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AGENDA

Planning Committee Meeting to be held at
Darebin Civic Centre,
350 High Street Preston
on Tuesday 14 March 2023 at 6.30pm.



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

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

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

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

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



English

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

Arabic

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

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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Agenda

1. MEMBERSHIP

Cr. Julie Williams (Mayor)
Cr. Susanne Newton (Deputy Mayor)
Cr. Emily Dimitriadis
Cr. Gaetano Greco
Cr. Lina Messina (Chairperson)
Cr. Tim Laurence
Cr. Tom Hannan
Cr. Trent McCarthy
Cr. Susan Rennie

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Recommendation

That the Minutes of the Planning Committee Meeting held on 13 February 2023 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT PA2201557 57-59 SHOWERS STREET PRESTON

Author: Principal Planner

Reviewed By: Office of Chief Executive

EXECUTIVE SUMMMARY

Property:	57 - 59 Showers Street, Preston
References:	Department of Transport and Planning (DTP) Reference: Planning Application PA2201557 Council Reference: PIR/274/2022.
Proposal:	The construction of an eight (8) storey social housing development comprising 32 apartments and a reduction in the statutory car parking requirement.
Application Type:	This is a planning permit application being considered by the Minister for Planning that has been informally referred to Council for comment (as the Minister for Planning is the Responsible Authority pursuant to Clause 72.01 of the Darebin Planning Scheme). It has been submitted on behalf of the Department of Health and Human Services (DHHS) for the purpose of 100 per cent social housing (32 dwellings).
Zoning and Overlay/s:	<ul style="list-style-type: none"> • Mixed Use Zone – Schedule 1 (MUZ1) • Development Plan Overlay - Schedule 11 (DPO11) • Development Contributions Plan Overlay – Schedule 1 (DCPO1) • Environmental Audit Overlay (EAO) • Special Building Overlay (SBO)
Development Contribution	Pursuant to Schedule 1 to Clause 45.06, the application is exempt from the levy as the proposal is for the development of land for housing provided by or on behalf of the Department of Health and Human Services (DHHS), as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 October 2016.
Consultation:	The application is exempt from consultation as per the approved Development Plan and the Minister for Planning did not undertake any public notice as part of their assessment process.
Submissions:	The application is exempt from advertising. No submissions have been received.

Community Outcomes:	The application provides for 100 percent (all 32 dwellings) of social housing.
Key aspects of recommendation:	Subject to conditions, the proposal will generally comply with the standards and objectives of Clause 58 of the Darebin Planning Scheme and the key objectives of the Development Plan Overlay – Schedule 11. Therefore, it is recommended that Council support the issuing of a planning permit, subject to conditions.

Recommendation

RECOMMENDATION PART A:

That Council delegates the Manager City Development to write to the Minister for Planning and advise them that:

1. Council supports Planning Application PA2201557 subject to the conditions included in this recommendation.
2. As Council was not included in the early stages of the pre-application design and planning permit application process and was only referred the application post completion of the Further Information stage, the recommended conditions are fundamental to Council’s support of the application.
3. Council requests to be kept informed of this matter and given the opportunity to participate in any further consultation and/ or independent advisory committee review of the application.
4. Council welcomes early involvement and a collaborative approach in such cases in the future.

Conditions for inclusion in any planning permit granted

1. Before the development starts, amended plans to the satisfaction of the Darebin City Council must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with plans identified as SP3-04, SP3-05, SP3-06, SP3-07, SP3-08, SP3-10, SP3-11, prepared by Hayball Architects, Project Number 2252, Revision C, dated 11 November 2022 but modified to show:
 - (a) The following alterations to align with proper planning, Clause 58 provisions and outcomes sought by the approved Development Plan:
 - I. The building envelope at the northeast corner of the site amended to be wholly within the title boundary of the site.
 - II. Transport Infrastructure
Dedicated two-way off-road cycling paths provided along key connector routes and/or diagonally through Newman Reserve from the northwest corner to the southeast corner junction with St. Georges Road, or alternative infrastructure upgrades as agreed to by Darebin City Council.
 - III. The delivery of threshold treatments at the Oakover Road / Newman Street intersection.

Streetscape Activation

- IV. A dedicated external entry to the bicycle storage area provided to the east ground floor façade.
- V. The layout and uses of the ground floor level revised to improve activation and surveillance of both public road frontages, with consideration given to the relocation of the fire booster and switch room to the west and incorporation of ground floor communal open space adjacent the pedestrian entry, with associated landscaping and variation of the podium above to allow light penetration.
- VI. The ground floor north, and east elevations subsequently revised to improve activation of the streetscape and interaction with ground floor uses.

Clause 58 provisions

- VII. The provision of Communal open space in accordance with the requirements of Standard D7, Clause 58.03-2 of the Darebin planning Scheme.
 - VIII. The provision of landscaping planters in accordance with the requirements of Table D3, Standard D10, Clause 58.03-5 of the Darebin planning Scheme.
- (b) The location of all plant and equipment (including air-conditioners, condenser units, rainwater tanks, solar panels, hot water units and the like). These are to be:
 - (i) co-located where possible;
 - (ii) located or screened to be minimally visible from the public realm;
 - (iii) air conditioners located as far as practicable from neighbouring bedroom windows or acoustically screened; and
 - (iv) integrated into the design of the building.
 - (c) 20kW solar photovoltaic (PV) system, including the proposed location, approximate size and number of individual panels, orientation and tilt angle.
 - (d) The size and location of all ceiling fans.
 - (e) At least 50% of bicycle parks to be changed from wall mounted to ground mounted.
 - (f) Dedicated Electric Vehicle distribution board(s) in the basement that is capable of:
 - (i) Supplying a minimum Level 2 (Mode 3) 7 kW, 32 Amp single phase dedicated circuit to all residential car parking spaces; and
 - (ii) Managing the maximum demand load of the development so that it does not exceed the site capacity, while providing a minimum average of 12 kWh of charge to each car parking space (particularly during off peak periods).
 - (g) Dedicated space for cable trays to support the future installation of EV cabling from the distribution board to the edge of each car parking space.
 - (h) External operable shading devices to all east and west facing windows and glazed doors to habitable rooms drawn and labelled with ASD (Adjustable Shading Device) on the floor plan and elevations. All devices must be operable from within the dwelling. Include a product diagram or section of the proposed device (must not be roller shutters). Ensure all external shading meets the NCC requirements for Vol 1 - Part C1 Fire resistance and stability. In general metal blinds/ sliding screens/ louvres or blinds that are made from metal fabrics or a fabric that complies with the NCC requirements are acceptable.

- (i) Horizontal, fixed, external shading devices to all north facing habitable room windows and glazed doors where not located directly under an overhang. Draw and label all shading on the plans and elevations with FSD (Fixed Shading Device). Provide a dimensioned section diagram or photograph of the shading. The depth of the device must be equal to 45% of the distance from sill height to the base of the device. The device must also extend horizontally to both sides of the window or glazed door by a distance equal to the depth of the device.
- (j) Removal of all proposed bin chutes or an alternative design approach that ensures equal ease of access to all streams of waste disposal.
- (k) Provide equal access and space for all waste streams in the ground floor bin area: Waste, recycling, food/garden (FOGO) and glass recycling plus hard waste and E-waste.
- (l) Ensure bins are easy and safe to access for all mobilities and near lifts.
- (m) All proposed bins are to be provided on the plans detailing correct sizes and dimensions.
- (n) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (o) Any modifications required as a result of the approved Sustainability Management Plan (SMP) required by Condition No. 4 of this Permit.
- (p) A Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 5 of this Permit.
- (q) A Site Management Plan (SMP) in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 6 of this Permit.
- (r) Any modifications required as a result of the approved Construction Management Plan required by Condition No. 12 of this Permit.
- (s) Any modifications required as a result of the approved Wind Impacts Assessment required by Condition No. 13 of this Permit.
- (t) Any modifications required as a result of the approved Waste Management Plan required by Condition No. 14 of this Permit.
- (u) Any modifications required by the approved Acoustic Report required by Condition No.16 of this Permit.
- (v) An amended Arboricultural Report in accordance with the requirements of Condition No. 21 of this Permit.
- (w) Any modifications required by the approved Public Infrastructure Plan required by Condition No. 27 of this Permit.

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

Development in accordance with endorsed plans

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

Landscape Plan

3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Darebin City Council must be submitted to, and approved by, the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The amended Landscape Plan must be modified to show:

- (a) Any modifications relating to landscaping required as a result of the amended SMP required by Condition No. 4 of this Permit.
- (b) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 5 of this Permit.
- (c) The provision of landscaping planters in accordance with the requirements of Table D3, Standard D10, Clause 58.03-5 of the Darebin planning Scheme. A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- (d) A diversity of plant species and forms.
- (e) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting and raised planter beds.
- (f) The location of all plant and equipment as shown (including air conditioners, letter boxes, garbage bins, lighting, clotheslines, tanks, storage, bike racks and the like).
- (g) Landscape specification notes including general establishment and maintenance requirements.
- (h) 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.
- (i) Planter boxes, a tap and floor waste is to be provided to each balcony.
- (j) Street tree planting is to be provided along the Showers Street and Newman Street frontages to the satisfaction of Darebin City Council.

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

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

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

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

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

Sustainability Management Plan

4. Before plans are endorsed under Condition No. 1 of this Permit, an amended Sustainability Management Plan (SMP) and set of plans to the satisfaction of Darebin City Council must be submitted to, and approved by, the Responsible Authority. When approved, the amended SMP will be endorsed and will then form part of this Permit. The amended SMP and set of plans must be modified to show:
 - (a) Remove all references and commitment to natural gas in Section 6.3. Commit to electric heat pump hot water systems, induction cooktops and reverse cycle heating and cooling systems, in lieu of gas.
 - (b) Remove all reference to NCC2016 and commit to using NCC2019 or 2022.

- (c) Remove reference to meeting minimum 5 Star and average 6 Star NatHERS energy performance on page 17 of 50.
- (d) Commit to 4 Star toilets and remove reference to 5 Star or show on the plans how basin integrate into the toilets.
- (e) Remove reference to urinals as there are none proposed in the development.
- (f) Detail that 100% of carparking spaces will have Electric Vehicle (EV) cabling and infrastructure to support future EV chargers to be installed.
- (g) Provide an amended Green Star Assessment that uses an up to date version of Green Star, such as 'Buildings'. The assessment must demonstrate 35 points including net zero in operation to demonstrate a 5-star Buildings rating, as well as the following changes:
 - (i) Innovation credits cannot be used to achieve the minimum 35 credit points.
 - (ii) Commit to using an Independent Commissioning Agent (ICA).
 - (iii) Provide supporting evidence for all referenced reports, modelling and justifications.
 - (iv) A commitment to a minimum 20kW solar PV system.
- (h) An amended Stormwater Management Report and plan must be submitted. The report must include how the stormwater management system is designed to meet Clause 53.18 and the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), including:
 - (i) That the pollutant reduction targets have been met.
 - (ii) A catchment plan clearly showing all pervious and impervious areas and their treatment measures.
 - (iii) The rainwater tank reliability is over 80% of the demand.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended SDA/SMP and associated notated plans will be endorsed to form part of this permit. No alterations to the SDA/SMP may occur without the written consent of the Responsible Authority.

Prior to the issue of a Statement of Compliance or Certificate(s) of Occupancy whichever occurs first, all works must be undertaken in accordance with the endorsed Sustainable Management Plan report to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.

Prior to the issuing of a Certificate of Occupancy or Statement of Compliance, whichever comes first, of any dwelling approved under this permit, a copy of the ICA report and Green Star Certification confirmation must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm (with suitable evidence) that measures specified in the endorsed Sustainability Management Plan (SMP) have been implemented in accordance with the approved plans.

Stormwater Management System Report

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

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

Site Management Plan

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

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

Land Surveyor Report

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

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

External Lighting System

8. Before the use starts, an automatic external lighting system capable of illuminating all pedestrian walkways must be provided on the land to the satisfaction of the Responsible Authority.

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

Drainage and services

9. The land must be drained to the satisfaction of Darebin City Council.
10. All guttering, rainheads, pipes including downpipes, fixtures, fittings and vents servicing any building on the site including those associated with a balcony must be:
- (a) concealed in service ducts or otherwise hidden from view; or
 - (b) located and designed to integrate with the development,
- to the satisfaction of the Responsible Authority.
11. No plant, equipment, services or structures other than those shown on the endorsed plans are permitted above the roof level of the buildings without the prior written consent of the Responsible Authority.

Construction Management Plan

12. Before the development starts a Construction Management Plan (CMP) must be submitted to the satisfaction of Darebin City Council and approved by the Responsible Authority. When approved, the Construction Management Plan will be endorsed and will then form part of this Permit. The Construction Management Plan must address, without limitation, the following:
- Contact details for key construction site staff including after-hours contact numbers.
 - Must be in accordance with the requirements of the CMP located within the approved Village Bell Development Plan specifically in relation to Stokes/Penola – Stage A.
 - Hours for the construction activity.
 - Measures to control the escape of noise, dust, litter, water and sediment laden runoff from the site.
 - Measures to control mud, crushed rock or other debris being carried onto public roads or footpaths from the site.
 - The protection measures for site features to be retained (e.g. vegetation, retaining walls, buildings, other structures and pathways, etc).
 - On site facilities for vehicle washing.
 - Delivery and unloading points and expected frequency.
 - The location of parking areas for construction vehicles and construction workers vehicles, to ensure that vehicles associated with demolition and/or construction activity cause minimal disruption to surrounding land uses and traffic flows.
 - Any traffic management plans and measures that will be required to allow vehicles to safely access the site and to safely undertake deliveries/works.

- Management of laneway access during construction.
- An outline of requests to occupy public footpaths, bicycle paths or roads, and anticipated disruptions to public transport services.
- The processes to be adopted for the separation, re-use and recycling of demolition materials.
- The measures for prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the site, whether by air, water or other means.
- The measures to minimise the amount of waste construction materials; the provision for the recycling of demolition and waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling).
- Any requirements of the Statement of Environmental Audit Report and/ or Preliminary Site Assessment, including the ongoing management measures as relevant to the construction phase of the development.
- Any other relevant matters.

Wind Impact Assessment

13. Before plans are endorsed under Condition No. 1 of this Permit, a Wind Impacts Assessment must be submitted to the satisfaction of Darebin City Council and approved by the Responsible Authority.

The provided Wind Impact Assessment must ensure that the proposal:

- Does not cause unsafe wind conditions as specified within Table D6 to Standard D17 in public land, publicly accessible areas on private land, private open space and communal open space; and
- Achieves comfortable wind conditions as specified within Table D6 to Standard D17 in public land and publicly accessible areas on private land:

Within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

The requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority and must seek the associated requirements as outlined within Standard D17 to Clause 58.04-4 of the Darebin Planning Scheme.

Waste Management Plan

14. The Waste Management Plan (WMP) to be endorsed and which will then form part of this Permit is the WMP submitted with the application prepared by Leigh Design dated 30 September 2021. The The amended Waste Management Plan must be modified to show:
- (a) Private bin collections must occur from within the site and cannot be collected from the Street.
 - (b) The removal of the reference to bin chutes or incorporation of an alternative design approach that ensures equal ease of access to all streams of waste disposal.
 - (c) Add glass recycling to the mix of waste streams supplied.
 - (d) Ensure the ceiling height of the basement and entry is adequate for the trucks to collect waste.
 - (e) Provide a WMP with a traffic diagram for the waste trucks.

The requirements and management procedures as set out in the approved Waste Management Plan must be implemented to the satisfaction of the Responsible Authority.

If collection occurs offsite, bins will be removed from the street or public road promptly after collection.

The waste storage areas must be screened from public view at all times through approved screening measures, as shown on the endorsed plans.

The waste storage and collection area must not be used for any other purpose and must be maintained in a clean and tidy condition, and free from offensive odour, to the satisfaction of the Responsible Authority.

The Waste Management Plan must be to the satisfaction of Darebin City Council and approved by the Responsible Authority.

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

Acoustic Report

16. Before plans are endorsed under Condition No. 1 of this Permit, an Acoustic Report must be submitted to the satisfaction of Darebin City Council and approved by the Responsible Authority.

The provided Acoustic Report must ensure that the design of the development sufficiently responds to all requirements of Standard D16 with particular attention provided to ensure each of the dwellings are designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. The Acoustic Report must ensure the development achieves full compliance in relation to the below noise levels:

- Experienced noise levels of no greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Experienced noise levels of no greater than 40dB(A) for living areas, assessed as an LAeq,16h from 6am to 10pm.

The requirements and management procedures as set out in the approved Acoustic Report must be implemented and adhered to at all times to the satisfaction of the Responsible Authority.

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

Service relocation

20. Any service relocation associated with the works must be approved by the Service Authorities and at the owner's cost.

Arboricultural Assessment and Report

21. The Arboricultural Assessment and Report to be endorsed and will then form part of this Permit is the Arboricultural Assessment and Report prepared by Glenn Waters Arboriculture dated 24 May 2022. The submitted Arboricultural Report must be amended and re-submitted to the satisfaction of Darebin City Council and approved by the Responsible Authority with the following amendments:
 - (a) A detailed arboricultural assessment in relation to trees identified as Tree 28, Tree 31, Tree 32 and Tree 33.
 - (b) Relevant tree protection measures in relation to Tree 28 including the species and Tree Protection Zone (TPZ) as it is proposed to be retained.

Tree Protection Measures

22. The following tree protection measures must be implemented for Tree 28 as identified in the Arboricultural Assessment and Report prepared by Glenn Waters Arboriculture dated 24 May 2022:
 - (a) Tree protection measures must be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.
 - (b) Tree protection fencing must be constructed to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed or unless otherwise agreed by the Responsible Authority in writing.
 - (c) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a Tree Protection Zone (TPZ). The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.
 - (d) Except with the written consent of the Responsible Authority:

- (i) The area within the TPZ and Tree Protection Fencing (TPF) must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.
 - (ii) The area within the TPZ must be provided with 100mm layer of coarse mulch.
 - (iii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (iv) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
- (e) Any pruning works must be carried out in accordance with the Australian Standard AS4373 - 2007: Pruning of Amenity Trees and undertaken by a suitably qualified arborist.
- (f) Where applicable to a nature strip tree, a TPZ is confined to the width of the nature strip.
- (g) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
- (h) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
23. All works (including bulk excavation) within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed TPP and supervised by a suitably qualified arborist where identified in the report, except with the further written consent of Darebin City Council.
24. If a construction management plan or traffic management plan change any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed TPP, a revised TPP must be submitted to and approved by Darebin City Council.

