high quality urban design and architecture that reflects the particular characteristics, aspirations and cultural identity of the community;*
- *Encourage the provision of housing to accommodate future housing needs and preferences of the local community;*
- *Encourage the design of development at interfaces between Substantial Change and Incremental Areas that provides a sensitive transition, with particular consideration given to avoiding unreasonable amenity impacts on adjoining sensitive residential interfaces.*
- *Encourage the design of developments that do not unreasonably impact on the potential for neighbouring sites to be developed in accordance with the planning scheme.*

The site's physical context presents both opportunities and constraints. The site is located on a main road (included in a Road Zone Category 2) with a tram route 112 operating from West Preston to St Kilda. It has regular dimensions and an area of 636 square metres. A ROW extends along the southern boundary of the site. The site has a history of non-residential use (to Gilbert Road) and forms part of a small group of commercial uses comprising a single storey warehouse and a medical centre to the south. These sites form part of the Gilbert Road substantial change corridor and have the potential to be developed in accordance with the Planning Scheme's policies and provisions.

The site has sensitive interfaces to residential properties to the west that form part of an incremental housing change area, and a direct abuttal with a dwelling fronting Gilbert Road to the north which forms part of the substantial housing change area.

It is considered that the proposal achieves an appropriate response to the site's strategic and physical opportunities and constraints.

The massing of the proposal steps down from 3-storeys at the frontage to the mid-section of the site to an eventual 2-storey height (Dwellings 5 & 6) at the rear of the site.

Dwelling 1 (fronting Gilbert Road) provides an additional 2-storeys above the milk bar. This element of the proposal will be noticeably different from the current appearance of the site,



but it will not be unprecedented in terms of scale and height on Gilbert Road where developments of 2 and 3 storeys are present. Dwelling 1 presents a flat roof form with the external walls clad in vertical cladding.

Critically the two (2) additional storeys are setback 2.5 metres behind the existing parapet providing articulation and a satisfactory transition in scale to the Gilbert Road streetscape.

Dwellings 2, 3 and 4 also provide a 3-storey height and provide generous setbacks from the sensitive interface to the northern neighbour of between 4.0 to 6.0 metres. Balconies project into this setback and provide a minimum setback of 3.0 metres to the north boundary.

Dwellings 2 to 6 provide a northern aspect from 1<sup>st</sup> floor living spaces and large balconies (open to the sky). While a side facing aspect is generally discouraged, the provision of large uncovered balconies provides an appropriate level of outlook and daylight to these dwellings. The angled form of the balconies encourage views to the north east toward Gilbert Road. The setback of the proposal from the northern boundary also ensures that any future development on the adjacent site is not unduly compromised. Ground level courtyards are also provided to dwellings 2 to 6 adjacent to the north boundary with good opportunities to landscape this section of the site to soften the appearance of the proposal from the northern neighbour.

Dwelling 5 and 6 step down to 2-storeys. Dwelling 6 is constructed on the rear boundary at ground level and is setback 1.8 metres at 1<sup>st</sup> floor level. A large garage and garden shed are located within the rear of No. 2 Belmont Street which further buffers the visibility of the proposal as viewed from this adjacent property. The upper level of dwelling 6 is setback approximately 11 metres from the rear backyard of No. 2 Belmont Street and does not reduce the level sunlight into this space.

The proposal provides setbacks of between 2.1 to 2.6 to the southern boundary. This is appropriate given the location of the adjacent ROW and former warehouse building to the south of the site.

The siting and massing of the proposal are considered a logical approach to the opportunity provided by the retention of the existing milk bar, the main road frontage of the site, the adjacent residential land to the north and west and the ROW and the large footprint warehouse building to the south.

Objective 1 (Urban Design Excellence) of Clause 21.02-3 of the Planning Scheme is to ensure *development in Darebin exhibits good urban design and provides distinctive, attractive and engaging places in which to reside, visit or work*. Strategies to achieve this outcome include: *Encourage streetscape upgrades and street tree planting, particularly in areas where Substantial Housing Change is envisaged and; Collect development contributions from private development for streetscape upgrades*.

A planning permit condition has been imposed requesting the applicant to undertake streetscape improvement works in the Gilbert Road road reserve adjacent to the site. Such works must be carried out by the developer and at their cost.

### **Neighbourhood Character Precinct Guideline Assessment - Precinct E3**

#### **Existing Buildings**

The existing building is a single storey milk bar and dwelling. The milk bar component is to be retained and incorporated into the development.

#### **Complies**

**Vegetation**

Vegetation is proposed in the form of landscaping adjacent the north boundary which will soften the appearance of the development from the adjacent residential neighbour to the immediate north. A landscape plan is requested as a condition of approval.

**Complies****Siting**

The existing milk bar to be retained provides a zero setback to Gilbert Road. Dwelling 1, located above the milk bar, provides a 2.5 metre setback from the frontage. This is considered an appropriate outcome from a design and massing perspective.

The dwellings to the rear comprise three (3) 3-storey dwellings and two (2) 2-storey dwellings. The generous setbacks provide adequate visual separation from neighbouring residential properties to the north and west of the site.

**Complies****Height and Building Form**

The proposal introduces two (2) additional storeys above the existing single storey milk bar. The additional levels are setback 2.5 metres from the frontage and present a flat roof form finished in vertical cladding. The dwellings 2, 3 and 4 are also 3-storeys with dwellings 5 and 6 providing a 2-storey height.

In terms of a transition the proposal is adjacent a ROW to the south. Opposite the ROW is a former warehouse constructed to the street frontage and adjacent the opposite side of the ROW.

To the north of the site is a single storey dwelling setback 9.15 metres from the Gilbert Road frontage and 850mm from the common boundary. The development will be most noticeable when viewed in the context of this adjacent dwelling. Nonetheless the site should be viewed as part of a small cluster of commercial buildings and uses rather than belonging to the residential properties to the immediate north. In terms of transition the upper storeys provide generous setbacks from the north boundary to mitigate any adverse amenity and visual bulk impacts. Adequate space for landscaping along the north boundary is also allowed for to soften the appearance of the proposal from neighbouring properties.

Dwellings 5 and 6 are 2-storeys in height and sited within the context of outbuildings within the rear of adjacent residential properties located to the west, a former warehouse to the south and rear garden to the north. The height and setbacks provided to these dwellings are 1.8m to 6.0m from the west and north boundary respectively and are appropriate to this context.

**Complies****Materials and Design Detail**

The materials consist of brick to the ground level and vertical cladding to the upper levels. The use of brick provides a common thread with the adjacent residential context and is appropriate.

**Complies**

**Front Boundary Treatment**

No front fence is proposed as the milk bar to be retained is constructed to the site frontage.

**Not applicable**

**Clause 55 Assessment**

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

- Clause 55.04-6 B22 Overlooking

All upper storey windows and balconies are appropriately designed and screened to reduce opportunities to overlook adjacent residential properties.

**Complies**

- Clause 55.05-4 B28 Private Open Space

The development provides adequate private open space (POS) for the recreation and service needs of residents. This is achieved through the provision of at least 8 square metre balconies with a width of 1.8 to 2.0 metres and convenient access from a living room and ground level courtyards to dwellings 2 – 6.

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

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

**Complies**

**Clause 52.06 Car Parking**

- Number of Parking Spaces Required

- One (1) resident car parking space is provided to each two (2) bedroom dwelling. This presents a full complement of resident car parking.

No visitor car parking is required because the site is located on the Principal Public Transport Network.

- No car parking is provided to the existing milk bar to be retained. This represents a reduction of one (1) car parking space.

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

- The site is located in proximity to public transport modes, bicycle routes and a small cluster of retail uses.
- A reduction of one (1) parking space for this milk bar is appropriate given the car parking demands of staff and customers are expected to be low for a space of just 49 square metres.
- Small milk bars are generally the focus of customers located in the immediate catchment, who could reasonably rely upon available on-street parking vacancies within the surrounding street network, public transport, bike riding and walking.

Design Standards for Car parking

The garaging and the access-ways have appropriate dimension to enable efficient use and management.

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

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

Access dimensions to the car spaces comply with the standard.

**CLAUSE 55 COMPLIANCE SUMMARY**

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

Clause	Std		Compliance	
<b>55.02-5</b>	<b>B5</b>	<b>Integration with the street</b>		
		The development provides an appropriate frontage to and presentation to Gilbert Road.	Y	Y
<b>55.03-1</b>	<b>B6</b>	<b>Street setback</b>		
		A zero front setback is provided as a result of retaining the existing milk bar.	Y	Y
<b>55.03-2</b>	<b>B7</b>	<b>Building height</b>		
		10.7 metres (permitted height: 12 metres).	Y	Y
<b>55.03-3</b>	<b>B8</b>	<b>Site coverage</b>		
		62.2%. This is a minor variation to the standard (60%) and is not inconsistent with the pattern of development in the immediate area, including the large warehouse located to the south.	N	Y
<b>55.03-4</b>	<b>B9</b>	<b>Permeability</b>		
		29.7%.	Y	Y
<b>55.03-5</b>	<b>B10</b>	<b>Energy efficiency</b>		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties. Solar panels to the roof of the dwellings are requested as a condition approval.	Y	Y
<b>55.03-6</b>	<b>B11</b>	<b>Open space</b>		
		N/A. The site does not abut public open space.	N/A	N/A
<b>55.03-7</b>	<b>B12</b>	<b>Safety</b>		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
<b>55.03-8</b>	<b>B13</b>	<b>Landscaping</b>		
		Adequate areas are provided for appropriate landscaping and a landscape plan has been required as a condition of approval.	Y	Y
<b>55.03-9</b>	<b>B14</b>	<b>Access</b>		
		Access is sufficient and respects the character of the area.	Y	Y
<b>55.03-10</b>	<b>B15</b>	<b>Parking location</b>		
		Parking facilities are proximate to the dwellings they serve. The access is observable and habitable room windows are sufficiently setback from accessways.	Y	Y
<b>55.04-1</b>	<b>B17</b>	<b>Side and rear setbacks</b>		
		Dwellings are setback in accordance with the requirements of this standard.	Y	Y
<b>55.04-2</b>	<b>B18</b>	<b>Walls on boundaries</b>		
		The height and length of boundary walls comply.	Y	Y
<b>55.04-3</b>	<b>B19</b>	<b>Daylight to existing windows</b>		
		Sufficient setbacks exist to allow adequate daylight into adjacent windows.	Y	Y

Clause	Std		Compliance	
<b>55.04-4</b>	<b>B20</b>	<b>North-facing windows</b>		
		There are no north facing windows within 3.0 metres of the common boundary of the site.	Y	Y
<b>55.04-5</b>	<b>B21</b>	<b>Overshadowing open space</b>		
		Shadows cast by the development are within the parameters set out by the standard.	Y	Y
<b>55.04-6</b>	<b>B22</b>	<b>Overlooking</b>		
		Please see assessment in the body of this report.	Y	Y
<b>55.04-7</b>	<b>B23</b>	<b>Internal views</b>		
		There are no internal views.	Y	Y
<b>55.04-8</b>	<b>B24</b>	<b>Noise impacts</b>		
		Noise impacts are consistent with those in a residential zone.	Y	Y
<b>55.05-1</b>	<b>B25</b>	<b>Accessibility</b>		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
<b>55.05-2</b>	<b>B26</b>	<b>Dwelling entry</b>		
		Entries to the dwellings are identifiable and provide an adequate area for transition.	Y	Y
<b>55.05-3</b>	<b>B27</b>	<b>Daylight to new windows</b>		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
<b>55.05-4</b>	<b>B28</b>	<b>Private open space</b>		
		Please see assessment in the body of this report.	Y	Y
<b>55.05-5</b>	<b>B29</b>	<b>Solar access to open space</b>		
		Adequate solar access is provided to the north facing balconies.	Y	Y
<b>55.05-6</b>	<b>B30</b>	<b>Storage</b>		
		Sufficient storage areas are provided.	Y	Y
<b>55.06-1</b>	<b>B31</b>	<b>Design detail</b>		
		Design detail of dwellings is appropriate in the neighbourhood setting.	Y	Y
<b>55.06-2</b>	<b>B32</b>	<b>Front fences</b>		
		A front fence is not proposed.	N/A	N/A
<b>55.06-3</b>	<b>B33</b>	<b>Common property</b>		
		Common property areas are appropriate and manageable.	Y	Y
<b>55.06-4</b>	<b>B34</b>	<b>Site services</b>		
		Sufficient areas for site services are provided.	Y	Y

**REFERRAL SUMMARY**

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

**PLANNING SCHEME SUMMARY**

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

- Clause 32.08 (General Residential Zone) – Construction of multiple dwellings.
- Clause 52.06 (Car parking) – A reduction of one (1) convenience shop (milk bar to be retained) car parking space.

**Applicable provisions of the Darebin Planning Scheme**

Section of Scheme	Relevant Clauses
SPPF	11.01-1S, 11.02-1S, 15.01, 15.01-5, 15.02, 16.01, 19.03-1
LPPF	21.03, 21.05-1, 21.05-2, 21.05-3, 22.02, 22.12.
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 52.34, 53.18, 55
General provisions	65.01
Neighbourhood Character Precinct	E3

