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AGENDA

Planning Committee Meeting to be held in the Council Chamber at the Darebin Civic Centre, 350 High Street Preston on Tuesday 15 March 2022 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 xiriir 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. Lina Messina (Mayor) (Chairperson)

Cr. Trent McCarthy (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Gaetano Greco

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF PLANNING COMMITTEE

Recommendation

That the Minutes of the Planning Committee Meeting held on 14 February 2022 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 APPLICATION FOR PLANNING PERMIT D/764/2020 224 Broadway Reservoir

Author: Principal Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
G2 Urban Planner	Iloray Pty Ltd	Ark8 Architecture G2 Urban Planning Northern Environmental Design Traffix Group Urban Design Solutions

SUMMARY

- It is proposed to construct a four (4) storey mixed-use development comprised of two (2) ground floor shops and 18 dwellings. The overall height of the development will be 13.7 metres from natural ground level (NGL).
- Five (5) dwellings will contain two (2) bedrooms and 13 dwellings will contain one (1) bedroom. All private open space is in the form of balconies in excess of 8 square metres.
- The two (2) shop tenancies will front Broadway with a combined floor space of 162 square metres.
- A total of 11 car spaces will be provided on the ground floor accessed via the rear right of way from Marchant Avenue. A car parking reduction associated with seven (7) dwellings and the retail tenancies is proposed.
- The site is zoned Commercial 1 and is affected by the Development Contributions Plan Overlay (currently expired).
- The Transport Zone 2 applies to Broadway.
- There is a restrictive covenant on title. The title contains restrictive covenant 1506985 which restricts excavation other than for construction purposes. Given the exemption within the covenant to allow construction, the proposed development will not breach the terms of the covenant.
- No objections were received against this application.
- The proposal is generally consistent with the objectives and standards of Clause 22.06 Multi Residential and Mixed-Use Development and Clause 58 Apartment Development of the Darebin Planning Scheme.
- It is recommended that the application be supported.

CONSULTATION:

- Public notice was given via three (3) signs posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to the following units in Council: Asset and Capital Delivery, City Designer, City Works, Climate Emergency and Sustainable Transport, Environmental Sustainability Officer and Property Management.
- This application was referred externally to Head, Transport for Victoria.

Recommendation

That Planning Permit Application D/764/2020 be supported and Planning Permit be issued for a four storey, mixed use development comprising a shop and 18 dwellings and reduction of the car parking requirement on land in the Commercial 1 Zone as shown on the plans accompanying the application at 224 Broadway, Reservoir subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as Sheets TP-06, TP-08 to TP-13, TP-15 to TP-17, Revision A, dated 15 April 2021, prepared by Ark8 Architects and received by Council on the 27 April 2021 and Landscape Concept Plan received 27 April 2021) but modified to show:
 - (a) 50% of all bicycle parking spaces provided as a ground mounted device.
 - (b) Addition of an operable window to the bathroom of dwelling 16 along either the northern or western wall.
 - (c) Addition of an operable east facing window to the bedroom of dwelling 15.
 - (d) The horizontal exposed concrete band being continuous between the two bedrooms on the southern elevation.
 - (e) Modifications to the north wall and car park entry to include a metal grill or open bricks or similar to increase natural ventilation and daylight.
 - (f) A section diagram of the storage cages shown with useable dimension in cubic metres.
 - (g) Reconfiguration of storage spaces so that all storage units are proximal to allocated dwelling car spaces.
 - (h) 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.
 - (i) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
 - (i) co-located where possible;

- (ii) positioned on a side boundary or adjacent to the accessway; and
- (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (j) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (k) Annotations and modifications required as a result of the approved Sustainable Management Plan (SMP) required by Condition No. 4 of this Permit.
- (l) The provision of a Stormwater Management System Report, including a Water Sensitive Urban Design (WSUD) Plan, in accordance with Standard W2 of Clause 53.18 – 5 of the Darebin Planning Scheme. Refer to Condition No. 6 of this Permit.
- (m) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (n) Any modifications required as a result of the approved Waste Management Plan (WMP) required by Condition No. 8 of this Permit.
- (o) Any modifications required as a result of the approved Acoustic Report required by Condition No. 9 of this Permit.
- (p) A comprehensive schedule of construction materials, external finishes and colours (including colour samples). Annotated coloured elevations and 3D renders accurately representing the proposed materials, colours and finishes in accordance with the approved schedule of construction materials.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
 3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority detailing the proposal must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must include:
 - (a) Site analysis details such as:
 - (i) climatic factors (wind, rainfall, solar radiation and air temperature)
 - (ii) local environment
 - (b) Green wall establishment details such as:
 - (iii) weight loading (dead load, live load and transient load)
 - (iv) access
 - (v) construction layers including sectional diagrams
 - (vi) support structures
 - (vii) waterproofing
 - (viii) irrigation and plant nutrition
 - (ix) vegetation
 - (x) lighting
-

- (c) A maintenance planting schedule, including:
 - (xi) details of who will be responsible for the maintenance of the garden wall and landscaping
 - (xii) required maintenance tasks (establishment, routine, cyclic, reactive/emergency, renovation)
 - (xiii) access requirements/ agreements.
 - (xiv) irrigation and plant nutrition

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.

4. Before plans are endorsed under Condition No. 1 of this Permit, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority 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 must be generally in accordance with the document identified as Sustainability Management Plan (SMP), dated 15 April 2021, prepared by Northern Environmental Design and received by Council on the 27 April 2021 but modified to show:
 - a) All ESD commitments are clearly drawn, labelled and listed on the plans. Provision of an ESD table on the plans is required.
 - b) Bess Management 3.3 - Remove shops from this credit;
 - c) Bess Water 4.1 – Draw and label the water tanks to save water for the Fire Testing system, or remove this credit as there appears to be no fire tank;
 - d) Bess Energy - reduce the dryers to 3 stars.

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

5. The development must not be occupied until a report to the satisfaction of the Responsible Authority prepared by the author of the Sustainability Management Plan (SMP) endorsed under Condition 4 of this Permit, or similarly qualified person, is submitted to the Responsible Authority, confirming that all measures specified in the SMP have been implemented in accordance with the endorsed SMP.
-

6. Before plans are endorsed under Condition No. 1 of this Permit, an amended Stormwater Management System Report (SMSR) and Water Sensitive Urban Design (WSUD) Plan to the satisfaction of the Responsible Authority must be submitted to an approved by the Responsible Authority. When approved, the amended SMSR Report and WSUD Plan will be endorsed and will then form part of this Permit. The amended SMSR Report and WSUD Plan must be generally in accordance with the document identified as (Waster Sensitive Urban Design Report – Revision B, dated 15 April 2021, prepared by Northern Environmental Design and received by Council on the 27 April 2021) but modified to show:

The STORM report amended to show tank water supply reliability of at least 80% or an increase in the capacity of rainwater tanks.

- (a) The garden beds are all connected to the drainage system with the plans using minimal amount of water. Please update this in the report;
- (b) The water tank reliability in the STORM report must be a minimum of 80%;
- (c) Provide information on how Clause 53.18 will be addressed;
- (d) The area connected to the drainage system with the plants using a minimal amount of water.

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

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

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

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

8. Before plans are endorsed under Condition No. 1 of this Permit, the Waste Management Plan submitted as part of the application (identified as Waste Management Plan, dated 15 April 2021, must be approved to the satisfaction of the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will then form part of this Permit. The Waste Management Plan must:

- (a) Be updated to include e-waste, food waste and separate glass recycling for residential and commercial areas;
 - (b) Please provide the following bins for the residential component of the development:
 - i. Waste = 1 x 1100 bin required collected weekly;
 - ii. FOGO = 4 x 120 litre organic bins collected weekly;
 - iii. Recycling = 2 x 1100 bins for the chute;
 - iv. Glass = 385L per week (to be implemented);
-

- (c) Ensure all bin types, bin sizes, the size of the waste storage area/s and any other relevant detail/s specified in the Waste Management Plan are shown to scale on the endorsed plans.
- (d) Include measures to minimise waste material sent to landfill including details of how recycling of and treatment of organic/food waste will be maximised;
- (e) Confirm that educational material will be displayed in the waste bin storage area explaining what material can be recycled;
- (f) Include calculations showing the amount of general, recycle, glass and organic waste (including food waste) expected to be generated;
- (g) Detail the size of bins, frequency of collection and hours of collection;
- (h) Include a dimensioned plan showing:
 - (i) the location of the bin storage area on the site.
 - (ii) details of screening of the bin storage area from public view.
 - (iii) suitably dimensioned bin storage area with convenient access.
 - (iv) the storage area is capable of accommodating and allowing convenient access to the waste bins.
 - (v) the location on the site where the bins will be placed for collection.
 - (vi) where the waste trucks will stop to service the waste bins and whether No Parking restrictions will be required for the waste trucks to access that space.
 - (vii) Detail the ventilation to prevent garbage odours entering the car park and/or dwellings.
 - (viii) Show how waste bins will be taken to the point of waste collection.
 - (ix) Confirm that the bins will be removed from the street promptly after collection.
 - (x) If the waste is to be collected from a Basement Level, specify the size of the collection vehicle and demonstrate:
 - (i) sufficient head-height clearance is available for access and collection; and
 - (ii) through swept path diagrams that the specified vehicle can enter and exit the site conveniently in a forward direction.

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

The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Waste storage and collection must not affect the amenity of the surrounding area.

Waste storage and collection must not cause any interference with the circulation and parking of vehicles on abutting streets.

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

- a) Noise levels associated with the operation of surrounding and nearby non-residential uses such as retail and commerce, train lines and road traffic do not impact adversely on the amenity of the dwellings.
- b) Dwellings are designed to achieve the following noise levels:
 - i. Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii. Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.
 - iii. Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

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

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

10. 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).

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

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

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

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

14. 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.

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

16. 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.

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;
- (e) line-marked to indicate each car space and all access lanes; and
- (f) clearly marked to show the direction of traffic along the access lanes and driveways,

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.
20. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
21. 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.

VicRoads Condition No. 20

22. Prior to the commencement of use, the crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.

NOTATIONS

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

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the development they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
-

- N4. This Planning Permit represents the planning approval for the use and/or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.
- N5. 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. The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.

INTRODUCTION AND BACKGROUND

No relevant history exists for the site on Council’s records.

ISSUES AND DISCUSSION

(a) Subject site and surrounding area

- The land is regular in shape and made up of three lots being 1, 2 and 3 on Title Plan 516953A (formerly known as lots 34 and 35 on Plan of Subdivision 012071).
- The land measures 38.01 metres long by 15.8 metres wide for a total site area of 604 square metres.

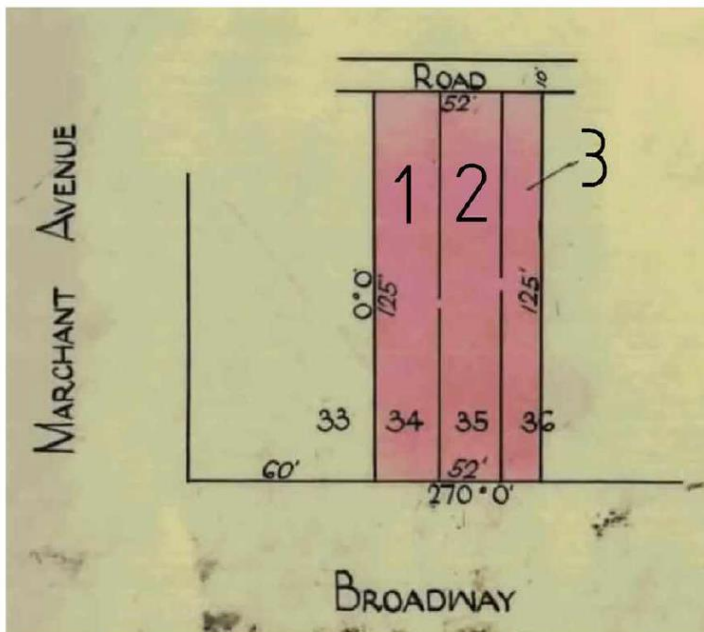


Figure 1: Title plan as provided by the applicant.

- The land is located on the northern side of Broadway, approximately 30 metres east of the intersection with Marchant Avenue. The site is a further 330 metres east of Reservoir Train Station and the complex road and rail junction which includes the Spring and High Street and Cheddar road intersection.
- Whitelaw Street is approximately 160 metres to the west.
- This section of Reservoir is identified under Victorian State Planning Policy as a Major Activities Area. The Reservoir Structure Plan 2012 is a reference document contained under Clause 21.03-5 to guide development in this area.



Figure 2: Local context plan showing the Reservoir train station at the centre of the Reservoir Structure Plan.

- The site currently contains a single storey brick commercial building (shop and office) with a former dwelling at the rear.



Figure 3: Subject site

- To the north of the site is a 3 metre wide right of way which runs parallel along the site's northern boundary. The right of way is a Council constructed and maintained road which is also in Council's Register of Public Roads.
- Beyond the right of way is the rear yard of 103 Cuthbert Road to the west. A planning application D/845/2021 is currently with Council in the early stages of assessment for this site. The application is for a medium density housing development comprised of four (4) double storey dwellings.

- Further east are the sheds associated with lot 4/101 Cuthbert Road, Reservoir.



Figure 4: View to the north (rear) and new dwellings at 101 Cuthbert Road.