Materials and Finishes

25. Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, a schedule and samples of all external materials, colours and finishes including a colour rendered and notated plans/elevations must be submitted to and approved by the Responsible Authority in consultation with Darebin City Council.

Façade Strategy

26. Before each stage of the development starts, excluding demolition, bulk excavation and site preparation works, a facade strategy must be submitted to and approved by the Responsible Authority. Unless otherwise approved by the Responsible Authority, the Façade Strategy must be generally in accordance with the development plans and must address the following matters:
- a) A concise description by the architect(s) of the building design concept and how the façades work to achieve this.
 - b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints to show the materials and finishes linking them to a physical sample board with clear coding.

- c) Elevation details generally at a scale of 1:20 or 1:50 illustrating typical entries, doors, windows, balconies, utilities, façade details and any special features which are important to the buildings' presentation. The drawings must demonstrate:
- d) The finished floor levels and ceiling levels.
- e) Further evolution and detail of the façade design to ensure the delivery of high quality, modulated forms with depth and texture as viewed from key vantage points in the surrounding area.
- f) Detailed information, including but not limited to, external materials, finishes and colours, glazing, canopies, services, security doors and lighting at the ground level.
- g) Cross section or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or materials.
- h) Information about how the façade will be accessed, maintained and cleaned.
- i) Example prototypes and/or precedents that demonstrate the intended design outcome indicated on plans and perspective images to produce a high-quality built form outcome in accordance with the design concept.

Public Infrastructure Plan

27. Before plans are endorsed under Condition No. 1 of this Permit, a Public Infrastructure Plan to the satisfaction of Darebin City Council must be submitted to and approved by the Responsible Authority. The Public Infrastructure Plan must incorporate the following engineering and public infrastructure requirements to the satisfaction of the Darebin City Council:
- (a) Dedicated two-way off-road cycling paths provided along key connector routes and/or diagonally through Newman Reserve from the northwest corner to the southeast corner junction with St. Georges Road, or alternative infrastructure upgrades as agreed to by Darebin City Council.
 - (b) The delivery of threshold treatments at the Oakover Road / Newman Street intersection.

Planning Permit D/524/2021

28. Prior to the commencement of the development, the easement located at 57 Showers Street, Preston must be removed in accordance with the approval and associated requirements of Planning Permit D/524/2021.

Architect to be retained

29. Except with the consent of the Responsible Authority, Hayball Architects must be retained to complete and provide architectural oversight during construction of the detailed design, as shown in the endorsed plans and endorsed schedule of materials to the satisfaction of Responsible Authority.

Glare

30. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.

Construction of vehicle crossings

31. Before the occupation of the development all vehicular crossings must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and

replaced with footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.

Environmental Audit Overlay requirements

32. Before the use commences (or the certification or issue of a statement of compliance under the *Subdivision Act 1988*); or before the construction or carrying out of buildings and works in association with the use commences, with the exception of buildings or works required to facilitate the undertaking of the PRSA or Audit process:
- (a) A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
 - (b) An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
 - (c) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
 - (d) A statement of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970* stating that the environmental conditions of the land are suitable for the use or proposed use.

If an Environmental Audit Statement is issued:

- (a) The Environmental Audit Statement including the Environmental Audit Report, must be submitted to the responsible authority within 5 business days of issue, as set out in s 210 of the *Environment Protection Act 2017*.
- (b) All the recommendations of the environmental audit statement must be complied with to the satisfaction of the responsible authority, prior to commencement of use of the site.
- (c) Written confirmation of compliance must be provided by a suitably qualified environmental consultant or other suitable person acceptable to the Responsible Authority.
- (d) Compliance sign off must be in accordance with any requirements in the environmental audit statement recommendations regarding verification of works.

In the absence of a site management order and where there are recommendations on an environmental audit statement require ongoing maintenance and/or monitoring, before the use starts the owner of the land must enter into an Agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987* to the satisfaction of the Responsible Authority. This agreement must be to the effect that except with the written consent of the Responsible Authority all management measures of the site assessment or conditions of the Statement of Environmental Audit issued in respect of the land will be complied with.

Before use starts (or the certification or issue of a statement of compliance under the *Subdivision Act 1988*), application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act.

The owner must pay the costs of the preparation, execution and registration of the section 173 agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

Permit expiry

33. This Permit will expire if either:

- (a) The development does not start within three (3) years from the date of this Permit; or
- (b) The development is not completed within five (5) years of the date of this Permit.

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

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

NOTATIONS

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

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

showing all vehicle crossing details is to be attached to the application. Any service relocations are to the approval of the Service Authority and at the owner's cost.

RECOMMENDATION PART B:

That Council delegates the Manager City Development to instruct Officers and/ or Solicitors in appearing for Council at any independent advisory committee and/ or in further discussions/ consultation with parties.

1. BACKGROUND

1.1 Overview of the subject site and surrounding area

The site comprises 57-59 Showers Street, Preston, indicated in **Figure 1** below.

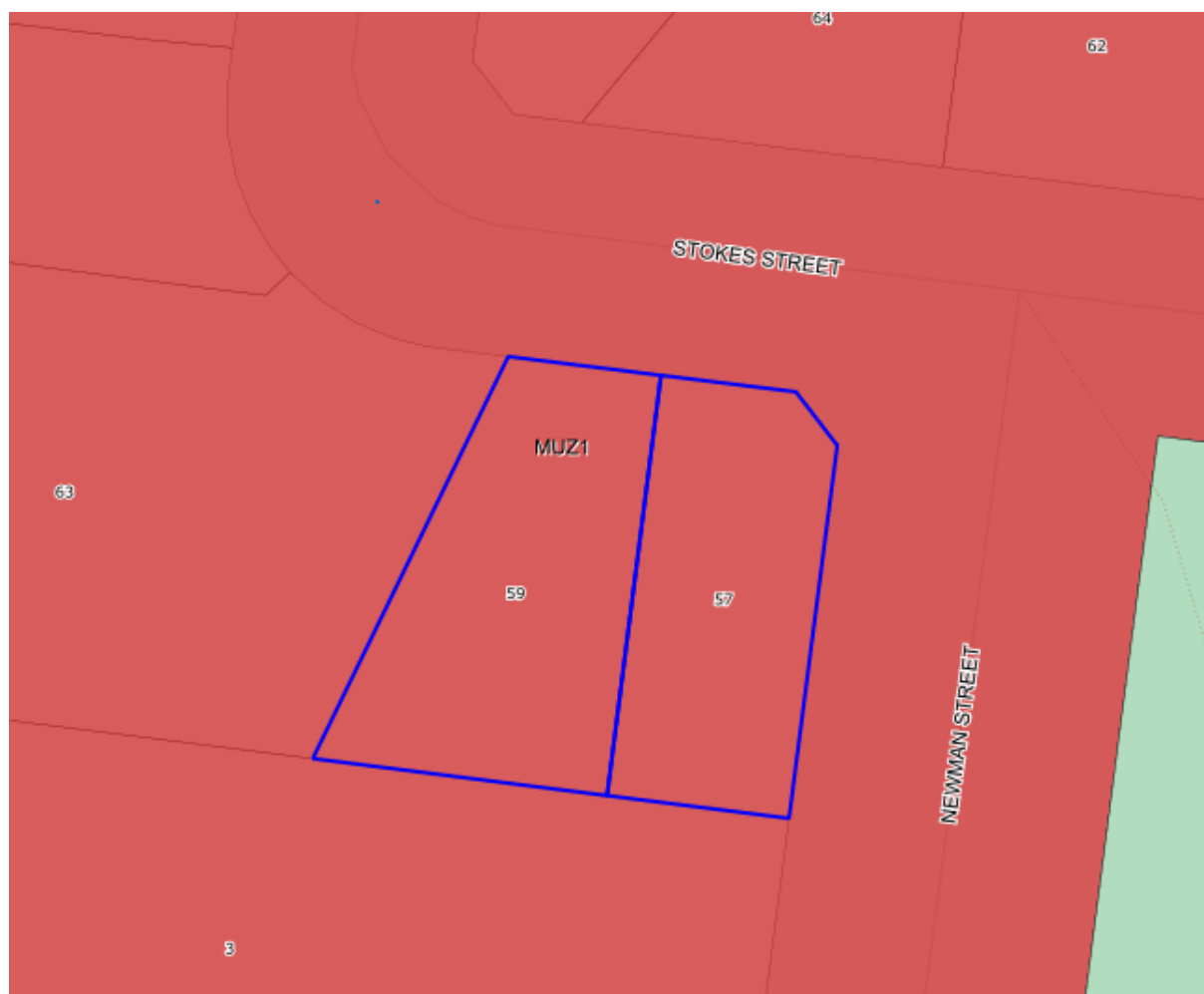


Figure 1 – Intramaps detail of the subject site (two sites combined).

The site is irregular in shape and incorporates an overall area of approximately 691 square metres and is comprised of Lots 58 and 59 on Plan of Subdivision 433084B. The site maintains frontage to Showers Street to the north of approximately 18.4 metres and a frontage to Newman Street to the east of approximately 23.76 metres.

The subject site is located within an established urban area with a range of existing commercial, industrial, residential and community uses within close proximity of the land.

This includes a number of primary and secondary schools as well as a variety of alternative public transportation options.

The land on the north side of Showers Street comprises currently vacant land also in the Mixed Use Zone. This land is also affected by the Development Plan Overlay – Schedule 11 and forms part of the approved Development Plan.

1.2 Site history

The subject land is located within the area identified as the Stokes/Penola Precinct within the approved Village Bell Preston Development Plan endorsed on 11 March 2021. The land was previously utilised for residential purposes (public housing) for an extended period of time. The site has been vacant since 2012.

The Minister for Planning became the Responsible Authority for the issuing of all planning permits and/ or for the approval of a Development Plan on 29 October 2020.

In September 2016, the scope and framework for the mixed-use redevelopment of Oakover Village was established through Amendment C136 which included the Development Plan Overlay – Schedule 11 (DPO-11). DPO-11 seeks the appropriate and coordinated development of the site, by requiring the approval of a Development Plan showing the form and conditions of future use and development, prior to the issue of any planning permits.

Planning Permit D/524/2021 was issued for 57 Showers Street on 20 April 2022 allowing the removal of a drainage and sewage easement. The removal of the easement was required as the proposal in question is proposed to be constructed over the easement. This Planning Permit is yet to be complied with and as such this requirement will be included as a recommended condition.

1.3 State Government Involvement

Under the Schedule to Clause 72.01, the Minister for Planning is the Responsible Authority under Divisions 1, 1A, 2 and 3 of Part 4 of the *Planning and Environment Act 1987* and for approving associated matters required by the planning scheme to be done to the satisfaction of the Responsible Authority for a number of parcels of land within the City of Darebin, including the subject site (57-59 Showers Street, Preston).

This is a planning permit application being considered by the Minister for Planning that has been informally referred to Council for comment (as the Minister for Planning is the Responsible Authority in relation to the proposal pursuant to Clause 72.01 of the Darebin Planning Scheme). It has been submitted on behalf of the Department of Health and Human Services (DHHS) for the purpose of 100 per cent social housing (32 dwellings).

1.4 Council's Previous Involvement

Due to a processing error on the part of the DTP, the application was not formally referred to Council until 14 October 2022, post completion of the Further Information process, despite the application being submitted with the DTP on 18 March 2022.

There were no pre-application meetings held with Council prior to the lodgement of the application on 18 March 2022.

Council conducted a joint meeting with the Department of Transport and Planning (DTP) and the proponents (Contour Consultants) on 27 October 2022. The purpose of this meeting was to inform Council officers of the final submission (in lieu of Council not having an earlier opportunity to view or make comment on the proposal) and for the proponents to discuss the

merits of the application with representatives of the DTP and Council. The plans and documentation at that stage of the application process were in response to a formal Request for Further Information issued to the proponents by DTP officers.

The meeting held on 27 October 2022 was Council's first involvement in the application, whereby the proponent was detailing their response to the DTP's formal request for further information. Council did not have the opportunity to provide early-stage comments and therefore many concerns Council officers both held and continue to hold, which are discussed in this report, should be implemented as recommended conditions of approval. Subsequently, the recommended conditions are substantial, and would otherwise have been the preference of Council officers to be resolved at early, pre-application stages rather than conditions of a potential DTP approval.

Council officers briefed Councillors in relation to the current proposal on 5 December 2022.

2. CURRENT PROPOSAL

2.1 Details of the Current Proposal

The application seeks to construct an eight (8) storey building comprising 32 apartments all for the purpose of social housing. The proposal will be operated by the Director of Housing. The development plans are contained at **Appendix A**.

The building comprises a total of 32 apartments including 18 x one (1) bedroom dwellings, 11 x two (2) bedroom dwellings and 3 x three (3) bedroom dwellings.

As the proposal is located on the south west corner of Showers Street and Newman Street.

The proposal incorporates apartments with windows and balconies orientated to the adjoining streets, to the land to the west and to the east across Newman Street to Newman Reserve.

The ground floor level incorporates a total of eight (8) car parking spaces, 35 bicycle parking spaces, bin storage areas, service areas and the building lobby.

The main pedestrian entry to the building is provided with direct access from both Showers Street and Newman Street. Vehicular access is provided from Showers Street.

The building materials and finishes include precast concrete, selected face brickwork, aluminium sheet cladding, Colorbond cladding, glazing and powder coated metal balustrades, screens and louvres.

Figure 2 – Proposed site plan by Hayball Architects (dated 26 August 2022).



Figure 3 – Proposed north-east corner view by Hayball Architects (dated 26 August 2022)

2.2 Statutory Controls – why is a planning permit required?

The application is for the development of the land for the construction of an eight (8) storey social housing development and a reduction in the statutory car parking requirement.

Control	Permit Requirement
Mixed-Use Zone – Schedule 1 (MUZ1)	Clause 32.04 – a permit is required to construct a building and to carry out works (two or more dwellings on a lot).
Special Building Overlay (SBO)	Clause 44.05 – a permit is required to construct a building and to carry out works

Control	Permit Requirement
Car Parking	Clause 52.06 – A permit is required to reduce the number of car parking spaces required.

3. CONSULTATION

No public consultation has been undertaken in respect of this planning permit application. Pursuant to Clause 43.04-3, the proposal is exempt from notice provisions as this clause states the following:

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Although no consultation was undertaken as part of this application, residents locally were consulted through Planning Scheme Amendment C136 and the provisions of the DPO11 during exhibition of the development plan in relation to the broader Oakover Village.

Previous consultation was extensive and covered a much broader area than that of a traditional planning permit application. Two rounds of significant community consultation occurred, in relation to Planning Scheme Amendment C136 and in relation to the (then proposed) Development Plan. As such, particularly in relation to the consultation process of the Development Plan and in relation to the subject site, it was and is evident that a development of this scale and purpose was specified for this site.

4. REFERRALS

DTP have not provided Council with copies of referral advice from external authorities (specifically Melbourne Water).

The proposal was referred to the following internal branches/business units (for more detailed comments please refer to **Appendix C**):

Internal Business Unit	Comments
Infrastructure and Capital Delivery	<p>Council’s Infrastructure and Capital Delivery Unit advise that the application is satisfactory subject to the submission of required approvals in relation to Individual Legal Points of Discharge, stormwater drainage and computations and SW retention design plans.</p> <p>It is noted that the property is located within a Special Building Overlay. As the DTP are the Responsible Authority for the application, the proposal has been referred externally to Melbourne Water by the DTP. The proponent has provided Council and the DTP with updated plans in line with Melbourne Water comments. Council has requested a copy of Melbourne Water’s comments however is yet to receive a copy to date.</p>
Tree Management Unit	<p>Council’s Arborists have recommended a more site-specific Arborist Report to be provided, covering particular trees impacted by the proposal.</p>

Internal Business Unit	Comments
Sustainable Transport Unit	Council's Climate Emergency and Sustainable Transport Unit object to the proposed car parking reduction. They have recommended the provision of a minimum of 16 car parking on-site to better align with Australian Bureau of Statistics (ABS) data.
City Designer	Appropriate building separation should be considered for dwellings with balconies facing west on all levels across the right of way to ensure it doesn't compromise development potential of the site to the west.
ESD Officer	Council's ESD Officer has recommended sustainability improvements through recommended conditions.
Strategic Planning Unit	Consistent with the design objectives of the St Georges Road and Plenty Road Corridors UDF, and objectives of the DPO11 consider options for the reorientation of the lobby entry towards Newman Street, the provision of an external entry to bike store and/or provision of commercial tenancy.
Environmental Operations Unit	Council's Environmental Operations Unit has reviewed the proposed Waste Management Plan and deemed it acceptable.

5. PLANNING POLICY

5.1 Planning Policy Framework (PPF)

The following policies are of most relevance to this application:

- Settlement (Clause 11)
- Building Design (Clause 15.01-1S, Clause 15.01-1R).
- Housing Supply (Clause 16.01-1S)
- Housing Affordability (Clause 16.01-2S)
- Economic Development (Clause 17)
- Housing (Clause 21.03)
- Economic Development (Clause 21.04)
- Transport and Infrastructure (Clause 21.05)
 - Integrated and Sustainable Transport (Clause 21.05-2)
- Multi-residential and mixed-use development (Clause 22.06)
- Environmentally Sustainable Design (Clause 22.12).

5.2 Particular Provisions:

- Car Parking (Clause 52.06)
- Bicycle Facilities (Clause 52.34)
- Stormwater Management in Urban Development (Clause 53.18)

6. ASSESSMENT

6.1 Does the proposal have strategic policy support?

The proposed development is supported by State policy, in particular:

- Clause 11.02-1S seeks to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.
- Clause 15.01-1S sets out urban design guidance to achieve a high-quality built environment and public realm.
- Clause 16.01-1S seeks to encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Clause 16.01-2S seeks to encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
- Clause 16.01-1R seeks to identify areas that offer opportunities for more medium and high-density housing near employment and transport in Metropolitan Melbourne.