**POLICY IMPLICATIONS**

**Environmental Sustainability**

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

**Social Inclusion and Diversity**

Nil

**Other**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

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

**FUTURE ACTIONS**

Nil

**RELATED DOCUMENTS**

- Darebin Planning Scheme

**Attachments**

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

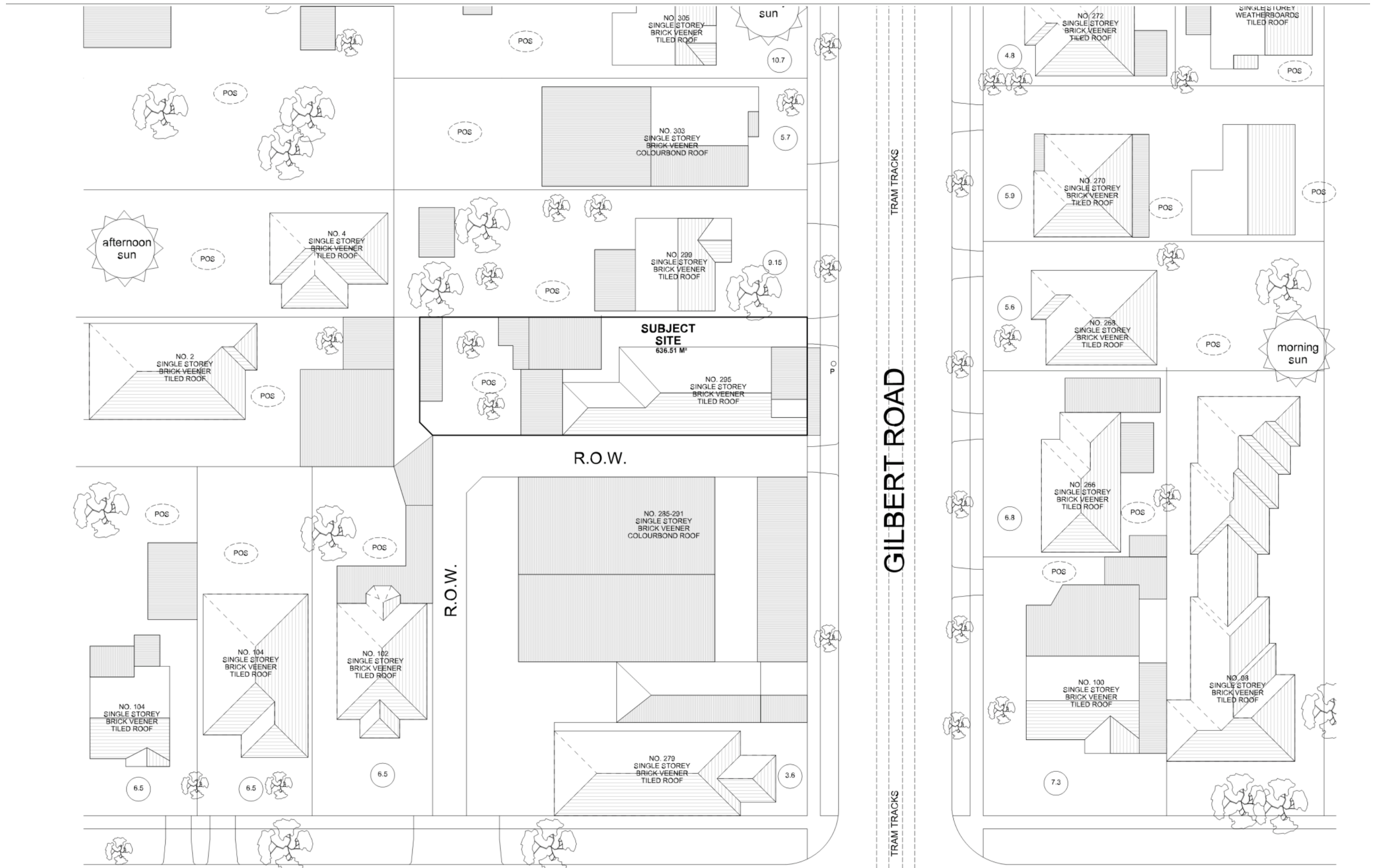
**DISCLOSURE OF INTEREST**

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

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

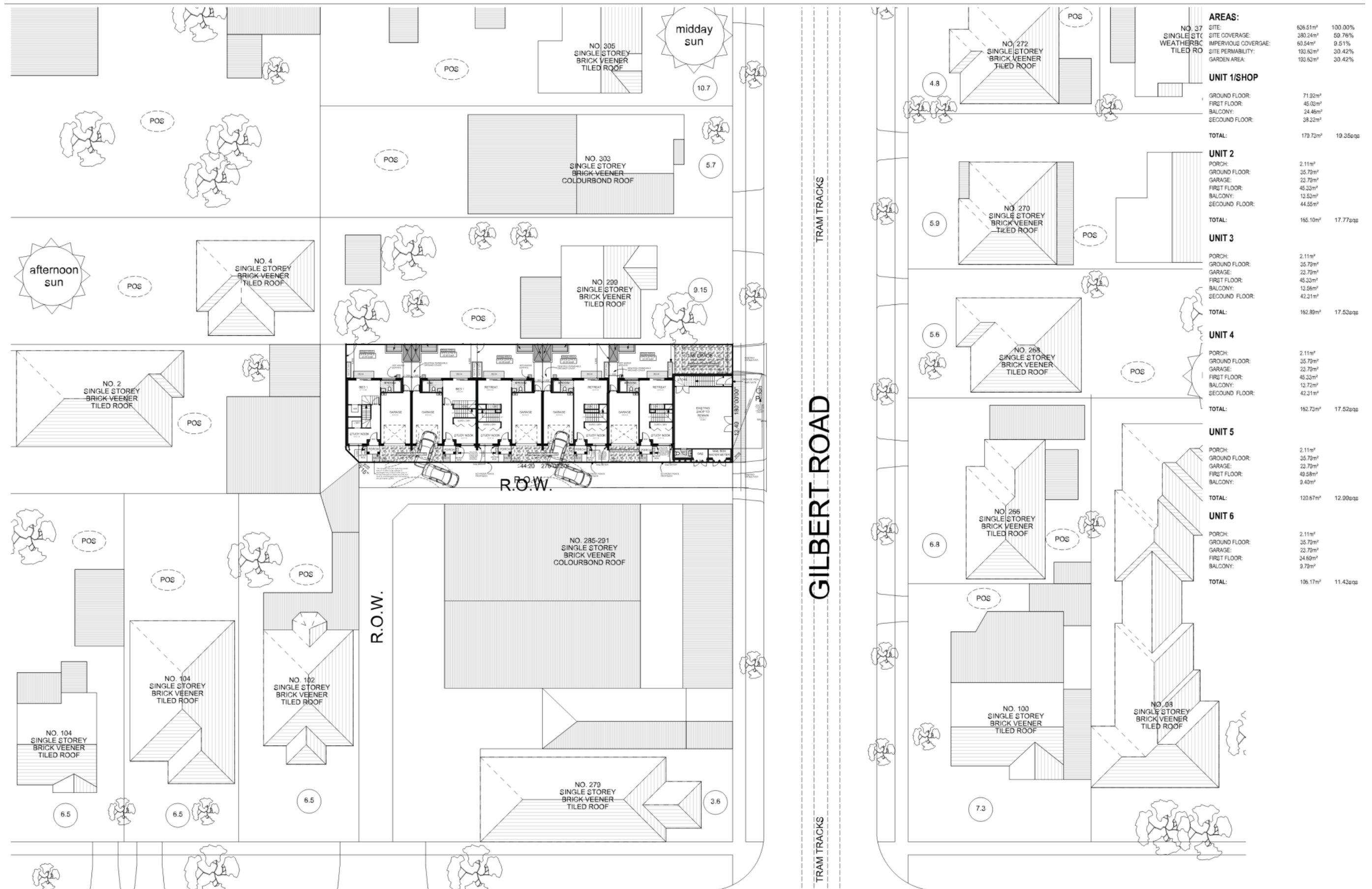






**SITE ANALYSIS**

<p>Project: PROPOSED UNITS</p> <p>Property Address: 295 GILBERT ROAD, WEST PRESTON</p> <p>Client: SAFET GULJOVIC</p>	<p><b>LEGEND</b></p> <p>THICK DASHED LINE: EXISTING CURB CUT</p> <p>THIN DASHED LINE: PROPOSED CURB CUT</p> <p>DOTTED LINE: EXISTING SIDEWALK</p> <p>SOLID LINE: PROPOSED SIDEWALK</p> <p>THICK SOLID LINE: EXISTING DRIVE</p> <p>THIN SOLID LINE: PROPOSED DRIVE</p> <p>THICK DASHED LINE: EXISTING ROOF</p> <p>THIN DASHED LINE: PROPOSED ROOF</p> <p>THICK DASHED LINE: EXISTING WALL</p> <p>THIN DASHED LINE: PROPOSED WALL</p> <p>THICK DASHED LINE: EXISTING FLOORING</p> <p>THIN DASHED LINE: PROPOSED FLOORING</p> <p>THICK DASHED LINE: EXISTING FLOORING</p> <p>THIN DASHED LINE: PROPOSED FLOORING</p> <p>THICK DASHED LINE: EXISTING FLOORING</p> <p>THIN DASHED LINE: PROPOSED FLOORING</p> <p>THICK DASHED LINE: EXISTING FLOORING</p> <p>THIN DASHED LINE: PROPOSED FLOORING</p> <p>THICK DASHED LINE: EXISTING FLOORING</p> <p>THIN DASHED LINE: PROPOSED FLOORING</p> <p>THICK DASHED LINE: EXISTING FLOORING</p> <p>THIN DASHED LINE: PROPOSED FLOORING</p> <p>THICK DASHED LINE: EXISTING FLOORING</p> <p>THIN DASHED LINE: PROPOSED FLOORING</p>	<p><b>ARCHITECTURAL HOME DESIGN</b></p> <p>RESIDENTIAL PLANS &amp; DRAFTING SERVICES</p> <p>18 BURNING TREE DRIVE, WILLOWHILL VIC 3169</p> <p>PH: 03 9536 2893 FAX: 03 9536 2894</p> <p>WWW.AHDDESIGN.COM.AU</p>	<p><b>NOTES</b></p> <p>1. THIS PLAN SHOWS THE PROPOSED UNITS AND ROOFS. ALL CONSTRUCTION IS TO BE IN ACCORDANCE WITH THE CITY OF PRESTON LOCAL GOVERNMENT DEVELOPMENT PLAN.</p> <p>2. THE PROPOSED UNITS AND ROOFS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PRESTON LOCAL GOVERNMENT DEVELOPMENT PLAN.</p> <p>3. THE PROPOSED UNITS AND ROOFS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PRESTON LOCAL GOVERNMENT DEVELOPMENT PLAN.</p> <p>4. THE PROPOSED UNITS AND ROOFS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PRESTON LOCAL GOVERNMENT DEVELOPMENT PLAN.</p> <p>5. THE PROPOSED UNITS AND ROOFS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF PRESTON LOCAL GOVERNMENT DEVELOPMENT PLAN.</p>	<p><b>SITE ANALYSIS</b></p> <p>Date: 06.08.17</p> <p>Drawn: P.R.</p> <p>Checked: P.R.</p> <p>Revision Date: 16/05/2019</p> <p>Project Status: TP</p> <p>Sheet: S1</p>
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AREAS:	AREA (m²)	PERCENTAGE
SITE	626.51m²	100.00%
SITE COVERAGE	380.24m²	60.70%
IMPERVIOUS COVERAGE	60.54m²	9.66%
SITE PERMEABILITY	193.62m²	30.92%
GARDEN AREA	103.62m²	16.54%

UNIT 1/SHOP	AREA (m²)	EQV. (sq)
GROUND FLOOR	71.92m²	
FIRST FLOOR	45.00m²	
BALCONY	24.46m²	
SECOND FLOOR	38.32m²	
<b>TOTAL</b>	<b>179.70m²</b>	<b>19.35sq</b>

UNIT 2	AREA (m²)	EQV. (sq)
PORCH	2.11m²	
GROUND FLOOR	35.79m²	
GARAGE	23.79m²	
FIRST FLOOR	45.33m²	
BALCONY	13.52m²	
SECOND FLOOR	44.55m²	
<b>TOTAL</b>	<b>165.10m²</b>	<b>17.77sq</b>

UNIT 3	AREA (m²)	EQV. (sq)
PORCH	2.11m²	
GROUND FLOOR	35.79m²	
GARAGE	23.79m²	
FIRST FLOOR	45.33m²	
BALCONY	13.52m²	
SECOND FLOOR	42.31m²	
<b>TOTAL</b>	<b>162.89m²</b>	<b>17.53sq</b>

UNIT 4	AREA (m²)	EQV. (sq)
PORCH	2.11m²	
GROUND FLOOR	35.79m²	
GARAGE	23.79m²	
FIRST FLOOR	45.33m²	
BALCONY	13.72m²	
SECOND FLOOR	42.31m²	
<b>TOTAL</b>	<b>162.73m²</b>	<b>17.52sq</b>

UNIT 5	AREA (m²)	EQV. (sq)
PORCH	2.11m²	
GROUND FLOOR	35.79m²	
GARAGE	23.79m²	
FIRST FLOOR	49.58m²	
BALCONY	9.40m²	
<b>TOTAL</b>	<b>120.67m²</b>	<b>12.99sq</b>

UNIT 6	AREA (m²)	EQV. (sq)
PORCH	2.11m²	
GROUND FLOOR	35.79m²	
GARAGE	23.79m²	
FIRST FLOOR	34.60m²	
BALCONY	9.79m²	
<b>TOTAL</b>	<b>106.17m²</b>	<b>11.43sq</b>

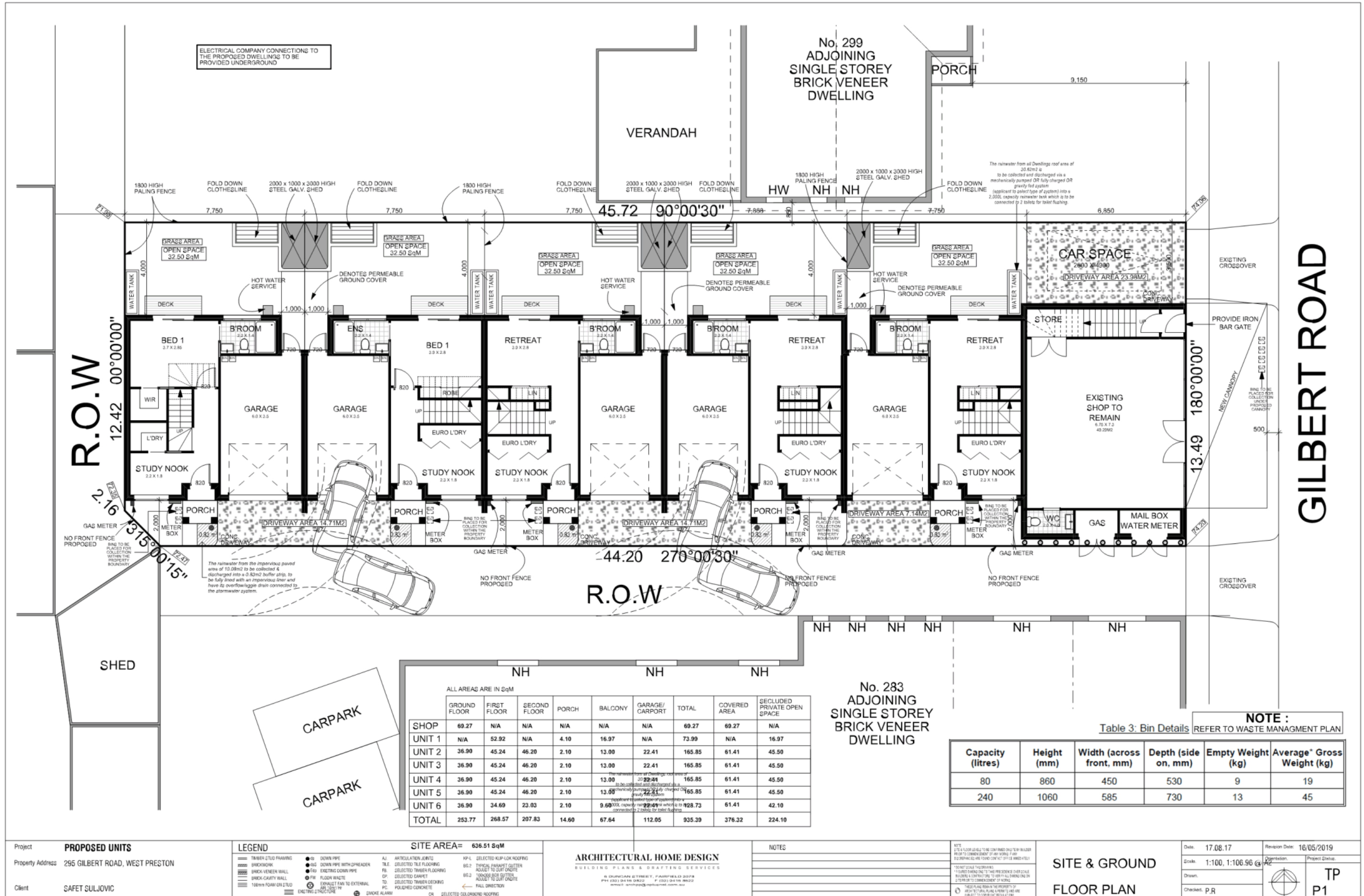
DESIGN RESPONSE

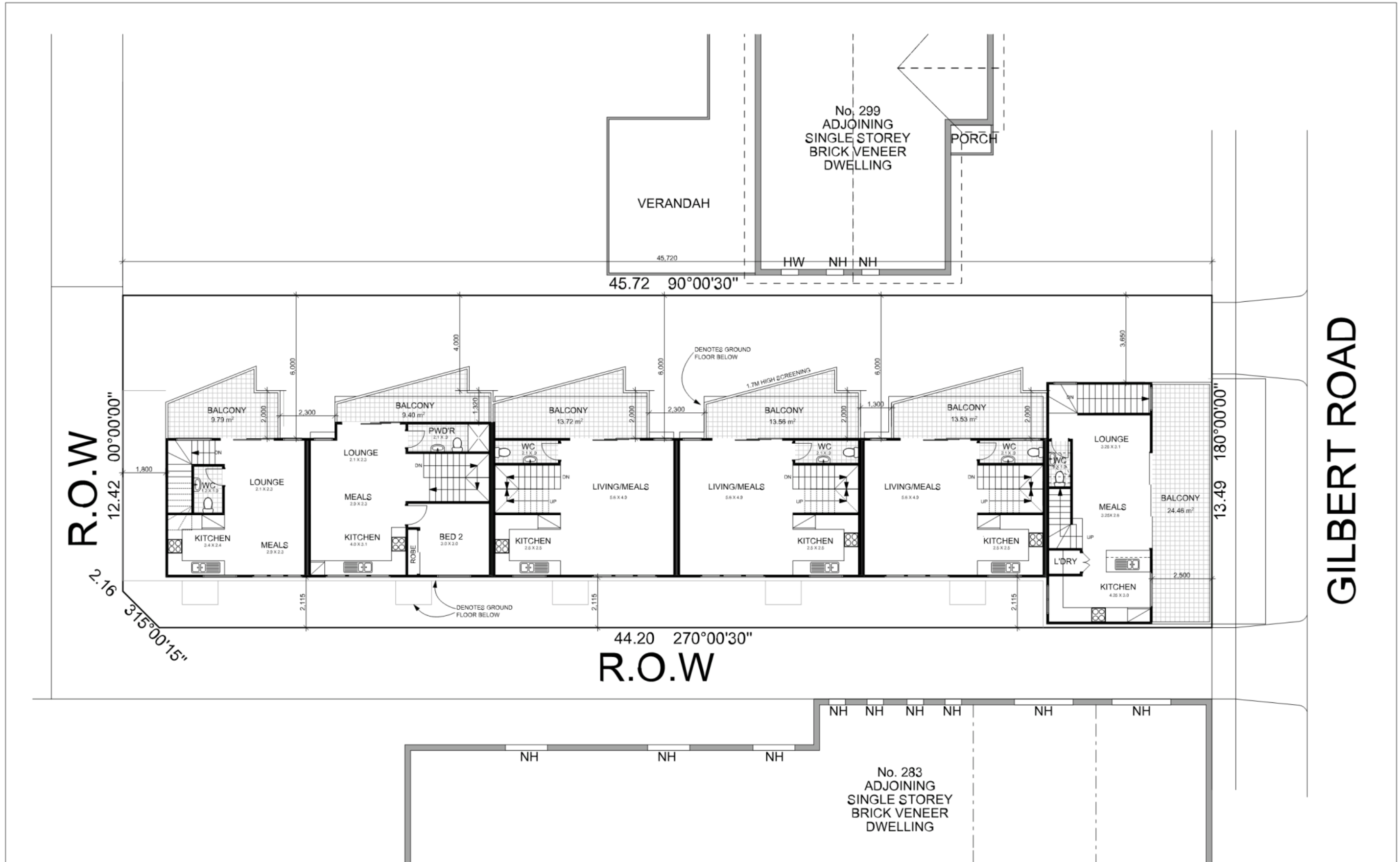
Project PROPOSED UNITS  
 Property Address 295 GILBERT ROAD, WEST PRESTON  
 Client SAFET GULJOVIC

LEGEND			
THICK LINE DRAWING	DOOR/PIPE	AL	ARTICULAR NON JOINT
DOTTED LINE	DOOR/PIPE WITH CHECKER	TL	SELECTED TILE FLOORING
SOLID LINE	DOOR/PIPE WITH PANEL	PL	SELECTED TIMBER FLOORING
DASHED LINE	DOOR/PIPE WITH GLASS	GL	SELECTED GLASS ROOFING
...	...	...	...

ARCHITECTURAL HOME DESIGN  
 BUILDING PLANS & DRAFTING SERVICES

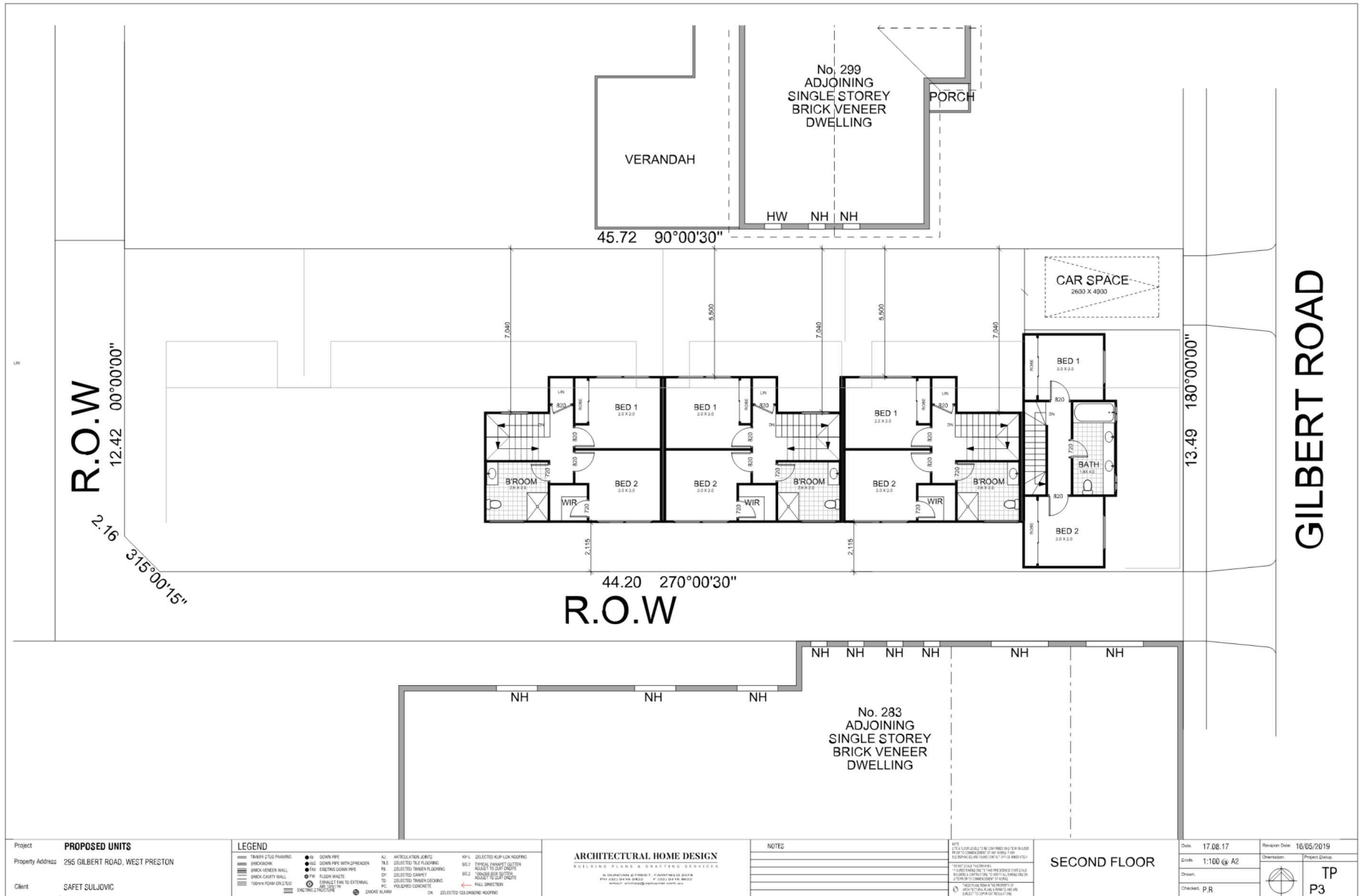
DATE: 06.06.17	REVISION DATE: 16/05/2019
SCALE: 1:200 @ A1	CHARACTER: PROJECT OFFICE
DRAWN: P.R.	PROJECT: TP
CHECKED: P.R.	SHEET: S2