- To the south is the Broadway road reserve which is an arterial road located in Transport Zone 2 (TZ2). The TZ2 contains the principal road network. Broadway is 30 metres wide and consists of single traffic lanes running in an east/west direction and separated by a tree lined boulevard and centralised car parking. Broadway also contains a bicycle lane, kerbside car parking and intermittent centralised pedestrian platforms to assist with crossing.
- On the opposite side of Broadway are a number of single storey commercial properties of mostly brick material. A disused caryard remains one of the larger parcels of land.
- To the east is a single storey brick building used for commercial purposes (shop) with a former dwelling at the rear. A shed structure exists along the common boundary extending from the northern boundary.
- To the west abutting the front portion of the common boundary is a single storey brick building constructed to the common boundary. Abutting the central part of the common boundary is an open car park area. Abutting the rear and setback off the common boundary is a single storey building used as a medical centre.



Figure 5: Aerial view of the subject site (blue arrow) taken from Nearthmaps January 2022.

- On street parking restrictions are in place along Broadway to the front of the site as follows:
 - Loading Zone between 8.30am to 6.30pm Monday to Friday on the northern side of Broadway;
 - 1 hour parking between 8.30am to 6.30pm Monday to Friday on the southern side of Broadway.
 - The centralised parking within Broadway to the front of the site has a 1 hour time limit between 8.30am to 9pm Monday to Friday.
- Other parking restrictions in the area in 2 hour parking along Marchant Avenue.
- The site has excellent access to multiple public transport options including the following:
 - South Morang rail line and Reservoir Train Station which is approximately 330 metres to the west. The train station has several bus services which travel to various destinations in Darebin and beyond.
 - Several bus services exist along Broadway including:
 - Route 552 to Northcote Plaza;
 - Route 555 to Epping;
 - Route 561 to Pascoe Vale Train Station;
 - Route 301 to Reservoir and Latrobe University via Reservoir Train Station;
- The site is situated amongst a network of other Activity Area's including Northland to the south east, Preston market directly to the south and Summerhill Village to the east.
- Other specialist centres proximate to the site include Latrobe University which is located 4 kilometres to the east and provides a major education and employment hub.
- Other community facilities within the heart of Reservoir include:
 - Reservoir Civic Centre;
 - Reservoir Library;
 - Civic centre in Edwardes Street;
 - Edwards Lake
- Major industrial areas to the west, north and north west generate local employment opportunities.
- It is evident the subject site benefits from proximity to numerous, high amenity open space reserves, community facilities and public transport options within walking distance to the subject site as befitting a site within a major activity area.

Proposal

- It is proposed to construct a four (4) storey mixed-use development comprised of two (2) ground floor shops and 18 dwellings. The overall height of the development will be 13.7 metres above natural ground level (NGL).
-



Figure 6: Proposed street view of the development.

- Five (5) dwellings will contain two (2) bedrooms with the remaining 13 dwellings containing one (1) bedroom. All private open space is in the form of balconies in excess of 8 square metres.
- The two (2) shop tenancies will front Broadway with a combined floor space of 162 square metres.
- A total of 11 car spaces will be provided on the ground floor accessed via the rear right of way from Marchant Avenue. A car parking reduction for seven (7) dwellings and the retail tenancies is proposed.
- No visitor car parking is provided as the site is located in the Principal Public Transport Network (PPTN).

(b) Objections

- No objections were received against the application.

PLANNING ASSESSMENT

Reservoir Activity Centre Structure Plan 2012:

The Reservoir Structure Plan 2012 is a Reference Document under Clause 21.03-5 (Housing) of the Darebin Planning Scheme.

The structure plan guides the future planning and development for Reservoir which is already undergoing a major revitalisation with the completion of the elevated Reservoir Train Station.

Other transformations will occur as efforts are made to connect the two (2) shopping destinations, 'Reservoir Village' to the west and Broadway to the east through enhancements to pedestrian and cycle access across Spring and High Streets. Other achievements will include delivering additional retail space and housing accommodation to support the centres evolution.

The subject site is located in Precinct 3 which identifies a preferred height limit of 3-5 storeys. The following objectives apply to this Precinct:

- To strengthen the existing mix of retail, entertainment, service business, and medical uses throughout the precinct.
- To encourage residential development above shops throughout the precinct.
- To enhance the appearance and amenity of streets and key entrances within the precinct through high quality built form.
- To provide high quality and durable streetscapes designed for people.

The proposal broadly satisfies the direction for mixed use development with residential above ground level.

Smaller households are identified as a necessity for the area, reflecting an ageing population, a reduction in household size and housing affordability. Reservoir typically is characterised by larger single dwellings.

A key opportunity for the area is that as the centre revitalises and intensifies, apartment and townhouse style development can support the additional housing demand. Housing opportunities are located above shops throughout the street providing more life in the precinct.

Figure 9 identifies preferred rear setbacks stating that:

“These envelopes will ensure that commercial buildings are appropriately scaled to minimise overshadowing and the visual impact of new buildings”.

For the rear boundary a 6.1 metre height on the boundary and a 40 degree setback envelope is outlined. The application drawings meet this envelope for the ground, first and third floor with a minor incursion for the top portion of the second floor (see figure 10 below).

Building Heights	
Built Form Precinct	Preferred building height (excluding basement)
3a	<ul style="list-style-type: none"> • 3- 5 storeys • 3 storey frontage to Edwardes Street and additional levels recessed by 3-5m from street frontage • Bernard Street car park site: Bedford Street and Bernard Street interface - Refer to Section 6.8: Figure 20 • Residential Interface - Refer to Section 6.8: Figure 19

Figure 14: Broadway Precinct Plan

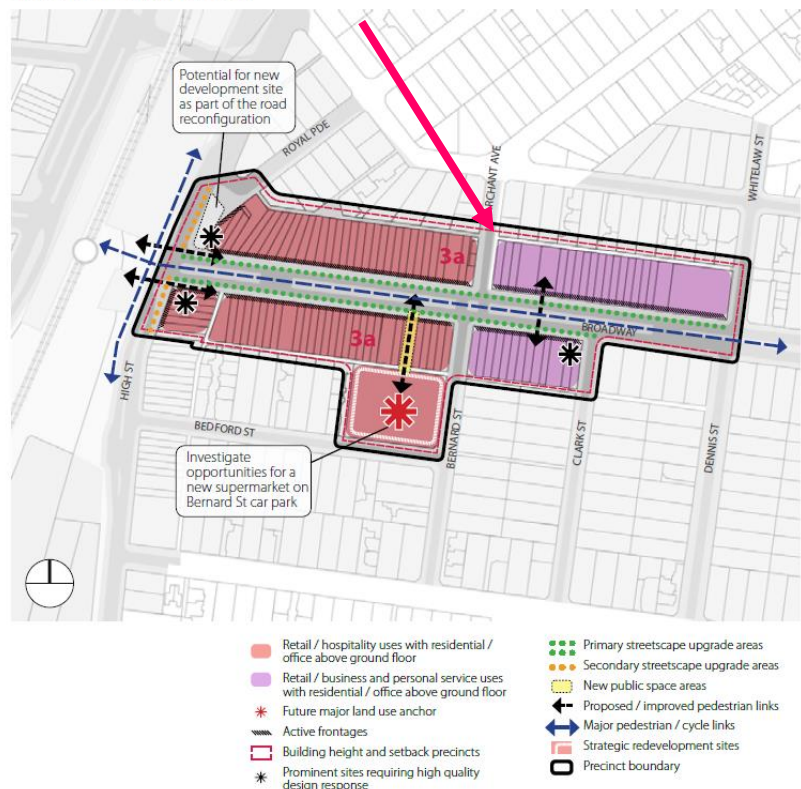


Figure 7: Precinct plan 3, taken from the Reservoir Structure Plan 2012

15 Built Environment and Heritage

In assessing and determining residential development applications regard must be had for Clause 15.01-1.

The level and type of change anticipated on a site is dictated by the zone and associated policy, as well as the strategic and physical context. The Scheme, through the Commercial 1 Zone, sets the tone for a greater site coverage and scale of development than the nearby residential context.

The objective of this Clause is to create urban environments that are safe, functional and provide a sense of place and cultural identity.

Clause 15.01-1S – Urban Design

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

The current amenity, attractiveness and safety of the public realm will be enhanced by this proposal, which will create jobs, housing and contribute to the emergence of Broadway as a vibrant commercial strip that extends to the railway station and Edwardes Street.

The proposal and will activate the streetscape.

Clause 15.01-2S Building Design

To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

The proposed four (4) storey building is not considered unreasonable in the local context given the site is zoned commercial and located in the Reservoir Structure Plan.

This level of change is acceptable given the site could accommodate up to 5 storeys. The proposed form, scale and appearance will not detrimentally impact on the amenity of adjoining lots, the public realm or the natural environment.

There will be no detrimental impacts to nearby residential lots (as detailed below).

The public realm, including the pedestrian path and streets, will be protected by an awning over the footpath. The proposed building will not impact on the functionality or amenity of the public realm.

The proposal provides appropriate articulation to the facades through materials, design and appropriate setbacks. There are no strategic views, vistas or landmarks that require protection in this location.

The proposal will improve the perception of safety, through street activation and passive surveillance. Safety for the residents of the development is acceptable with adequate access from both the front and rear of the site. The proposal has an appropriate sense of address with a meaningful lobby proposed.

Clause 15.01-4S Healthy Neighbourhoods

To achieve neighbourhoods that foster healthy and active living and community wellbeing.

The site is located in an area that is well serviced by public transport. Seven (7) of the single bedroom dwellings provide zero car parking. This is considered an appropriate outcome providing an alternative form of housing in proximity to Reservoir Train Station, shops, schools, parks and other services.

The applicant proposes to waive some car parking so having the Reservoir Train Station in the near vicinity of the site ensures that occupants can easily connect to shops, school, parks and other services.

The car-parking waiver is acceptable in this instance due to the location of the Reservoir Train Station approximately 330 metres from the front entry of the development.

Occupants who decide to walk will be supported by weather protection from the commercial premises along Broadway. The location of the site also encourages occupants to engage in social activity with restaurants, parks and shops proximate to the site.

Clause 15.01-5S Neighbourhood Character

To recognise, support and protect neighbourhood character, cultural identity and sense of place.

The land is zoned commercial and the proposal is considered satisfactory with regard to built form, use and minimal off site amenity impacts. The proposed development will enhance the appearance of the streetscape and improve the amenity of the street via activation and passive surveillance.

The development maintains a commercial component at ground level which will support the centre. Dwellings on the upper levels and car parking at the rear are appropriate design responses that will strengthen the centre and contribute to the transformation of Broadway. This mix of uses is considered appropriate.

The proposed development will have a commercial appearance which ties in with the commercial zoning. The materiality and facade composition will match the existing, which will provide for a seamless appearance to the street. The overall height of the building is appropriate and will set a precedent for this section of Broadway. A condition of approval will request a comprehensive schedule of construction materials, external finishes and colours.

16 Housing

Clause 16.01-1S – Housing supply

To facilitate well-located, integrated and diverse housing that meets community needs.

The proposed development which includes five (5) dwellings with two (2) bedrooms and 13 dwellings with one (1) bedroom will cater to the needs of the changing population in Reservoir by providing housing affordability and broader housing choice.

The proposed development is well situated with regards to access to public transport, facilities, shops, schools and open space reserves.

17 Economic

Clause 17.01-1S – Diversified economy

To strengthen and diversify the economy.

The proposal will create employment with the inclusion of two (2) shops whilst strengthening the mix of retail or other uses in the area. The proposed shops will support each other and the local community.

18 Transport

Clause 18.01-1S – Land Use and transport integration

To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

(c) The proposed development appropriately uses the existing road network including the rear right of way for car access to the site. This will reduce points of conflict with other movement networks including for pedestrians and cyclists, ultimately protecting and enhancing the existing transport system.

(d)

(e) Car parking located to the rear of new development maintains activation to the streetscape and is encouraged under Council's *Darebin Safe Travel Strategy 2018 -2028* and *Darebin Transport Strategy 2007 – 2027*.

Zoning:

The site is located in a Commercial 1 Zone where the purpose is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create vibrant mixed use development centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

The commercial component of the site is classified as a shop and does not require a permit under the Zone. The residential accommodation does not require a planning permit as the residential entry at ground level is less than 2 metres in width. Under the Zone a planning permit is required for buildings and works.

In a Commercial Zone less weight is placed on amenity considerations than in a Residential Zone as there is an expectation for more intensive development. Any development must acknowledge the adjoining uses and buildings and the strategic context of the site and be designed accordingly. A balance should be reached which maintains an acceptable level of amenity on and off the site.

The following is an assessment against the relevant decision guidelines at Clause 34.01-8 for the proposed buildings and works.

General

- *The interface with adjoining zones, especially the relationship with residential area.*

The site is located in the Reservoir Structure Plan, where policy encourages the intensification of the centre.

The site has no direct residential abuttal with the right of way separating the subject site from residential land to the north.

The commercial and residential uses are a compatible mix in this context,

Buildings and works

- *The movement of pedestrian and cyclists and vehicles providing for supplies, waste removal, emergency services and public transport.*

The proposal provides an active frontage at ground level with two shopfronts, awning above the pavement and clear glazing to the dwelling entry. Car parking is hidden and via the rear right of way. A new waste store area has been created at ground level.

- *The provision of car parking.*

This is assessed in detail below against Clause 52.06 (Car Parking of the Darebin Planning Scheme).