On consideration of the above policy, it is evident that the site is well located, is presently underutilised and therefore is suitable for redevelopment for the purpose of residential (social housing) uses.

The provisions of the Local Planning Policy Framework provide further guidance on the expected form, scale and intensity of development appropriate for this site.

Clause 21.03 – Darebin Housing Strategy

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

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

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.

Housing (Clause 21.03)

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

- Have an evolving character where there is an eclectic mix of new and old forms of architectural style and housing typologies. This includes more recent apartment developments at higher densities and in mixed-use formats.
- Are identified locations for increased residential densities to support economic investment and growth in the La Trobe National Employment Cluster.
- Are within or immediately adjacent to activity centres that possess superior access to the Principal Public Transport Network.
- Have a frontage to a strategic corridor.

- Are generally within 400 metres of a train station or tram route.

The site meets the characteristics for substantial change and the proposal results in an acceptable level of development envisaged in this context, particularly given the site area and location in proximity to services and public transport.

Mixed Use Zone – Clause 32.04

The proposal successfully responds to above purposes. The development involves a high-density development for the purpose of social housing.

Key considerations as outlined within the Mixed-Use Zone (MUZ) relate to impacts on solar energy facilities for dwellings on adjoining lots, as well as a Clause 58 assessment in relation to apartment developments. There are no dwellings on adjoining lots which include rooftop solar energy systems. As both adjoining lots to the west and south are vacant and a public park (Newman Reserve) is located on the eastern side of Newman Reserve, no rooftop solar energy systems will be impacted.

Development Plan Overlay – Schedule 11

The Village Bell Development Plan was endorsed on 11 March 2021 as per the requirements of the Development Plan Overlay. A full assessment of the proposal against the endorsed Village Bell Development Plan is contained at **Appendix D**.

6.2 Is the proposal acceptable with respect to transport impacts and car parking provision?

Clause 18.01-3S Sustainable and Safe Transport seeks to facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing. The policy supports the promotion of walking, cycling and the use of public transport and the minimisation of car dependency.

Cause 21.05-2 Integrated and Sustainable Transport seeks to manage the provision of car parking and congestion of car parking in Darebin and encourage use of sustainable transport modes to reduce car parking demand. The policy directs the Responsible Authority to:

- Consider existing public transport opportunities when assessing applications to waive or reduce car parking,
- Take into consideration existing car parking demand levels when considering applications to waive car parking and ensure there is demonstrated on-street capacity before waiving an on-site car parking requirement, particularly in locations outside of activity centres and
- Consider requiring Travel Plans as a condition of approval for new uses and developments where there is a substantial reduction in car parking from Clause 52.06 requirements.

Car Parking Requirements and Provision

Parking provision is generally calculated via Table 1 of Clause 52.06 (car parking). The rate of car parking required and provided is illustrated in the table below.

Car Parking Rate		Spaces required	Parking provided	Reduction/ Surplus
Use	Rate			
Dwellings	1 car space to each 1 & 2 bedroom dwelling 2 car spaces to each 3 or more bedroom dwelling.	35	8	-27

Cycling Infrastructure

The applicant justifies the 27 car parking spaces reduction on the basis there is access to alternative modes of active transportation, especially cycling and the associated public cycling infrastructure. Accordingly, the applicants Green Travel Plan identifies cycling infrastructure near the site as follows:

On-road bicycle lanes exist on both sides of Oakover Road in the immediate vicinity of the subject site, with north-south cycling facilities available on St Georges Road and the Merri Creek Trail (Section 2.3 Cycling Accessibility, Green Travel Plan prepared GTA Consultants, dated 15 February 2022).

A review of the immediate street network surrounding the site shows there is no cycling infrastructure available for occupants of the new building when commencing journeys from the site. The closest marked, on-road cycle lane on Oakover Road is approximately 200m away, on the opposite side of St. Georges Road. Additionally, there is no cycling infrastructure on Showers Street or Newman Street immediately adjacent the site.

The approved Development Plan identifies at Section 4.3 ‘Key Features’ that *dedicated off-road cycling paths will also be fixed along key local connector roads*. Figure 4.2 of the Development Plan specifically identifies Showers Street as a *Pedestrian & Cycle Link*. The Design Principles at Section 4.5 include the following intention to achieve improved precinct connectivity: *Investment in quality streetscapes and public space to improve amenity and encourage nonvehicular movement within the broader Precinct*.

Further the Development Plan, at Section 5.0 identifies the following:

A number of local traffic management treatments are identified in the Oakover Village Transport Plan and the South Preston Transport Study. Those relevant to the proposed development include the delivery of threshold treatments at the Oakover Road / Newman Street and Oakover Road / Railway Place East intersections, as well as the traffic management treatments in Stokes and Penola Streets. These minor infrastructure works are likely able to be incorporated into the development, MAB welcome discussion with the relevant Council representatives at their earliest availability to review project contributions to the local traffic infrastructure.

With regard to the car parking reduction, the overall strategic direction, the lack of existing sustainable travel infrastructure immediately adjacent and as there will be no development contributions payable for this project, the following public infrastructure should be required as conditions and provided as part of the development:

- Dedicated two-way off-road cycling paths provided along key connector routes and/or diagonally through Newman Reserve from the northwest corner to the southeast corner junction with St. Georges Road, or alternative infrastructure upgrades as agreed to by Darebin City Council.

- The delivery of threshold treatments at the at the Oakover Road / Newman Street intersection.

Traffic and Transport Impacts

The subject site falls within the PPTN area map, and therefore Column B rates apply to the proposal. There is no requirement to provide residential visitor parking under Clause 52.06 of the Planning Scheme.

The proposed development has a statutory car parking requirement of 35 spaces under Clause 52.06 of the Planning Scheme. This represents a shortfall of 27 car spaces (77% shortfall).

The application has been referred internally to Council's traffic engineers who conclude that the proposed car parking reduction is unsatisfactory, based on available data:

The Australian Bureau of Statistics (ABS) data reports the following car ownership levels for social housing in the suburb of Preston:

- *One-bedroom dwelling: 0.32 vehicles per dwelling;*
- *Two-bedroom dwelling: 0.80 vehicles per dwelling;*
- *Three-bedroom dwelling: 1.11 vehicles per dwelling.*

Based on the above, Council's Traffic Engineers have recommended that the proposal provide a minimum of sixteen (16) car parking spaces in conjunction with the proposal.

Conversely, the applicant's Traffic Engineering Assessment provided by Stantec concludes that the reduction in car parking is acceptable for the following reasons:

- On-street car parking demands in the vicinity of the subject site are low, with ample on-street parking generally available, particularly in relation to kerbside parking along Newman Street.
- The site enjoys a heightened level of accessibility to public transport and is within walking distance to nearby activity centres.
- The proposal seeks to encourage the utilisation of active transportation alternatives, with particular regard to bicycle usage.

Notwithstanding the advice from Council's Traffic Engineers, it is acknowledged that the site is generally well-serviced with a variety of alternative active and public transportation options. Consequently, this allows a brownfield site such as this to be less reliant on car utilisation as future residents will have the ability to take advantage of public transportation and active travel options.

Having regard to the information and research provided in the applicants Traffic Engineering Assessment, the availability of public transport nearby, the bicycle parking provision and the infrastructure upgrades included as recommended conditions, the proposal is acceptable with regards to transport impacts and the proposed car parking reduction.

Design standards for car parking

The car parking spaces and accessways 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. Additionally, Council's traffic engineers have confirmed that the design of the access and car parking areas meet technical requirements.

6.3 Will the proposal result in negative amenity impacts to the surrounding area?

The proposal is unlikely to cause a net detrimental impact on the surrounding area due to the separation from existing dwellings and interfaces comprising two roads and vacant land to the west and south.

Additionally, the proposal reflects the height and typology of development sought under the approved Development Plan for this area, ensuring any impacts arising from scale and density are in line with that considered through the Development Plan approval process.

6.4 Does the proposal provide an acceptable urban design response?

The architectural quality, materiality and finish of the development is of high quality. The urban design response is for the most part, an excellent outcome. An exception to this is the largely inactive ground floor frontages to the street interfaces, which results in poor surveillance and interaction with the public realm.

The Development Plan at Section 4.3 Key Features includes the following in regard to Streetscape Quality:

Streetscapes will be designed to promote permeability and facilitate pedestrian activity and movement, promote Crime Prevention Through Environmental Design (CPTED) and universal design and accessibility principles.

Additionally, at Section 4.5 Design Principles the Development Plan includes the following in regard to Activation & Urbanism:

- *Focus on quality of ground-level spaces*
- *Clear legible building entries and passive surveillance to create safe spaces and streets*

With the exception of the northeast corner of the building, the proposal does not meet these design principles as it comprises:

- Predominately inactive ground floor street frontage, comprising screened car parking, utility services and bicycle parking.
- At first floor level, a podium roof extends to the width of the site, with balconies and windows recessed along the north frontage, removing any opportunities for upper level surveillance.

Conditions are recommended to improve the urban design, streetscape and safety outcomes:

- A dedicated external entry to the bicycle storage area provided to the east ground floor façade.
- The layout and uses of the ground floor level revised to improve activation and surveillance of both public road frontages, with consideration given to the relocation of the fire booster and switch room to the west and incorporation of ground floor communal open space adjacent the pedestrian entry, with associated landscaping and variation of the podium above to allow light penetration.

- The ground floor north, and east elevations subsequently revised to improve activation of the streetscape and interaction with ground floor uses.

In addition to the urban design response, it is noted that the northeast corner of the site, fronting the intersection of Newman Street and Showers Street, has an angled interface to the footpath. The design proposes an upper-level overhang over the footpath at Level 1 and 2 at this location. The applicant has not specifically engaged with Council nor sought approval to build over the footpath and therefore, a condition will be recommended that the building envelope be contained within the title boundaries of the site.

6.5 Does the proposal provide good internal amenity and design outcomes?

The proposal represents a high-quality response in terms of internal amenity and design outcomes. All apartments meet or exceed the internal functional area and accessibility design requirements of the planning scheme, ensuring high internal amenity outcomes for residents are achieved.

All apartments meet the maximum room depth dimensions and external window configuration ensuring adequate daylight is achieved for all new habitable rooms. In addition, the minimum number of apartments meeting cross-ventilation requirements exceeds that of the standard.

However, there are limitations in the proposal with regard to a number of standards and objectives of Clause 58 as discussed further below.

Standard D4 (Infrastructure)

The proposal does not adequately respond to the site-specific infrastructure requirements as outlined and sought after within the approved Development Plan. As such, recommended conditions require infrastructure upgrades as detailed in Section 6.2 above.

Standard D5 (Integration with the street) and D9 (Safety)

The eastern façade and layout generally provide good surveillance of the park opposite from upper levels. However, at ground level the proposal provides predominately inactive frontages to the streets, comprising screened car parking, utility services and bicycle parking. Additionally, surveillance is not easily achieved from upper levels on the north façade due to the podium design. Conditions have been recommended to improve the urban design response, as discussed earlier in this report.

Standard D7 (Communal Open Space)

The proposal does not provide any areas of communal open space to meet the recreation and amenity needs of residents and does not comply with the requirements of Standard D7 which requires a minimum area of 77sqm. The applicant has justified this variation based on the presence of Newman Reserve opposite. Notwithstanding the existing open space nearby, it is envisaged that the wider area will undergo significant redevelopment in the future and all development should provide their own on-site amenity, as well as availing of the open space available to the general public.

The inclusion of communal open space dedicated to residents provides numerous positive benefits beyond that which public open space can provide, and its provision should not be overlooked. A condition is recommended that this standard be complied with.

Standard D10 (Landscaping)

A landscape plan has not been provided and the requirements of Standard D10 have not been satisfied. There is no justification for a below standard provision of landscaping on the site and the inclusion of street trees does not represent a commensurate substitute. A condition is recommended for the provision of landscaping planters in accordance with the requirements of Table D3, Standard D10, Clause 58.03-5 of the Darebin planning Scheme.

Standard D11 (Access)

The current design does not achieve a suitable response to the following requirement of this standard:

- *Pedestrian and cyclist access should be clearly delineated from vehicle access.*

A Condition is recommended to address this matter through the inclusion of a dedicated bicycle entry to the bicycle storage room from the east façade. The new bicycle entry will remove the need for cyclists to use the vehicle entry and provides an alternative to entering through 3 doors via the pedestrian entrance.

Standard D16 (Noise Impacts)

Council's research indicates that St Georges Road, which is located within 100m of the site, may have an Annual Average Daily Traffic Volume of between 35,000 to 40,000 vehicles. Subsequently, an Acoustic Report will be recommended as a condition to ensure that the design of the development sufficiently responds to the requirements of this standard and protects the amenity of residents with adequate noise attenuation measures.

For a full assessment against the standards and objectives of Clause 58, Please see **Appendix B**.

7. POLICY IMPLICATIONS

7.1 Environmental Sustainability

All new dwellings are required to achieve a minimum six (6) star energy rating under the relevant building controls. The development also commits to achieving a certified 5 Star Green Star Design & As Built rating.

7.2 Social Inclusion and Diversity

The amended proposal would deliver positive social inclusion and diversity outcomes, discussed within this report.

7.3 Other

Nil.

8. FINANCIAL AND RESOURCE IMPLICATIONS

Council does not receive any revenue (such as planning permit application fees) in return for the significant specialist officer time required to review the proposal to call-in this application in its capacity as informal referral authority.

9. FUTURE ACTIONS

Should Council adopt this recommendation, the Manager City Development will write to the Minister for Planning and DTP and advise them of Council's position.

Council Officers will continue to work with DTP in any further consultation and/or independent advisory committee review of the application.

Councillors will be informed of the progress and outcome of the Minister's consideration.

10. RELATED DOCUMENTS

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

Attachments

- Architectural Plans (**Appendix A**)
- Clause 58 Assessment (**Appendix B**)
- Referral Table (**Appendix C**)
- Development Plan Assessment (**Appendix D**)

DISCLOSURE OF INTEREST

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

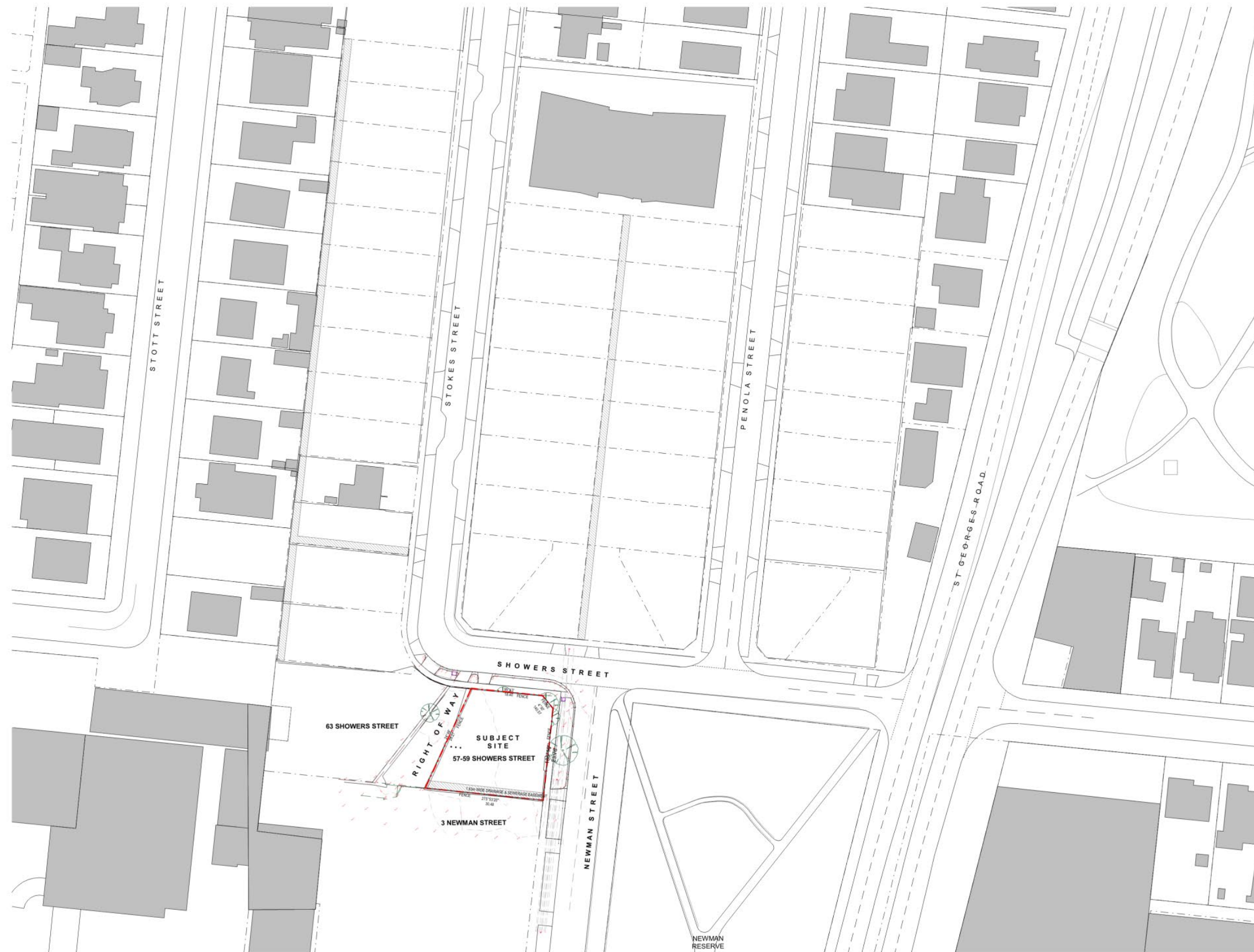
The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