GILBERT ROAD

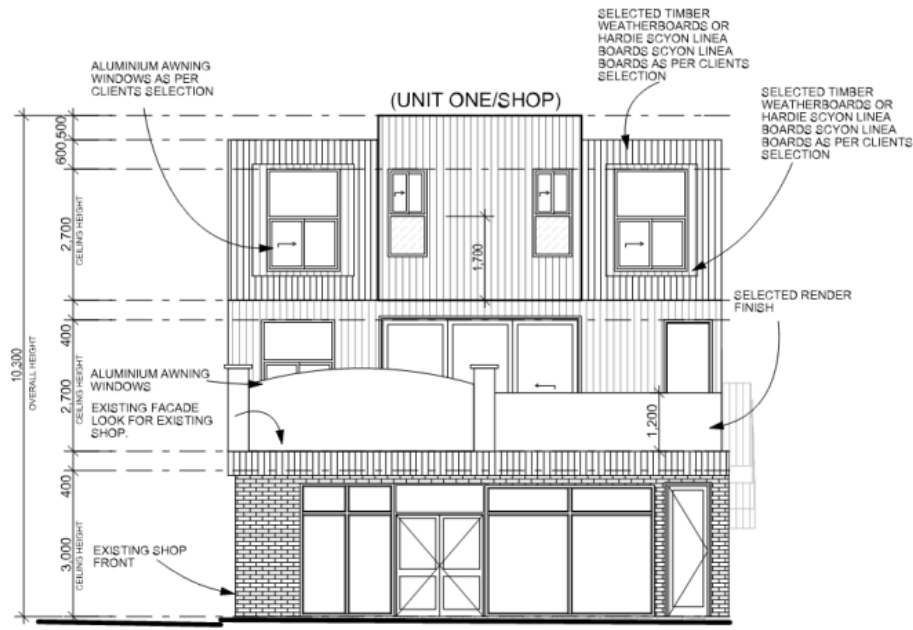
Project <b>PROPOSED UNITS</b> Property Address 295 GILBERT ROAD, WEST PRESTON Client SAFET SULJOVIC	<b>LEGEND</b> ■ TIMBER STUD FRAMING ■ BRICKWORK ■ BRICK-VENEER WALL ■ BRICK-CRAFTY WALL ■ 100MM FOAM ON G/TUD ■ EXISTING STRUCTURE ● DOWN PIPE ● DOWN PIPE WITH D/PREADER ● EXISTING DOWN PIPE ● FLOOR WASTE ● EXHAUST FAN TO EXTERNAL ● EXISTING TV ● SMOKE ALARM ▲ ARTICULATION JOINTS ▲ SELECTED TILE FLOORING ▲ SELECTED TIMBER FLOORING ▲ SELECTED CARPET ▲ SELECTED TIMBER CEILING ▲ POLISHED CONCRETE ▲ SELECTED COLORBOND ROOFING ▲ SELECTED KUP-LOK ROOFING ▲ TYPICAL PARAPET GUTTER ADJACENT TO SURF ONSTE ▲ TYPICAL BOX GUTTER ADJACENT TO SURF ONSTE ▲ FALL DIRECTION ▲ SELECTED COLORBOND ROOFING	<b>ARCHITECTURAL HOME DESIGN</b> BUILDING PLANS & DRAFTING SERVICES 10 DUNLAP & TREBET, FAIRFIELD 3078 PH (03) 94 16 9822 F (03) 94 16 9822 WWW.AHDDESIGN.COM.AU	<b>NOTES</b> 1. THIS FLOOR PLAN IS TO BE COMBINED WITH THE BUILDING PLAN TO CONSIDER THE 2.4M SETBACK FROM THE ADJOINING DWELLING. 2. TO NOT SCALE THIS DRAWING. 3. TO VERIFY ALL DIMENSIONS WITH THE PRESENCE OF ALL WALLS, DOORS & WINDOWS TO BE INSTALLED ON SITE PRIOR TO COMMENCEMENT OF WORK. 4. TO VERIFY ALL DIMENSIONS WITH THE PRESENCE OF ALL WALLS, DOORS & WINDOWS TO BE INSTALLED ON SITE PRIOR TO COMMENCEMENT OF WORK.	Date 17.08.17 Scale 1:100 @ A2 Drawn Checked: P.R.	Revision Date 16/05/2019 Orientation Project Status TP P2
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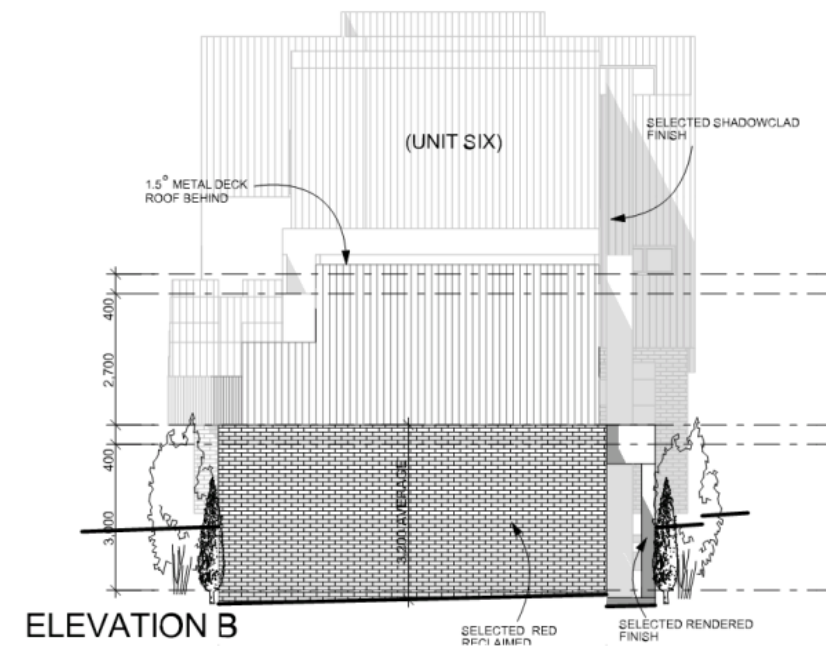
GILBERT ROAD

<b>Project</b> PROPOSED UNITS <b>Property Address</b> 295 GILBERT ROAD, WEST PRESTON <b>Client</b> SAFET SULJOVIC	<b>LEGEND</b> ■ DOWN PIPE ● DOWN PIPE WITH D/PREADER ○ EXISTING DOWN PIPE ○ FLOOR WASTE ○ EXHAUST FAN TO EXTERNAL AIR SPACE ○ EXISTING STRUCTURE ○ SMOKE ALARM AJ ARTICULATION JOINTS TLE SELECTED TILE FLOORING FL SELECTED TIMBER FLOORING CP SELECTED CARPET TD SELECTED TIMBER DECKING PC POLISHED CONCRETE CR SELECTED COLORBOND ROOFING NP-4 SELECTED KUP-LOK ROOFING BS-2 TYPICAL PARAPET GUTTER ADJACENT TO CURB CUT BS-3 TYPICAL BOX GUTTER ADJACENT TO CURB CUT ← FALL DIRECTION CK SELECTED COLORBOND ROOFING	<b>ARCHITECTURAL HOME DESIGN</b> BUILDING PLANS & DRAFTING SERVICES 10 DUNGLAN & SYBNEY, FAIRFIELD 3078 PH (03) 94 16 9822 F (03) 94 16 9822 WWW.AHDDESIGN.COM.AU	<b>NOTES</b> 1. ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE PERMITS AND CONDITIONS OF THE PERMITS. 2. ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE PERMITS AND CONDITIONS OF THE PERMITS. 3. ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE PERMITS AND CONDITIONS OF THE PERMITS.	<b>SECOND FLOOR</b> Date: 17.08.17 Scale: 1:100 @ A2 Drawn: Checked: P.R. Revision Date: 16/05/2019 Orientation: Project Div: TP P3
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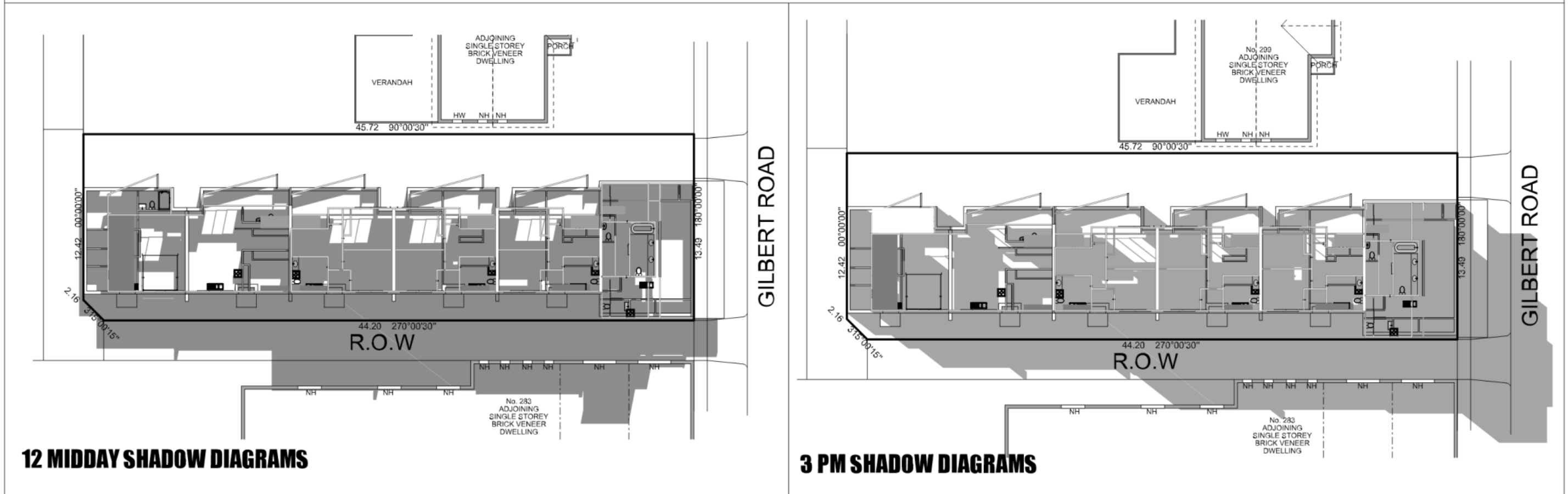
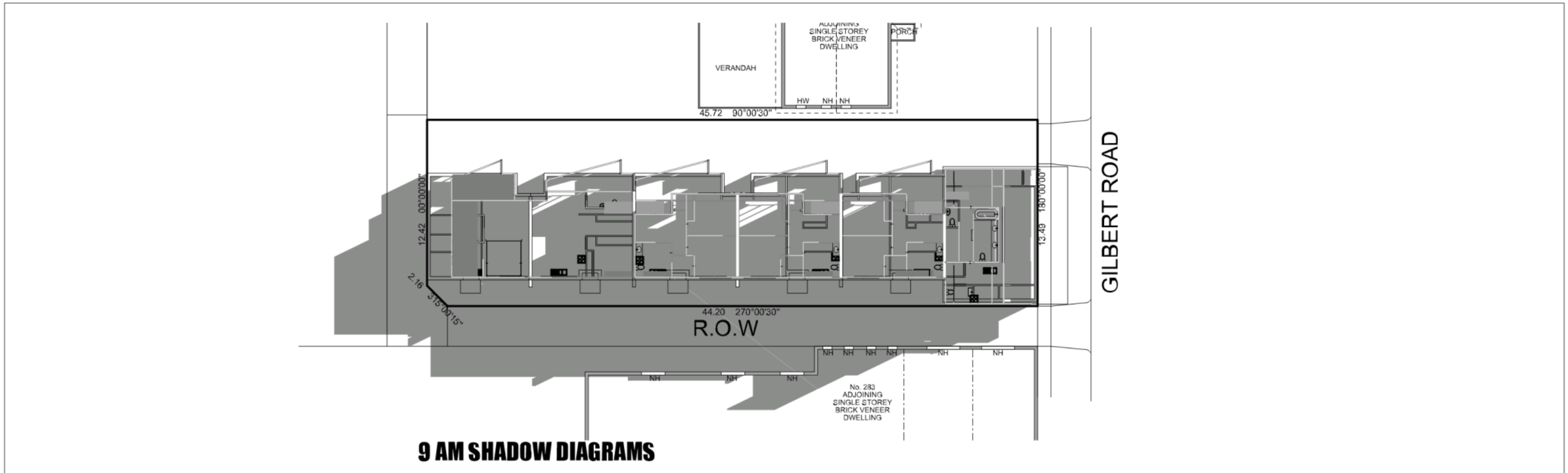
ELEVATION D



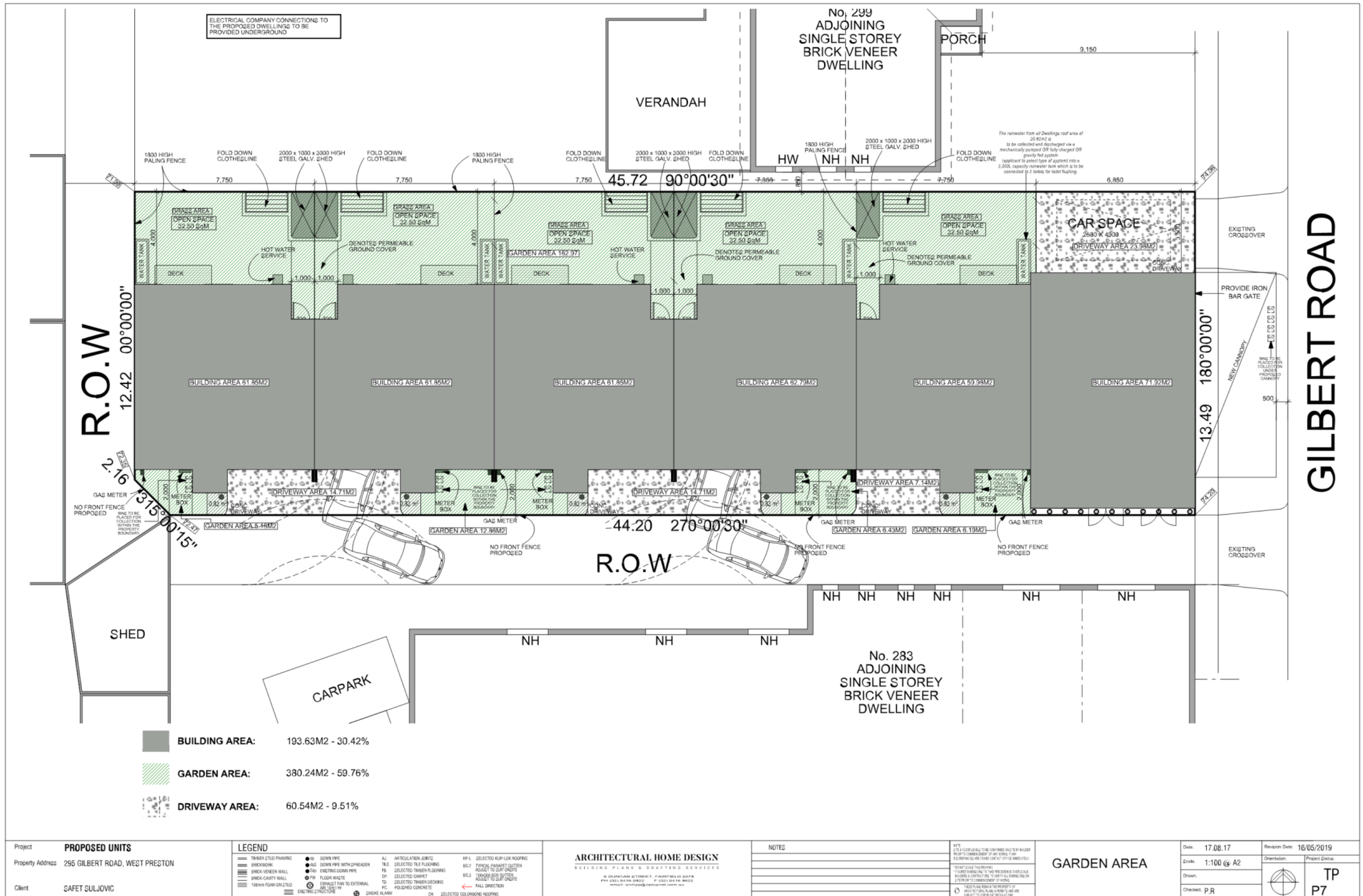
ELEVATION B

Project <b>PROPOSED UNITS</b> Property Address 295 GILBERT ROAD, WEST PRESTON Client SAFET SULJOVIC	<b>LEGEND</b> ■ TIMBER STUD FRAMING ■ BRICKWORK ■ BRICK-VENEER WALL ■ BRICK-Cavity WALL ■ 100mm FOAM ON G/TUD ■ EXISTING STRUCTURE ● DOWN PIPE ● DOWN PIPE WITH D/PREADER ● EXISTING DOWN PIPE ● FLOOR WASTE ● EXHAUST FAN TO EXTERNAL ● EXISTING TV ● DRYER ALARM AJ ARTICULATION JOINTS TL SELECTED TILE FLOORING FL SELECTED TIMBER FLOORING CP SELECTED CARPET TD SELECTED TIMBER DECKING PC POLISHED CONCRETE CR SELECTED COLORBOND ROOFING NP-4 SELECTED KUP-LOK ROOFING BS-2 TYPICAL PARAPET GUTTER BS-3 TYPICAL BOX GUTTER BS-4 TYPICAL PARAPET GUTTER BS-5 TYPICAL BOX GUTTER BS-6 TYPICAL PARAPET GUTTER BS-7 TYPICAL BOX GUTTER BS-8 TYPICAL PARAPET GUTTER BS-9 TYPICAL BOX GUTTER BS-10 TYPICAL PARAPET GUTTER BS-11 TYPICAL PARAPET GUTTER BS-12 TYPICAL PARAPET GUTTER BS-13 TYPICAL PARAPET GUTTER BS-14 TYPICAL PARAPET GUTTER BS-15 TYPICAL PARAPET GUTTER BS-16 TYPICAL PARAPET GUTTER BS-17 TYPICAL PARAPET GUTTER BS-18 TYPICAL PARAPET GUTTER BS-19 TYPICAL PARAPET GUTTER BS-20 TYPICAL PARAPET GUTTER BS-21 TYPICAL PARAPET GUTTER BS-22 TYPICAL PARAPET GUTTER BS-23 TYPICAL PARAPET GUTTER BS-24 TYPICAL PARAPET GUTTER BS-25 TYPICAL PARAPET GUTTER BS-26 TYPICAL PARAPET GUTTER BS-27 TYPICAL PARAPET GUTTER BS-28 TYPICAL PARAPET GUTTER BS-29 TYPICAL PARAPET GUTTER BS-30 TYPICAL PARAPET GUTTER BS-31 TYPICAL PARAPET GUTTER BS-32 TYPICAL PARAPET GUTTER BS-33 TYPICAL PARAPET GUTTER BS-34 TYPICAL PARAPET GUTTER BS-35 TYPICAL PARAPET GUTTER BS-36 TYPICAL PARAPET GUTTER BS-37 TYPICAL PARAPET GUTTER BS-38 TYPICAL PARAPET GUTTER BS-39 TYPICAL PARAPET GUTTER BS-40 TYPICAL PARAPET GUTTER BS-41 TYPICAL PARAPET GUTTER BS-42 TYPICAL PARAPET GUTTER BS-43 TYPICAL PARAPET GUTTER BS-44 TYPICAL PARAPET GUTTER BS-45 TYPICAL PARAPET GUTTER BS-46 TYPICAL PARAPET GUTTER BS-47 TYPICAL PARAPET GUTTER BS-48 TYPICAL PARAPET GUTTER BS-49 TYPICAL PARAPET GUTTER BS-50 TYPICAL PARAPET GUTTER BS-51 TYPICAL PARAPET GUTTER BS-52 TYPICAL PARAPET GUTTER BS-53 TYPICAL PARAPET GUTTER BS-54 TYPICAL PARAPET GUTTER BS-55 TYPICAL PARAPET GUTTER BS-56 TYPICAL PARAPET GUTTER BS-57 TYPICAL PARAPET GUTTER BS-58 TYPICAL PARAPET GUTTER BS-59 TYPICAL PARAPET GUTTER BS-60 TYPICAL PARAPET GUTTER BS-61 TYPICAL PARAPET GUTTER BS-62 TYPICAL PARAPET GUTTER BS-63 TYPICAL PARAPET GUTTER BS-64 TYPICAL PARAPET GUTTER BS-65 TYPICAL PARAPET GUTTER BS-66 TYPICAL PARAPET GUTTER BS-67 TYPICAL PARAPET GUTTER BS-68 TYPICAL PARAPET GUTTER BS-69 TYPICAL PARAPET GUTTER BS-70 TYPICAL PARAPET GUTTER BS-71 TYPICAL PARAPET GUTTER BS-72 TYPICAL PARAPET GUTTER BS-73 TYPICAL PARAPET GUTTER BS-74 TYPICAL PARAPET GUTTER BS-75 TYPICAL PARAPET GUTTER BS-76 TYPICAL PARAPET GUTTER BS-77 TYPICAL PARAPET GUTTER BS-78 TYPICAL PARAPET GUTTER BS-79 TYPICAL PARAPET GUTTER BS-80 TYPICAL PARAPET GUTTER BS-81 TYPICAL PARAPET GUTTER BS-82 TYPICAL PARAPET GUTTER BS-83 TYPICAL PARAPET GUTTER BS-84 TYPICAL PARAPET GUTTER BS-85 TYPICAL PARAPET GUTTER BS-86 TYPICAL PARAPET GUTTER BS-87 TYPICAL PARAPET GUTTER BS-88 TYPICAL PARAPET GUTTER BS-89 TYPICAL PARAPET GUTTER BS-90 TYPICAL PARAPET GUTTER BS-91 TYPICAL PARAPET GUTTER BS-92 TYPICAL PARAPET GUTTER BS-93 TYPICAL PARAPET GUTTER BS-94 TYPICAL PARAPET GUTTER BS-95 TYPICAL PARAPET GUTTER BS-96 TYPICAL PARAPET GUTTER BS-97 TYPICAL PARAPET GUTTER BS-98 TYPICAL PARAPET GUTTER BS-99 TYPICAL PARAPET GUTTER BS-100 TYPICAL PARAPET GUTTER	<b>ARCHITECTURAL HOME DESIGN</b> BUILDING PLANS & DRAFTING SERVICES 10 DUNLAP STREET, FAIRFIELD 3078 PH (03) 94 16 9822 F (03) 94 16 9822 WWW.AHD.CO.NZ	<b>NOTES</b> 1. 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<p>Project <b>PROPOSED UNITS</b></p> <p>Property Address 295 GILBERT ROAD, WEST PRESTON</p> <p>Client SAFET SULJOVIC</p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li>Timber Stud Framing</li> <li>Brickwork</li> <li>Brick Veneer Wall</li> <li>Brick Cavity Wall</li> <li>100mm Foam on Stud</li> <li>Existing Structure</li> <li>Down Pipe</li> <li>Down Pipe with D-Preheader</li> <li>Electric Down Pipe</li> <li>Floor Waste</li> <li>Exhaust Fan to External</li> <li>Smoke Alarm</li> <li>Articulation Joints</li> <li>Selected Tile Flooring</li> <li>Selected Timber Flooring</li> <li>Selected Carpet</li> <li>Selected Timber Decking</li> <li>Poured Concrete</li> <li>Selected Colorbond Roofing</li> <li>Selected Kulp-Lok Roofing</li> <li>Typical Parapet Gutter</li> <li>Selected Box Gutter</li> <li>Fall Direction</li> </ul>	<p><b>ARCHITECTURAL HOME DESIGN</b></p> <p>BUILDING PLANS &amp; DRAFTING SERVICES</p> <p>4 DUNLAP &amp; TREBY, FAIRFIELD 3078          PH (03) 94 96 9822 F (03) 94 96 9822          WWW.AHDDESIGN.COM.AU</p>	<p><b>NOTES</b></p> <p>1. ALL FLOOR LEVELS TO BE COMPARED TO THE FINISHED FLOOR LEVEL TO THE CENTERLINE OF THE ROADWAY. ALL ELEVATIONS ARE TO THE FINISHED FLOOR LEVEL UNLESS OTHERWISE SPECIFIED.</p> <p>2. DO NOT SCALE THIS DRAWING.</p> <p>3. ALL DIMENSIONS TO THE FACE UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO THE CENTERLINE OF ROADS SHALL BE TO THE CENTERLINE OF ROADS.</p> <p>4. ALL DIMENSIONS TO THE FACE UNLESS OTHERWISE SPECIFIED.</p>	<p>Date: 17.08.17</p> <p>Scale: 1:200 @ A2</p> <p>Drawn: _____</p> <p>Checked: P.R</p>	<p>Revision Date: 16/05/2019</p> <p>Orientation: _____</p> <p>Project Status: _____</p> <p>TP P6</p>
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Project **PROPOSED UNITS**  
 Property Address 295 GILBERT ROAD, WEST PRESTON  
 Client SAFET SULJOVIC