- *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.*

The proposal is considered appropriate in the commercial zone and with no direct sensitive abuttals.

The prevailing scale of the area is one (1) and two (2) storeys. The site is located in the Residential Structure Plan in Precinct 3 which encourages height limits of between 3 and 5 storeys. It's noted that surrounding General Residential Zone provides a maximum height of 11 metres (three (3) storey maximum). The maximum building height proposed in the application is 13.7 metres, with a street wall of 3 storeys. This is reasonable in a Commercial 1 zone.



Figure 8: 3d image of the proposed development as viewed from the west.

The presentation of the building to Broadway is contemporary and is the first of further anticipated mixed-use development along this corridor.

The proposal provides flank walls along the eastern and western property boundaries which is appropriate for future construction along these interfaces. The proposed materials are robust and include exposed concrete.

- *The storage of rubbish and materials for recycling.*

The design provides space for ground level storage of garbage and recyclables and is supported by a Waste Management Plan that details private waste collection.

- *Defining the responsibility for the maintenance of buildings, landscaping and paved areas.*

There is currently no landscaping on the site with landscaping proposed only in the planter boxes in the balconies.

- *Consideration of the overlooking and overshadowing as a result of buildings or works affecting adjoining land in a General Residential Zone.*

Consideration of overlooking to adjoining land in the General Residential Zone has been considered with the inclusion of planter boxes to the balustrades to allow for distant and not downward views.

There will be no overshadowing of land in the adjoining General Residential Zone given the site's orientation to the south which is also separated from these lots by a right of way.

- *The availability of and connection to services.*

Services are available to the site.

- *The design of buildings to provide for solar access.*

The proposal has been designed with appropriate solar access to the dwellings and allowing adequate solar access to adjoining dwellings.

- *The objectives, standards and decision guidelines of Clause 54 and Clause 55.*

The relevant objectives, standards and decision guidelines are considered later in this report, particularly to assess off-site impacts to neighbouring residential properties. In addition, Clause 22.06 (Multi-Residential and Mixed Use Development) of the Darebin Planning Scheme provides an additional method of assessing the development

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 scale and intensity of residential growth will differ across Substantial Change Areas depending on their strategic capacity to accommodate municipal growth and future housing needs.

The site is within the Reservoir Activity Centre Area where more intensive development is anticipated. The site itself is approximately 330 metres from Reservoir train station.

Design outcomes must still be appropriate and the proposed design response is reasonable given:

- The expectation for change provides clear justification for more intensive development and the four (4) storey mixed use development sits comfortably within this strategic vision for the Reservoir Activity Centre.
- The four (4) storey building is of contemporary design and comprises a three (3) storey podium with recessed fourth level and is an appropriate design response for a commercial location which anticipates more intensive development over time.
- The development provides for an active ground level commercial street frontage with residential apartments above.
- Fifteen residential apartments have an outlook to the front or rear of the block.
- No unreasonable off site amenity impacts are apparent.
- The vehicular access via the ROW is appropriate and encouraged.
- The car parking reduction sought can be justified.

Complies.

Clause 22.02 Neighbourhood Character Precinct Guideline:

This policy applies to the consideration of applications for development and works on land in the Neighbourhood Residential Zone and the General Residential Zone that is covered by the Neighbourhood Character precinct plan of clause 22.02. The site is in a Commercial 1 Zone and therefore this clause does not apply.

Clause 22.06 Multi Residential and Mixed-Use Development:

This policy applies to: multi-dwelling apartment development and mixed-use development which includes a residential use in a Commercial Zone.

Element	Comment	Compliance
<p>Sustainability</p>	<p>A Sustainable Management Plan (SMP) has been prepared. The key sustainable design features are:</p> <ul style="list-style-type: none"> - Average 7.2 star rating; - 6kw solar photovoltaic system - Rainwater harvesting for toilet flushing - High performance glazing and efficient services, appliances and fixtures. - Cross-flow ventilation. - Excellent provision of bike parking (20 spaces). - Open space and living areas with access to north light is provided where possible. - The relevant NatHERS load is met. - Bess IEQ 1.1 Best practice daylight requirement of 1% for living areas (89% of kitchen and living rooms within the development have a daylight factor of 1%); - Bess IEQ1.2: Best practice requirement of 0.5% for bedrooms (92% of bedrooms within the proposed development have a daylight factor of 0.5%); - 	<p>Complies</p>
<p>Design & Materials</p>	<p>The proposal involves the construction of a new four (4) storey building. The new shop front includes glazing treatments, painted compressed cement sheet cladding and standing seam colourbond cladding, services cupboard and pedestrian access.</p> <p>The glazing format will activate the street and is supported.</p> <p>The two (2) first floors include balcony openings with windows.</p> <p>The street wall rises to a height of three (3) storeys, with an additional storey rising above this datum. This approach to the design is supported, avoiding a ‘tiered’ profile, whilst complying with the minimum setback depth sought by policy.</p> <p>The building envelope is proposed to rise sheer on the side boundaries to a height of three (3) storeys. The 4th level is setback from the side boundaries. This arrangement would not prejudice the form of development on the adjacent sites and generally facilitates an equitable approach to development, given outlook from the top three (3) dwellings is to Broadway and the rear.</p> <p>The proposed materials palette of painted compressed cement sheet cladding and standing seam colourbond cladding and glazing and is supported.</p>	<p>Complies</p>

Element	Comment	Compliance
Building Height	<p>A consideration of height requires a balanced consideration of all the related policy drivers such as housing diversity, affordability and urban consolidation. Any discussion of height should be balanced against the design and massing of the building and its response to the immediate context.</p> <p>The State planning policy framework generally encourages Melbourne to become a more compact city by accommodating a substantial portion of its future household growth within its established urban areas. Activity centres, strategic redevelopment sites and locations proximate to public transport are the preferred locations for new residential development, which is encouraged to comprise an intensive scale and built form.</p> <p>At a local planning level the intent to intensify this part of Broadway has strategic support. Policy encourages new development to height of between three (3) and five (5) storeys. The development proposes four (4) storeys which complies with the strategic intent of the Reservoir Structure Plan 2012.</p>	Complies
Apartment diversity	<p>The proposal provides five (5) two (2) bedroom dwellings and 13 one-bedroom dwellings. The mix of dwelling sizes and layouts is a positive aspect of this proposal which caters to the needs of the changing population in Reservoir by providing housing affordability and broader housing choices.</p>	Complies
Parking and vehicle access	<p>Refer to the Clause 52.06 (Car Parking) assessment below.</p>	Complies
Street address	<p>The retail tenancies maintain an active frontage to Broadway. The residential entrance is adequately visible. Services are integrated into the façade. The retention of the awning maintains weather protection on Broadway.</p>	Complies
Amenity Impacts Including Overshadowing and Overlooking	<p>The site is located within a commercial precinct relatively isolated from adjacent sensitive interfaces.</p> <p>Consideration of overlooking to adjoining land in the General Residential Zone to the north has been considered with the inclusion of planter boxes to the balustrades to allow for distant and not downward views.</p> <p>There will be no overshadowing of land in the adjoining General Residential Zone given the site's orientation to the south which is also separated from these lots by a right of way.</p>	Complies
On-Site Amenity and Facilities, including Private Open Space	<p>On balance the proposal achieves a satisfactory response to Clause 58 (Apartment Developments) of the Darebin Planning Scheme:</p> <ul style="list-style-type: none"> A variety of well-proportioned layouts with multiple outlooks. 	Complies

Element	Comment	Compliance
	<ul style="list-style-type: none"> Large well dimensioned living spaces. Floor to ceiling heights of 2.8 metres. Provision of bicycle parking. Cross ventilation. Quantity of storage provision. <p>Overall the proposal is deemed to be an acceptable housing product. Refer to the Clause 58 assessment below for further details.</p>	
Waste Management	<p>The application is accompanied by a waste management plan detailing the number and size of bins required to service the development and the times, frequency and means of waste collection.</p> <p>A condition of approval will confirm that waste is to be collected by a private contractor.</p>	Complies subject to condition
Equitable Access	All levels are provided with lift access.	Complies

Clause 22.12 Environmentally Sustainable Development:

In accordance with Clause 22.12-4, an application must be accompanied by either a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP) as specified in Table 1 of the Clause.

Type of Development	Application requirements	Example tools
10 or more dwellings	Sustainability Management Plan (SMP)	BESS Green Star MUSIC STORM

A SMP has been provided as part of the application and is acceptable subject to changes which will be requested as a condition on the planning permit.

Complies subject to condition

Clause 52.06 Car Parking:

Number of Parking Spaces Required

	No. of dwellings	Car spaces required	Car spaces provided
1 or 2 bedroom dwellings	18	18	11
3+ bedroom dwellings	N/A		
Visitors	18	0 (Site is within PPTN)	0
Retail	162sqm	5	0
	TOTAL:	23	11

Given the above assessment it is relevant that the application contemplates a car parking reduction of 12 spaces. There will be no car parking afforded to seven (7) one bedroom dwellings and the retail space. There are a number of factors which support the reduction sought. These include:

- The site’s location within the Reservoir Activity Centre and PPTN with excellent access to public transport, services and amenities.
- The smaller dwelling sizes proposed being 5x2 bedroom dwellings and 13x1 bedroom dwellings with smaller dwellings specifically encouraged in the Reservoir Structure Plan.
- There is strong strategic support within the Local Planning Policy Framework for appropriately designed mixed use development within activity centres that takes advantage of existing transport infrastructure and in turn facilitates reduced reliance on private car transport.
- A car parking ‘credit’ would effectively apply to the proposed shop floor area (162sqm). This is on the basis that the existing shop floor (135sqm) and existing office floor area (135sqm) area generate a Planning Scheme requirement for eight (8) spaces. With four (4) spaces currently provided on site the existing shortfall is four (4) spaces. Thus an ‘effective shortfall’ of 1 space applies to the commercial floor area. This shortfall can be readily accommodated by existing parking supply along Broadway, Marchant and Whitelaw Street.
- The shortfall of seven (7) residential spaces is in respect to seven (7) smaller dwellings (one (1) bedroom only) whereby effective parking demand generated can readily be accommodated by existing public transport, cycling and walking alternatives.
- Eighteen bicycle parking are provided (whereas only seven (7) are required under Clause 52.34 Bicycle Parking of the Darebin Planning Scheme).
- The above analysis is supported by the Traffic Engineering Report by Traffix Group submitted with the application.

Design Standards for Car Parking

Design Standard	Comment	Complies
Design standard 1 Accessways	The internal accessways have appropriate dimension to enable efficient use and management.	Complies
Design standard 2 Car parking spaces	Internal car parking spaces are properly dimensioned.	Complies
Design standard 3 Gradients	The accessway grades do not exceed 1:10 within 5 metres of the frontage. The difference in grade between two sections of ramp does not exceed 1:8.	Complies
Design standard 4 Mechanical parking	No mechanical parking is proposed.	N/A
Design standard 5 Urban design	The ground level car parking, garage doors and accessways do not visually dominate the streetscape.	Complies

Design standard 6 Safety	A condition of approval will require the car parking area to be lit. Natural surveillance of the car parking areas is provided from the proposed dwellings.	Complies
Design standard 7 Landscaping	N/A as car parking is fully covered.	N/A

Clause 52.29 Land adjacent to the Principal Road Network

A permit is required to: Create or alter access to: A road in a Transport Zone Category 2 (TZ2).

As all vehicle access is via the rear ROW, the proposal does not alter or create new access direct off the TZ2 (Broadway). Thus, no permit is required, nor is referral to the Head, Transport for Victoria under section 55 of the Act required. However, the application was referred to VicRoads for informal comment. VicRoads raised no objection to the proposal subject to a condition.

Clause 52.34 Bicycle Parking:

Pursuant to Table 1 at Clause 52.35-5:

- No bicycle spaces are required for the proposed shops given leasable floor area is less than 1000sqm. (Note Traffix Report suggests 1 space is required based on retail use).
- In development of 4 or more storeys, 1 space to each 5 dwellings (resident quotient) and 1 space to each 10 dwellings (visitor quotient) is required. Given 18 dwellings, 3.6 resident spaces (rounded up to 4 spaces) and 1.8 visitor spaces (rounded up to 2 spaces) are required. Thus, a total of 6 spaces are required.

Given provision of 18 bicycle spaces, the requirement of 6 spaces is well exceeded.

(f) Clause 58 Assessment

The following sections provide discussion on fundamental areas of Clause 58 (Apartment Developments) of the Darebin Planning Scheme including variations of standards and matters informing conditions of the recommendation above.

Clause 58.02-5 Integration with the Street

The proposal provides adequate vehicle and pedestrian links with a separate pedestrian entry off Broadway. Vehicle access is via the right of way at the rear of the site.

The development has been oriented to Broadway and the rear laneway.

Ground level commercial uses and upper-level residential balconies fronting Broadway provide activation and passive surveillance.

Complies.