NO	SHEET NAME
SP3-00	COVER SHEET
SP3-01	PRECINCT EXISTING SITE PLAN
SP3-02	PRECINCT PROPOSED SITE PLAN
SP3-03	EXISTING SITE PLAN
SP3-04	GROUND FLOOR PLAN
SP3-05	LEVEL 1-2
SP3-06	LEVEL 3-4
SP3-07	LEVEL 5-7
SP3-08	ROOF PLAN
SP3-10	NORTH + EAST ELEVATIONS
SP3-11	SOUTH + WEST ELEVATIONS
SP3-20	SECTIONS
SP3-30	BADS - TYPICAL TYPE PLANS
SP3-40	BADS ANALYSIS SUMMARY TABLE
SP3-50	SHADOW ANALYSIS - EQUINOX
SP3-60	FLEXIBLE APARTMENT TYPE PLANS



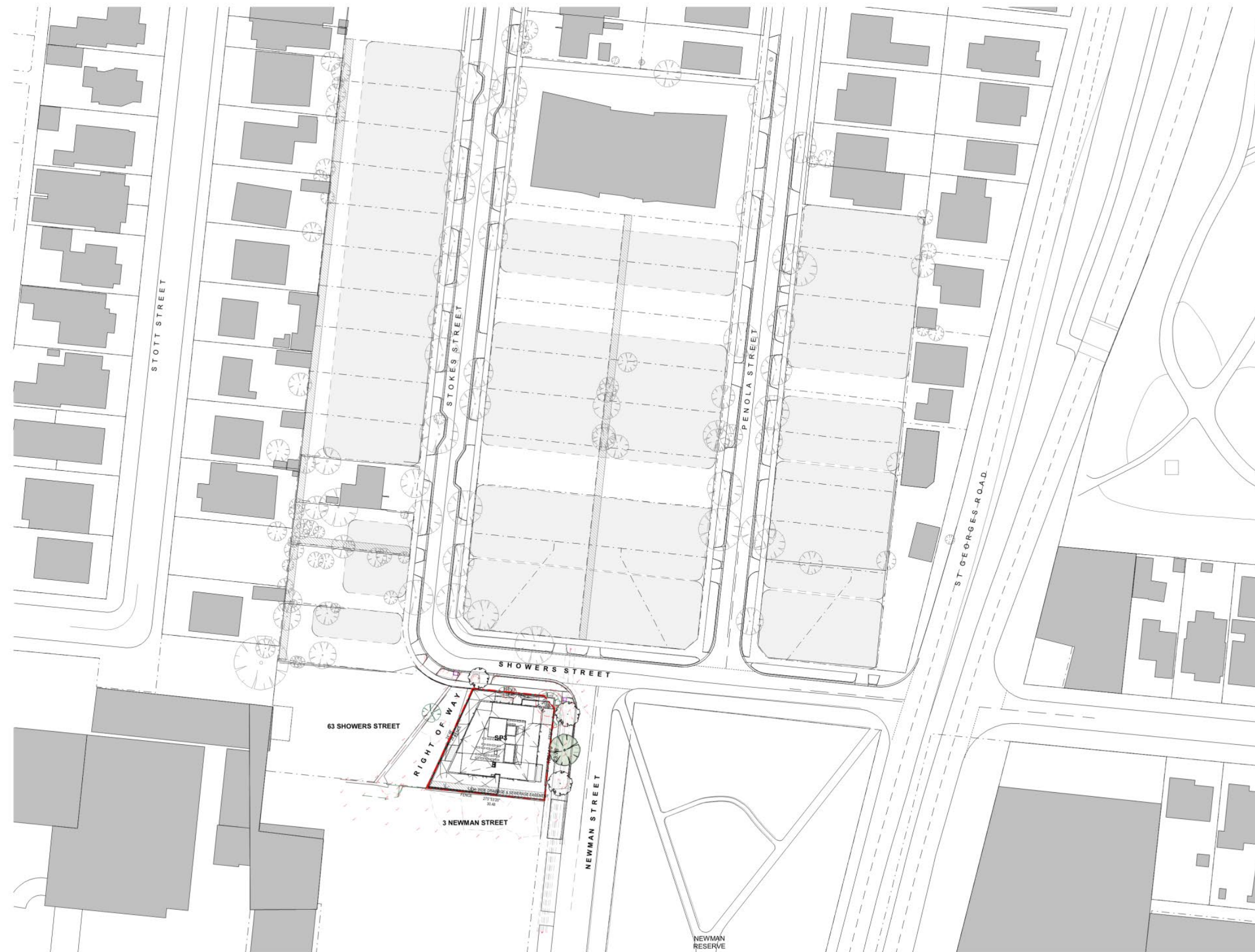
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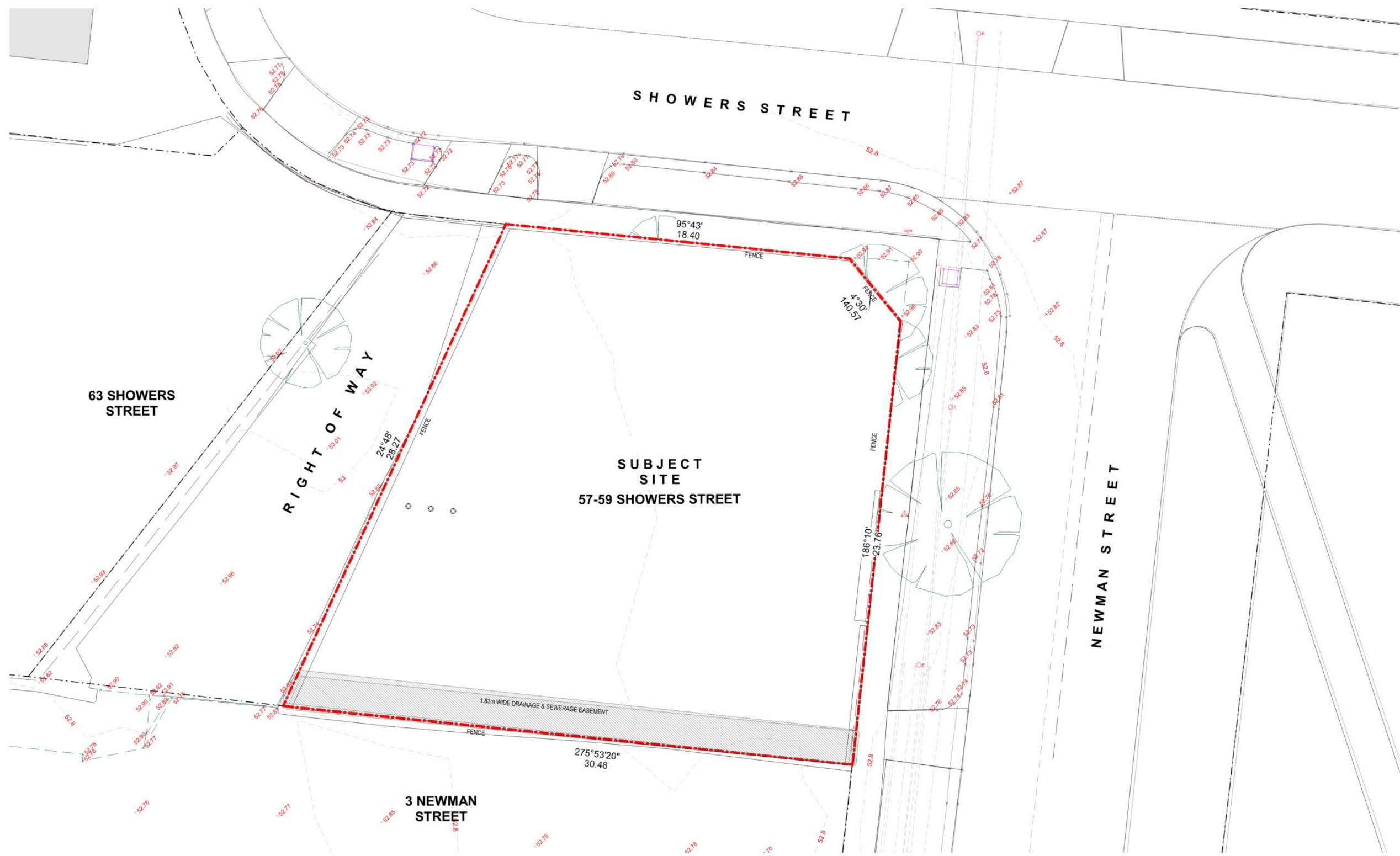


LEGEND

POTENTIAL FUTURE DEVELOPMENT

<p>Project Title PHRP PRESTON STOKES / PENOLA SITES - BUILDING SP3</p>	<p>Melbourne Level 1 250 Flinders Lane Melbourne VIC 3000 T +61 3 9599 3944</p>	<p>Sydney Ground Floor 11-17 Buckingham Street Sunny Hills NSW 2010 T +61 2 9659 9359</p>	<p>Brisbane Level 12, 324 Queen Street, Brisbane QLD 4000 T +61 7 3211 9821</p>	<p>Drawn By Checked By Date Printed Scale</p>	<p>NC EC/CL 11/11/2022 4:28:17 PM As indicated @ A1</p>	<table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>13/09/2021</td> <td>TP ISSUE</td> </tr> <tr> <td>B</td> <td>12/09/2022</td> <td>TP RFI ISSUE</td> </tr> <tr> <td>C</td> <td>11/11/2022</td> <td>TP RFI ISSUE</td> </tr> </tbody> </table>	Rev	Date	Description	A	13/09/2021	TP ISSUE	B	12/09/2022	TP RFI ISSUE	C	11/11/2022	TP RFI ISSUE	<p>Drawing Title PRECINCT PROPOSED SITE PLAN</p>	<p>Status TOWN PLANNING</p>	<p>Project No 2252</p>	<p>Drawing No SP3-02</p>	<p>Revision C</p>
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ABN: 84006394261 NSW Nominated Architects: Tom Jordan 7521,
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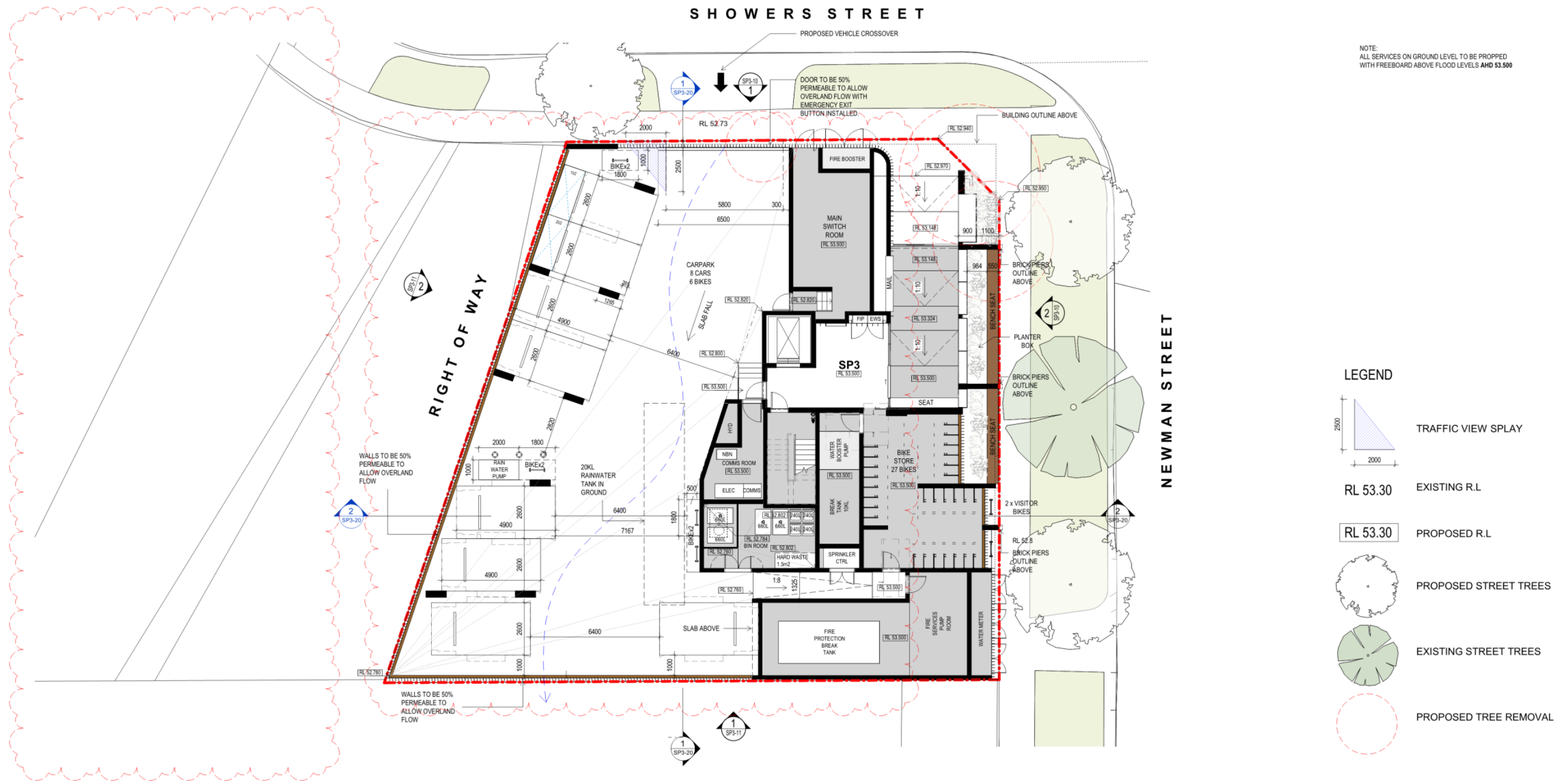
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Drawing No
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Revision
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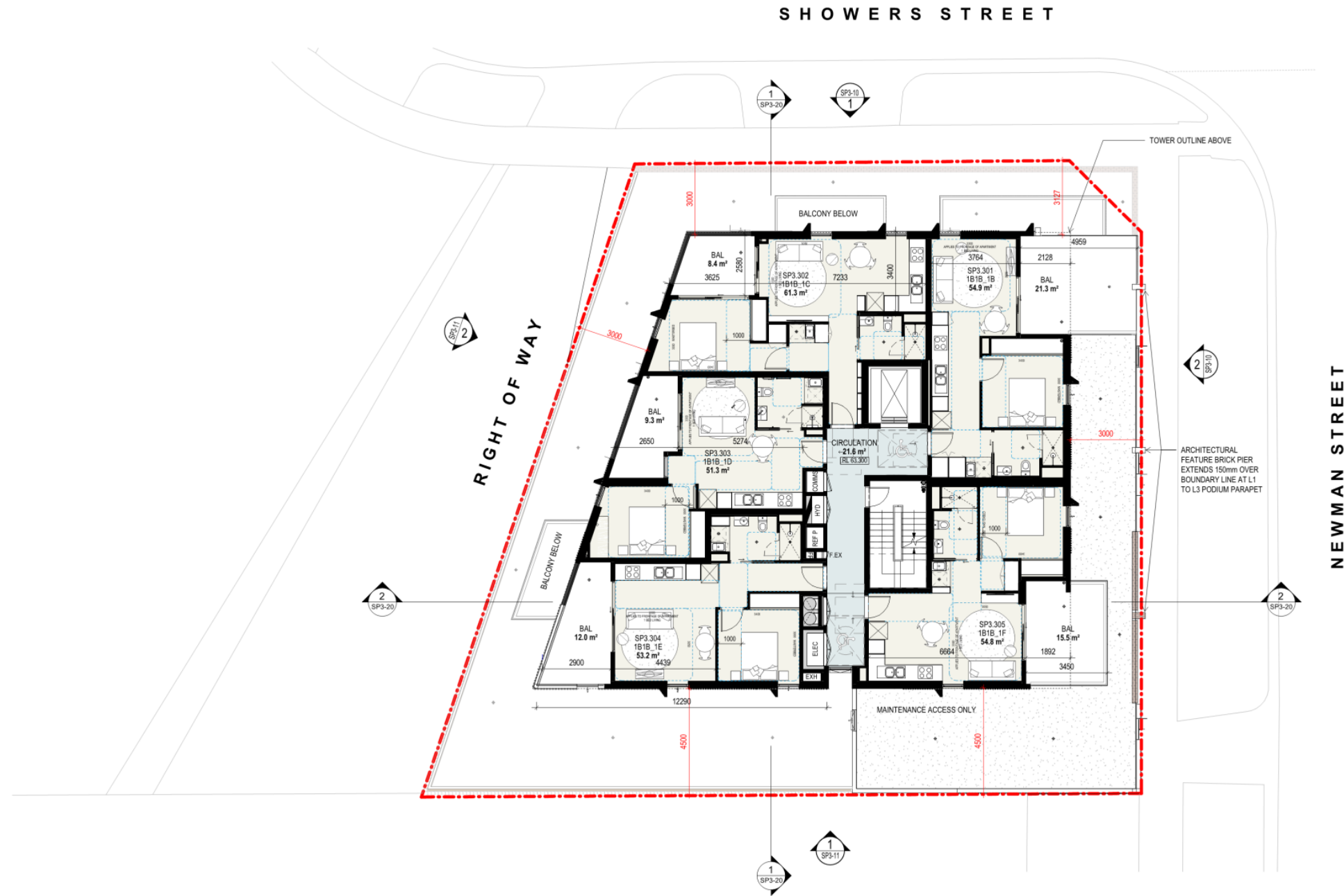
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Drawing Title
LEVEL 3-4