**LEGEND**

<ul style="list-style-type: none"> <li>▬ TIMBER STUD FRAMING</li> <li>▬ BRICKWORK</li> <li>▬ BRICK VENEER WALL</li> <li>▬ BRICK Cavity WALL</li> <li>▬ 100mm FOAM ON STUD</li> <li>▬ EXISTING STRUCTURE</li> </ul>	<ul style="list-style-type: none"> <li>● DOWN PIPE</li> <li>● DOWN PIPE WITH SPREADER</li> <li>● ELECTRIC COVER PIPE</li> <li>● FLOOR WASTE</li> <li>● EXHAUST FAN TO EXTERNAL</li> <li>● EXISTING TV</li> <li>● SMOKE ALARM</li> </ul>	<ul style="list-style-type: none"> <li>AJ ARTICULATION JOINTS</li> <li>TL SELECTED TILE FLOORING</li> <li>FL SELECTED TIMBER FLOORING</li> <li>CP SELECTED CARPET</li> <li>TD SELECTED TIMBER DECKING</li> <li>PC POLISHED CONCRETE</li> <li>CK SELECTED COLORBOND ROOFING</li> </ul>	<ul style="list-style-type: none"> <li>NP-4 SELECTED KUP-LOK ROOFING</li> <li>BS-2 TYPICAL PARAPET GUTTER ADJACENT TO CURB</li> <li>BS-3 TYPICAL BOX GUTTER ADJACENT TO CURB</li> <li>← FALL DIRECTION</li> </ul>
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**ARCHITECTURAL HOME DESIGN**  
 BUILDING PLANS & DRAFTING SERVICES  
 40 DUNDAS ST WEST, FAIRFIELD 3078  
 PH (03) 94 56 0822 F (03) 94 56 9822  
 WWW.AHDDESIGN.COM.AU

**NOTES**

1. THIS PLAN IS TO BE COMPALED ONLY BY BUILDER.  
 2. THIS PLAN IS TO BE COMPALED ONLY BY BUILDER.  
 3. THIS PLAN IS TO BE COMPALED ONLY BY BUILDER.

**GARDEN AREA**

Date: 17.08.17	Revision Date: 16/05/2019
Scale: 1:100 @ A2	Orientation: Project Drive
Drawn:	TP
Checked: P.R	P7

**5.2 APPLICATION FOR A PLANNING PERMIT - D/302/2017  
655 Plenty Road Preston**

**Author:** Principal Planner

**Reviewed By:** General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
John Divitcos Divitcos Architecture 19 Walter Street PRESTON VIC 3072	John Divitcos Divitcos Architecture 19 Walter Street PRESTON VIC 3072	N/A

**SUMMARY**

- The application is recommended for approval subject to conditions.
- The conditions address ESD, materials, windows, shading and accessibility.
- The proposal is recommended for approval as it attains a high level of compliance with the objectives and standards of Clauses 22.06, 43.02, 52.06, 52.34 and 58 of the Darebin Planning Scheme. It is noted that the Darebin Planning Scheme actively encourages urban intensification of the Plenty Road corridor including building heights of up to 6-storeys within this precinct.
- The proposal involves the development of a 5-storey building comprising four (4) dwellings and a retail premises. Two (2) 1-bedroom and two (2) 2-bedroom 3-storey dwellings are proposed.
- Four (4) car parking spaces within a car stacker are provided. A car parking reduction of two (2) spaces is sought.
- Four (4) bicycle parking spaces are provided. This represents an over provision of three (3) spaces.
- A Commercial 1 Zone and Design and Development Overlay (Schedule 17) apply.
- The title includes a restrictive covenant that protects the land from mining and quarrying activities, except for the purpose of constructing building foundations.
- Six (6) objections were received against this application.

**CONSULTATION:**

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

<b>Recommendation</b>
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**That** Planning Permit Application D/302/2017 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: TP03 Rev D, TP04 Rev D, TP05 Rev D, TP06 Rev D, TP07 Rev D, TP08 Rev D, TP09 Rev D, TP10 Rev D, TP11 Rev D and TP12 Rev D, dated 12.12.2018 and prepared by Divitcos Architecture) but modified to show:
  - a) Modifications in accordance with the Sustainable Design Assessment (refer to Condition No. 5 of this Permit).
  - b) Modifications in accordance with the Stormwater Management System Report (refer to Condition No. 6 of this Permit).
  - c) A comprehensive schedule of construction materials, external finishes and colours (including colour samples).
  - d) 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.
  - e) External operable sun shading devices (excluding roller shutters) to all west facing habitable room windows/ glazed doors. Where sun shading devices are being utilised a dimensioned section diagram or photograph must be included to demonstrate the shading type and effectiveness.
  - f) Fixed external sun shading devices to all north facing habitable room windows/ glazed doors where not located directly under an eave or overhang. Where sun shading devices are being utilised a dimensioned section diagram must be included to demonstrate their effectiveness. Shading must not extend within 1 metre of a property boundary.
  - g) Window operation on all elevation plans. Window operation must not increase overlooking of secluded private open space and/ or habitable room windows. Casement, sliding, sash and or louver windows must be provided to maximise ventilation.
  - h) Layouts in accordance with Standard D17 (Accessibility) of Clause 58 of the Darebin Planning Scheme.
  - i) The canopy over the public footpath set back 0.75 metres from the kerb and to have a minimum clearance height of 3 metres above the level of the public footpath.
  - j) A single communal antenna for the development (refer also to Condition No. 19 of this Permit). The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
  - k) The light court must be open to the sky (unroofed).
  - l) Solar panels to the southern section of the roof of dwellings 3 and 4, designed to serve the energy needs of the communal elements of the building.
  - m) The light court dimensioned on floor plans.
  - n) Indicative sign location for the retail premises.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.
- (1) 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) As part of the consultant team John Divitcos Architects or an experienced architect must be engaged to oversee the design intent and construction quality to ensure that the design and quality and the appearance of the approved building is maintained to the satisfaction of the Responsible Authority.

(5) 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.

(6) Before the development starts, a detailed Stormwater Management System Report must be submitted to the satisfaction of the Responsible Authority and be approved in writing by the Responsible Authority. The report must include:

- a) Details of how the stormwater management system is designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
- i) An assessment using an industry recognised stormwater tool;
  - ii) The type of water sensitive urban design (WSUD) stormwater treatment measures to be used and details of these treatment measures including cross sections, materials, plants and drainage directions;
  - iii) The location of stormwater treatment measures in relation to buildings, sealed surfaces, neighbouring properties and landscaped areas;
  - iv) A plan illustrating where all impervious surfaces will be treated and drained;
  - v) A construction and maintenance schedule.
- b) Details of how the stormwater management system contributes to cooling, improving local habitat and providing attractive and enjoyable spaces; and
- c) Consideration of how the WSUD stormwater treatment measures will integrate with on-site detention requirements.

The development must be constructed and maintained in accordance with the requirements/recommendations of the approved Stormwater Management System Report to the satisfaction of the Responsible Authority.

- 
- (7) Before the development is occupied, streetscape improvement works in the Plenty Road road reserve adjacent to the subject site must be carried out by the developer at their cost. The streetscape improvements must be carried out under supervision and be to the satisfaction of the responsible authority. The streetscape improvements include the following:
    - a) Demolition of the existing footpath pavement and replacement with new concrete paving with joints. The new concrete paving is to match the colour of the existing paving as closely as practicable.
    - b) Any service pit in the Plenty Road road reserve must be finished at the same level of the new concrete pavement level.
  - (8) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the *Building Act 1993* and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.
  - (9) All dwellings that share dividing walls and/or floors must be constructed to limit noise transmission in accordance with Part F(5) of the Building Code of Australia.
  - (10) Waste collection must be undertaken by a private contractor. Waste storage and collection must be undertaken in accordance with the Waste Management Plan prepared by Urban Leaf, dated 16 February 2018 and must be conducted in such a manner as not to affect the amenity of the surrounding area or cause any interference with the circulation and parking of vehicles on abutting streets.
  - (11) Before the dwellings are occupied, an automatic external lighting system capable of illuminating the residential entry to Plenty Road and the vehicle and pedestrian access to the ROW 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.
  - (12) The land must be drained 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) 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.
  - (15) 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.
  - (16) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
  - (17) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
    - a) Constructed;
    - b) Properly formed to such levels that they can be used in accordance with the plans;
    - c) Surfaced with an all-weather sealcoat; and
-

d) Drained

to the satisfaction of the Responsible Authority.

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

- (18) Only one (1) communal television antenna may be erected on the building. Individual antennae for individual dwellings/tenancies must not be erected.
- (19) The amenity of the area must not be adversely affected by the use or development as a result of the:
- a) Transport of materials, goods or commodities to or from the land; and/or
  - b) Appearance of any building, works, stored goods or materials; and/or
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and/or
- in any other way, 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.

## INTRODUCTION AND BACKGROUND

No planning history applies to the site.

## ISSUES AND DISCUSSION

### Subject site and surrounding area

- The land is regular in shape and measures 6.1 metres in width and 36.58 metres in length with a site area of 223 square metres.
- A Commercial 1 Zone applies to the site.
- A Design and Development Overlay (Schedule 17) applies to the site.
- A Road Zone (Category 1) applies to Plenty Road.
- The site is located on the west side of Plenty Road, north of the intersection with Tyler Street.
- A constructed right of way (ROW) is provided to the rear of the site.
- The land is developed with a single storey retail premises constructed to the front and side boundaries.
- The site is devoid of any vegetation.
- The site provides a fall of approximately two (2) metres from rear to front.
- A Commercial 1 Zone and a Design and Development Overlay applies to the adjoining properties fronting Plenty Road.
- A General Residential Zone (Schedule 2) applies to the properties located on the opposite side of the ROW. This area is subject to a minimal housing change designation within Council's Housing Strategy.
- To the north of the site is a double storey retail premises fronting Plenty Road. The building is constructed on the common boundary.
- To the south of the site is a double storey retail premises fronting Plenty Road. The building is constructed on the common boundary.
- To north-west of the site on the opposite side of the ROW are the backyards associated with two (2) residential properties fronting Oakhill Avenue. A garage and other outbuildings are located within the rear of these properties.
- To south-east on the opposite side of Plenty Road are various single and double commercial premises within a Commercial 1 Zone.
- On-street parking on Plenty Road is subject to a *Clearway and No Stopping* restrictions on the western side (site frontage).
- Tram services operate on Plenty Road.
- Preston Principal Activity Centre is located over 1km to the south.
- Regent Railway Station is located over a 1km to the west of the site.

### Proposal

- A 5-storey building comprising four (4) dwellings and a retail premises.
- The proposal provides two (2) 1- bedroom dwellings and two (2) 2-bedroom dwellings of differing layouts and sizes. Two (2) of the dwellings are over 3-storeys.



- Four (4) car parking spaces within a car stacker are provided. Three (3) spaces are allocated to the dwellings and one (1) space to the retail premises. This represents a reduction of one (1) residential space and one (1) retail space.
- Four (4) bicycle parking spaces are provided. This represents an over provision of three (3) spaces.
- A retail tenancy of 51 square metres to the Plenty Road is provided.
- The residential entry to Plenty Road is located adjacent the retail frontage providing access to the lift and stairs.
- The materials consist of pre-cast concrete panel, patterned finishes to the north and south elevations and feature breeze block adjacent the pedestrian entry and to the balconies facing Plenty Road and the rear.

### **Objections summarised**

Six (6) objections received.

- Height
- Car parking
- Traffic
- Vehicle access
- Overshadowing
- Privacy
- Internal amenity
- Retail space
- Toilet facility
- Waste collection
- Impact upon adjacent businesses
- Overdevelopment / Too many units in the street
- Disruption during construction
- Restriction on title

### **Officer comment on summarised objections**

- Height:

The Darebin Planning Scheme actively encourages urban intensification of the Plenty Road corridor including building heights of up to 6-storeys within this precinct. The proposal accords with the future character of the area with a building height of 5-storeys incorporating dwellings and a commercial use. While the proposal will be visible from nearby residentially zoned properties to the north-west, visibility is not the test that should be applied in this instance, as the development must be seen in the context of the policy encouraging a 6-storey scale on the site and adjoining sites. Adjacent residents should expect to have an altered view over time. Nevertheless, in addressing visual bulk, the proposal is appropriately setback back from the adjacent dwellings and does not adversely impact on any secluded private open space areas or habitable room windows.

- Car parking:

Four (4) car parking spaces are provided. Three (3) spaces are allocated to the dwellings and one (1) space to the retail premises. This represents a reduction of one (1) resident space and one (1) retail space. Refer to the Clause 52.06 (Car parking) assessment below for a complete analysis of car parking considerations.

- Traffic:

The development would generate approximately 1-2 movements in the peak hour. Taking into consideration the relatively short length of the ROW to the nearest streets the distribution of traffic will not adversely impact on the operation of the ROW or adjacent streets beyond the site.

- Vehicle access:

Vehicles will exit the site by reversing onto the ROW. Given the ROW is a low speed environment this is considered an appropriate arrangement. One (1) to two (2) corrective vehicle movements may be required to enter the mechanical stacker bays. This is considered to be appropriate and accords with Australian Standard 2890.1:2004 which notes a three-point turn on entry and exit is appropriate for User Class 1A (residential, domestic and employee parking).

The use of car stackers are an accepted technology within residential and mixed development proposals. The level of noise from these systems are generally minimal. The maintenance of car stackers, the lift and the like are the duty of the body corporate.

- Overshadowing:

While the development will result in increased shadows this is to be expected in areas where increased building height and intensification is encouraged. In any case the level of impact is not considered unreasonable in this context where 6-storey buildings are encouraged. The majority of shadows cast by the proposal will be over Plenty Road, adjacent commercial buildings and the ROW.

- Privacy:

Outlook from dwelling 2 is over the ROW, a garage and other outbuildings located at the rear of residential properties fronting Oakhill Avenue. The provision of breeze block flush against the living room window of dwelling 2 also reduces the level of outlook from this dwelling. The privacy of adjacent residential properties is sufficiently maintained.

- Internal amenity:

The dwellings provide a good standard of amenity including a mix of well-proportioned layouts, including two (3) 3-storey dwellings. Proportioned living rooms (5.6m width) and bedrooms, large balconies, good storage space, cross ventilation throughout, floor to ceiling heights of at least 2.7 metres and one (1) bicycle parking space to each dwelling are proposed.

- Retail space:

The proposed retail space is 51 square metres and is smaller than the current space (the existing commercial building provides a floor area of approximately 140 square metres). This reduced size is largely a result of the need to accommodate car parking spaces, the stair and lift core and the pedestrian entry. While policy seeks larger and more adaptable commercial spaces, the narrow width of this site is a critical constraint on the ability to achieve such an outcome. To refuse the application on this basis, one would have to ignore the many positive aspects of the proposal including the quality of the dwellings together with the reduced height of the proposal compared to the aspirations of the Planning Scheme. On balance the proposal is deemed a more than satisfactory response to relevant planning policy and the constraints of the site.

- Toilet facility to the retail use:

A toilet facility could be provided by the developer depending on the type of commercial use which occupies the space.

- Waste collection:

Residential Waste: There is insufficient space on Plenty Road to place Council waste bins for collection. Therefore, it is recommended that a private contractor is engaged to collect waste. This would be arranged by the Owner/Owners' Corporation.

Commercial Waste: The City of Darebin does not offer a commercial waste collection service. Commercial waste collection would have to be arranged by the business occupying the retail space. A suitable condition is attached to the recommendation.

- Impact upon adjacent businesses:

The impact of development and proposed uses upon the viability of existing businesses is not a relevant planning consideration.

- Overdevelopment:

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

- Disruption during construction:

Disruptions during the construction phase of development is a temporary and unavoidable consequence of development and not a reason to refuse an application.

- Restriction on title:

The title includes a restrictive covenant that protects the land from mining and quarrying activities, except for the purpose of constructing building foundations. The covenant does not conflict with the proposal.

**PLANNING ASSESSMENT**

**Clause 34.01 - Commercial 1 Zone**

The proposed retail space accords with the purpose of the Commercial 1 Zone by providing retail uses at ground level and higher residential densities above. The retail space accords with the directions of Clause 21.04-3 (Retail and Commercial Activity) of the Darebin Planning Scheme which seeks to strengthen the role of Darebin’s commercial precincts.

**Darebin Economic Land Use Strategy (DELUS)**

DELUS identifies the Plenty Road and Tyler Street local activity centre as a commercial precinct that is worth retaining despite challenges with high vacancy rates and obvious signs of dilapidation. Integral to the revitalisation of this precinct changing is the addition of residential development which the strategy says should be strongly encouraged to achieve the revitalisation and renewal of this precinct.

**Clause 22.06 - Multi Residential and Mixed Use Development**

This policy applies to the consideration of multi-apartment developments.