Clause 58.03-1 Energy Efficiency:

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

- The development has been designed to maximise north facing dwellings and balconies;

- Habitable rooms have been designed with windows offering good access to daylight, sunlight and ventilation
- Attached construction.
- Cross ventilation is available in the design.
- A Sustainable Management Plan (SMP) has been prepared. The key sustainable design features are:
 - Average 7.2 star rating;
 - 6kw solar photovoltaic system;
 - Rainwater harvesting for toilet flushing;
 - High performance glazing and efficient services, appliances and fixtures;
 - Cross-flow ventilation;
 - Excellent provision of bike parking (18 spaces);
 - Open space and living areas with access to north light is provided where possible;
 - The relevant NatHERS load is met.
 - Bess IEQ 1.1 Best practice daylight requirement of 1% for living areas (89% of kitchen and living rooms within the development have a daylight factor of 1%);
 - Bess IEQ1.2: Best practice requirement of 0.5% for bedrooms (92% of bedrooms within the proposed development have a daylight factor of 0.5%);

Complies subject to conditions relating to a revised SMP.

Clause 58.04-1 Building Setback

A development must respect the existing or preferred urban context and respond to the features of the site; allow adequate daylight into new dwellings; avoid direct views into existing habitable room windows and private open space and avoid relying on screening to reduce views and provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

Buildings should be set back from side and rear boundaries to ensure adequate daylight into new habitable room windows is achieved.

Daylight

The applicant submitted a daylight analysis report which demonstrates that the proposed development receives adequate daylight penetration based on daylight modelling undertaken by Northern Environmental Design Pty Ltd.

In terms of daylight penetration outcome, the analysis presented in the report demonstrates that the proposed development achieves:

- Bess IEQ 1.1 Best practice daylight requirement of 1% for living areas (89% of kitchen and living rooms within the development have a daylight factor of 1%);
 - Bess IEQ1.2: Best practice requirement of 0.5% for bedrooms (92% of bedrooms within the proposed development have a daylight factor of 0.5%);
-

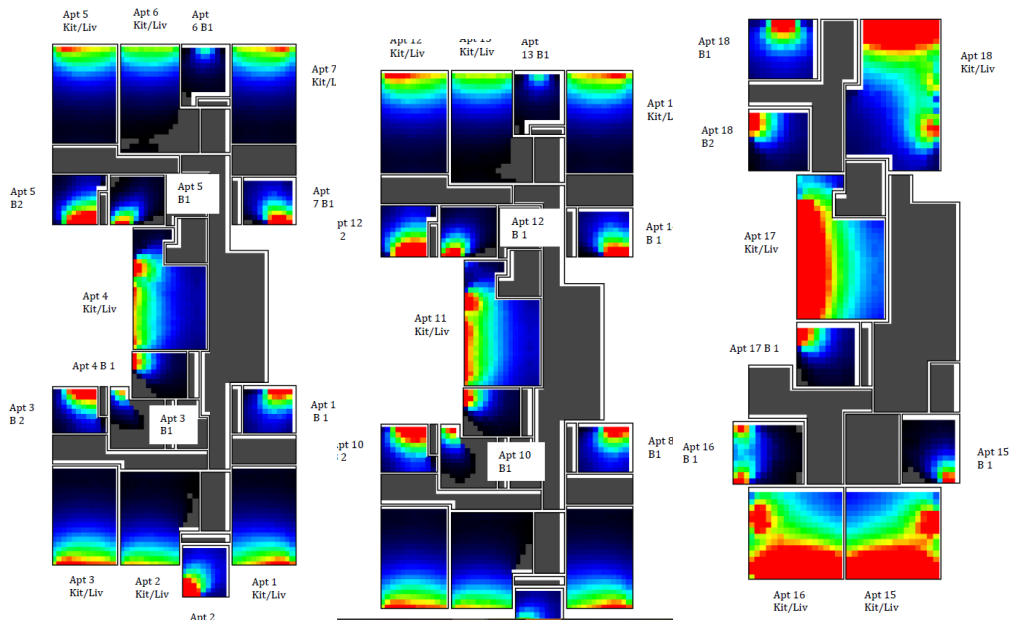


Figure 9: Daylight modelling for level 1, 2 and 3

Views into existing habitable room windows and private open space

To the extent that there are potential views into adjacent private open space areas to the north, this has been rectified by including planter boxes to allow distant and not downward views.

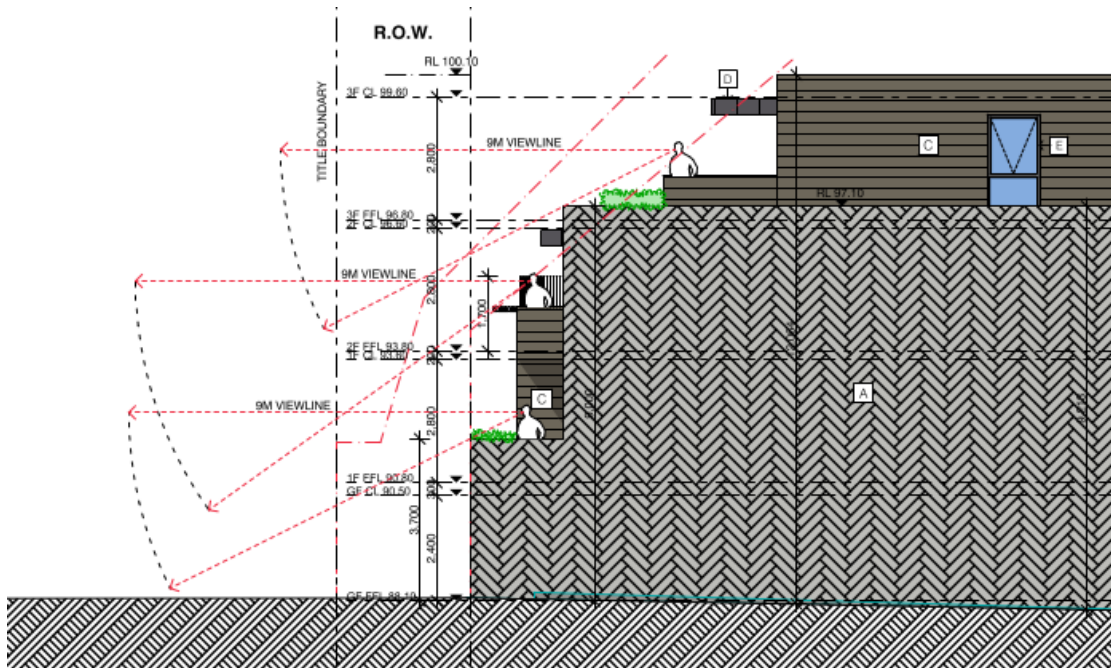


Figure 10: Section diagram depicting distant and not downward views to the north to address overlooking.

There is no overlooking to the west which are lots used for commercial purposes, however a combination of screening types have been incorporated into the design to mitigate any potential for unreasonable overlooking.

Outlook

Fifteen of the dwellings have direct outlook to either Broadway or the rear right of way with supplementary outlooks to the bedrooms via an internal light court. Windows to these living zones to do not require screening.

The three (3) west facing apartments on levels 1, 2 and 3 are provided with a combination of 0.6 metre wide ledges, planter boxes and some screening to 1.7 metres along the side of the balconies that allow for distant and not downward views. Additionally, these balconies are setback 3.2 metres from the western property boundary, therefore not relying on amenity to be provided from the adjoining lot.

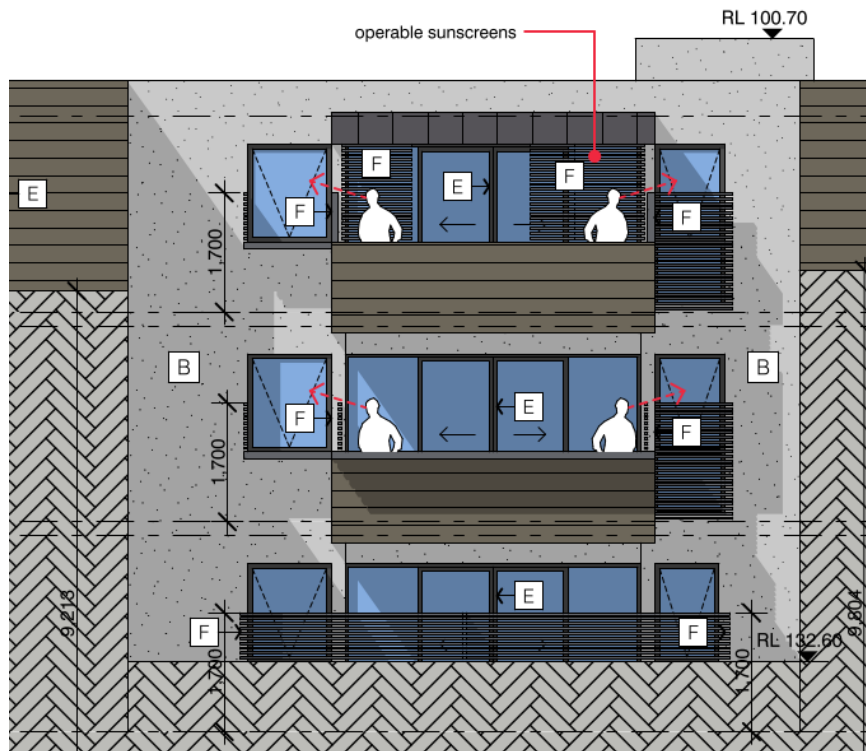


Figure 11: West elevation depicting the balcony treatments on level 1, 2 and 3

On balance, the proposal is well considered in regard to built form and setbacks. The side the rear setbacks provide an appropriate transition to adjacent properties and respond to considerations of equitable development and amenity.

Complies

Clause 58.05-1 – Accessibility

Twelve of the dwellings have been designed to meet the accessibility requirements of the standard as follows:

At least 50% of the dwellings have been provided with the following:

- A door opening of at least 850mm wide at the entrance and main bedroom (the plans show the entry door opening as being 1.02 metres wide);
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area;
- A main bedroom with access to an adaptable bathroom;
- At least one dwelling which has the adaptable bathroom that meets either Design Option A or B (see apartment 01 or 03 as an example below).

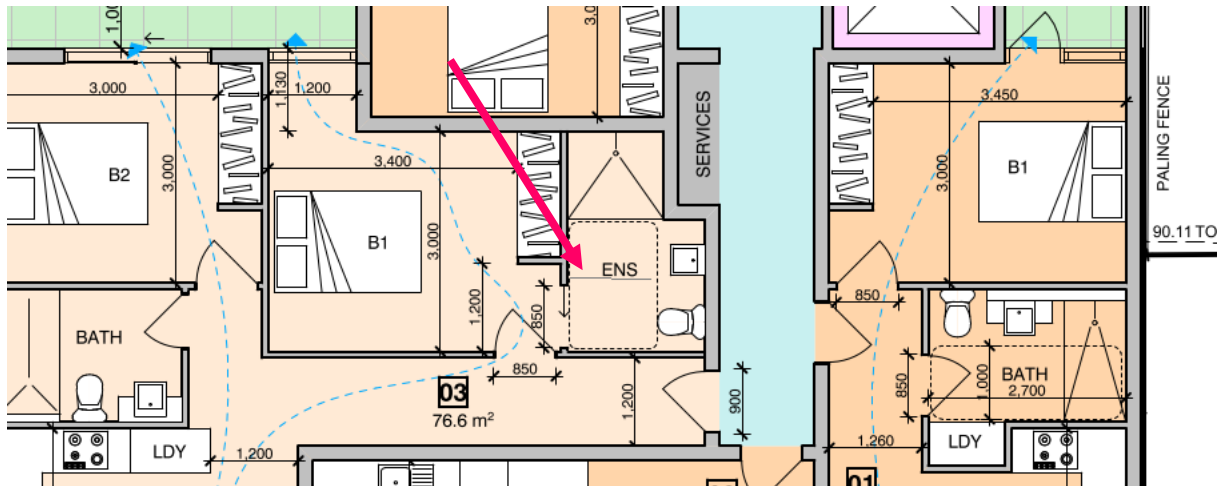


Figure 7: Apartment 01 internal adaptable bathroom layout. See also Figure 10 for adaptable bathroom layout for apartment 05

Clause 58.05-3 Private Open Space

This standard requires the following:

- A balcony with an area and dimension specified in Table B8 and conveniently accessed from a living room.

The balcony sizes in Table B8 are as follows: A studio or 1 bedroom dwelling requires a minimum private open space area of 8 square metres with a minimum dimension of 1.8 metres and a 2 bedroom dwelling requires a minimum area of 8 square metres with a minimum dimension of 2 metres.

All apartments have been provided with the requisite balcony sizes of a minimum of 8 square metres with a minimum dimension of either 1.8 metres or 2 metres (depending on the number of bedrooms).