Status
TOWN PLANNING

Project No
2252

Drawing No
SP3-06

Revision
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Drawing Title
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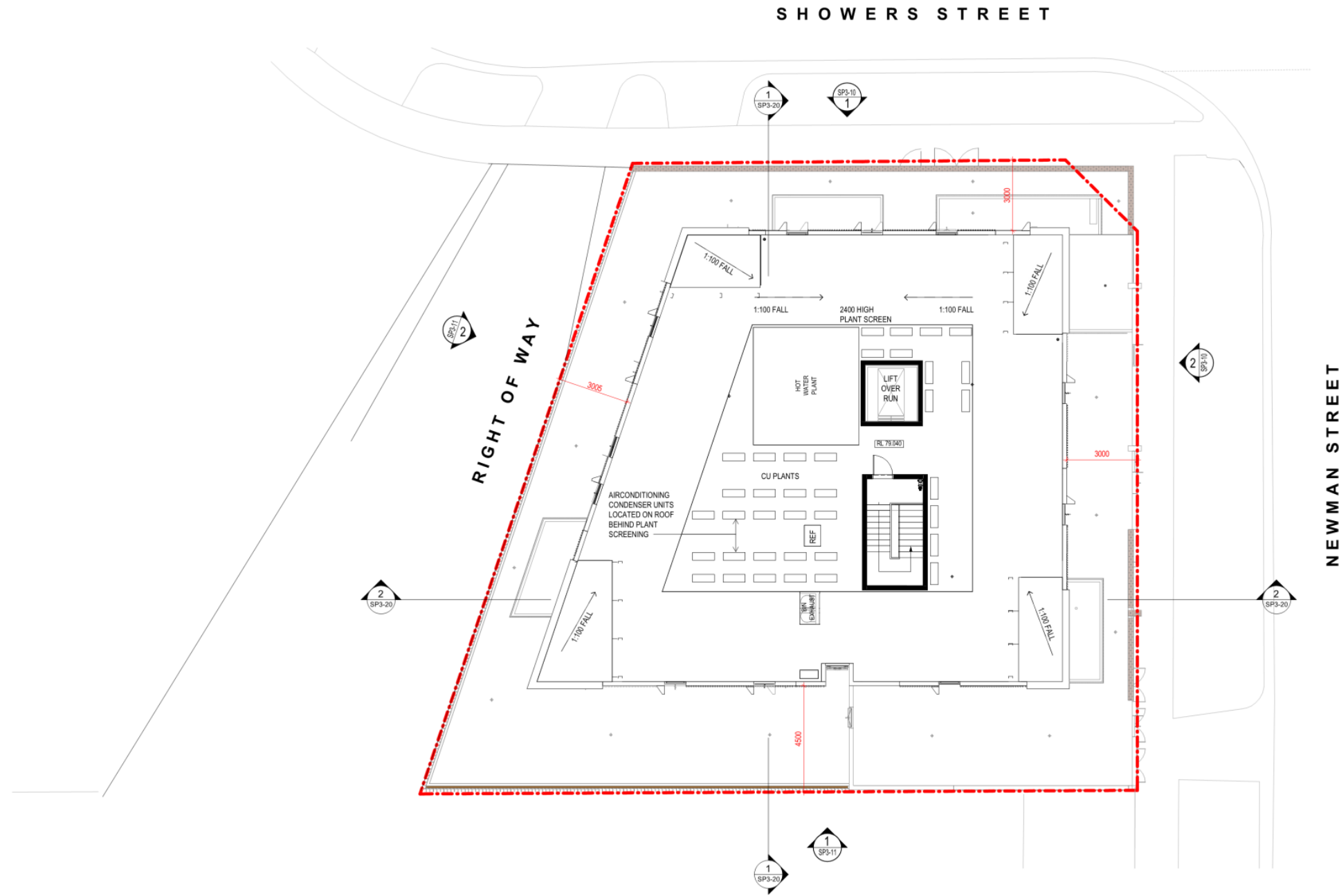
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Revision
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Drawing Title
ROOF PLAN

Status
TOWN PLANNING

Project No
2252

Drawing No
SP3-08

Revision
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- CN01** RECKLI RIBBED PRECAST CONCRETE, ANGLED SPLAY FOR SUN SHADING TO TOWER WINDOWS - BRIGHTON LITE
- CN02** PRECAST CONCRETE, ANGLED SPLAY FOR SUN SHADING TO TOWER WINDOWS - BRIGHTON LITE, SANDBLASTED FINISH
- CN03** PRECAST CONCRETE - NAWKAW COLOUR FINISH TO MATCH COLORBOND TERRAIN FINISH
- CN04** PRECAST CONCRETE - NAWKAW BLACK FINISH
- CN05** RECKLI RIBBED PRECAST CONCRETE - NAWKAW TERRAIN FINISH
- GL01** GREY TINTED VISION GLASS, FRONT GLAZED
- GL02** CLEAR VISION GLASS, STRUCTURALLY FRONT GLAZED, UNCAPPED
- BR01** MIXED BATCH RED CLAY FACE BRICK - 230x125x75mm FORMAT, STRETCHER BOND
- AL01** POWDERCOATED ALUMINIUM MULLION - CHARCOAL COLOUR
- MT01** COLORBOND METAL CLADDING & LOUVRES IN TERRAIN COLOUR
- MT02** POWDERCOATED PERFORATED METAL BALUSTRADE - CHARCOAL COLOUR
- MT03** POWDERCOATED PERFORATED METAL SCREEN - CHARCOAL COLOUR
- MT04** COLOURBOND METAL CLADDING - CHARCOAL COLOUR



NORTH ELEVATION - SHOWERS STREET

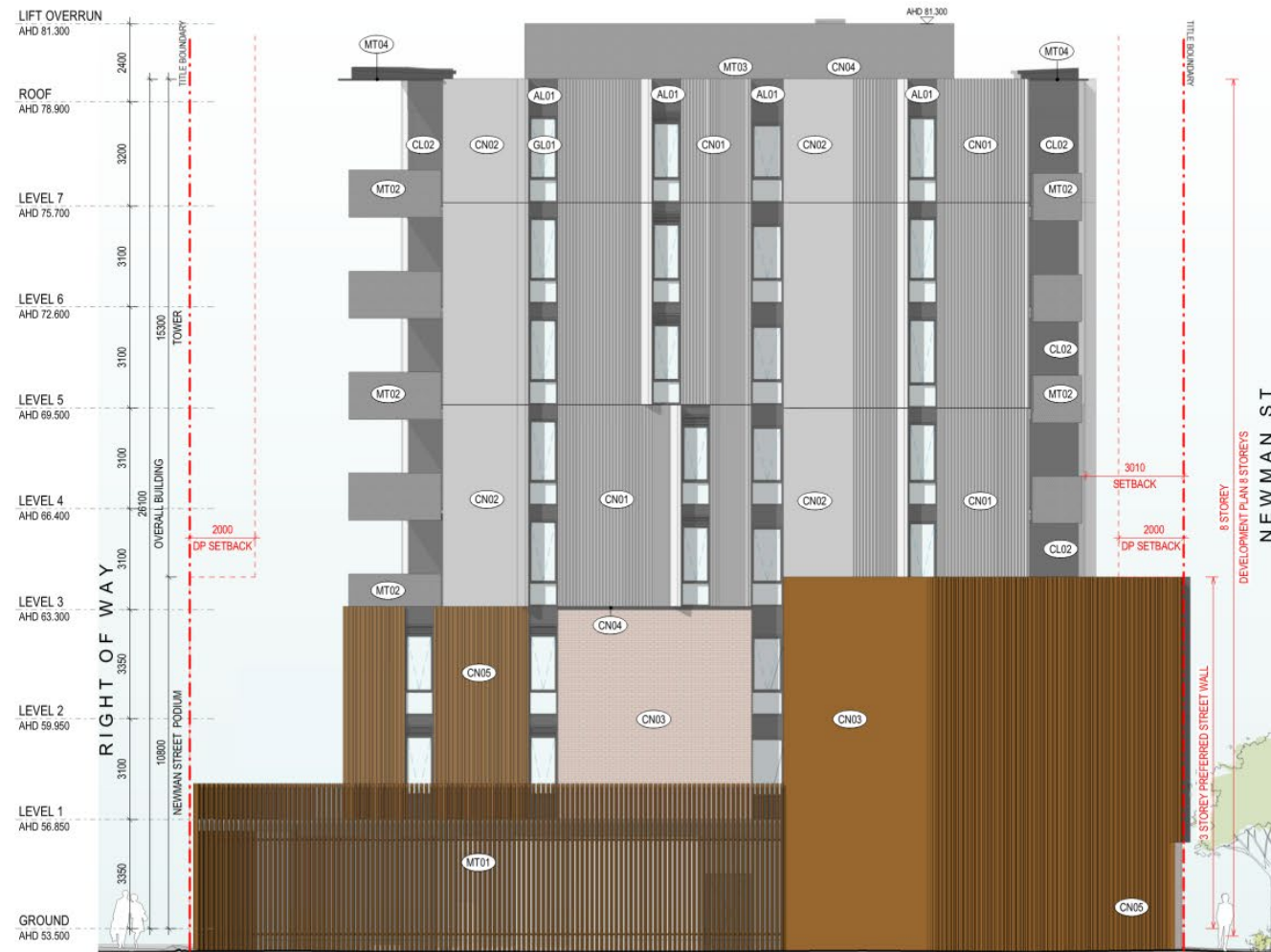


EAST ELEVATION - NEWMAN STREET

Project Title PHRP PRESTON STOKES / PENOLA SITES - BUILDING SP3	Melbourne Level 1 250 Flinders Lane Melbourne VIC 3000 T +61 3 9599 3944	Sydney Ground Floor 11-17 Buckingham Street Sunny Hills NSW 2010 T +61 2 9669 9399	Brisbane Level 12, 11-17 Buckingham Street, 324 Queen Street, Brisbane QLD 4000 T +61 7 3211 9821		Drawn By Checked By Date Printed Scale RW/Y EC/Y 11/11/2022 4:28:57 PM 1:100@A1	<table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>13/08/2021</td> <td>TP ISSUE</td> </tr> <tr> <td>B</td> <td>12/09/2022</td> <td>TP RFI ISSUE</td> </tr> <tr> <td>C</td> <td>11/11/2022</td> <td>TP RFI ISSUE</td> </tr> </tbody> </table>	Rev	Date	Description	A	13/08/2021	TP ISSUE	B	12/09/2022	TP RFI ISSUE	C	11/11/2022	TP RFI ISSUE	Drawing Title NORTH + EAST ELEVATIONS	Status TOWN PLANNING	Project No 2252	Drawing No SP3-10	Revision C
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SOUTH ELEVATION



WEST ELEVATION - RIGHT OF WAY

Project Title PHRP PRESTON STOKES / PENOLA SITES - BUILDING SP3	Melbourne Level 1 250 Flinders Lane Melbourne VIC 3000 T +61 3 9599 3044	Sydney Ground Floor 11-17 Buckingham Street Sunny Hills NSW 2010 T +61 2 9660 9329	Brisbane Level 12, 324 Queen Street, Brisbane QLD 4000 T +61 7 3211 9821		Drawn By Checked By Date Printed Scale	RW/Y ECYY 11/11/2022 4:27:17 PM 1:100@ A1		Rev Date Description A 13/08/2021 TP ISSUE B 12/09/2022 TP RFI ISSUE C 11/11/2022 TP RFI ISSUE	Drawing Title SOUTH + WEST ELEVATIONS	Status TOWN PLANNING	Project No 2252	Drawing No SP3-11	Revision C
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1 SECTION 1
A05.09 1:100



2 SECTION 2
A05.09 1:100

Project Title
PHRP PRESTON
STOKES / PENOLA SITES - BUILDING SP3

Melbourne Level 1
250 Flinders Lane
Melbourne VIC 3000
T +61 3 9599 3000
T +61 3 9599 3044

Sydney Ground Floor
11-17 Buckingham Street
Sunny Hills NSW 2010
T +61 2 9660 9329

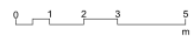
Brisbane Level 12,
324 Queen Street,
Brisbane QLD 4000
T +61 7 3211 9821

ABN: 84006394261 NSW Nominated Architects: Tom Jordan 7521,
Richard Leonard 7522, David Tordoff 8028



Drawn By
Checked By
Date Printed
Scale

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Rev	Date	Description
A	13/08/2021	TP ISSUE
B	12/09/2022	TP RFI ISSUE
C	11/11/2022	TP RFI ISSUE

Drawing Title
SECTIONS

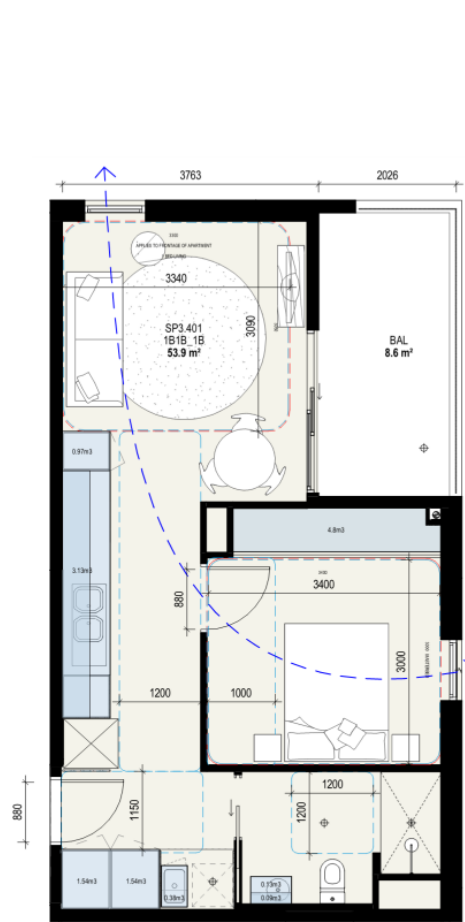
Status
TOWN PLANNING

Project No
2252

Drawing No
SP3-20

Revision
C

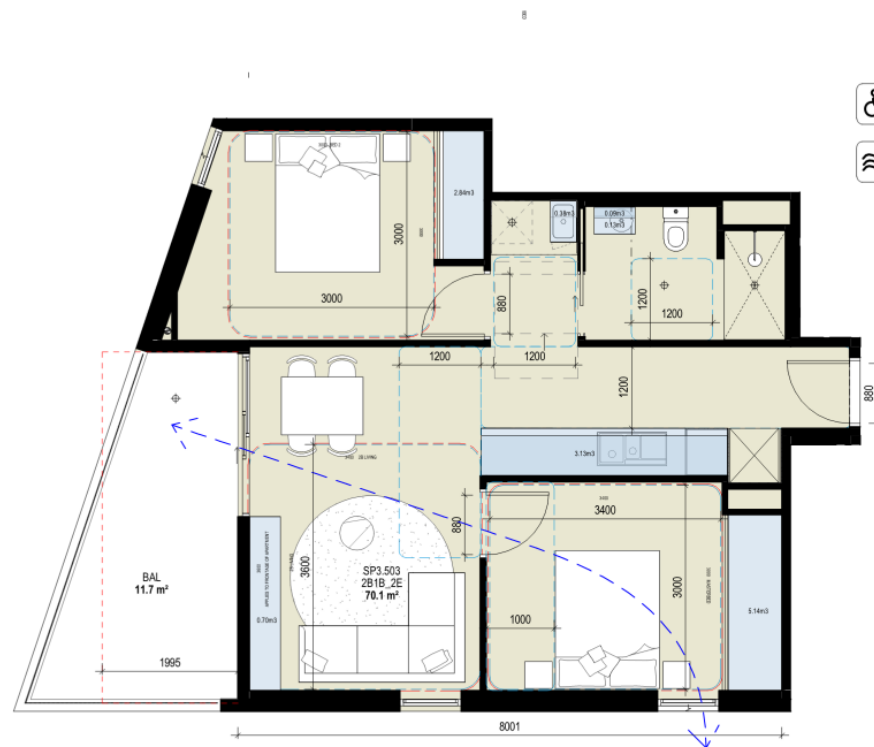
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TYPICAL 1B1B

1B1B LHA GOLD STANDARD - 53.9m²
 INTERNAL STORAGE 12.58m³
 EXTERNAL STORAGE 0m³
 TOTAL STORAGE 12.6m³

BADS COMPLIANCE 10m³



TYPICAL 2B1B

2B1B LHA GOLD STANDARD - 70.1m²
 INTERNAL STORAGE 12.41m³
 EXTERNAL STORAGE 2.5m³
 TOTAL STORAGE 14.9m³

BADS COMPLIANCE 14m³



TYPICAL 3B1B

3B1B LHA GOLD STANDARD - 100.0m²
 INTERNAL STORAGE 19.56m³
 EXTERNAL STORAGE 0m³
 TOTAL STORAGE 19.6m³

BADS COMPLIANCE 18m³

Project Title PHRP PRESTON STOKES / PENOLA SITES - BUILDING SP3	Melbourne Level 1 250 Flinders Lane Melbourne VIC 3000 T +61 3 9599 3644	Sydney Ground Floor 11-17 Buckingham Street Sunny Hills NSW 2010 T +61 2 9660 9329	Brisbane Level 12, 324 Queen Street, Brisbane QLD 4000 T +61 7 3211 9821	hayball	Drawn By Checked By Date Printed Scale	RW/Y EC/Y 11/11/2022 4:27:28 PM 1:50@A1	<table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>13/08/2021</td> <td>TP ISSUE</td> </tr> <tr> <td>B</td> <td>12/09/2022</td> <td>TP RFI ISSUE</td> </tr> <tr> <td>C</td> <td>11/11/2022</td> <td>TP RFI ISSUE</td> </tr> </tbody> </table>	Rev	Date	Description	A	13/08/2021	TP ISSUE	B	12/09/2022	TP RFI ISSUE	C	11/11/2022	TP RFI ISSUE	Drawing Title BADS - TYPICAL TYPE PLANS	Status TOWN PLANNING	Project No 2252	Drawing No SP3-30	Revision C
Rev	Date	Description																						
A	13/08/2021	TP ISSUE																						
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*Clause 58 Apartment Standard- Compliance Table										
Room-Apartment Number	Item No	CLAUSE 58 REQUIREMENTS CHECKLIST							CLAUSE 58 STORAGE REQUIREMENTS	
		Accessible	Crossvent	Living Depth Max 9m	Living Width Min 3.3m(1bwd)(3.6m(2beds))	Main Bedroom 3.4mxDm	Other Bedroom 3mxDm	Balcony Area	Volume	Storage (External)