Element	Comment	Compliance
<b>Sustainability</b>	The sustainable attributes of the proposal are: <ul style="list-style-type: none"> <li>• Cross-ventilation for all dwellings.</li> <li>• Good solar access to the balconies and habitable room windows, with appropriate daylight and ventilation.</li> <li>• 3,000 litre rainwater tank for irrigation and re-use within selected toilets.</li> <li>• One (1) bicycle parking space to each dwelling.</li> </ul>	Complies
<b>Design and Materials</b>	<p>At 5-storeys (16.87 metres), the proposal complies with the mandatory maximum height limit under DDO17 (6-storeys - 20 metres).</p> <p>The site is in a Commercial 1 Zone where front setbacks should be zero for the first 4 storeys. Upper storeys should be setback an adequate distance from the street wall to create a separation between the lower and upper parts of a building. This has been achieved.</p> <p>The rear ground level setback is 3.6 metres from the boundary of the adjoining residential site. The first-floor rear setback is also 3.6 metres where a setback of 5.5 metres is sought by policy. A section of the 3<sup>rd</sup> floor sits 300mm within the 45-degree envelope sought under policy (for all upper levels above the 1<sup>st</sup> floor). In this case the context justifies a reduced rear setback. That context includes the outbuildings located within the rear of adjacent residential properties and the fact that the proposal provides a reduced height compared to the aspirations of the DDO.</p> <p>All dwellings are oriented to the front and rear of the site and provide a high level of unobstructed outlook and daylight access, in accordance with policy. The development is designed and sited so that adjacent lots can be developed in a similar manner, enabling a consistent street edge condition. A central light-court to the south elevation provides daylight to</p>	Complies

Element	Comment	Compliance
	<p>the stairwell and selected bedrooms. The light-court does not unduly prejudice future development proposals on the adjacent site to the south.</p> <p>The proposed materials consist of pre-cast concrete panel, patterned finishes to the north and south elevations and feature breeze block adjacent the pedestrian entry and to the balconies facing Plenty Road and the rear. Council's Urban Design Officer notes: <i>The breeze blocks would add subtle texture and visual interest to the front façade, as suited to this small scale building, and are supported. Opaque glass balustrades would help obscure items stored on balconies, and provide a degree of visual privacy from Plenty Road, and are supported. The side elevations would consist of concrete panels, with their appearance is important due to their visibility over the adjacent lower-scale buildings. They are noted with 'stippled texture highlights'.</i></p> <p>Objective 1 (Urban Design Excellence) of Clause 21.02-3 of the Planning Scheme is to ensure <i>development in Darebin exhibits good urban design and provides distinctive, attractive and engaging places in which to reside, visit or work.</i> Strategies to achieve this outcome include: <i>Encourage streetscape upgrades and street tree planting, particularly in areas where Substantial Housing Change is envisaged and; Collect development contributions from private development for streetscape upgrades.</i></p> <p>Planning permit conditions require the applicant to undertake streetscape improvement works in the Plenty Road road reserve adjacent to the subject site. Such works must be carried out by the developer at cost to the developer. The streetscape improvements are to be generally in accordance with the <i>Green Streets Strategy 2013.</i></p>	
<b>Building Height</b>	At 5-storeys (16.87 metres), the proposal complies with the mandatory maximum height limit under DDO17 (6-storeys - 20 metres).	Complies
<b>Apartment diversity</b>	This development provides two (2) 1-bedroom dwellings and two (2) 2-bedroom dwellings. Two (2) of the dwellings are 3-storeys.	Complies
<b>Parking and vehicle access</b>	Refer to the Clause 52.06 assessment below.	Complies
<b>Street address</b>	The residential entrance and the commercial frontage address Plenty Road and provide an appropriate level of design. The services are sleeved within the residential entry and do not dominate the streetscape.	Complies
<b>Amenity Impacts Including Overshadowing and Overlooking</b>	<p>The development will not result in any unreasonable impacts to the public realm and the adjacent residential properties.</p> <p>Shadows cast by the proposal largely fall across the adjacent commercial properties, Plenty Road and the ROW.</p> <p>Outlook from Dwelling 2 is over the ROW and of a garage and outbuildings located at the rear of residential properties</p>	Complies

Element	Comment	Compliance
	<p>fronting Oakhill Avenue. The partially open breeze block flush against the living room window also reduces the level of outlook from this dwelling. A satisfactory level of privacy is maintained to adjacent properties as a result of this design.</p> <p>The proposal will be visible from nearby residentially zoned properties to the north-west; however, visibility is not the test that should be applied in this instance, as the development must be seen in the context of the policy encouraging a 6-storey scale on the site and adjoining sites. Residents should expect to have an altered view over time. Nevertheless, in addressing visual bulk, the proposal is appropriately setback from the adjacent dwellings in accordance with the objectives of DDO17 and does not adversely impact adjacent secluded private open space areas or habitable room windows.</p> <p>The location of all plant and equipment (including air conditioners and the like) is requested as a condition of approval. 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. It is noted that noise from items such as domestic air conditioners, ducted heating, internal vacuum systems and home occupation is subject to Section 48A of the Environment Protection Act 1970 and the Environment Protection (Residential Noise) Regulations 2018.</p>	
<p><b>On-Site Amenity and Facilities, including Private Open Space</b></p>	<p>The proposal achieves a good response to Clause 58 (Apartment Developments):</p> <ul style="list-style-type: none"> <li>• A variety of well-proportioned layouts, including two 3-storey dwellings.</li> <li>• Proportioned living rooms of 5.6m in width.</li> <li>• Large bedrooms.</li> <li>• Large balconies.</li> <li>• Good storage space.</li> <li>• Cross ventilation throughout.</li> <li>• Floor to ceiling heights of at least 2.7 metres.</li> <li>• One (1) bicycle parking space to each dwelling.</li> </ul> <p>A light court is provided to the south elevation. The light court serves the stairwell and selected bedrooms located on the 1<sup>st</sup> to 4<sup>th</sup> floor level. Under policy the <i>footprint of a light court should be usable for secluded private open spaces, and their bounding walls at upper levels are to be set back gradually to provide a wider light court and good quality solar access to lower levels.</i></p> <p>The proposal does not achieve this outcome and it is justified on the basis of the site's constraints. The light court provides a dimension of 1.3m X 5.7m at all levels. While a larger light court is preferred, the 6.1m width of the site and the need to provide a lift (isolated from adjacent bedrooms) and a stairwell place a significant constraint on the ability to achieve a larger</p>	<p>Complies</p>

Element	Comment	Compliance
	light court. Notwithstanding the level of amenity provided to the dwellings is generally very high. For example, the living rooms provide areas and dimensions well in excess of Clause 58 with excellent outlook and access to daylight, together with proportioned balconies with unobstructed views over Plenty Road and to the rear. Furthermore, the area of the windows exceed 10% of the floor area of the bedrooms they serve and thereby achieve compliance with the Building Code. On this basis the level of amenity provided to the dwellings is considered more than adequate.	
<b>Waste Management</b>	The application is accompanied by a waste management plan detailing the number and size of bins required to service the development and the times, frequency and means of waste collection. Waste is to be collected privately.	Complies
<b>Equitable Access</b>	All levels are provided with lift access.	Complies

**Clause 43.02: Design and Development Overlay (Schedule 17):**

This policy applies to development proposals located on the Plenty Road corridor. The broader objective of this policy is to facilitate high quality, site responsive and equitable multi-level mixed use apartment development along the Plenty Road corridor.

Element	Comment	Compliance
<b>Street frontage</b>	The ground floor provides a residential entrance to the building. The retail space provides an active frontage to Plenty Road and an awning above the footpath providing weather protection. The services are sleeved within the residential entry and do not dominate the frontage.	Complies
<b>Building Height and setback</b>	At 5 storeys (16.87 metres), the proposal complies with the mandatory maximum height limit under DDO17 (6-storeys / 20 metres).  The proposal is constructed to the front and side boundaries. The construction to the boundaries allows equitable development opportunities to the adjoining sites.  A 4-storey façade is provided to Plenty Road, with the upper floor set back in accordance with policy.  The rear ground level setback is 3.6 metres from the boundary of the adjoining residential site. The first-floor rear setback is also 3.6 metres where a setback of 5.5 metres is sought by policy. A section of the 3 <sup>rd</sup> floor sits 300mm within the 45-degree envelope sought under policy (for all upper levels above the 1 <sup>st</sup> floor). In this case the context justifies a reduced rear setback. That context includes the outbuildings located within the rear of adjacent residential properties and the fact that the proposal provides a reduced height compared to the aspirations of the DDO.	Complies subject to condition.
<b>Access and parking</b>	The site provides vehicle access to the ROW. Access and parking considerations are assessed in more detail under the	Complies

Element	Comment	Compliance
	Clause 52.06 (Car parking) assessment below.	

**Clause 58 Apartment Developments:**

Std	Comment	Compliance	
		Std	Obj
<b>D1</b>	<b>Urban Context</b>		
	The proposal appropriately responds to the features of the site and the surrounding area. Consideration of the site context has determined appropriate interface treatments and siting, scale and height.	Y	Y
<b>D2</b>	<b>Residential policy</b>		
	The proposal furthers the objectives of relevant State and Local planning policy outlined in the Darebin Planning Scheme, by providing a mixed-use development in an existing commercial area with excellent access to public transport and services.	Y	Y
<b>D3</b>	<b>Dwelling diversity</b>		
	The development provides two (2) 1-bedroom dwellings and two (2) 2-bedroom dwellings of differing layouts and sizes.	Y	Y
<b>D4</b>	<b>Infrastructure</b>		
	Adequate infrastructure exists to support new development.	Y	Y
<b>D5</b>	<b>Integration with the street</b>		
	The ground floor provides proportioned residential entrance to the building. The commercial frontage is active. An awning provides weather protection for pedestrians.	Y	Y
<b>D6</b>	<b>Energy Efficiency</b>		
	The development will achieve energy efficiency in the following ways: <ul style="list-style-type: none"> <li>• Cross-ventilation for all dwellings.</li> <li>• Multi-storey construction minimises heat load and heat loss.</li> <li>• Space for outdoor clothes drying areas.</li> <li>• Adequate solar access to the private open space and habitable room windows, with appropriate daylight and ventilation.</li> <li>• 3,000 litre rainwater tank.</li> <li>• One (1) bicycle parking space to each dwelling.</li> <li>• Solar panels which serve the common areas are requested as a condition of approval.</li> </ul>	Y	Y
<b>D7</b>	<b>Communal open space</b>		
	N/A. The development is not for 40 or more dwellings.	N/A	N/A
<b>D8</b>	<b>Solar access to communal outdoor open space</b>		
	N/A. An area of communal outdoor open space is not provided nor required.	N/A	N/A
<b>D9</b>	<b>Safety</b>		
	The development is secure and the creation of unsafe spaces has been avoided. The residential entry is adequately located and visible from Plenty Road.	Y	Y



Std	Comment	Compliance	
<b>D10</b>	<b>Landscaping</b>		
	N/A. This standard is not applicable to sites of less than 750 square metres in area. The site is located in a Commercial 1 Zone and a Design and Development Overlay, which allows 100% site coverage	N/A	N/A
<b>D11</b>	<b>Access</b>		
	Vehicle access is via the ROW as encouraged by policy.	Y	Y
<b>D12</b>	<b>Parking location</b>		
	Parking facilities are proximate to the dwellings they serve. The enclosed car park is adequately secure.	Y	Y
<b>D13</b>	<b>Integrated water and stormwater management</b>		
	Although the proposal has large areas of impervious surfaces, the DDO allows 100% site coverage and 0% permeability. Notwithstanding the building will collect rainwater for non-drinking purposes.	Y	Y
<b>D14</b>	<b>Building setback</b>		
	The proposal meets the preferred character under the DDO, in that: <ul style="list-style-type: none"> <li>It is constructed to the front and side boundaries.</li> <li>A 4 storey façade is proposed, with the upper floor setback.</li> <li>The construction to the boundaries allows equitable development opportunities to the adjoining sites.</li> </ul>	Y	Y
<b>D15</b>	<b>Internal views</b>		
	The dwellings are designed and located to ensure no unreasonable internal overlooking is provided.	Y	Y
<b>D16</b>	<b>Noise impacts</b>		
	The location of all plant and equipment (including air conditioners and the like) is requested as a condition of approval. 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. It is noted that noise from items such as domestic air conditioners, ducted heating, internal vacuum systems and the like associated with home occupation is subject to Section 48A of the Environment Protection Act 1970 and the Environment Protection (Residential Noise) Regulations 2018.	Y	Y
<b>D17</b>	<b>Accessibility</b>		
	A condition requiring that this requirement is met forms part of the recommended planning permit conditions.	N	N
<b>D18</b>	<b>Building entry</b>		
	The common entry is clear and easily identified from the street frontage. The entry is sheltered, with a sense of address and a transitional space. The layout clearly separates and distinguishes the retail and residential entries.	Y	Y

Std	Comment	Compliance	
<b>D19</b>	<b>Private open space</b>		
	Private open space for each of the dwelling is provided in balconies of between 8 – 20 square metres. Dwellings 3 and 4 are provided 3 balconies totalling 40 square metres.	Y	Y
<b>D20</b>	<b>Storage</b>		
	Each dwelling is provided appropriate internal and external storage.	Y	Y
<b>D21</b>	<b>Common property</b>		
	Common property areas are appropriately designed and delineated.	Y	Y
<b>D22</b>	<b>Site services</b>		
	Sufficient areas for site services are provided. Site services are appropriately designed and integrated into the development.	Y	Y
<b>D23</b>	<b>Waste and Recycling</b>		
	Waste is to be collected via a private waste services provider. The waste storage space is appropriately located away from the Plenty Road frontage.	Y	Y
<b>D24</b>	<b>Functional layout</b>		
	All living rooms and bedrooms exceed the minimum dimension requirements of this standard. Floor to ceiling heights are at least 2.7 metres as recommended under this standard.	Y	Y
<b>D25</b>	<b>Room depth</b>		
	All levels of the building provide a floor to ceiling height of at least 2.7 metres. The living rooms are of appropriate width and depth to allow for daylight access. The recommended minimum width of a living room sought under this standard is 3.3m for a 1-bedroom dwelling and 3.6m for a two (2) or more bedroom dwelling. All living rooms provide a width of 5.6m. The living rooms serving dwellings 3 and 4 also provide a dual aspect which further increases the level of daylight into these spaces.	Y	Y
<b>D26</b>	<b>Windows</b>		
	All living rooms and bedrooms have direct access to daylight. No battle-axe bedrooms are proposed.	Y	Y
<b>D27</b>	<b>Natural ventilation</b>		
	All apartments are provided cross flow ventilation, where the standard recommends 40%.	Y	Y

**Clause 52.06 Car Parking****(2) Number of Parking Spaces Required**

The proposal provides four (4) car parking spaces, and is therefore seeking a reduction of two (2) car spaces, including one (1) retail and one (1) resident parking space. As per Clause 52.06-6 of the Planning Scheme:

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

The submitted *Car Parking Demand Assessment* concluded that the proposed provision of car parking is satisfactory based on the following:

*A variation to the car parking standard in this instance is considered acceptable given the proximity of the subject site to bus routes and tram services, the inclusion of bike parking facilities and the walkable distances to services along Plenty Road.*

On consideration of the above and the decision guidelines contained within Clause 52.06-6 of the Planning Scheme, the proposed car parking reduction is satisfactory in this instance, noting the following:

- The site is located in proximity to public transport modes, bicycle routes and a small conglomeration of retail shops. The provision of one (1) dwelling without car parking (recommended to be the one bedroom dwelling) is not considered to put future tenants at a transport disadvantage.
- The provision of one (1) parking space for the small retail premises is considered to adequately cater for the parking demands of staff which are expected to be low for this small retail space of just 51 square metres. Customers will be reliant upon available on-street parking vacancies within the surrounding street network, public transport, bike riding and walking.

**(3) Design Standards for Car parking**

All car parking will be provided within a mechanical parking system. The Wohn Parklift 462-170 (385) and Wohn Parklift 450-200(380) car stacker systems are nominated. The stacker systems are acceptable, noting that 50% of spaces will be able to accommodate car heights of 1.8 metres. A floor to ceiling height clearance of 3850mm has been provided which is sufficient to accommodate the nominated car stackers. Pit depths also adhere to the technical standards. A stacker bay width of 2995mm has been provided. This gives a clear platform width of 2500mm on the lower parking level and 3100 on the upper platform which complies with AS2890.1:2004.

Vehicle manoeuvrability is satisfactory. One (1) to two (2) corrective movements may be required to enter the mechanical stacker bays. This is appropriate and accords with Australian Standard 2890.1:2004 which notes a three-point turn on entry and exit is appropriate for User Class 1A (residential, domestic and employee parking).

The minimum headroom to be provided above a car parking space is 2.1 metres as per Clause 52.06 of the Darebin Planning Scheme.

The ramp gradients comply with the requirements of Clause 52.06 of the Darebin Planning Scheme.

**Clause 52.34 Bicycle Parking**

Four (4) resident bicycle parking spaces located within the ground floor are proposed. This Clause requires the provision of one (1) space.

Two (2) spaces are ground mounted and the two (2) remaining spaces are wall-mounted. This arrangement is appropriate and provides some opportunities for residents who are unable to lift their bicycles.

**REFERRAL SUMMARY**

Department/Authority	Response
Capital Works	No objection, subject to condition included in recommendation.
Transport Management and Planning	No objection, subject to conditions which the applicant previously addressed at the RFI stage.
Urban Design officer	No objection.
ESD Officer	No objection, subject to condition included in recommendation.

**PLANNING SCHEME SUMMARY**

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

- Clause 34.01 – Buildings and Works more dwellings
- Clause 52.06 – Reduced car parking

**Applicable provisions of the Darebin Planning Scheme**

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1
LPPF	21.05-1, 21.05-2, 21.05-3, 22.04, 22.06.
Zone	34.01
Overlay	43.02
Particular provisions	52.06, 53.18, 58
General provisions	65.01

**POLICY IMPLICATIONS**

**Environmental Sustainability**

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

**Social Inclusion and Diversity**

Nil

**Other**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

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

**FUTURE ACTIONS**

Nil

**RELATED DOCUMENTS**

- Nil

**Attachments**

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

**DISCLOSURE OF INTEREST**

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

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

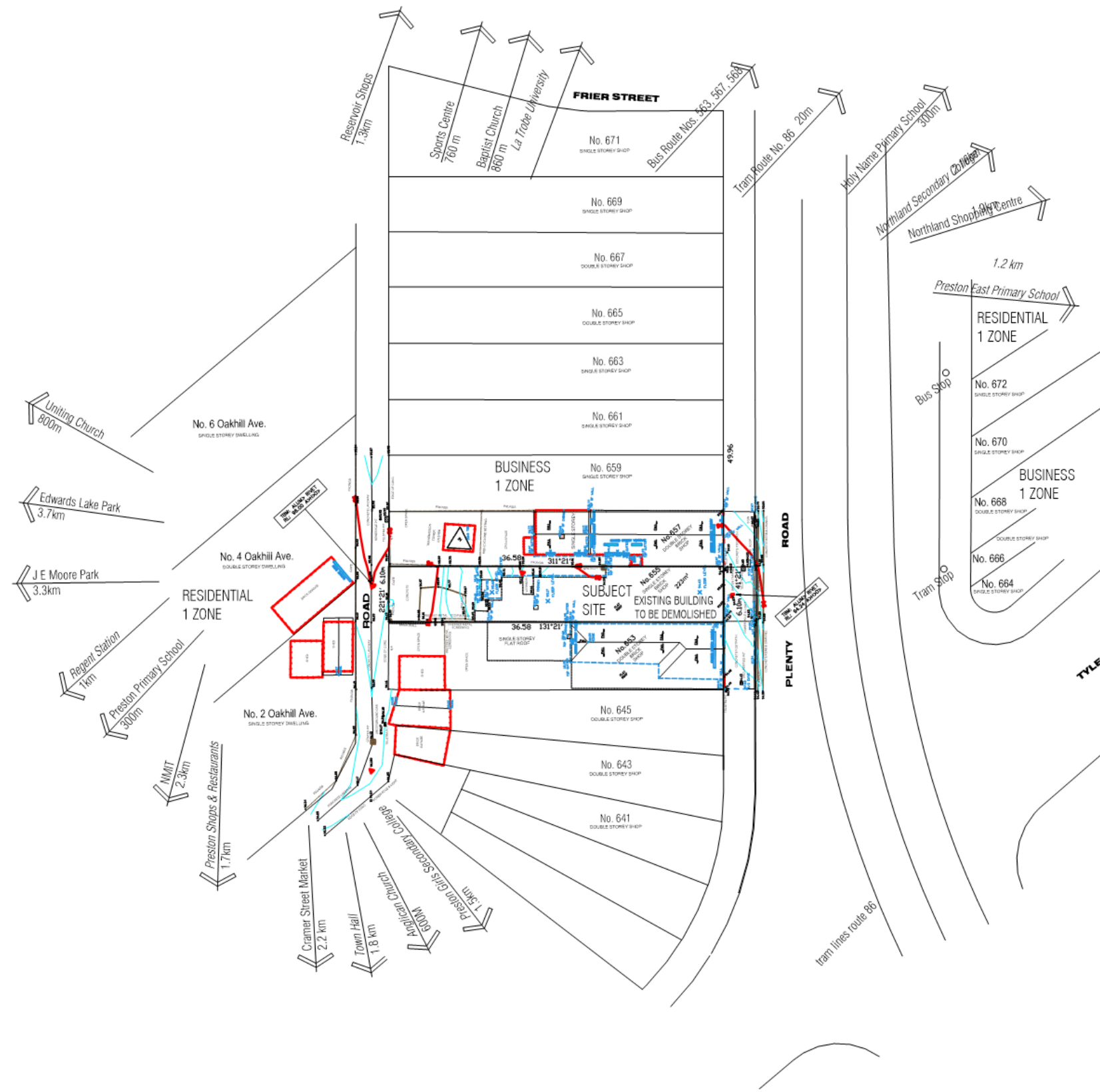
Darebin City Council

3/05/2019



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*divitcos*  
 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3067  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
 mob + 61 434 642 262  
 john@divitcosarchitecture.com.au

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TOWN PLANNING			
Revision	Description	Date	By