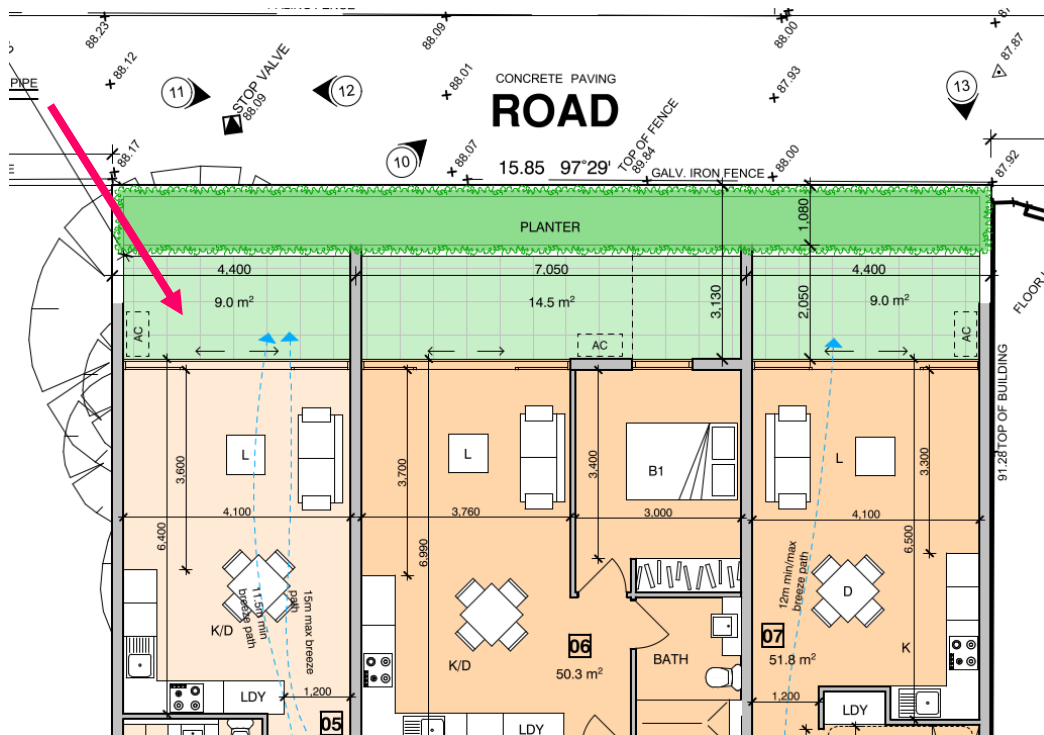


Figure 8: Example of the balcony sizes to apartments 5, 6 and 7 on the first floor facing north.

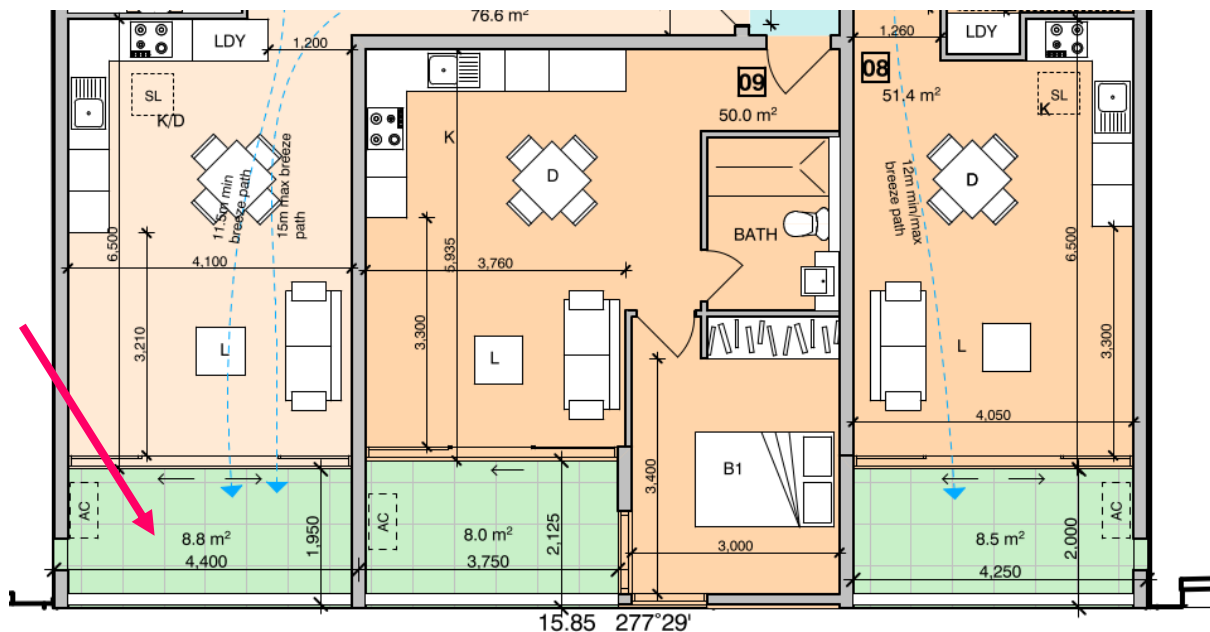


Figure 9: Example of the balcony sizes to apartments 8, 9 and 10 facing Broadway on the second floor.

Complies

Clause 58.05 – 4 Storage

Each dwelling should have convenient access to a total of 10 or 14 cubic metres of storage space (inclusive of 6 and 9 cubic metres of internal storage) for a 1 and 2 bedroom dwelling respectively.

Each dwelling is provided with between 11.3 to 18.5 cubic metres of total storage space which meets and exceeds the numerical requirements of the standard.

Internally the one (1) bedroom apartments have been provided with a minimum of 7.2 cubic metres of internal storage space while the two (2) bedroom apartments have been provided with a minimum of 11.6 cubic metres of internal storage space. The internal storage space dimensions exceed the numerical requirements of the standard.

A condition of approval will require a section diagram of each storage cage.

Complies subject to condition

Clause 58.07-1 Functional Layout

Bedrooms should:

- Meet the minimum internal room dimensions and area specified in Table D11.

Table D11 – Bedroom dimensions

The requirements of this standard are that main bedrooms must be a minimum of 3 metres by 3.4 metres and all other bedrooms must be 3 metres by 3 metres.

A review of all bedroom sizes depicts the rooms as having the appropriate dimensions as detailed above. As can be seen below, bedroom dimensions as shown on the plans are 3.4

metres by 3 metres minimum for a master bedroom and 3 metres by 3 metres for a secondary bedroom.



Table D8 – Living room dimensions

The requirements of this part of the standard are that living zones must have a minimum area of 10 square metres with a minimum width of 3.3 metres for a 1 bedroom dwelling; and

12 square metres with a minimum width of 3.6 metres for a 2 or more bedroom dwelling. These areas must exclude the kitchen and dining spaces.

A review of all living areas shows them as having the requisite size, depending on the number of bedrooms. For example in Figure 11 above, the living room dimensions for apartment 12 (excluding the kitchen and dining area) are 4.1 metres by 3.6 metres for a total area of 14.76 metres.

The living room dimensions for apartment 13 are 3.7 metres by 3.76 metres for a total area of 13.9 square metres while the living room dimensions (excluding the kitchen and dining) for apartment 14 are 4.1 metres by 3.3 metres for a total area of 13.53 square metres.

These areas exceed the minimum numerical requirements as required by the standard.

Figure 10 also depicts living areas as exceeding the numerical requirements of this standard.

Complies

Clause 58.07-2 Room Depth

This standard requires that single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The floor to ceiling heights are 2.8 metres, therefore, these rooms should not have a depth in excess of 7 metres.

The room depths provided are measured from the outside edge of the window to the rear wall of the rooms.

As detailed below the room depths are all less than 7 metres (figure to the left).

Room Depth Provided (max) m		Ve
6.5 (7.0)	6.5 (7.0)	
5.9 (7.0)	5.9 (7.0)	
6.5 (7.0)	6.5 (7.0)	
4.56 (7.0)	4.56 (7.0)	
6.4 (7.0)	6.4 (7.0)	
6.99 (7.0)	6.99 (7.0)	
6.5 (7.0)	6.5 (7.0)	
		N/A
		N/A
		4.56 (7.0)
		N/A

Figure 12: Part of the development summary as detailed on the plans. The actual room depth is the figure to the left .

Complies

Clause 58.07-3 Windows

This standard requires that habitable room windows should be located in an external wall of a building and that daylight to a bedroom from a smaller secondary area is clear to the sky.

All habitable room windows are located in an external wall of the building and where a snorkel arrangement applies, the area meets the minimum 1.2 metres width by 1.5 metres depth.

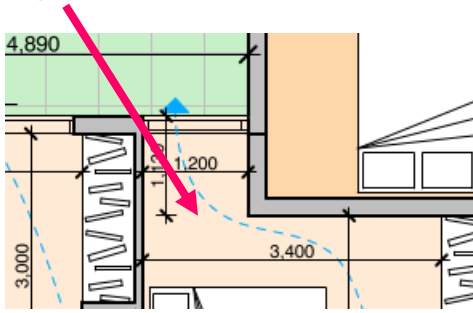


Figure 18: The maximum depth (1.5 x width) control applies to the secondary area within the bedroom as detailed above.

Furthermore a daylight analysis report which demonstrates that the development receives adequate daylight penetration based on daylight modelling undertaken by Northern Environmental Design Pty Ltd.

Complies

CLAUSE 58 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
58.02-1	D1	Urban context objective		
		<p>The proposal appropriately responds to the features of the site and the surrounding context. Consideration of the site context has determined appropriate interface treatments, siting, scale and height.</p> <p>At development represents a good fit within the existing and emerging streetscape as sought by policy.</p> <p>The side the rear setbacks provide an appropriate transition in response to considerations of equitable development and amenity.</p> <p>The architectural detailing comprising a restrained palette of materials and clean-lines is appropriate to the context.</p>	Y	Y
58.02-2	D2	Residential policy		
		<p>The proposal furthers the objectives of relevant State and Local planning policy outlined in the Darebin Planning Scheme, by providing a mixed-use development in an existing commercial area with excellent access to public transport, retail shopping, services and employment opportunities.</p>	Y	Y

Clause	Std		Compliance	
58.03-3	D3	Dwelling diversity		
		A mix of smaller 1 & 2 bedroom dwellings are proposed which is supported by the Local Planning Policy Framework.	Y	Y
58.02-4	D4	Infrastructure		
		Adequate infrastructure exists to support new development	Y	Y
58.02-5	D5	Integration with the street		
		Please see assessment in the body of this report	Y	Y
58.03-1	D6	Energy Efficiency		
		Please see assessment in the body of this report.	Y	Y
58.03-2	D7	Communal Open Space		
		Not applicable as this applies to developments with 40 dwellings or more.	N/A	N/A
58.03-3	D8	Solar Access to communal outdoor space		
		Not applicable as this applies to developments with 40 dwellings or more.	N/A	N/A
58.03-4	D9	Safety		
		The residential entry to the development is satisfactory and not obscured from the street. The proposed development is secure, and the creation of unsafe spaces has been avoided.	Y	Y
58.03-5	D10	Landscaping		
		The site area is below the threshold to trigger a canopy cover and deep soil requirement. A landscape plan detailing vegetation in planter boxes in the balustrades is supported. Maintenance details of these planter boxes will be required by a condition of approval.	Y	Y
58.03-6	D11	Access		
		Vehicle access via the rear right of way is safe, manageable and convenient. Adequate turning areas are provided to allow vehicles to enter and exit the site in a forward direction. This has been reviewed and supported by Council's Climate Emergency and Sustainable Transport unit.	Y	Y
58.03-7	D12	Parking Location		
		The proposed development provides secure carparking.	Y	Y
58.03-8	D13	Integrated water and stormwater management		

Clause	Std		Compliance	
		The building has been designed using appropriate WSUD principles in accordance with Clause 53.18 (Stormwater Management in Urban Development) as detailed in the accompanying WSUD Report by Northern Environmental Design dated 15 April 2021.	Y	Y
58.04-1	D14	Building setback		
		Please see assessment in the body of the report	Y	Y
58.04-2	D15	Internal Views		
		Due to the location and setback of balconies within the built form, it is considered there are limited opportunities for internal views. A combination of planter boxes, outlook to the street and rear right of way prevent overlooking to adjoining lots and lower-level balconies.	Y	Y
58.04-3	D16	Noise Impacts		
		While the site is not within a noise sensitive area as nominated in Table 3, it is still considered proximate to noise sources i.e. the Reservoir Train Station, along with cars along both Broadway and general activity associated with the commercial precinct. All dwellings will be required to meet minimum internal acoustic standards with the inclusion of an acoustic report.	Y	Y
58.05-1	D17	Accessibility		
		Please see assessment in the body of this report.	Y	Y
58.05-2	D18	Building entry and circulation		
		The ground floor residential entry is clearly identifiable and separate from the shop entries and the entries to the dwellings are identifiable from the internal corridors.	Y	Y
58.05-3	D19	Private open space		
		Please see assessment in the body of this report.	Y	Y
58.05-4	B20	Storage		
		Please see assessment in the body of the report	Y	Y
58.06-1	D21	Common Property		
		Common property is easily identifiable and can be easily maintained.	Y	Y
58.06-2	D22	Site Services		
		Mailboxes will be conveniently located within the ground floor lobby. Site services are appropriately installed and can be	Y	Y

Clause	Std		Compliance	
		maintained.		
58.06-3	D23	Waste and recycling		
		Residential and commercial waste is to be collected via a private waste services provider. The waste storage space is centrally located within the building and away from the street frontages.	Y	Y
58.07-1	D24	Functional layout		
		Please see assessment in the body of this report.	Y	Y
58.07-2	D25	Room depth		
		Please see assessment in the body of this report.	Y	Y
58.07-3	D26	Windows		
		Please see assessment in the body of this report.	Y	Y
58.07-4	D27	Natural ventilation		
		Nine (9) of the dwellings are naturally cross-ventilated which exceeds the minimum 40% recommended by the standard. A breeze path analysis has been shown on the plans.	N	Y