LEVEL 1											
SP3.101	2B1B_2A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	16.42 m ³	0.00 m ³	16.42 m ³
SP3.102	2B1B_2B	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11.17 m ³	4.00 m ³	15.17 m ³
SP3.103	2B1B_2C	Yes	Yes	Yes	Yes	Yes	Yes	Yes	15.52 m ³	0.00 m ³	15.52 m ³
SP3.104	2B1B_2D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	16.75 m ³	0.00 m ³	16.75 m ³
SP3.105	1B1B_1A	Yes	No	Yes	Yes	Yes	NA	Yes	11.05 m ³	0.00 m ³	11.05 m ³
LEVEL 1: 5											
LEVEL 2											
SP3.201	2B1B_2A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	16.42 m ³	0.00 m ³	16.42 m ³
SP3.202	2B1B_2B	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11.17 m ³	4.00 m ³	15.17 m ³
SP3.203	2B1B_2C	Yes	Yes	Yes	Yes	Yes	Yes	Yes	15.52 m ³	0.00 m ³	15.52 m ³
SP3.204	2B1B_2D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	16.75 m ³	0.00 m ³	16.75 m ³
SP3.205	1B1B_1A	Yes	No	Yes	Yes	Yes	NA	Yes	11.05 m ³	0.00 m ³	11.05 m ³
LEVEL 2: 5											
LEVEL 3											
SP3.301	1B1B_1B	Yes	Yes	Yes	Yes	Yes	NA	Yes	12.70 m ³	0.00 m ³	12.70 m ³
SP3.302	1B1B_1C	Yes	Yes	Yes	Yes	Yes	NA	Yes	10.14 m ³	0.00 m ³	10.14 m ³
SP3.303	1B1B_1D	Yes	No	Yes	Yes	Yes	NA	Yes	9.41 m ³	2.50 m ³	11.91 m ³
SP3.304	1B1B_1E	Yes	Yes	Yes	Yes	Yes	NA	Yes	7.67 m ³	2.50 m ³	10.17 m ³
SP3.305	1B1B_1F	Yes	Yes	Yes	Yes	Yes	NA	Yes	9.99 m ³	2.50 m ³	12.49 m ³
LEVEL 3: 5											
LEVEL 4											
SP3.401	1B1B_1B	Yes	Yes	Yes	Yes	Yes	NA	Yes	12.70 m ³	0.00 m ³	12.70 m ³
SP3.402	1B1B_1C	Yes	Yes	Yes	Yes	Yes	NA	Yes	10.14 m ³	0.00 m ³	10.14 m ³
SP3.403	1B1B_1D	Yes	No	Yes	Yes	Yes	NA	Yes	9.41 m ³	2.50 m ³	11.91 m ³
SP3.404	1B1B_1E	Yes	Yes	Yes	Yes	Yes	NA	Yes	7.67 m ³	2.50 m ³	10.17 m ³
SP3.405	1B1B_1F	Yes	Yes	Yes	Yes	Yes	NA	Yes	9.99 m ³	2.50 m ³	12.49 m ³
LEVEL 4: 5											
LEVEL 5											
SP3.501	1B1B_1B	Yes	Yes	Yes	Yes	Yes	NA	Yes	12.70 m ³	0.00 m ³	12.70 m ³
SP3.502	3B1B_3A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	19.56 m ³	0.00 m ³	19.56 m ³
SP3.503	2B1B_2E	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12.64 m ³	2.50 m ³	15.14 m ³
SP3.504	1B1B_1F	Yes	Yes	Yes	Yes	Yes	NA	Yes	9.99 m ³	2.50 m ³	12.49 m ³
LEVEL 5: 4											
LEVEL 6											
SP3.601	1B1B_1B	Yes	Yes	Yes	Yes	Yes	NA	Yes	12.70 m ³	0.00 m ³	12.70 m ³
SP3.602	3B1B_3A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	19.56 m ³	0.00 m ³	19.56 m ³
SP3.603	2B1B_2E	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12.64 m ³	2.50 m ³	15.14 m ³
SP3.604	1B1B_1F	Yes	Yes	Yes	Yes	Yes	NA	Yes	9.99 m ³	2.50 m ³	12.49 m ³
LEVEL 6: 4											
LEVEL 7											
SP3.701	1B1B_1B	Yes	Yes	Yes	Yes	Yes	NA	Yes	12.70 m ³	0.00 m ³	12.70 m ³
SP3.702	3B1B_3A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	19.56 m ³	0.00 m ³	19.56 m ³
SP3.703	2B1B_2E	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12.64 m ³	2.50 m ³	15.14 m ³
SP3.704	1B1B_1F	Yes	Yes	Yes	Yes	Yes	NA	Yes	9.99 m ³	2.50 m ³	12.49 m ³
LEVEL 7: 4											
Grand total: 32											

*Clause 58 Apartment Standard- Compliance Table _Type base										
Item No	CLAUSE 58 REQUIREMENTS CHECKLIST							CLAUSE 58 STORAGE REQUIREMENTS		
	Accessible	Crossvent	Living Depth Max 9m	Living Width Min 3.3m(1bwd)(3.6m(2beds))	Main Bedroom 3.4mxDm	Other Bedroom 3mxDm	Balcony Area	Storage (Internal)	Storage (External)	Storage(Total)

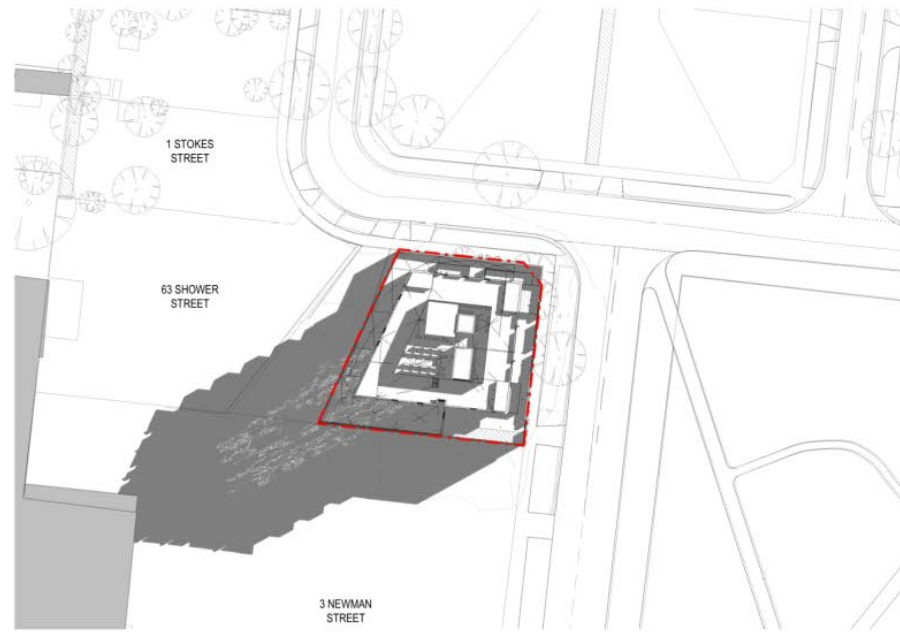
1B1B_1A	Yes	No	Yes	Yes	Yes	NA	Yes	11.05 m ³	0.00 m ³	11.05 m ³
1B1B_1B	Yes	Yes	Yes	Yes	Yes	NA	Yes	12.70 m ³	0.00 m ³	12.70 m ³
1B1B_1C	Yes	Yes	Yes	Yes	Yes	NA	Yes	10.14 m ³	0.00 m ³	10.14 m ³
1B1B_1D	Yes	No	Yes	Yes	Yes	NA	Yes	9.41 m ³	2.50 m ³	11.91 m ³
1B1B_1E	Yes	Yes	Yes	Yes	Yes	NA	Yes	7.67 m ³	2.50 m ³	10.17 m ³
1B1B_1F	Yes	Yes	Yes	Yes	Yes	NA	Yes	9.99 m ³	2.50 m ³	12.49 m ³
2B1B_2A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	16.42 m ³	0.00 m ³	16.42 m ³
2B1B_2B	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11.17 m ³	4.00 m ³	15.17 m ³
2B1B_2C	Yes	Yes	Yes	Yes	Yes	Yes	Yes	15.52 m ³	0.00 m ³	15.52 m ³
2B1B_2D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	16.75 m ³	0.00 m ³	16.75 m ³
2B1B_2E	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12.64 m ³	2.50 m ³	15.14 m ³
3B1B_3A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	19.56 m ³	0.00 m ³	19.56 m ³
Grand total: 32										

Percentage of Crossventilated Apartments		
Crossvent	Total Number of Cross Ventilated units	Percentage of Crossventilated Units
No	4	13%
Yes	28	88%

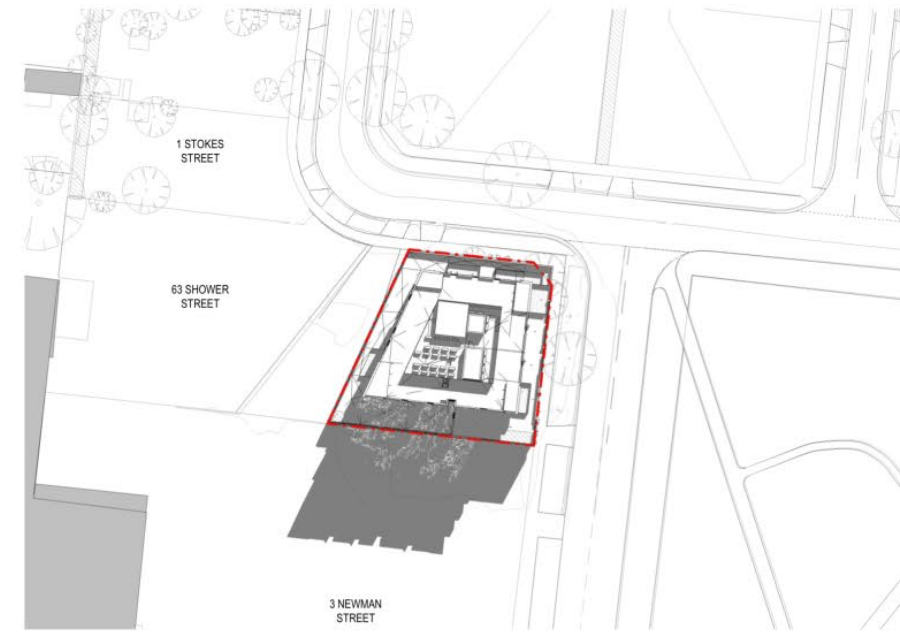
Percentage of Accessible Apartments		
Accessible	Total Number of Accessible Units	Percentage of Accessible Units
Yes	32	100%

Project Title PHRP PRESTON STOKES / PENOLA SITES - BUILDING SP3	Melbourne Level 1 250 Flinders Lane Melbourne VIC 3000 T +61 3 9699 3644 Sydney Ground Floor 11-17 Buckingham Street Surry Hills NSW 2010 T +61 2 9650 9359 Brisbane Level 12, 324 Queen Street, Brisbane QLD 4000 T +61 7 3211 9821 ABN: 84006394261 NSW Nominated Architects: Tom Jordan 7521, Richard Leonard 7522, David Tordoff 8028		Drawn By Checked By Date Printed Scale	RW/Y EC/Y 11/11/2022 4:27:31 PM @ A1	<table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>13/08/2021</td> <td>TP ISSUE</td> </tr> <tr> <td>B</td> <td>12/09/2022</td> <td>TP RFI ISSUE</td> </tr> <tr> <td>C</td> <td>11/11/2022</td> <td>TP RFI ISSUE</td> </tr> </tbody> </table>	Rev	Date	Description	A	13/08/2021	TP ISSUE	B	12/09/2022	TP RFI ISSUE	C	11/11/2022	TP RFI ISSUE	Drawing Title BADS ANALYSIS SUMMARY TABLE	Status TOWN PLANNING	Project No 2252	Drawing No SP3-40	Revision C
Rev	Date	Description																				
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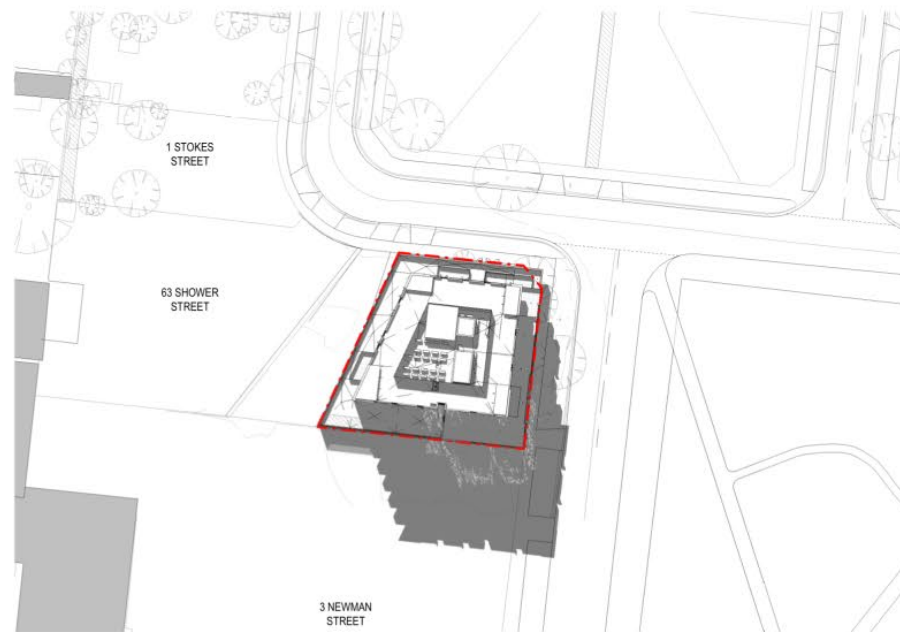
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SUN STUDY 9AM




SUN STUDY 11AM



SUN STUDY 1PM



SUN STUDY 3PM

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Rev	Date	Description																						
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FLEXIBLE APARTMENTS - 2B1B + 1B1B



FLEXIBLE APARTMENTS - 3B2B

Project Title PHRP PRESTON STOKES / PENOLA SITES - BUILDING SP3	Melbourne Level 1 250 Flinders Lane Melbourne VIC 3000 T +61 3 9699 3044 Sydney Ground Floor 11-17 Buckingham Street Surry Hills NSW 2010 T +61 2 9660 9399 Brisbane Level 12, 324 Queen Street, Brisbane QLD 4000 T +61 7 3211 9821 ABN: 84006394261 NSW Nominated Architects: Tom Jordan 7521, Richard Leonard 7522, David Tordoff 8028		Drawn By Checked By Date Printed Scale	NC EC 11/11/2022 4:27:50 PM 1:50@ A1		Rev Date Description A 11/11/2022 TP RFI ISSUE	Drawing Title FLEXIBLE APARTMENT TYPE PLANS	Status TOWN PLANNING	Project No 2252	Drawing No SP3-60	Revision A
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Clause 58 Assessment

Clause	Std		Compliance	
			Std	Obj
58.02-1	D1	Urban Context		
		The design response is appropriate to the urban context and the site. The proposed design generally respects the preferred urban context and responds to the features and constraints of the site.	Y	Y
58.02-2	D2	Residential policy		
		The application has been accompanied by a satisfactory written statement and the proposal is considered to comply with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
58.02-3	D3	Dwelling diversity		
		The proposal incorporates a range of one (1), two (2) and three (3)-bedroom options, displaying a range of sizes, types and layouts.	Y	Y
58.02-4	D4	Infrastructure		
		Please see body of report. The proposal does not adequately respond to the site-specific infrastructure requirements and will be conditioned in order to comply.	N	N
58.02-5	D5	Integration with the street		
		Please refer to body of the report. Recommended conditions of approval will be incorporated in order to achieve appropriate streetscape activation and associated levels of passive surveillance.	N	N
58.03-1	D6	Energy Efficiency		
		The development is considered to be generally energy efficient and will not unreasonably impact on the energy efficiency of adjoining properties. The site is located in climate zone 21 (Melbourne). The application has been accompanied by a Sustainable Management Plan for which Council's ESD Officer has recommended associated conditions.	Y	Y
58.03-2	D7	Communal Open Space		
		The proposal does not include any communal open space. A condition of approval will require the proposal to allow for the provision of communal open space within the development in accordance with the requirements of this standard.	N	N
58.03-3	D8	Solar Access to Communal Outdoor Open Space		
		Not applicable as no communal outdoor open space is proposed to be provided.	N	N
58.03-4	D9	Safety		
		Please see body of report. Recommended conditions of approval will be incorporated in order to achieve appropriate levels of activation and surveillance of both public road frontages to subsequently increase levels of safety.	N	N
58.03-5	D10	Landscaping		
		Please see body of report.	N	N

Clause	Std		Compliance	
58.03-6	D11	Access		
		Please see body of the report. A dedicated external entry to the bicycle storage area provided to the east ground floor façade will be included as a recommended condition.	N	N
58.03-7	D12	Parking Location		
		The proposed car parking area is accessed via Showers Street. No habitable rooms are located near the car park or accessways.	Y	Y
58.03-8	D13	Integrated water and stormwater management		
		The provided SMP and set of plans have been referred to Council's ESD Officer who has provided recommended conditions of approval.	Y	Y
58.04-1	D14	Building setback		
		Building setbacks are covered in the assessment in earlier sections of this report. Generally, the development is set back sufficiently from the side and rear boundaries to: <ul style="list-style-type: none"> • Ensure adequate daylight is available into new habitable room windows. • Avoid direct views into habitable room windows and private open space of new and existing dwellings (as the adjoining sites are currently vacant). • Avoid relying excessively on screening to reduce views into habitable room windows and private open space of new and existing dwellings. • Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. • Ensure the dwellings are designed to meet the objectives of Clause 58. 	Y	Y
58.04-2	D15	Internal Views		
		The proposal has been designed to avoid any unreasonable overlooking to maintain the privacy of dwellings within the development, either directly below or alongside.	Y	Y
58.04-3	D16	Noise Impacts		
		Please see body of the report.	N	N
58.04-4	D17	Wind impacts		
		A Wind Impact Assessment has not been provided however has been required via a recommended condition in order to meet the requirements of this standard.	N	N
58.05-1	D18	Accessibility		
		It is evident that 100 percent of dwellings meet the associated requirements of this standard.	Y	Y
58.05-2	D19	Building Entry and Circulation		
		A ground floor lobby is provided with access from Showers Street and Newman Street (on the corner).	Y	Y