**PROJECT**  
 PROPOSED MULTI USE DEVELOPMENT  
 655 PLENTY RD PRESTON  
 SITE ANALYSIS PLAN

Scale: 1:500 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

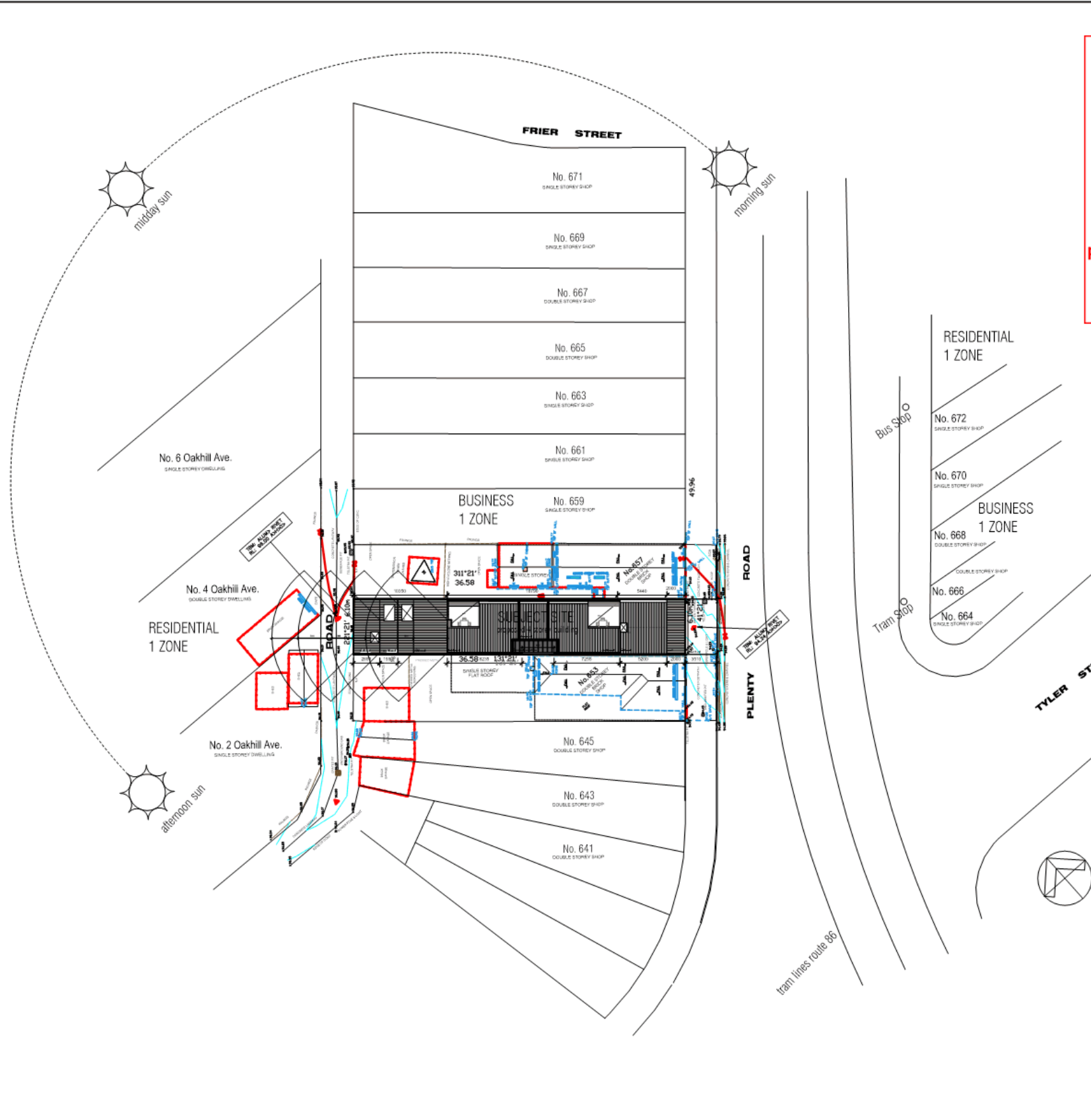
Drawing (No):  
**TP01**  
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**SITE AREAS**

Site Area	223m <sup>2</sup>
Site Coverage	204m <sup>2</sup> = 91%
<b>Ground Floor</b>	
Tenancy Area	50m <sup>2</sup>
Other	154m <sup>2</sup>
Total	204m <sup>2</sup>
<b>Unit 1</b>	
Floor	82.0m <sup>2</sup>
Balcony	11.2m <sup>2</sup>
Total	93.2m <sup>2</sup> (10sq)
<b>Unit 2</b>	
Floor	104.5m <sup>2</sup>
Balcony	8.75m <sup>2</sup>
Total	113.25m <sup>2</sup> (12.2sq)
<b>Unit 3</b>	
Floor	177.5m <sup>2</sup>
Balcony	32m <sup>2</sup>
Roof Terrace	18.2m <sup>2</sup>
Total	227.7m <sup>2</sup> (24.5sq)
<b>Unit 4</b>	
Floor	169.1m <sup>2</sup>
Balcony	20.0m <sup>2</sup>
Roof Terrace	18.2m <sup>2</sup>
Total	187.3m <sup>2</sup> (20.1sq)
<b>TOTAL</b>	<b>828.45m<sup>2</sup></b>



**divitcos**  
 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3057  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
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 655 PLENTY RD PRESTON  
 DESIGN RESPONSE PLAN

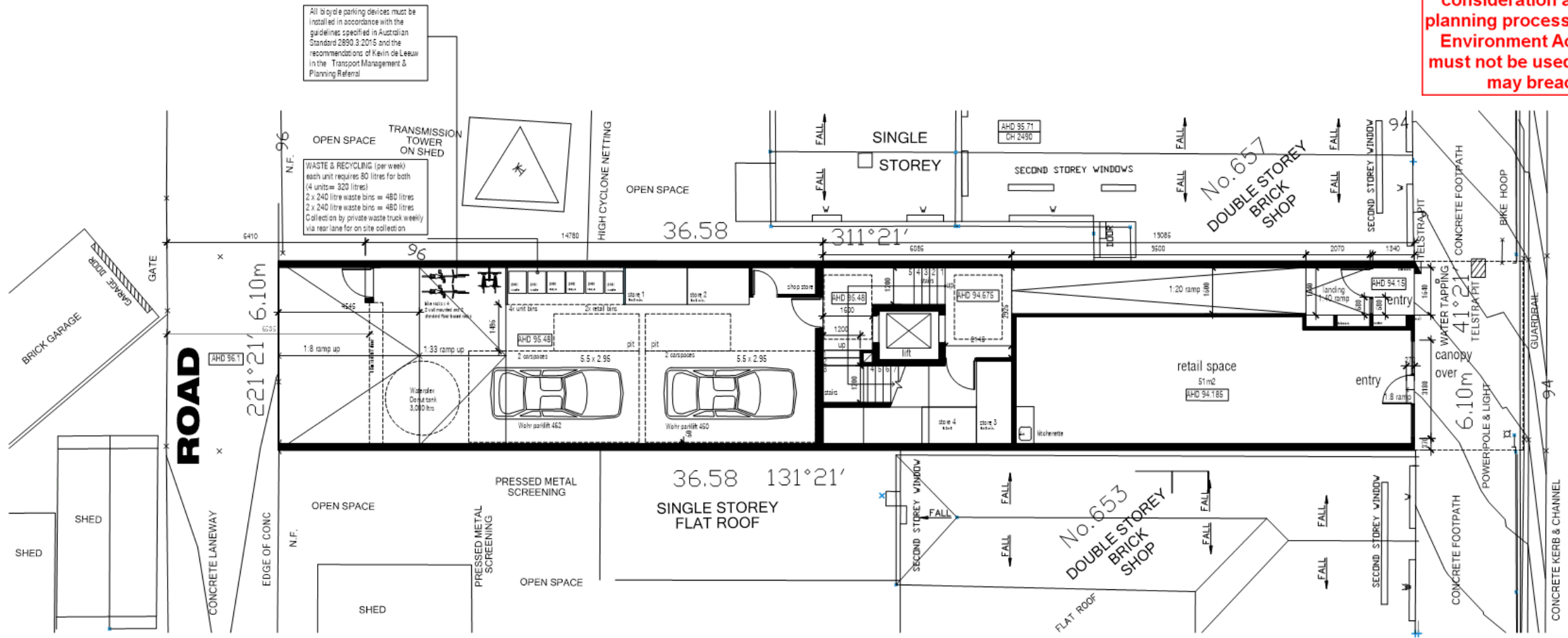
Scale: 1:500 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No): **TP02**  
 Revision: **D**



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*divitcos*  
 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3057  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
 mob + 61 434 642 262  
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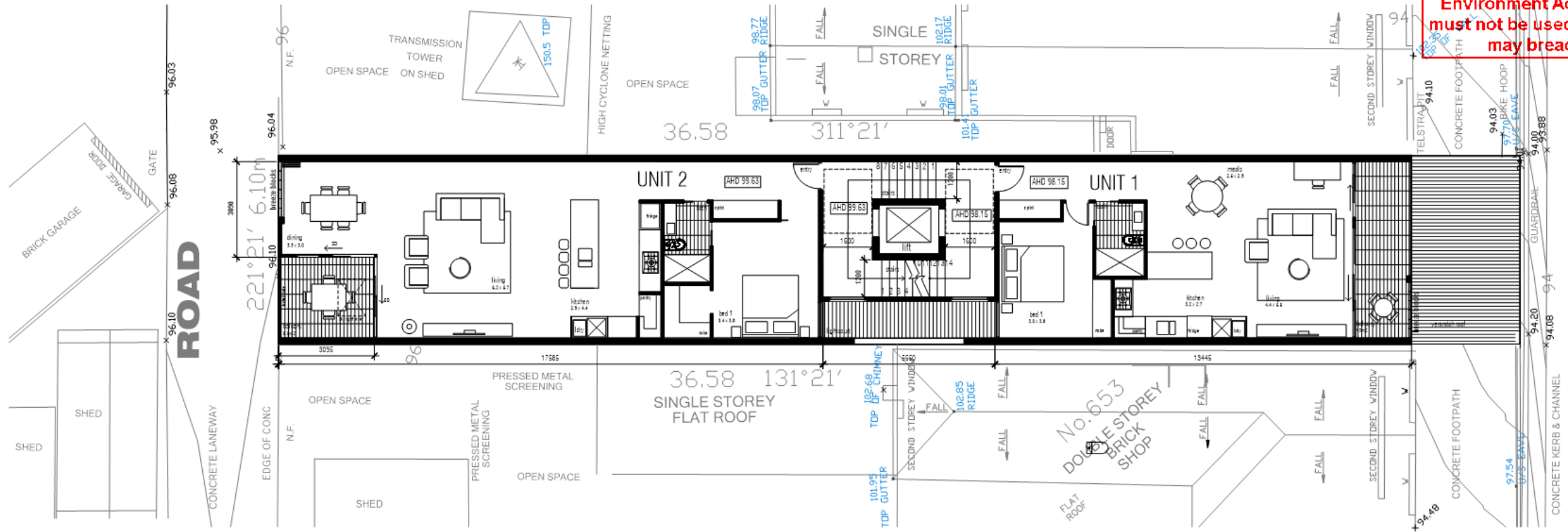
**PROJECT**  
 PROPOSED MULTI USE DEVELOPMENT  
 655 PLENTY RD PRESTON  
 GROUND FLOOR PLAN

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No):  
**TP03**  
 Revision: D

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*divitcos*  
 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3057  
 www.divitcosarchitecture.com.au

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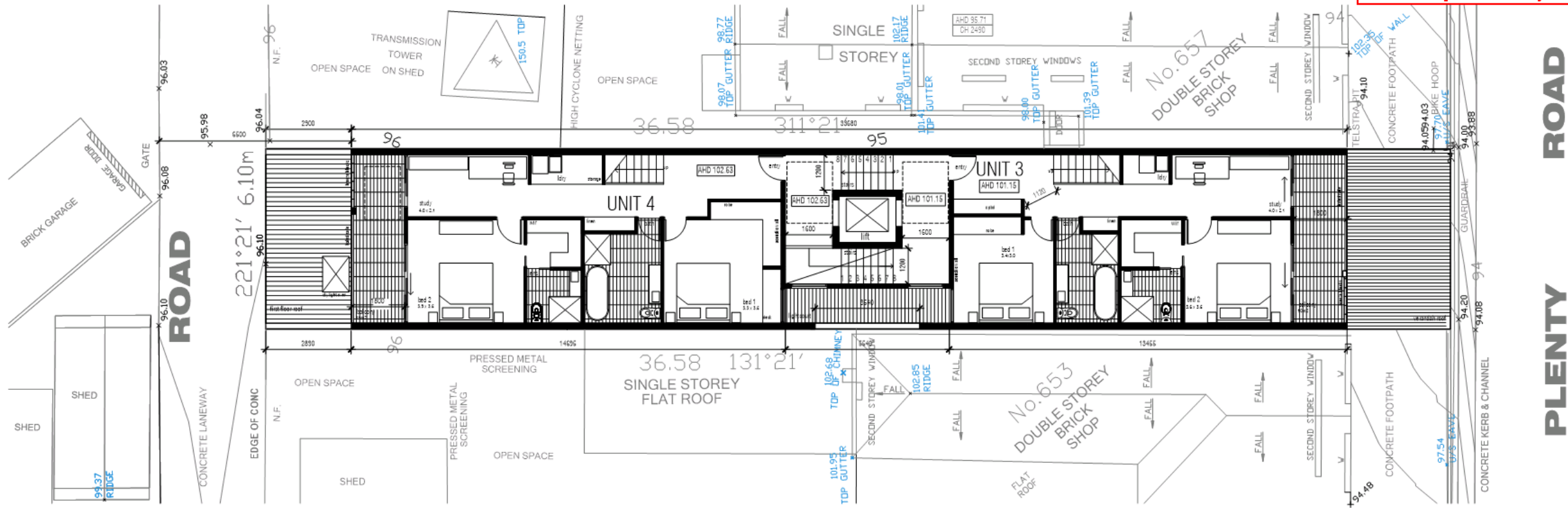
**PROJECT**  
 PROPOSED MULTI USE DEVELOPMENT  
 655 PLENTY RD PRESTON  
**FIRST FLOOR PLAN**

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No):  
**TP04**  
 Revision: **D**

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*divitcos*  
 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3057  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
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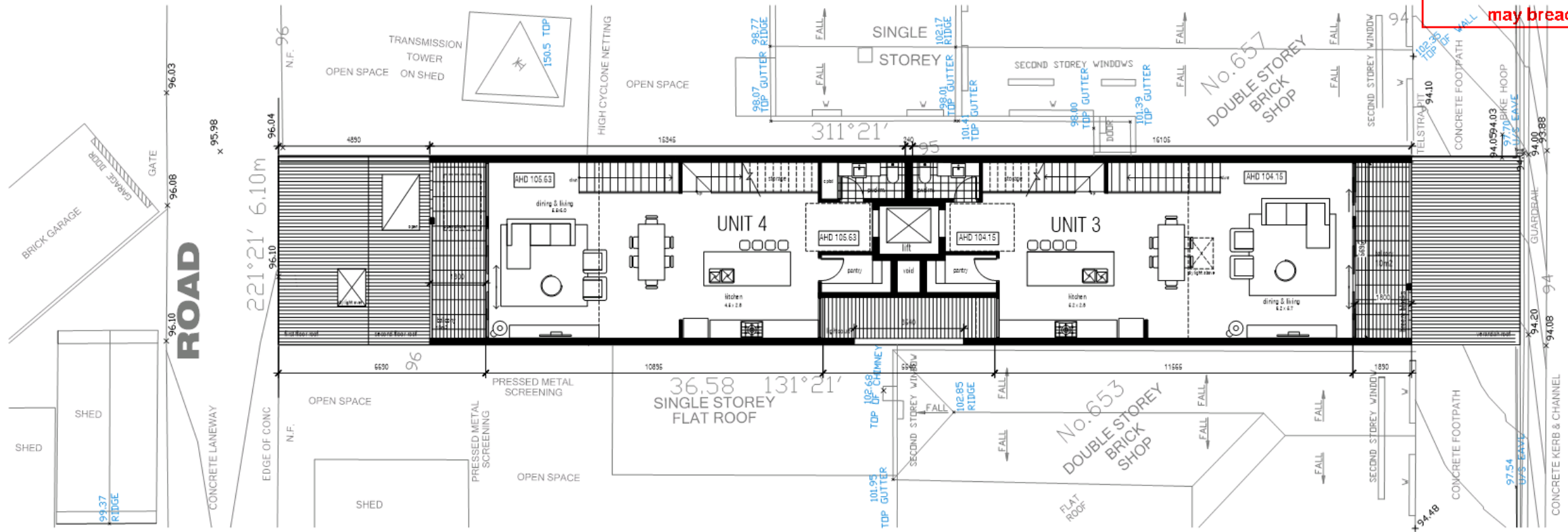
**PROJECT**  
 PROPOSED MULTI USE DEVELOPMENT  
 655 PLENTY RD PRESTON  
 SECOND FLOOR PLAN

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No):  
**TP05**  
 Revision: D

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 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3057  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
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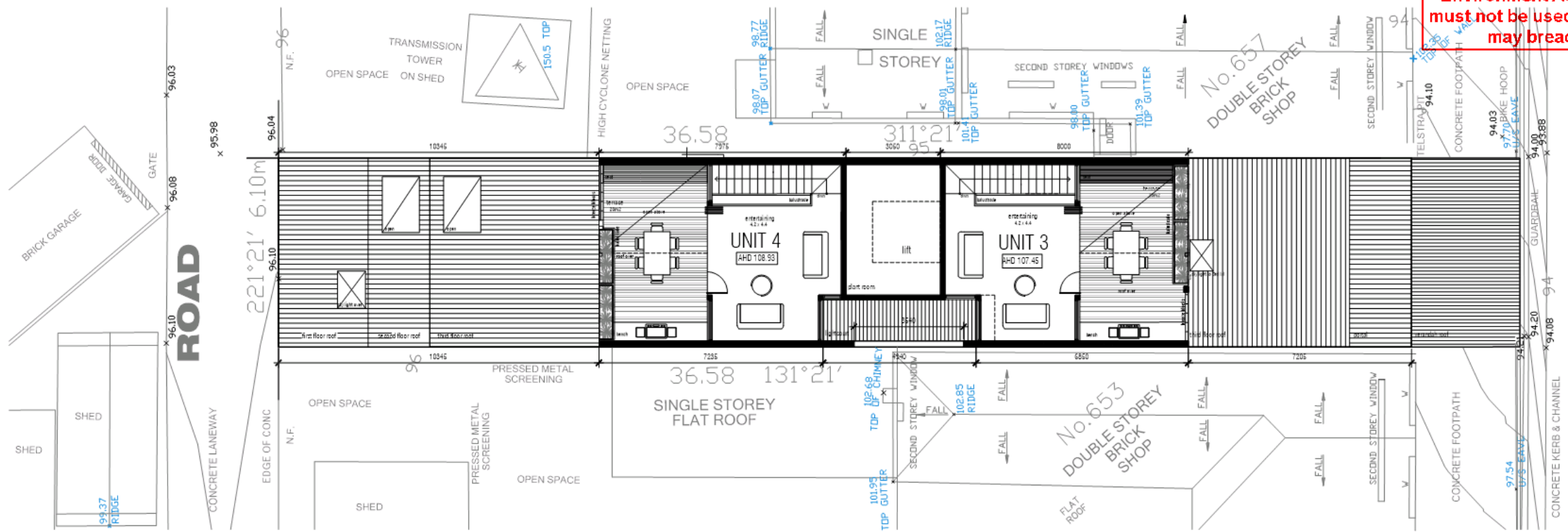
**THIRD FLOOR PLAN**

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No):  
**TP06**  
 Revision: D

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Revision	Description	Date	By

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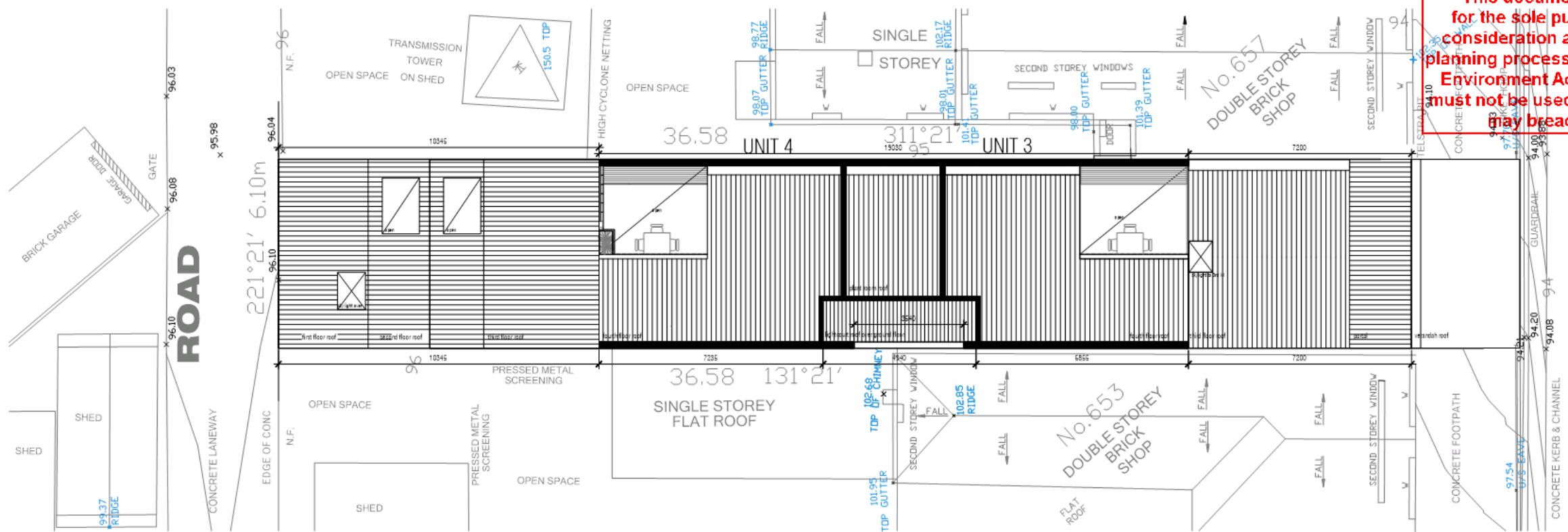
**TERRACE FLOOR PLAN**