REFERRAL SUMMARY

Department/Authority	Response
Capital Works	<p>Comments received 25 February 2021</p> <p><i>The stormwater from the property to be connected to the existing pit at front in Broadway to Council requirements with the discharge from the whole site being limited via on site detention system to Council requirements. (Discharge via gravity only. No pump systems permitted).</i></p> <p><i>The OSD is to limit the rate of stormwater discharge from the property based on $C_w=0.4$, $T_c=10$mins, $T_{so}=5$ min, ARI 1in5. An ARI of 1in10 shall be used for storage and the greater of post development C_w or $C_w=0.80$. Accurate depth and offset of the drain to be confirmed on site.</i></p> <p><i>Computations & retention design is required to be submitted to this office for compliance with legal point of discharge.</i></p> <p>Officer Comments: A condition of approval will require that drainage is to our satisfaction of Council.</p>
City Designer	<p>Comments received 4 March 2021</p> <ul style="list-style-type: none"> <i>There are concerns around the amenity and outlook for</i>

	<p><i>the apartment facing the courtyard on second and third floor.</i></p> <ul style="list-style-type: none"> • <i>On the second floor the balcony conflicts with the bedroom windows of Apt 10 and 12 resulting in screening and significantly impacting natural light and amenity of the bedrooms. The middle apartments could be removed and the courtyard better used as a communal space on First floor.</i> • <i>On the Third floor there can be two apartments facing the rear similar to the arrangement in the front so there won't be a loss of dwelling on this level.</i> • <i>The material selection is good and the façade composition along Broadway is decent. The horizontal exposed concrete band should be continuous between the two bedrooms on the southern elevation.</i> <p>Officer Comment: Only two of the 18 dwellings do not have outlook over a road. However a setback of 2.9 metres is provided between the balcony edge of apartment 11 and the bedroom windows of apartments 10 and 12. The balconies have been provided with 0.6 metre wide ledges that allow for distant and not downward views. Additionally, these balconies are setback 3.2 metres from the property boundary, relying on their own on site amenity (as opposed to borrowing it from the adjoining lot, which could be developed in the future).</p> <p>With regards to natural light, please see the assessment above under Clause 58.07-4 (Windows), which demonstrates that each room in each apartment will receive acceptable daylight penetration based on the daylight analysis modelling undertaken by Northern Environmental Design Pty Ltd.</p> <p>A condition will require that the horizontal exposed concrete band be continuous between the two bedrooms on the southern elevation.</p>
<p>City Works</p>	<p>Comments received 12 July 2021</p> <p><i>I have reviewed the Waste Management Plan and I have no issues with the private collection from the premises.</i></p> <p>Officer Comment: A condition of approval will confirm that the Waste Management Plan details private collection.</p>
<p>Climate emergency and Transport unit</p>	<p>Adequacy of Parking Provision</p> <p><i>Transport recognises the Transport merits of the proposal and acknowledges the justification for a parking waiver.</i></p> <p><i>Transport is supportive of a parking waiver for the Shop tenancies and the one-bedroom dwellings; <u>however</u> concern remains around the extent of the waiver.</i></p> <p><i>It is understood the parking for the one-bedroom dwellings will be provided at a rate of 0.41 which is below the Reservoir average of 0.8 vehicles per one-bedroom dwelling. Additionally, our own review of car ownership data for the SLA indicates car ownership of 0.75 vehicles per one-bedroom dwelling.</i></p>

	<p><i>This 'under provision' of car parking is expected to result in overspill of parking to the residential hinterland as well as in the activity centre impacting on the amenity and viability of these areas.</i></p> <p><i>Transport's recommendation is that the provision of parking for one-bedroom dwellings is increased so that it is in line with current car ownership levels.</i></p> <p><i>Accordingly, it is recommended that parking from one-bedroom dwellings is provided at a rate of 0.70 spaces per dwelling.</i></p> <p><i>This would require the provision of 9 spaces for the one-bedroom dwellings and still reflects a waiver of four (4) resident spaces and five (5) shop spaces.</i></p> <p>Officer Comment: Further discussions held in relation to this application concluded that the car parking reduction to zero for 7 x 1 bedroom dwellings was considered satisfactory given the proximity of excellent public transport options, including the newly elevated Reservoir Railway station as well as an excess of bike parking.</p> <p>A condition of approval will request that 50% of all bicycle parking spaces are provided as a ground mounted device.</p>
<p>Property Management Unit</p>	<p>Comments received 26 February 2020</p> <p><i>The property located at 224 Broadway does have a legal right to use the rear right of way on Title. Additionally, the right of way is a Council constructed and maintained road which is also in Council's Register of Public Roads.</i></p> <p><i>Property Services have no objections to the proposed development and its use of the rear right of way.</i></p> <p>Officer Comment: No objection</p>
<p>VicRoads</p>	<p>Comments received 11 May 2021</p> <p><i>Section 55 – No objection subject to conditions</i></p> <p><i>Thank you for your referral dated 15 April 2021 of the above application to the Head, Transport for Victoria under Section 55 of the Planning and Environment Act 1987.</i></p> <p><i>The Head, Transport for Victoria has considered this application and does not object if the permit is subject to the following conditions:</i></p> <p style="padding-left: 40px;">a) <i>Prior to the commencement of use, the crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.</i></p> <p><i>Accompanying Note:</i></p> <ul style="list-style-type: none"> ▪ <i>The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any</i>

	<p><i>works.</i></p> <p>Officer Comment: No objection subject to the above to be included as a condition on the planning permit.</p>
--	---

PLANNING SCHEME SUMMARY

(g) Darebin Planning Scheme clauses under which a permit is required

- Clause 32.01-4 (Commercial 1 Zone) – construct a building and to carry out works.
- Clause 52.0-3 (Car parking) – reduce the number of car parking spaces.

(h) Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.01-1R, 11.02, 11.03R, 11.032S, 11.03, 15, 15.01-2S, 15.01, 15.01-4R, 15.01-1R, 15.02, 16, 16.01-4S, 16.01-3S, 16.01-3R, 16.01-2R, 16.01-1R, 16.01-2S, 16.01, 17.02, 18.02-2R, 18.02-2S
LPPF	21, 21.03, 21.05, 22.06, 22.12
Zone	34.01
Overlay	45.06 (currently expired)
Particular provisions	52.06, 52.34, 53.18, 58
General provisions	65.01
Neighbourhood Character Precinct	N/A

POLICY IMPLICATIONS

(i) Environmental Sustainability

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

(j) Social Inclusion and Diversity

Nil

(k) Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

RELATED DOCUMENTS

- Reservoir Structure Plan 2012

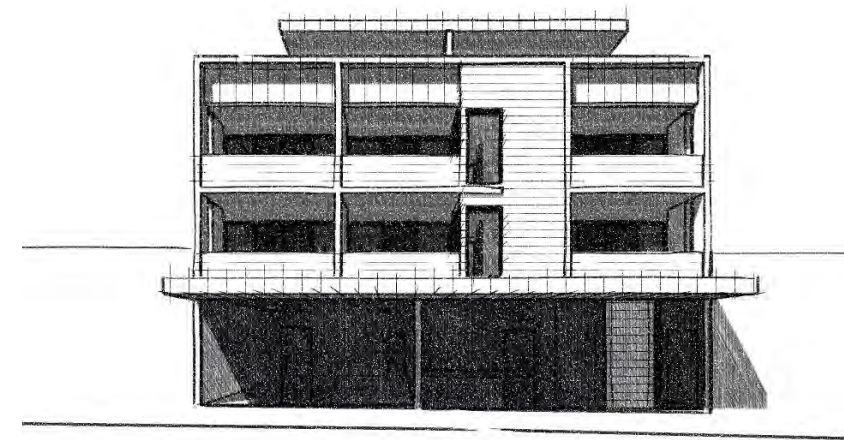
Attachments

- Appendix A - Aerial Image - 224 Broadway Reservoir - D/764/2020 (**Appendix A**) [↓](#)
- Appendix B - Plans - 224 Broadway Reservoir - D/764/2020 (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any 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.



MIXED-USE DEVELOPMENT 224 BROADWAY RESERVOIR

TOWN-PLANNING | ARCHITECTURAL DOCUMENTATION

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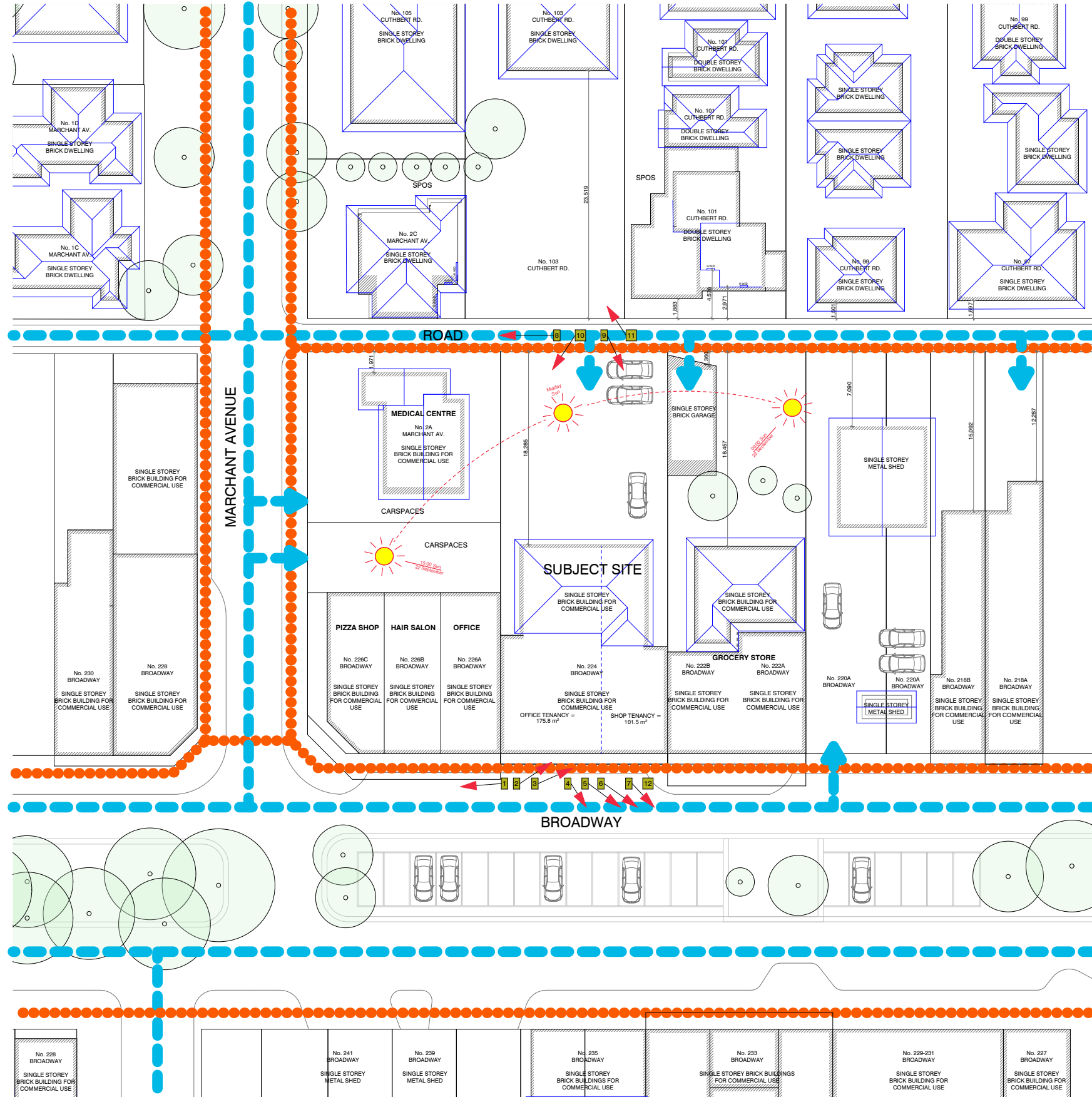
PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE SITE CONTEXT PHOTO

REVISION HISTORY
A PLANNING APPLICATION RESPONSE TO RF1 27 NOV 20 15 APR 21



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CHECKED KL	REV. A

Darebin City Council Received 27-04-2021



SITE DESCRIPTION

THE SUBJECT SITE IS KNOWN AS NO.224 BROADWAY, RESERVOIR, VICTORIA.

THE SITE IS A RECTANGULAR LOT WITH DUAL FRONTAGE FROM BROADWAY AND A LANEWAY.

OVERALL SITE DIMENSIONS ARE:

- NOTHERN BOUNDARY 15.85m
- SOUTHERN BOUNDARY 15.85m
- EASTERN BOUNDARY 38.10m
- WESTERN BOUNDARY 38.10m

THESE DIMENSIONS ARE OVERALL. REFER TO SITE SURVEY FOR PARTICULARS.

THE LAND IS CURRENTLY OCCUPIED BY TWO SINGLE STOREY BRICK BUILDINGS FOR COMMERCIAL USE. THE SITE AREA IS 604m². THE SITE IS ZONED COMMERCIAL 1.