Clause	Std		Compliance	
		This ground floor lobby space provides a clear sense of address for residents and the general public.		
58.05-3	D20	Private Open Space		
		Each of the dwellings allow for full compliance with this standard.	Y	Y
58.05-4	D21	Storage		
		The proposal complies with the requirements of this standard through the provision of adequate storage.	Y	Y
58.06-1	D22	Common Property		
		The common property areas including the car and bicycle parking areas and entry lobby are clearly distinguishable between private and public.	Y	Y
58.06-2	D23	Site Services		
		The design and layout of dwellings provide sufficient space and facilities for services to be installed and maintained. All services, where visible from public areas, are appropriately integrated with the design of the development and provide high quality urban design outcomes. Mailboxes are provided within the communal lobby of the building.	Y	Y
58.06-3	D24	Waste and Recycling		
		The waste and recycling enclosures are satisfactory in size and allow for appropriate ventilation. The submitted Waste Management Plan (WMP) has been referred internally to Council's Environmental Operations Unit who have deemed it acceptable and referred to Council's ESD Officer who recommended conditions of approval.	Y	Y
58.06-4	D25	External walls and materials		
		The proposal incorporates robust and durable materiality which will result in a positive, high quality development presenting to each street frontage.	Y	Y
58.07-1	D26	Functional Layout		
		All bedrooms and living areas to meet the minimum requirements.	Y	Y
58.07-2	D27	Room Depth		
		All habitable rooms, including the open plan layout of living areas, comply with the standard when measuring the depth from the glazing line of the habitable room windows. Most living rooms also provide a dual aspect.	Y	Y
58.07-3	D28	Windows		
		All habitable rooms have a window with an external wall of the building.	Y	Y
58.07-4	D29	Natural Ventilation		
		The design and layout of the dwellings allows for openable windows to encourage natural ventilation.	Y	Y

Internal Business Unit	Comments
<p>Infrastructure and Capital Delivery</p>	<p>Council's Infrastructure and Capital Delivery Unit advise that the application is satisfactory subject to the submission of required approvals in relation to Individual Legal Points of Discharge, stormwater drainage and computations and retention design plans.</p> <p>It is noted that the property is located within a Special Building Overlay. As the DTP are the Responsible Authority for the application, the proposal has been referred externally to Melbourne Water by the DTP. The proponent has provided Council and the DTP with updated plans in line with Melbourne Water comments. Council has requested a copy of Melbourne Water's comments however is yet to receive a copy to date.</p>
<p>Tree Management Unit</p>	<p>Council's Arborists have recommended a more site-specific Arborist Report to be provided, covering trees 28, 31, 32 and 33.</p> <p>Conditions are included to address this outstanding matter.</p>
<p>Sustainable Transport Unit</p>	<p>The proposed development comprises the construction of an eight-storey building to include 32 social housing dwellings (apartments), including 18 x one-bedroom, 11 x two-bedroom and 3 x three-bedroom dwellings.</p> <p>A total of eight (8) car parking spaces for residents will be provided in a ground level car park. Vehicle access to the site is proposed via a new double-width crossover along the northern side of the site, to Showers Street. It is proposed to provide 35 bicycle parking spaces on-site, including 27 resident spaces and eight (8) resident visitor spaces, all of which will be located in the ground level car park.</p> <p>This ABS data reports the following car ownership levels for social housing in the suburb of Preston:</p> <p>One-bedroom dwelling: 0.32 vehicles per dwelling Two-bedroom dwelling: 0.80 vehicles per dwelling Three-bedroom dwelling: 1.11 vehicles per dwelling.</p> <p>Based on the above, minimum 16 no. car parking spaces should be provided on site.</p> <p>Empirical Car Parking Assessment - Review of Social Housing Car Parking Demands (2017) states that there is significant empirical evidence to suggest 1 and 2-bedroom Dwelling generate a demand for 0.5 spaces per dwelling and 3 or more-bedroom dwellings generate a demand for 1 space per dwelling. Based on this, a minimum no. of 16 car parking spaces should be provided on site.</p>

Internal Business Unit	Comments
	<p>It is understood that social housing generates less car parking demands than typical housing. However, it is not expected that the residents will depend on the on-street parking and only eight (8) on-site parking spaces will not be sufficient. This may create traffic and parking issues in future. It can be concluded that minimum 16 to car parking spaces should be provided on site if this development is to proceed.</p> <p>Based on the above, Council's Transport Engineering Department object to the proposal.</p>
City Designer	<p>Appropriate building separation should be considered for dwellings with balconies facing west on all levels across the right of way to ensure it doesn't compromise development potential of the site to the west.</p>
ESD Officer	<p>Council's ESD Officer has recommended updates through conditions to the approval.</p>
Strategic Planning Unit	<p>In summary, policy (primarily 21.03-Housing and DPO11) anticipates the delivery of high-density social housing for the subject site which furthers social housing provision for the precinct. However, the development's interface with the precinct and its objectives, namely provision of mixed-use activity and active frontages are sub-optimal. Options for providing commercial tenancy, or at least re-orienting pedestrian and/or bicycle entry to Newman St could be considered to activate part of the ground floor in alignment with DPO objectives and purpose of the MUZ.</p> <p>It is noted that the reconfiguration of the ground-floor, through relocation of carparking to above grade would likely be of limited benefit (given the car parking spaces to be provided are relatively low) and may be at the expense of social housing yield. It is acknowledged that the issue of overland flow may constrain usability of the ground floor and substantive at-grade car parking is likely the most appropriate use of this area.</p> <ul style="list-style-type: none"> Consistent with the design objectives of the St Georges Road and Plenty Road Corridors UDF, and objectives of the DPO11 consider options for the reorientation of the lobby entry towards Newman Street, the provision of an external entry to bike store and/or provision of commercial tenancy.
Environmental Operations Unit	<p>Council's Environmental Operations Unit has reviewed the proposed Waste Management Plan and deemed it acceptable.</p>

Village Bell Preston – Development Plan

Background:

On 29 October 2020 the Minister for Planning became the Responsible Authority for the issuing of all planning permits for all land identified in the image below.



Figure. 1 - Land affected by the Development Plan.

All of the identified land was previously utilised for residential purposes (public housing) for an extended period of time. The subject site at 55-57 Showers Street (corner of Newman Street) has been vacant since 2012.

In September 2016, the scope and framework for the mixed-use redevelopment of Oakover Village was established through Amendment C136 which included the Development Plan Overlay – Schedule 11 (DPO-11). DPO-11 seeks the appropriate and coordinated development of the site, by requiring the approval of a Development Plan showing the form and conditions of future use and development, prior to the issue of any planning permits.

On 11 March 2021 the Minister for Planning approved a Development Plan, known as the ‘Village Bell Preston Development Plan’ (the Development Plan). The approved Development Plan guides all development outcomes within the precinct.

Planning permit history affecting the subject site:

Planning Permit D/524/2021 was issued for 57 Showers Street on 20 April 2022 allowing the removal of a drainage and sewage easement. The removal of the easement was required as the proposal in question is proposed to be constructed over the easement. This Planning

Permit is yet to be complied with and as such this requirement will be included as a recommendation of approval.

Village Bell Preston Development Plan Overview

The Development Plan seeks a series of staged mixed-use development outcomes across the entire precinct, through the delivery of a range of public and private housing tenures, together with public realm improvements, including enhanced pedestrian and bicycle connections and landscaping.

High quality-built form and environmentally sustainable design principals are fundamental objectives the Development Plan.

The subject site sits within Sub-precinct 2 (Newman Street) of the Development Plan. It is noted that the subject site at 55-57 Showers Street forms of the entirety of Sub Precinct 2.

Within sub precinct 2 the following land use and design principles are sought:

Uses:

To create an active commercial area focussed around Newman Reserve and St Georges Road frontages supported by residential apartment / mixed use activity in the western section of the sub-precinct.

Built form:

To consolidate higher built form within this sub-precinct utilising high quality, podium tower style development with a consistent setback from southern interfaces within the sub-precinct.

To introduce a north-south road extension from Stott Street to Oakover Road and an east-west pedestrian / road connections, that allow for a finer grain of use and development.

To encourage building setbacks of a minimum of 4 metres to Oakover Road and Austral Avenue. Development should allow for landscaping within the front setbacks (including but not limited to canopy trees, green walls and green roofs) to soften the street edge towards the public realm.

The northern edge of this precinct should have a building street wall of no more than 3 storeys.

Subject site:

The subject site is located at 57-59 Showers Street. The site is irregular in shape and incorporates an overall area of approximately 691 square metres and is comprised of Lots 58 and 59 on Plan of Subdivision 433084B. The site maintains frontage to Showers Street to the north of approximately 18.4 metres and a frontage to Newman Street to the east of approximately 23.76 metres.

The land on the north side of Showers Street comprises currently vacant land also in the Mixed Use Zone. This land is also affected by the Development Plan Overlay – Schedule 11 and forms part of the approved Development Plan.

The site is the smallest parcel of land within the larger Development Plan area. The site is relatively isolated away any other site within the Development Plan area, as shown below:



Figure 2 - The subject site.

The site is located on the corner of Newman Street (opposite Newman Reserve). A generous right of way adjoins the site to the west and vacant and former industrial land to the south.

The Proposal:

The proposal involves the development of an eight (8) storey building, comprising 32 dwellings and eight (8) car parking space.

A car parking reduction of 17 spaces is sought, which is discussed and assessed in the body of the main report, under the Clause 52.06 (Car Parking) assessment. Vehicle access is proposed to Showers Street.

The proposal incorporates a mix of dwelling types, as sought by the Development Plan, including 1, 2 and 3-bedroom dwellings for the purpose of social housing owned and operated by the Director of Housing.

Assessment:

The following is an assessment of the proposal against the key performance criteria contained within the Development Plan, including land use, design, transport and landscaping objectives.

Land use and activation:

The Development Plan seeks the following in relation to the land use and activation outcomes:

- *A focus on quality of ground-level spaces*
- *The use of public realm areas to support community integration and activation*
- *Flexibility of ground plane uses to support adaptability over time*
- *Clear legible building entries and passive surveillance to create safe spaces and streets*

Across the entire Development Plan area, residential activation complemented by flexible ground floor uses is sought.

The adopted design response and site constraints provide limited opportunities to provide a substantial and adaptable commercial offering. This is in part the result of the site constraints, including land contamination with car parking entirely at grade. It is also an island site away from the larger site clusters which are afforded greater scope and flexibility to achieve a true land use mix including commercial uses at ground level. The adjacent ROW is also not legally accessible purpose of vehicle access.

Positively the proposal incorporates clear and identifiable pedestrian entry, which marks the corner of Showers Street and Newman Street. The entry provides ramped access (open to Newman Street) to a reasonably generous lobby space, set behind integrated bench seating and landscape treatments to the Newman Street frontage of the proposal.

The upper levels provide balconies at the Showers Street and Newman Street corner which further articulate and highlight the street corner interface and provide opportunities for outlook and surveillance toward the public realm, including the adjacent Newman Reserve.

The remainder of the ground floor area comprises eight (8) car parking spaces and 27 bicycle parking space, together with site services, including comms room and fire pump room (with access to Newman Street).

Recommended permit conditions include requirements to improve the activation of the ground floor as it presents to each Street frontage. This will be achieved by providing direct access from the bicycle storage area to Newman Street and a consideration given to the relocation of the fire booster and switch room to the west and incorporation of ground floor communal open space adjacent the pedestrian entry, with associated landscaping and variation of the podium above to allow light penetration.

Precinct Connectivity

With regards to precinct connectivity, the Development Plan seeks the following:

- *Provision of through block links to enable connections between the future Newman mixed-use precinct to Ray Bramham Gardens, Newman Reserve and Bell Station*
- *Investment in quality streetscapes and public space to improve amenity and encourage non-vehicular movement within the broader Precinct*
- *Utilising the existing street network*

In its current form, the proposal does not incorporate a through-block link, nor any level of investment in the streetscape or public space. Recommended conditions of approval will require the following:

- A dedicated two-way off-road cycling paths provided along key connector routes and/or diagonally through Newman Reserve from the northwest corner to the southeast corner junction with St. Georges Road, or alternative infrastructure upgrades as agreed to by Darebin City Council.
- The delivery of threshold treatments at the at the Oakover Road / Newman Street intersection.

It is noted that further activation and connectivity objectives will be delivered in future stages, in accordance with the Development Plan as it relates to sub precincts 1, 3 and 4.

Housing Diversity

The proposal delivers on the aims and objectives of the Development Plan through the provision of 32 social housing dwellings, of varying configurations including 1, 2 and 3 bedroom accommodation.

The larger precinct envisages a range of dwelling types. Including apartments and three-storey townhouse models. Higher density apartment buildings are clustered in the southern part of the precinct (such as the subject site), away from existing residences and sensitive interfaces. The proposal successfully incorporates the preferred level of density as envisaged within the Development Plan. Please see **Figure 8** below:

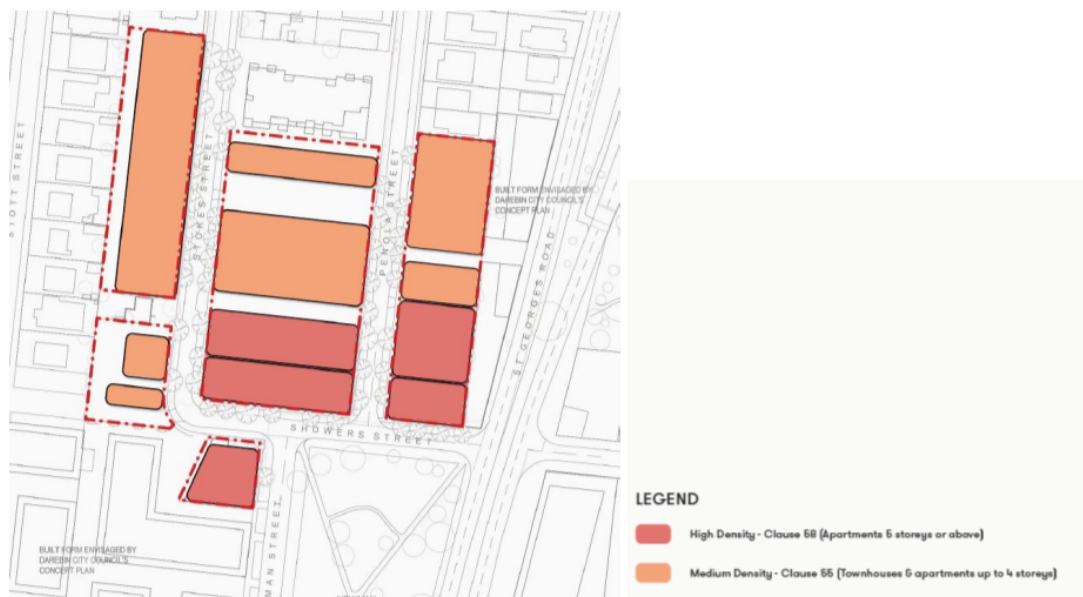


Figure 3 – Site-specific envisaged levels of density within the Development Plan

Integrated Transport and Traffic Management

The Development Plan seeks to locate car parking at a basement level or within other suitably concealed areas, such as “active podium frontages or within buildings that display a high level of architectural resolution”.

The absence of a basement level equates to a reduced level of contaminated ground disturbance, which is a constraint on the development.



Figure 3 – Proposed vehicular accessway via Showers Street (Source: Hayball Architects dated 26 August 2022)

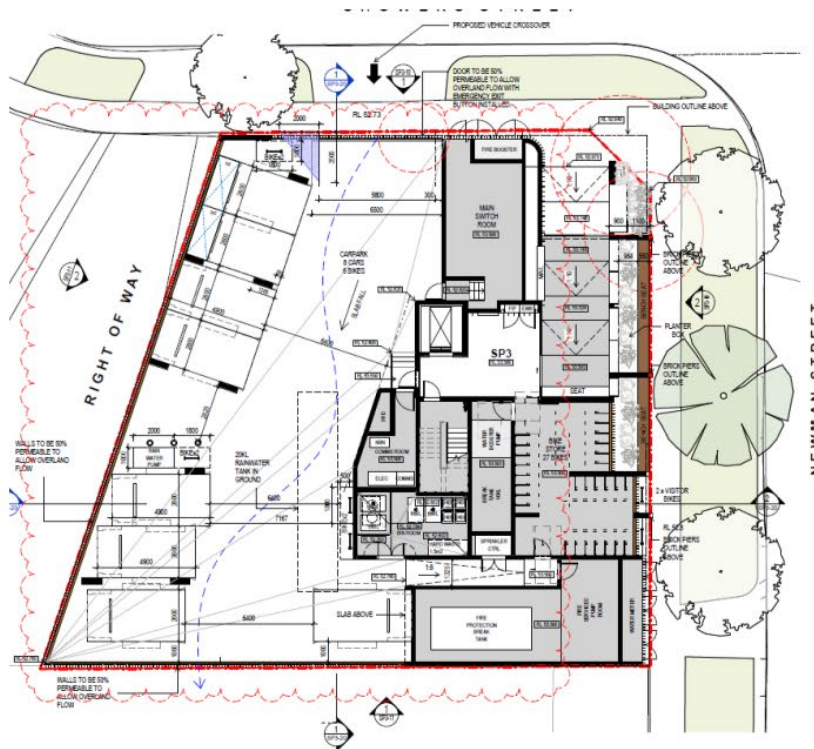


Figure 4 – Proposed ground floor plan showing the location of resident and visitor bike parking spaces (Source: Hayball Architects dated 29 November 2022)

Improvements to ground level activation are sought by conditions requiring an opening to the eastern façade to allow direct access to the bicycle storage area and other improvements discussed above.