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No): **TP07**  
 Revision: **D**

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architecture  
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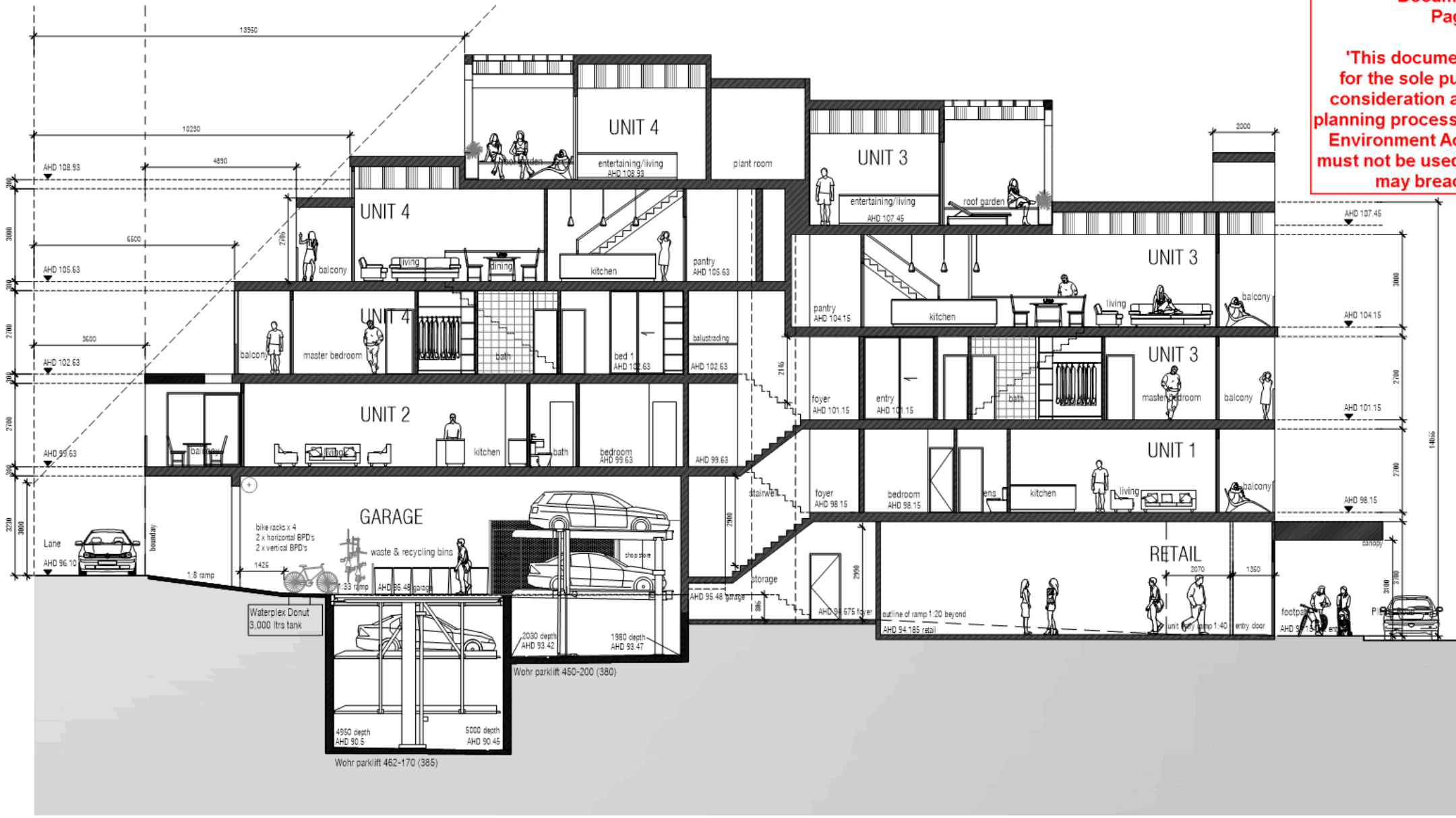
**ROOF PLAN**

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No): **TP08**  
Revision: **D**

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ALL ROOF DRAINAGE VIA STORMWATER SYSTEM TO BE CONNECTED TO UNDERGROUND WATER TANK WITH ALL TOILETS TO BE CONNECTED AS END USE FACILITIES

INDICATIVE SECTION

*divitcos*  
 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3067  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
 mob + 61 434 642 262  
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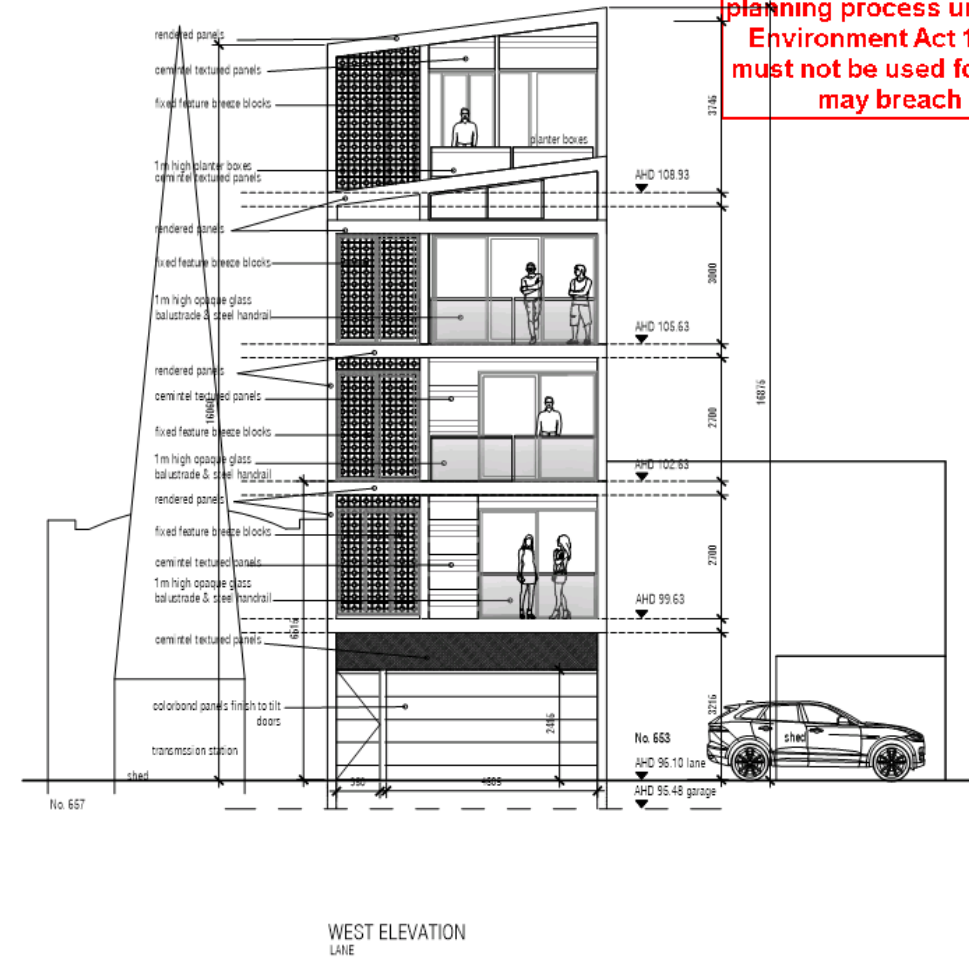
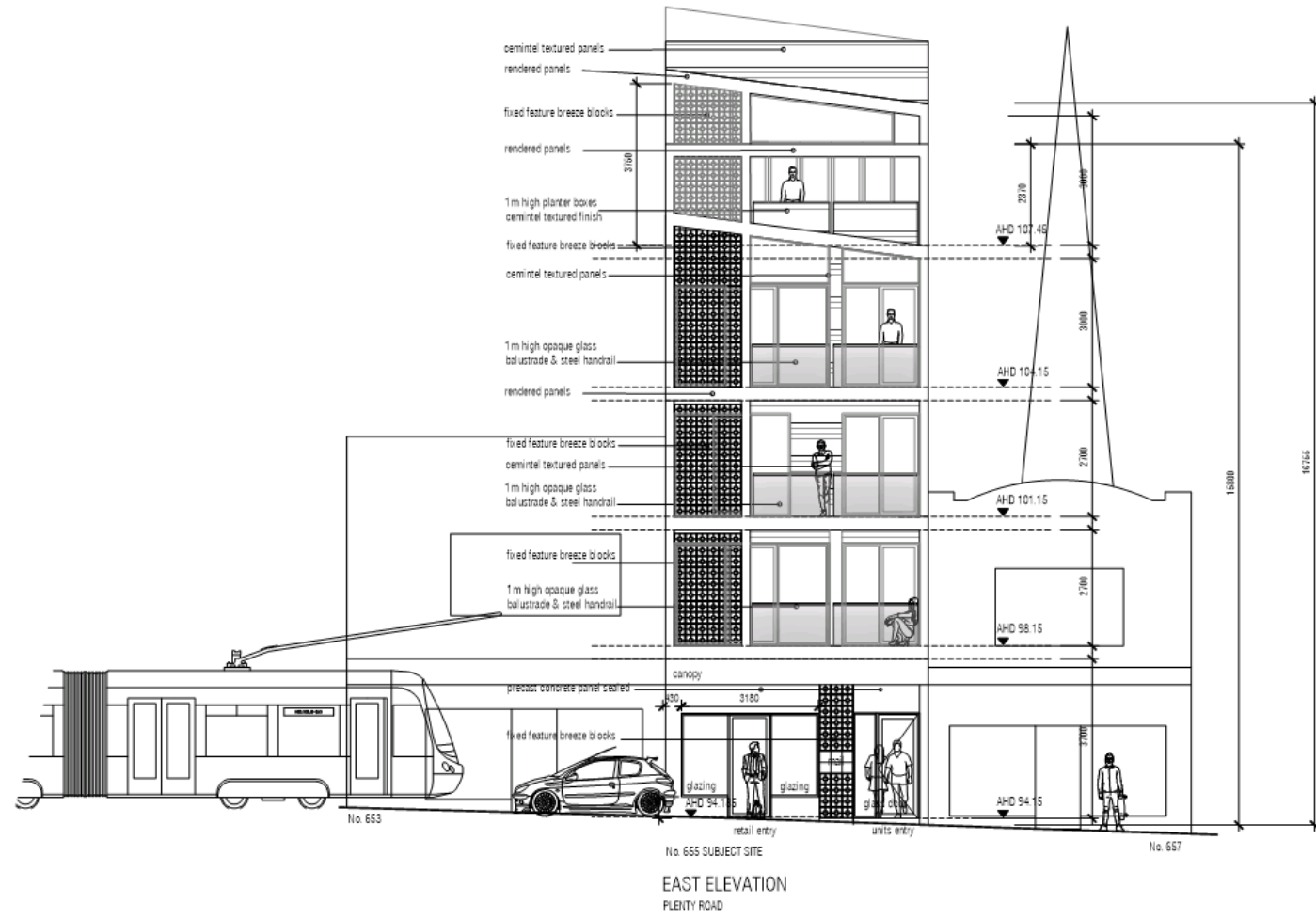
**SECTION**

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No):  
**TP09**  
 Revision: **D**

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**PROJECT**  
 PROPOSED MULTI USE DEVELOPMENT  
 655 PLENTY RD PRESTON

**ELEVATIONS**

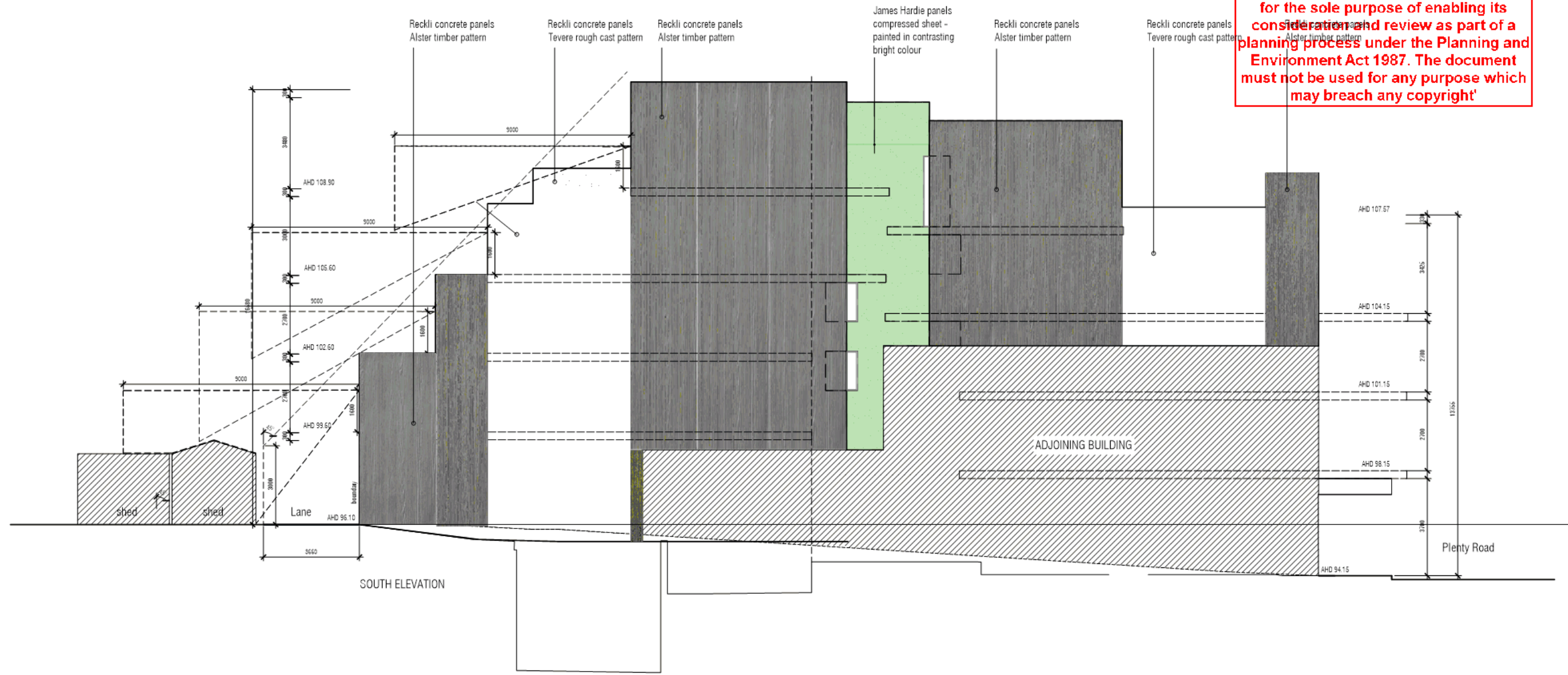
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Drawing (No):  
**TP10**  
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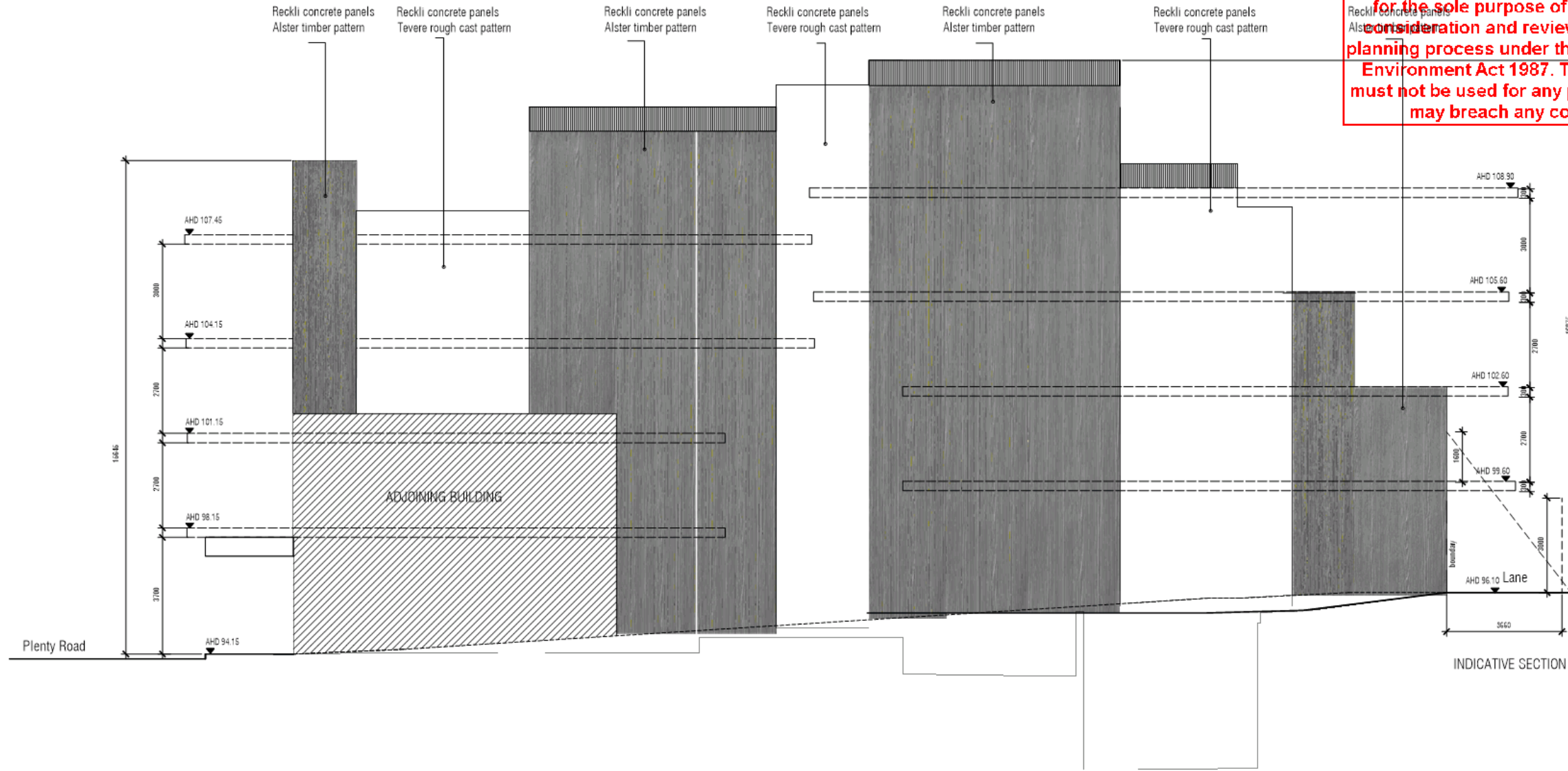
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**PROJECT**  
 PROPOSED MULTI USE DEVELOPMENT  
 655 PLENTY RD PRESTON

**ELEVATIONS**

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Drawing (No):  
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architecture  
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mob + 61 434 642 262  
john@divitcosarchitecture.com.au

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sign: \_\_\_\_\_ date: \_\_\_\_\_  
These drawings constitute a completed concept design document and I understand that any future variations will be subject to additional charges and may affect deadlines for completion of future drawings.