STRENGTHS/OPPORTUNITIES:

1. MEDIUM-DENSITY COMMERCIAL CONTEXT PROVIDES OPPORTUNITY FOR HIGHER-DENSITY INFILL RESIDENTIAL DEVELOPMENT AND ACTIVE FRONTAGE
2. REAR LANEWAY PROVIDES BUFFER AND INTERFACE BETWEEN COMMERCIAL AND RESIDENTIAL AREAS, AND FACILITATES REAR ACCESS TO SUBJECT SITE
3. DUAL FRONTAGES ALLOWS FOR PASSIVE SURVEILLANCE TO THE STREET AND TO THE LANEWAY
4. OPPORTUNITY TO OPTIMISE SOLAR ACCESS INTO APARTMENTS

WEAKNESSES/THREATS:

1. SOUTH-FACING APARTMENTS HAVE LOWER ACCESS TO OPTIMAL SOLAR PENETRATION
2. FACILITATE REASONABLE EQUITABLE DEVELOPMENT
3. CREATE REASONABLE TRANSITION TO RESIDENTIAL AREAS TO THE NORTH

LEGEND

- EXISTING BUILDING STRUCTURE
- EXISTING TREES
- VEHICULAR ACCESS
- PEDESTRIAN ACCESS

- 1 RESERVOIR TRAIN/BUS STATIONS 400m
- 2 RESERVOIR LEISURE CENTRE 720m
- 3 RESERVOIR NEIGHBOURHOOD HOUSE 760m
- 4 OAKHILL CHILDREN'S CENTRE 1,2km
- 5 RESERVOIR EAST PRIMARY SCHOOL 1,1km
- 6 RESERVOIR HIGH SCHOOL 1,6km
- 7 PRESTON CYCLING CLUB/ TW ANDREWS RESERVE 520m
- 8 EDWARDES LAKE 1,6km
- 9 SUMMERHILL SHOPPING CENTER 1,8km
- 10 RESERVOIR PRIVATE HOSPITAL 1,3km
- 11 METROPOLITAN RING RD. 3,7km
- 12 MARCHANT AV. BUS STOP 5m

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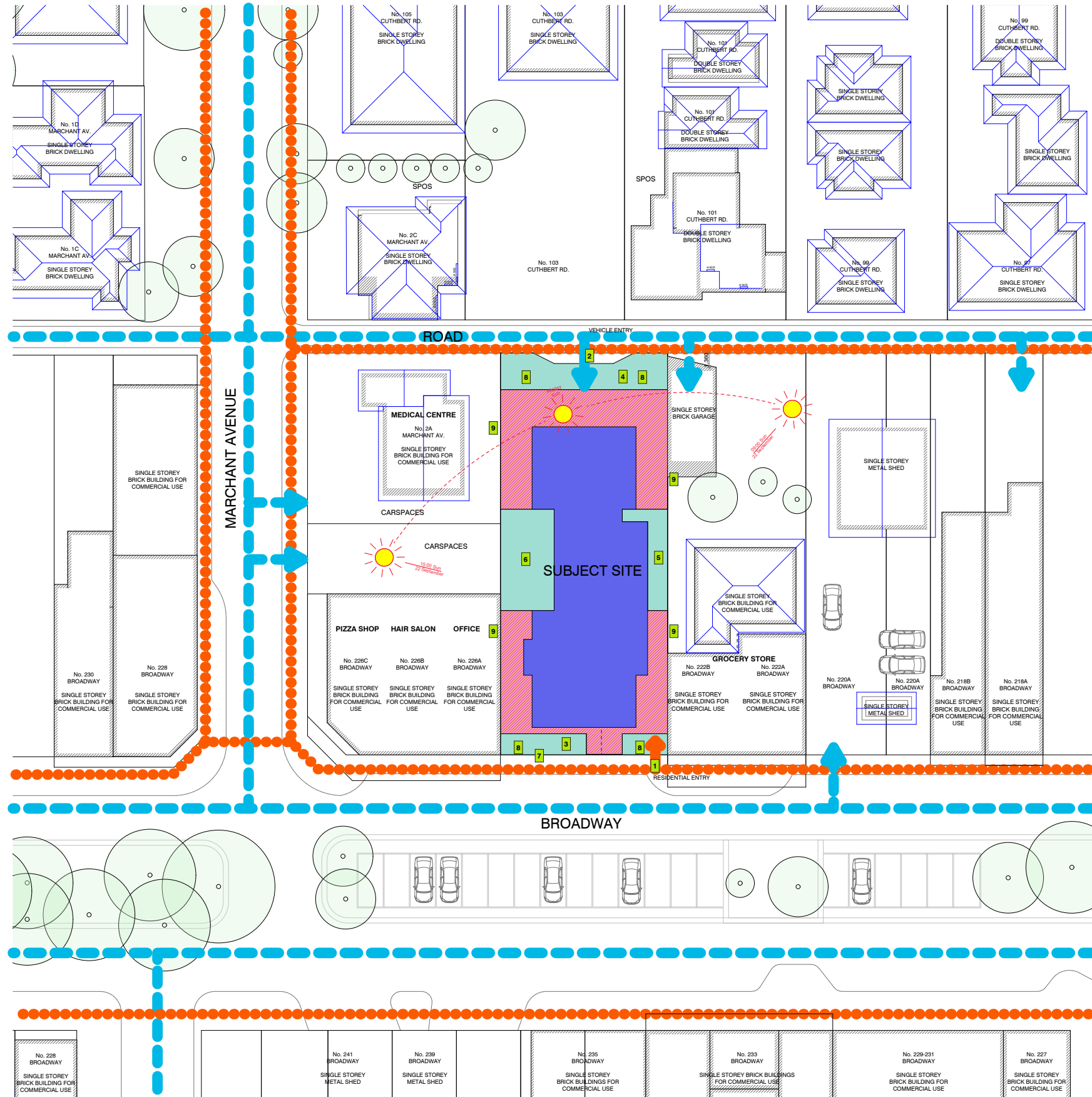
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APPROVED DOCUMENT BY COUNCIL PAGE 4 OF 1



LEGEND

-  EXISTING BUILDING STRUCTURE
-  EXISTING TREES
-  VEHICULAR ACCESS
-  PEDESTRIAN ACCESS

-  1 PRIMARY PEDESTRIAN ACCESS OFF BROADWAY
-  2 VEHICULAR ACCESS OFF REAR LANEWAY
-  3 UPPER LEVEL SETBACK TO EMPHASISE DOMINANT THREE-STORY STREET-WALL/BUILT FORM
-  4 SETBACKS TO ARTICULATE BUILT FORM AND CREATE TRANSITION TO RESIDENTIAL ZONES TO THE NORTH
-  5 LIGHT COURT TO FACILITATE DAYLIGHT ACCESS TO BEDROOMS
-  6 COURTYARD TO FACILITATE DAYLIGHT ACCESS, AMENITY AND BUILDING ARTICULATION
-  7 COMMERCIAL TENANCIES AT GROUND LEVEL ACTIVATES STREET
-  8 BALCONIES PROVIDE PASSIVE SURVEILLANCE TO BROADWAY AND LANEWAY
-  9 PATTERNED CONCRETE FINISH TO BOUNDARY WALLS ADDS VISUAL INTEREST

-  GROUND FLOOR
-  FIRST FLOOR
-  SECOND FLOOR
-  THIRD FLOOR

NOTE:
EXTERIOR BUILDING OUTLINE ONLY.
BALCONY EXCLUDED.

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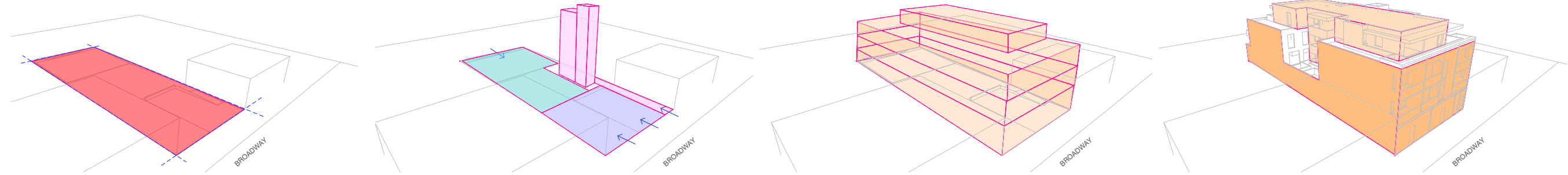
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Darebin City Council Received 27-04-2021



SITE COVERAGE & SETBACKS
 Commercial Zoning
 Full site coverage
 Continue full active frontage to Broadway
 Recessed northern frontage at upper levels

VERTICAL ACCESS & BASEMENT PARKING

- Pedestrians - Clearly defined
- Vehicle access from rear laneway
- Retail frontage

FOUR LEVEL BUILDING MASS

FORM ARTICULATION (1)
 3 storey built form to street.
 Vertical separation to reduce scale and facilitate amenity

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DATUMS, FINE-GRAIN, GEOMETRY



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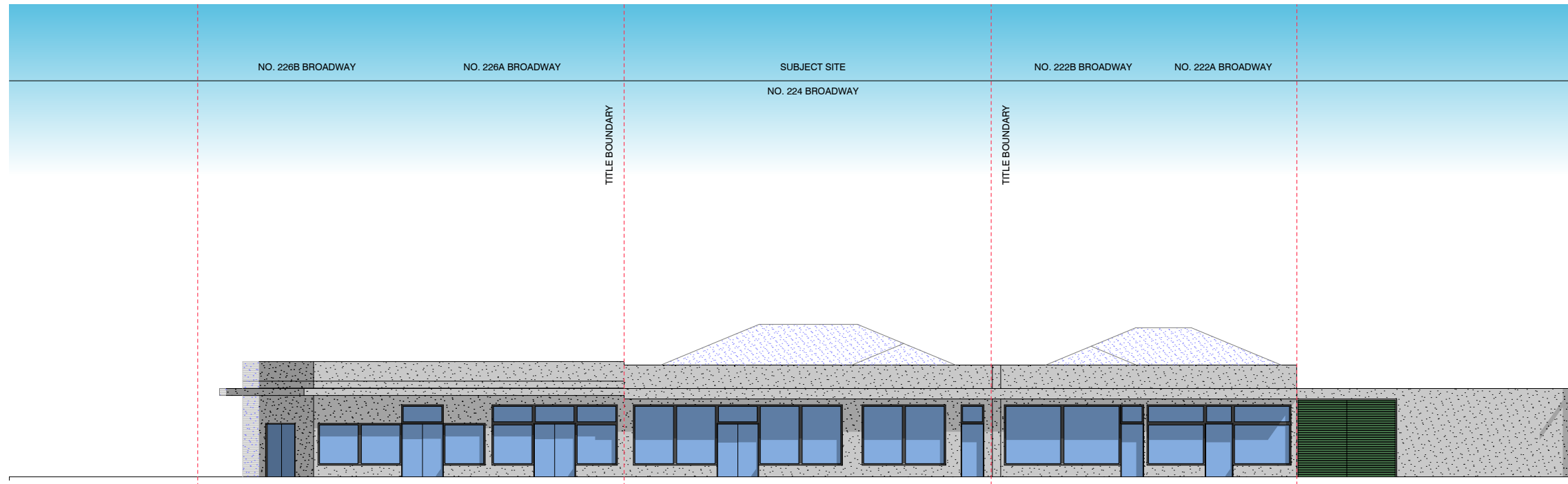
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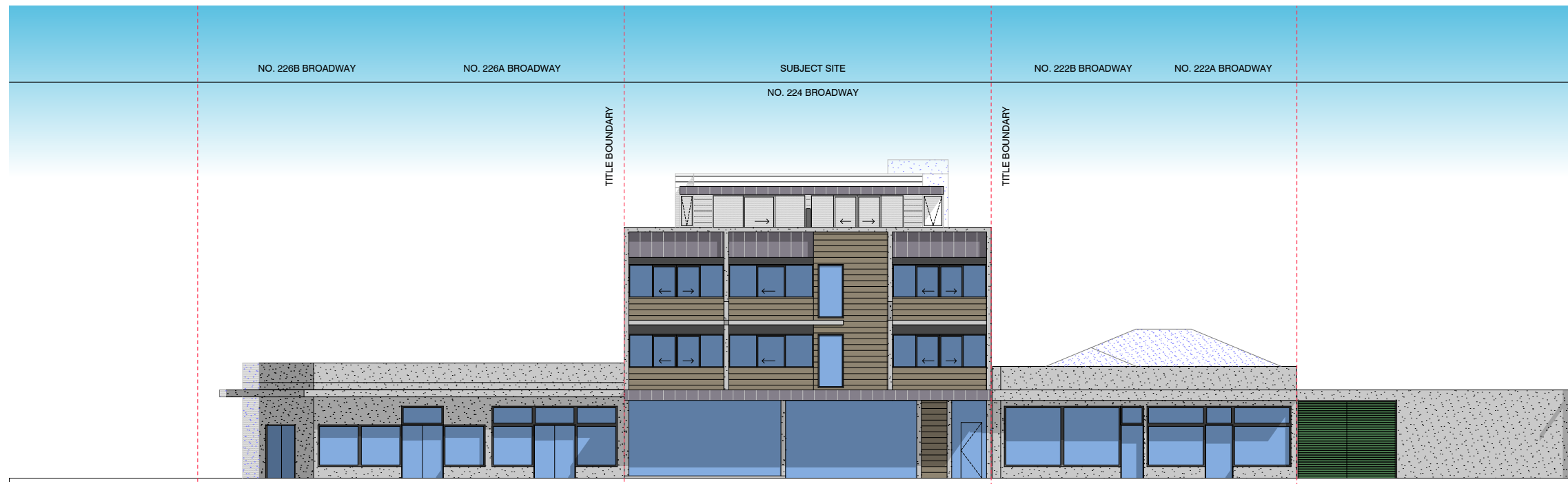
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EXISTING STREETScape ELEVATION - BROADWAY