In regard to precinct wide connectivity, Figure 5 below illustrates where the subject site will benefit from an enhanced east-west pedestrian / cycle laneway between Stokes Street and Penola Street:

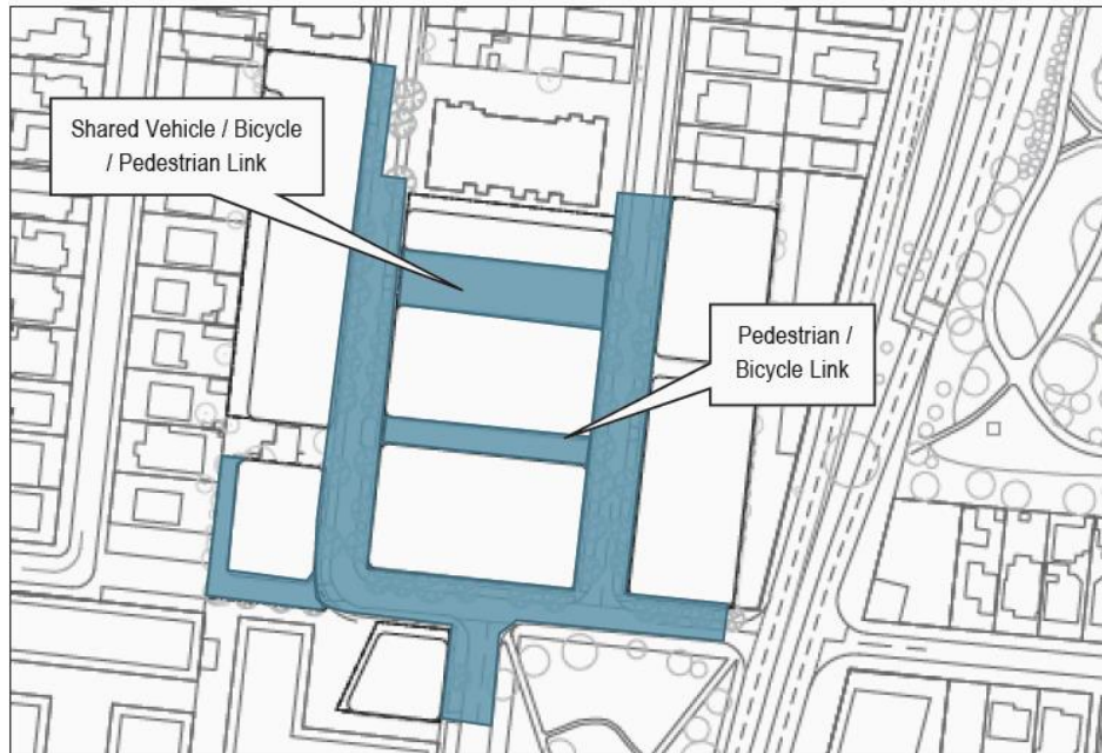


Figure 5 – Proposed linkages through the precinct

Again, a condition of approval recommending public infrastructure upgrades, including enhance landscape outcomes will ensure improved connectivity and an enhanced pedestrian experience.

Landscape and Public Realm

The Development Plan seeks a landscape character which is *“centred around vegetated pedestrian environments with an emphasis on community spaces*. The Development Plan includes a Landscape and Public Realm Concept Plan which indicates where (and to what level) additional tree planting will be incorporated in the wider precinct. Figure 6 provides an indicative plan key landscaping opportunities and outcomes.

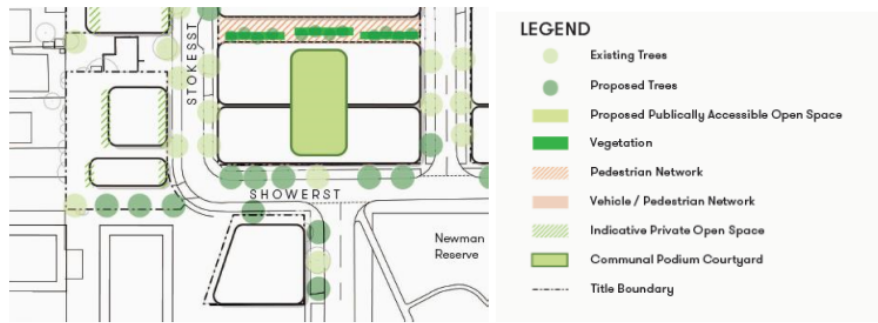


Figure 6 – Landscape and Urban Realm Concept Plan

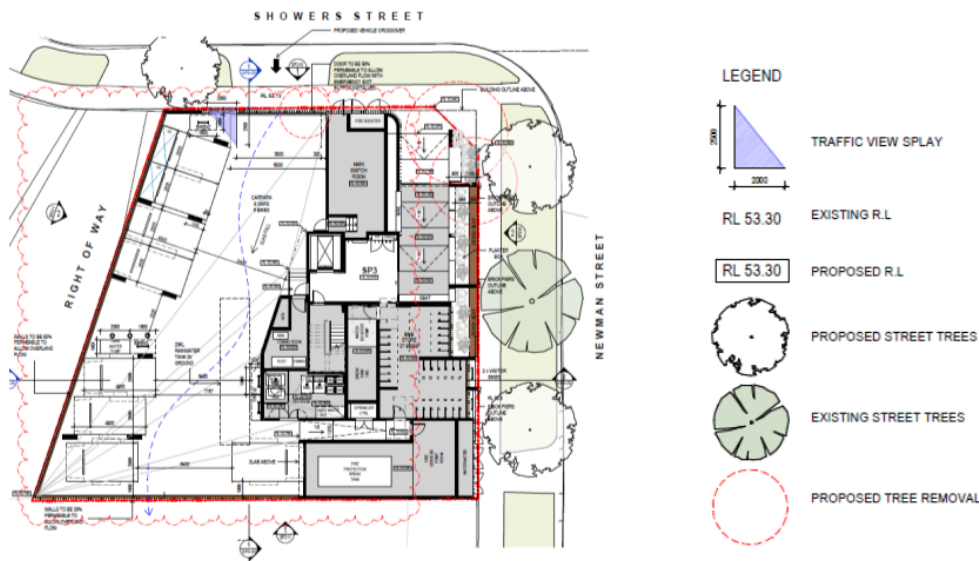


Figure 7 – Proposed ground floor plan showing the location proposed tree planting locations (Source: Hayball Architects dated 29 November 2022).

The proposal provides limited on-site landscaping, particularly in relation to deep-soil planting and landscaping at the podium level. To address this, conditions are recommended to achieve compliance requirements of Clause 58, including on deep-soil planting and landscaping at the podium level (with the latter being a key landscaping objective of the Development Plan). Recommended conditions will also include the satisfactory treatment of footpaths with the incorporation of landscape zones along the northern, western and eastern elevations of the development.

Building Heights, Design and Setbacks

The development adopts a tower and podium form as required under the Development Plan.

The proposal provides a three storey streetwall to Newman Street, with the remaining levels setback at least 2 metres.

Whilst the entirety of the proposal does not incorporate the preferred three-storey street-wall heights, the setback of the upper levels to Showers Street are successfully articulated.

Overall, the architecture, materiality and finish of the development is of high quality. The urban design response is for the most part, an excellent outcome, subject to conditions which enhance the public realm interface and functionality for residents.

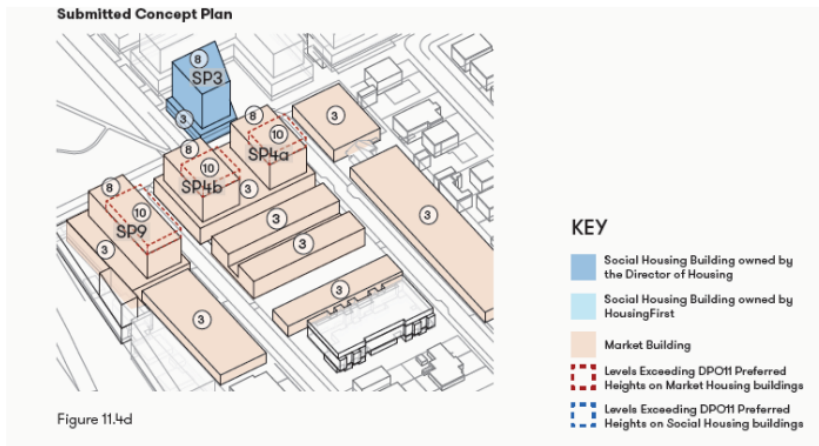


Figure 9 – Building heights and anticipated dwelling yield

Figure 10 above provides clear indication that the proposal is successfully achieves the built form and scale outcomes sought within the Development Plan.

Interfaces/Equitable Development

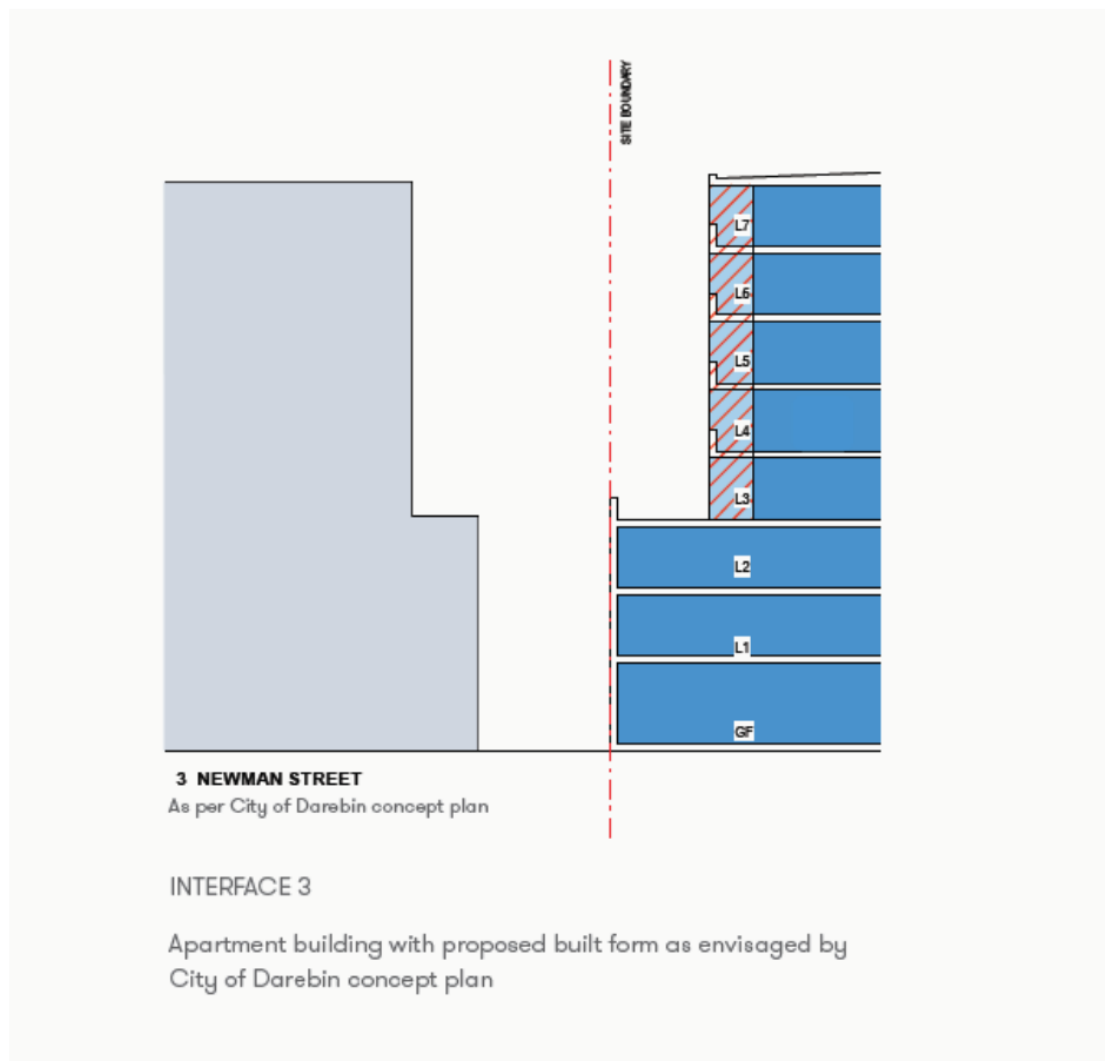


Figure 12 – Required articulation to achieve equitable development

Having regard to the above, the proposal appropriately incorporates the required three-storey street wall and subsequent upper-level setback at its Newman Street frontage.

Ecologically Sustainable Development Strategy

The Development Plan targets a 5-star Green Star Design outcome and an average NatHERS rating of at least 7-stars across the entire precinct. Accordingly, these requirements have been included as recommended conditions of approval. Further, Council's Environmentally Sustainable Design (ESD) Officer have provided a number of recommendations and updates to the plans and the Sustainability Management Plan (SMP) to improve the ESD performance of the development.

Overshadowing

The proposal is generally in accordance overshadowing impacts with impact largely limited to adjacent streets, ROW and Newman Reserve as illustrated in the Development Plan.

A comprehensive assessment of the external impact of the proposal has been undertaken within the main assessment, including against relevant objectives and standards under Clause 58 (Apartment Developments) of the Darebin Planning Scheme.

Construction Management Plan

A Construction Management Plan (CMP) has been included within the approved Development Plan, with specific requirements for Stokes/Penola (Stage A – the subject site). Accordingly, a recommended condition of approval requiring the submission of a CMP in line with the requirements of the CMP (for Stage A) has been included.

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION - VCAT APPLICATIONS

EXECUTIVE SUMMARY

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

- A summary of decisions upheld by VCAT by financial year to date; and
- A summary of VCAT decisions issued since last report to Council.

Officer Recommendation

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

RELATED DOCUMENTS

- Nil

Attachments

- Applications Determined by VCAT - Report for Planning Committee (**Appendix A**)

PLANNING COMMITTEE MEETING

14 MARCH 2023

TABLE 1: SUMMARY OF DECISIONS UPHELD BY VCAT FINANCIAL YEAR TO DATE I.E JUL – DEC 2022

	Number of VCAT Decisions	Percentage of decisions upheld (excluding mediated outcomes)	Percentage of decisions upheld (including mediated outcomes)
Council decisions	2	N/A	100%
Delegated decisions	18	87.5%	94.44%
All decisions	20	87.5%	95%

Comment on performance and trends

The results from the first half of this financial year are a significant improvement on last year's financial year results which were 20% of decisions upheld (excluding mediated outcomes) or around 50% (including mediated outcomes). The typical percentage of decisions upheld (excluding mediated outcomes) across similar Council's is around 58% or 50% for all decisions.

Last year's result was particularly low and in part was affected by there being a lower than usual number of overall VCAT applications, a trend that is continuing this year.

An improvement in results this financial year to date is in part accounted for by improvements to VCAT procedures that the team have been implementing. In addition, VCAT have increased the number of matters that can go to a compulsory conference, which is increasing the number of mediated outcomes reached.

Notes on Table 1

Table 1 summarises VCAT decision types and outcomes required to be reported to the Local Government Performance Reporting Framework (LGPRF).

As LGPRF reporting does not reflect mediated outcomes as a decision upheld, decisions upheld based on a mediated outcome are distinguished in the table.

Some less common VCAT application types are not reported to LGPRF (for instance applications to cancel a permit, obtain a declaration and enforcement proceedings are not reported). This financial year to date, there have been three VCAT decisions that are not reportable to LGPRF and so are not captured in the above table. All these decisions concerned delegated decisions of Council. Of these, two were withdrawn/struck out and one upheld Council's position.

PLANNING COMMITTEE MEETING

14 MARCH 2023

Council decisions are decisions made by the Planning Committee. Delegated decisions are decisions made under Council's delegation instruments by Planning Officers in the Statutory Planning Unit.

PLANNING COMMITTEE MEETING

14 MARCH 2023

TABLE 2: SUMMARY OF VCAT DECISIONS ISSUED SINCE LAST REPORT TO COUNCIL

Council & VCAT references	Address & ward	Proposal	Council position	Council or Delegate decision?	VCAT application type*	Hearing type**	VCAT decision	Was Darebin's position upheld?
D/743/2021 P1403/2022	124 Wingrove Street ALPHINGTON South East	Two (2) double storey dwellings	Refusal	Delegate	S77	No hearing	Permit granted (with conditions) 7 February 2023	Yes
<p>Discussion A mediated position was reached prior to the hearing as the applicant amended the plans to address Council key concerns by setting the dwellings off one side boundary and increasing the front setback to the street.</p>								
D/469/2021 P347/2022	121 Purinuan Rd Reservoir – North East	Construct four (4) double storey dwellings	Refusal	Delegate	S77	No hearing	Permit granted (with conditions) 13 February 2023	Yes
<p>Discussion A mediated position was reached as the applicant amended the plans to address Council's key concerns by reducing the overall built form to improve landscaping, reducing the first floor built form to decrease visual bulk and reducing overshadowing of neighbouring PV panels.</p>								

Notes on Table 2

*VCAT appeal types explained:

S77 – Section 77 Application for review of Council's refusal to grant a planning permit, by the applicant

PLANNING COMMITTEE MEETING

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S78 – Section 88 Application for review of notice or information requirements requested by Council, by the applicant

S79 – Section 79 Application for review of Council’s failure to determine the application within the 60 day statutory timeframe, by the applicant

S80 – Section 80 Application for review of Council’s conditions on a planning permit, by the applicant

S81 – Section 81 Application for review of Council’s decision to not extend a planning permit, by the applicant

S82 – Section 82 Application for review of Council’s decision to support a proposal, by objectors

***VCAT hearing types explained:*

***Practice Day Hearing** – Administration hearing - VCAT gives direction on how the case will proceed, sets dates, discusses preliminary legal issues, etc*

***Compulsory Conference** – Prior to the full hearing, parties confidentially discuss ways to resolve the case with the help of a VCAT member, may result in a mediated outcome being reached*

***Hearing** – VCAT hearing where parties present their case and the decision is made after consideration by VCAT*

***None (decision made on the papers)** – decision reached without the need for a hearing, usually where parties reached a mediated outcome outside of the Tribunal or where an appeal is withdrawn or struck out for administrative reasons*

***Major Case** – Major cases are heard sooner and can reach a resolution quicker than other planning cases. Most cases are eligible to be heard as a major case, but one of the parties must pay higher fees. Applications for review under Sections 77, 79, 80 and 82 are all eligible*


***Short Case** – These are cases which are not complex and can be handled in a short amount of time, typically involving limited issue/s and less parties. These cases are heard sooner and decisions are typically made orally at the hearing*

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL


8. CLOSE OF MEETING

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

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T 8470 8470

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