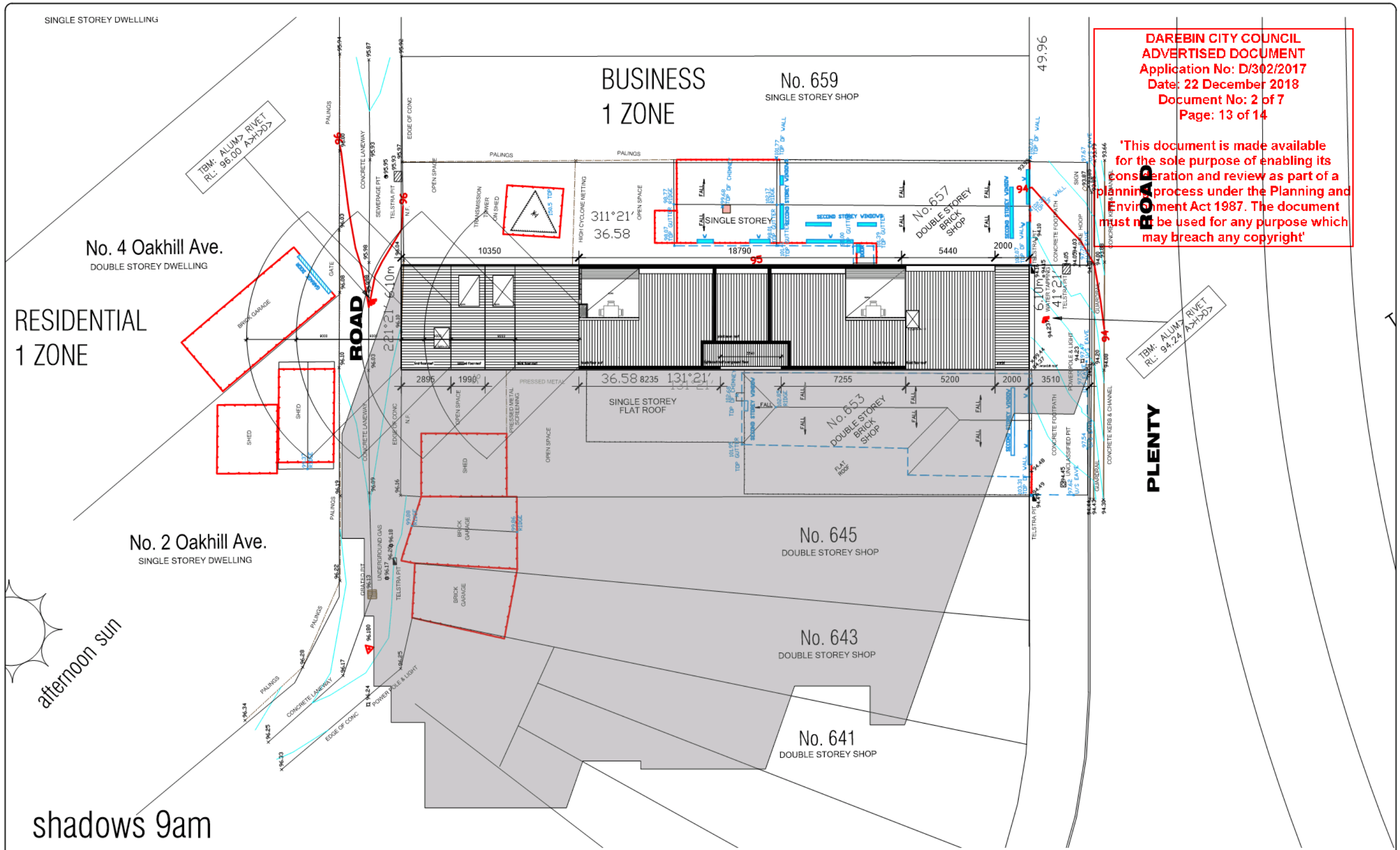
TOWN PLANNING			
Revision	Description	Date	By

**PROJECT**  
PROPOSED MULTI USE DEVELOPMENT  
655 PLENTY RD PRESTON

**ELEVATIONS**

Scale: 1:150 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No):  
**TP12**  
Revision: D



**DAREBIN CITY COUNCIL  
ADVERTISED DOCUMENT**  
 Application No: D/302/2017  
 Date: 22 December 2018  
 Document No: 2 of 7  
 Page: 13 of 14

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*divitcos*  
 architecture  
 5/41 Lygon St  
 Brunswick East, VIC 3057  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
 mob + 61 434 642 262  
 john@divitcosarchitecture.com.au

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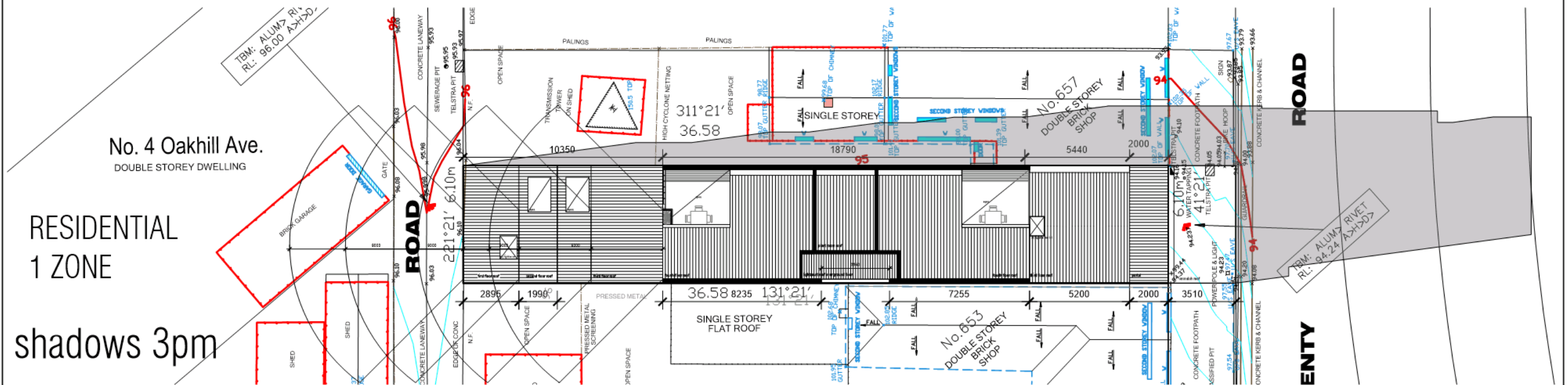
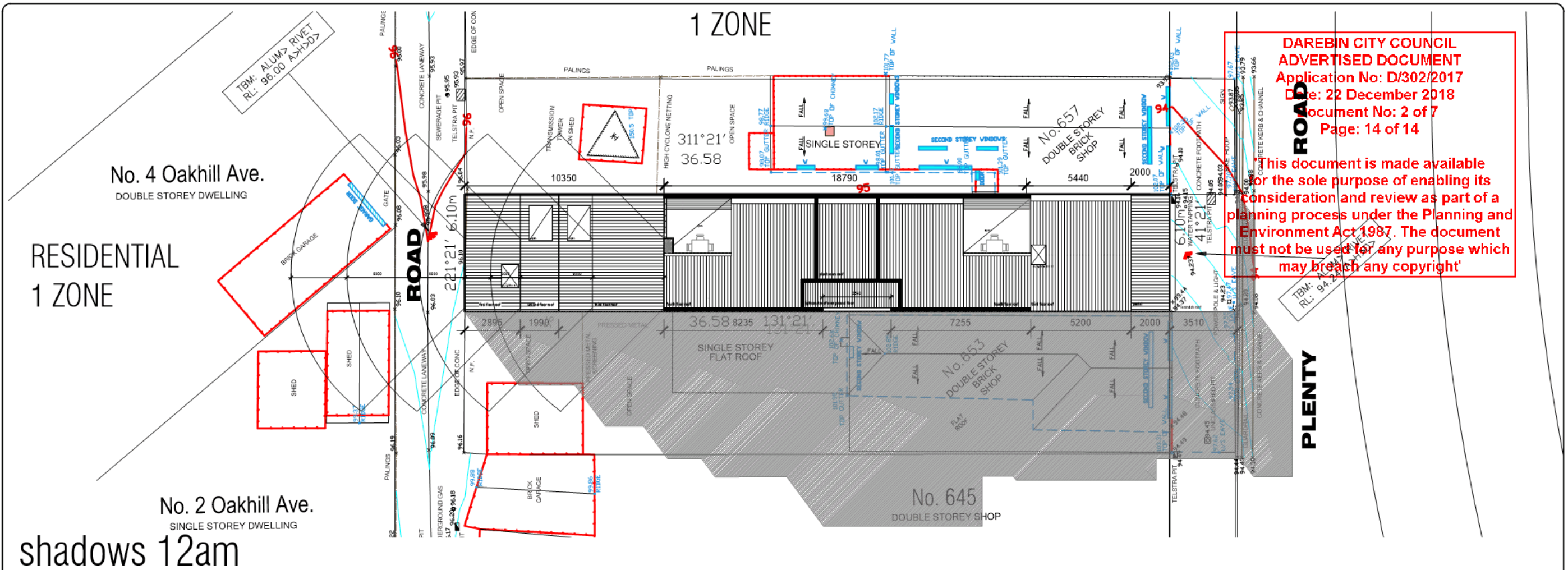
TOWN PLANNING			
Revision	Description	Date	By

PROJECT			
PROPOSED MULTI USE DEVELOPMENT 655 PLENTY RD PRESTON			
SHADOWS DIAGRAM		Project No: DA 1830	
Scale: 1:500 A3	Date: 12 DEC 18	Drawn: CD	

Drawing (No): **TP02**

Revision: **D**





**DAREBIN CITY COUNCIL  
ADVERTISED DOCUMENT**  
 Application No: D/302/2017  
 Date: 22 December 2018  
 Document No: 2 of 7  
 Page: 14 of 14

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**divitcos**  
 architecture  
 5/41 Lyon St  
 Brunswick East, VIC 3057  
 www.divitcosarchitecture.com.au

ph + 61 3 9339 8139  
 mob + 61 434 642 262  
 john@divitcosarchitecture.com.au

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sign: \_\_\_\_\_ date: \_\_\_\_\_

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TOWN PLANNING			
Revision	Description	Date	By

**PROJECT**  
 PROPOSED MULTI USE DEVELOPMENT  
 655 PLENTY RD PRESTON  
 DESIGN RESPONSE PLAN

Scale: 1:500 A3 Date: 12 DEC 18 Drawn: JD/00 Project No: DA 1830

Drawing (No): **TP02**  
 Revision: **D**

## 6. OTHER BUSINESS

### 6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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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).

<b>Recommendation</b>
-----------------------

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

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#### Related Documents

- Nil

#### Attachments

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

### Delegate Decisions before VCAT

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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



PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

## PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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



PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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



PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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



PLANNING COMMITTEE MEETING

15 JULY 2019

APRIL 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/04/2019	D/337/2018	151 Westgarth Street, Northcote  Rucker	Use of the land as a medical centre and a reduction of ten car spaces on land in the General Residential Zone Schedule 2	Notice of Decision – Objector Appeal	Decision Pending
<b>Result</b>	The Tribunal considered that the shortfall of 4 car parking spaces (as opposed to the shortfall of 10 when Council determined the matter) could be accommodated when regard was had to surrounding public and active transport options, as well as on street parking opportunities. The Tribunal did not consider the small additional parking demand to bring fatal amenity impacts to the site and surrounds.				
2/04/2019 (Compulsory Conference)	D/778/2017	22 Wood Street, Preston  Cazaly	Removal of vegetation and the construction of three (3) five storey buildings (plus basement) used for a retirement village (167 apartments) and one (1) five storey building (plus basement) used for a residential age care facility (149 suites), road works associated with the extension of Wood Street and a reduction of the car parking requirement on land affected by the Design and Development Overlay Schedule 19 (DDO19), Environmental Significance Overlay Schedule 2 (ESO2), Special Building Overlay (SBO) and Land Subject to Inundation Overlay (LSIO).	Refusal – Applicant Appeal	
<b>Result</b>	The matter did not settle.				
15/04/2019 (Compulsory Conference)	D/440/2018	791 Plenty Road, Reservoir  Cazaly	The construction of nine (9) dwellings (eight (8) triple storey and one (1) double storey) and alteration of access to road in a Road Zone Category 1 on land in a Residential Growth Zone Schedule 1 and Design and Development Overlay Schedule 17	Refusal – Applicant Appeal	
<b>Result</b>	The matter did not settle.				

PLANNING COMMITTEE MEETING

15 JULY 2019

APRIL 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
(15/3/2019 Second CC)  17/04/2019	D/975/2017	422-426 Bell Street, Preston  Cazaly	Construction of a six (6) storey (plus two (2) levels of basement and a roof terrace) mixed use building and a reduction in the car parking requirement associated with the use as 35 dwellings and 2 retail premises and alteration of access to a Road Zone - Category 1 on land affected by a Special Building Overlay and a Design and Development Overlay - Schedule 16	Refusal – Applicant appeal	Council’s decision set aside (by consent) – Permit granted
<b>Result</b>	This hearing was not required as the Tribunal had listed the matter for a second compulsory conference on 15 March 2019. At this second compulsory conference, the parties were willing to agree to changes that meant a permit could issue.				
23/04/2019	D/1007/2012	6-34 High Street, 31 Plenty Road, Preston  Cazaly	An 18-storey building comprising 157 dwellings, six (6) retail/commercial tenancies (899sqm), 72 bicycle parking spaces and a reduction to the car parking (203 spaces) and loading requirements	Failure Appeal – Council subsequently resolved to Oppose	Council’s decision set aside – Permit granted
<b>Result</b>	The Tribunal granted a permit on the spot for the proposal. In particular, the Tribunal found the design was competent and rose above the quality of design responses of surrounding buildings. The Tribunal was not persuaded at all by Council’s expert the proposal was “salvageable”; rather that it presented with a tall robust form “commensurate with its landmark status”.				
29/04/2019 (Compulsory Conference)		582 Heidelberg Road, Alphington	Development of the land for the constructions of a multi-storey building, use of the land for dwellings and an indoor recreation facility (gymnasium) and reduction in the statutory car parking requirement		
<b>Result</b>	Darebin Council did not attend the Compulsory Conference.				

PLANNING COMMITTEE MEETING

15 JULY 2019

<b>MAY 2019</b>					
<b>Date of Hearing</b>	<b>App. No.</b>	<b>Property/Ward</b>	<b>Proposal</b>	<b>Council Decision/Nature of Appeal</b>	<b>VCAT Decision</b>
14/05/2019	D143/2014/A	1 Burbank Drive, Reservoir  La Trobe	An increase in wall height on the southern boundary of a medium density development	Notice of Decision – Objector Appeal	
<b>Result</b>	Adjourned to 23 September 2019 by consent				
17/05/2019	D/908/2012	1A Separation Street, Northcote  Rucker	Extension of Time	Refusal – Applicant Appeal	
<b>Result</b>	Adjourned to 6 November 2019 by consent				
20/05/2019 (Compulsory Conference)	D/603/2018	109 Clyde Street, Thornbury  Rucker	Proposed medium density development comprising the construction of three double storey dwellings	Refusal – Applicant Appeal	Decision pending
<b>Result</b>					

PLANNING COMMITTEE MEETING

15 JULY 2019

MAY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
20/05/2019	D/778/2017	22 Wood Street, Preston  Cazaly	Removal of vegetation and the construction of three (3) five storey buildings (plus basement) used for a retirement village (167 apartments) and one (1) five storey building (plus basement) used for a residential age care facility (149 suites), road works associated with the extension of Wood Street and a reduction of the car parking requirement on land affected by the Design and Development Overlay Schedule 19 (DDO19), Environmental Significance Overlay Schedule 2 (ESO2), Special Building Overlay (SBO) and Land Subject to Inundation Overlay (LSIO).	Refusal – Applicant Appeal	Decision pending
<b>Result</b>					
28/05/2019	D/66/2018	648 Plenty Road, Preston  Cazaly	A mixed use development comprised of the construction of seven (7) dwellings (two and three-storey in height) and a shop at ground floor; a reduction in the car parking requirement; alteration of access to a road in a road Zone Category 1	Refusal – Applicant Appeal	Decision pending
<b>Result</b>					
29/05/2019 (Compulsory Conference)	N/A	34 Reid Street, Northcote	Application for an enforcement order by a resident	Application for Enforcement Order	Proceeding dismissed
<b>Result</b>					
Following a confidential Compulsory Conference, the Applicant withdrew their application for an enforcement order.					

PLANNING COMMITTEE MEETING

15 JULY 2019

<b>MAY 2019</b>					
<b>Date of Hearing</b>	<b>App. No.</b>	<b>Property/Ward</b>	<b>Proposal</b>	<b>Council Decision/Nature of Appeal</b>	<b>VCAT Decision</b>
31/05/2019	D/82/2018	115 Charles Street, Northcote  Rucker	Partial demolition of the existing single storey dwelling and construction of buildings and works for a double storey extension on land affected by a Heritage Overlay (HO100)	Notice of Decision – Objector Appeal	Objector appeal struck out  Council's decision affirmed
<b>Result</b>	The Objector Applicant failed to lodge their application for review within the prescribed time. They were unable to persuade VCAT why an extension of time should be granted.				
31/05/2019	D/581/2017	18 Kinkora Road, Reservoir  Cazaly	A medium density housing development comprised of the construction of one (1) double storey dwelling and seven (7) triple storey dwellings	Notice of Decision – Objector Appeal	Council's decision varied (by consent) – Permit granted
<b>Result</b>	The parties were able to agree on alterations to the proposal which were satisfactory to all parties – hence the matter was resolved by way of consent order without the need for a contested hearing.				

PLANNING COMMITTEE MEETING

15 JULY 2019

JUNE 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
4/06/2019	D/440/2018	791 Plenty Road, Reservoir  Cazaly	The construction of nine (9) dwellings (eight (8) triple storey and one (1) double storey) and alteration of access to road in a Road Zone Category 1 on land in a Residential Growth Zone Sechule 1 and Design and Development Overlay Schedule 17	Refusal – Applicant Appeal	
<b>Result</b>					
5/06/2019	D/312/2018	7 Eunson Avenue (Lot 14), Northcote  Rucker	Construction of a double storey dwelling on a lot less than 300 square metres, removal of vegetation and a reduction of car parking requirements	Notice of Decision – Objector Appeal	
<b>Result</b>					
5/06/2019	D/984/2017	65 Station Street, Fairfield  Rucker	Construct a medium density housing development comprised of three (3) triple storey dwelling	Refusal – Applicant Appeal	
<b>Result</b>					
14/06/2019	D/908/2012	1A Separation Street, Fairfield  Rucker	Application to combine section 81 proceedings with a section 87A proceeding	Matter brought on by the Tribunal	
<b>Result</b>					

PLANNING COMMITTEE MEETING

15 JULY 2019

<b>JUNE 2019</b>					
<b>Date of Hearing</b>	<b>App. No.</b>	<b>Property/Ward</b>	<b>Proposal</b>	<b>Council Decision/Nature of Appeal</b>	<b>VCAT Decision</b>
20/06/2019 (Compulsory Conference)	D/551/2018	24-26 Erval Avenue, Preston  Cazaly	Proposed medium density housing development comprising the construction of four (4) double storey attached dwellings	Failure appeal – Council to oppose	
<b>Result</b>					
24/06/2019 (Compulsory Conference)	POD1/2007/E	1056-1140 Plenty Road, Bundoora  Latrobe	Amend Plan of Development	Applicant Appeal	
<b>Result</b>					
25/06/2019	D/359/2018	3 Ethel Grove, Reservoir  Cazaly	Proposed medium density housing development comprising the construction of two (2) double storey side-by-side dwellings	Refusal – Applicant Appeal	
<b>Result</b>					

PLANNING COMMITTEE MEETING

15 JULY 2019

JUNE 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
28/06/2019	D/202/2018	167 Albert Street, Reservoir  Cazaly	Medium density development comprising the construction of five (5) dwellings (4 three storey and 1 two storey) on land covered by an SBO, alteration of access to a road in a RDZ1; and reduction of standard car parking requirement (one (1) space)	Refusal – Applicant Appeal	
<b>Result</b>					



PLANNING COMMITTEE MEETING

15 JULY 2019

JULY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
1/07/2019	D/603/2018	109 Clyde Street, Thornbury  Rucker	Proposed medium density housing development comprising the construction of three double storey dwellings	Refusal – Applicant Appeal	
<b>Result</b>					
2/07/2019	D/304/2014 EOT/96/2018	38 Johnson Street, Reservoir  La Trobe	Extension of Time (Refusal) Proposed construction of a three storey building with four (4) dwellings above existing shop and a reduction in the visitor and shop carparking	Extension of Time (Refusal)	
<b>Result</b>					
9/07/2019	D/149/2018	189 Rathmines Street, Fairfield	A medium density housing development comprised of the construction of four (4) double-storey dwellings, with two (2) of the dwellings contained partially within the existing brick building on the eastern side of the site	Notice of Decision – Objector Appeal	
<b>Result</b>					

PLANNING COMMITTEE MEETING

15 JULY 2019

JULY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/07/2019	VS/21/2019	G01/7 Warrs Avenue, Preston	Proposed height extension to front fence in a residential zone	Refusal – Applicant appeal	
<b>Result</b>					
11/07/2019	D/611/2018	32 Browning Street, Kingsbury  La Trobe	Medium density development comprising the construction of two (2) side by side dwellings	Notice of Decision – Objector appeal	
<b>Result</b>					
12/07/2019	D/966/2017	20A Dundas Street, Thornbury	Construction of a two storey building comprising four (4) four single bedroom dwellings and reduction of the standard car parking requirement (two (2) car parking spaces)	Refusal – Applicant appeal	
<b>Result</b>					

PLANNING COMMITTEE MEETING

15 JULY 2019

JULY 2019					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
15/07/2019	D/334/2018	58 & 58A Simpson Street, Northcote Rucker	Proposed construction of a medium density development consisting of four (4) dwellings on two (2) lots	Refusal – Applicant appeal	
<b>Result</b>					
24/07/2019	D/237/2017	130 St Georges Road, Northcote Rucker	Development of four (4) three (3) storey dwellings, a reduction in car parking and alteration of access to St Georges Road (removal of the crossover).	Notice of Decision – Objector appeal	
<b>Result</b>					
<b>Result</b>					

**Planning Committee Decisions before VCAT**

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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



## PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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

PLANNING COMMITTEE MEETING

15 JULY 2019

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



PLANNING COMMITTEE MEETING

15 JULY 2019

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

Matters completed and to be heard to 31 July 2019

**7. URGENT BUSINESS**

**8. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**


**9. CLOSE OF MEETING**

**CITY OF  
DAREBIN**

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

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