PROPOSED STREETScape ELEVATION - BROADWAY

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19-Apr-21

6:37 PM

PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE STREETScape ELEVATIONS

REVISION HISTORY
A PLANNING APPLICATION RESPONSE TO RFI 27 NOV 20 15 APR 21

SCALE 1:100@A1	DATE 15 APR 21
1:200@A3	JOB NO.
DRAWN JL/KL	DWG NO. TP-07
CHECKED KL	REV. A

Darebin City Council Received 27-04-2021

INTERNAL DOCUMENT ONLY Page 1 of 1



A PATTERNED-STENCILLED PRECAST CONCRETE



B PRE-FINISHED COLOURED PRECAST CONCRETE



C PAINTED COMPRESSED CEMENT SHEET CLADDING



D STANDING-SEAM COLORBOND CLADDING

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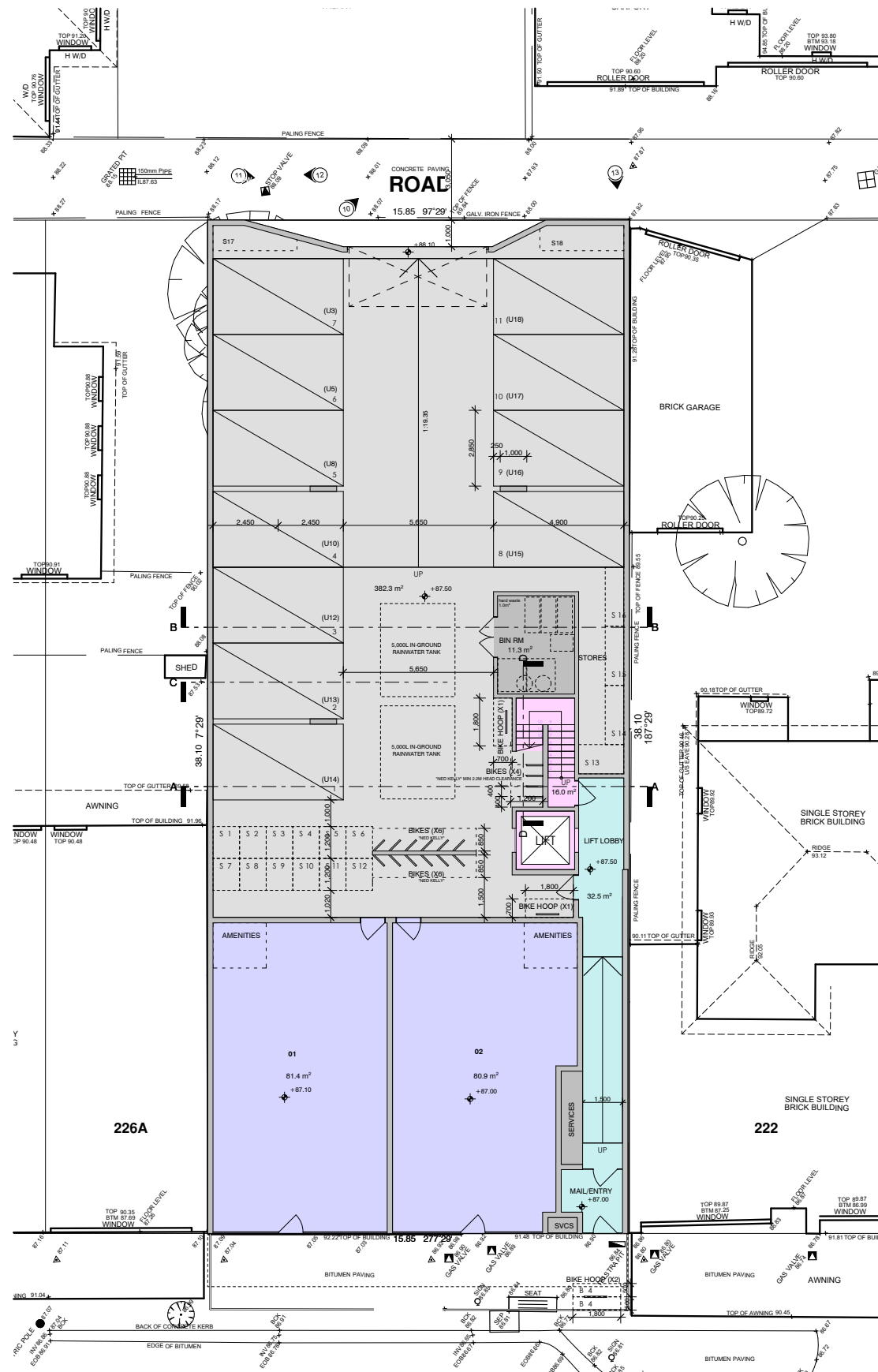
PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE
KEY MATERIALS + FINISHES

REVISION HISTORY
A PLANNING APPLICATION
RESPONSE TO RFI 27 NOV 20
15 APR 21

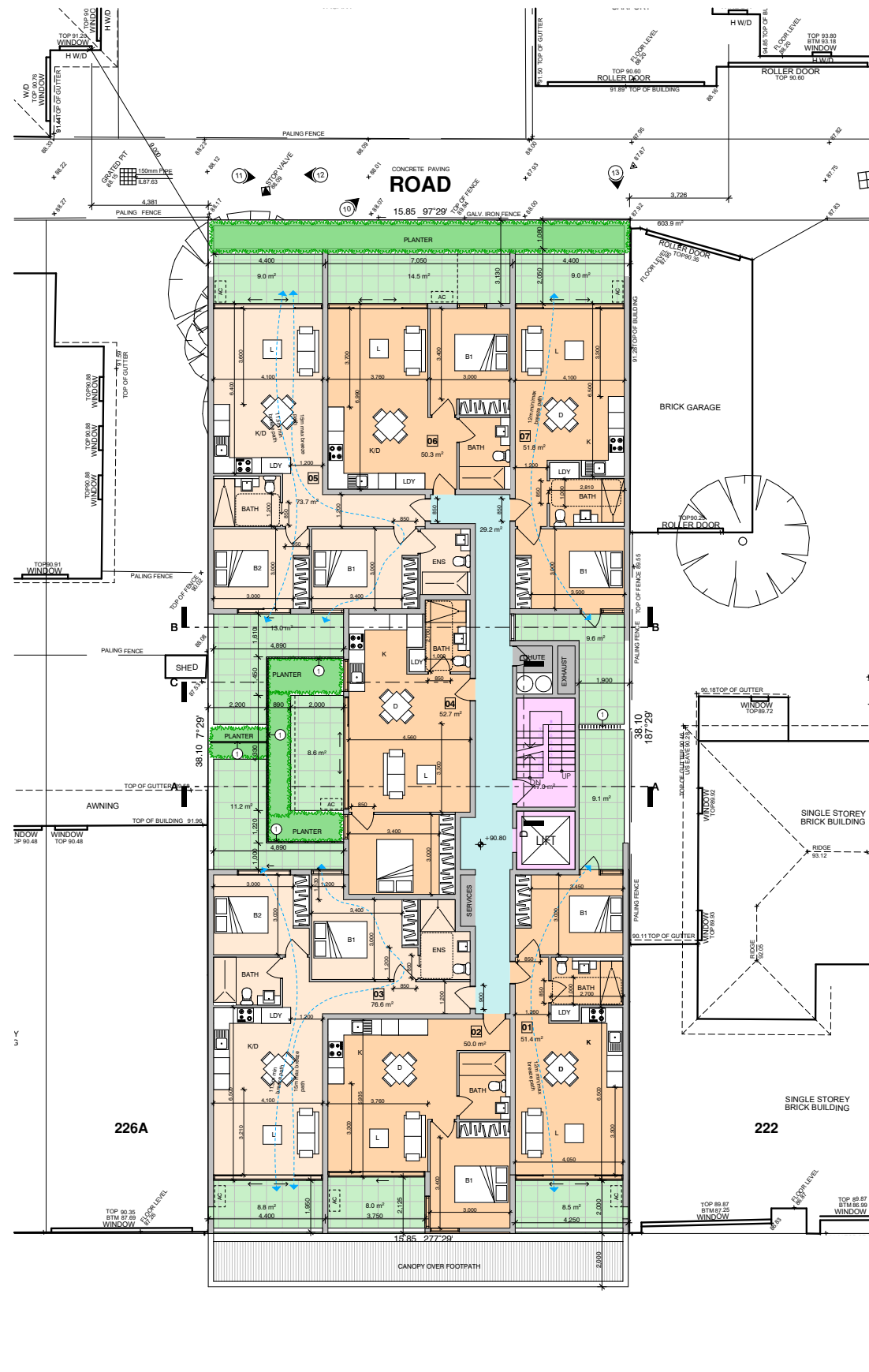
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DRAWN	JL/KL	DWG NO.	TP-06
CHECKED	KL	REV.	A

Darebin City Council Received 27-04-2021

PROTECTED DOCUMENT BY VZVZ Page 5 of 11



GROUND FLOOR PLAN



FIRST FLOOR PLAN

- LEGEND:
- H W/D HABITABLE WINDOWS/DOORS
 - W/D NON-HABITABLE WINDOWS/DOORS
 - ① 1.7M HIGH ALUMINUM PRIVACY FENCE (MAX 25% OPENINGS)
 - ② OBSCURE GLAZING TO 1.7M FROM FFL
 - ③ PRIVACY LEDGE
 - ④ BUILDING/CANOPY OVER
 - ⑤ OPERABLE SUNSCREENS
 - ⑥ FIXED SUNSCREEN

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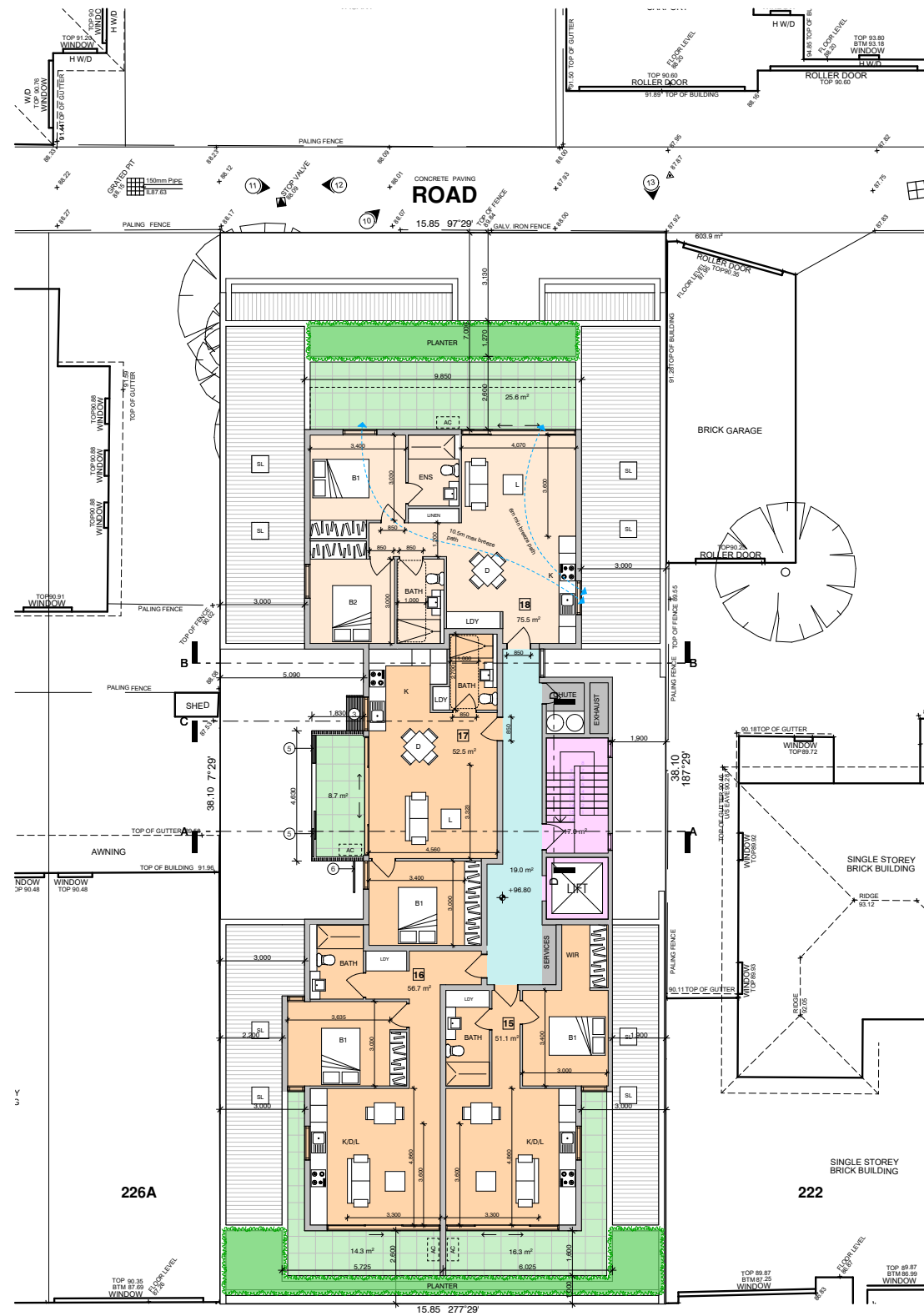
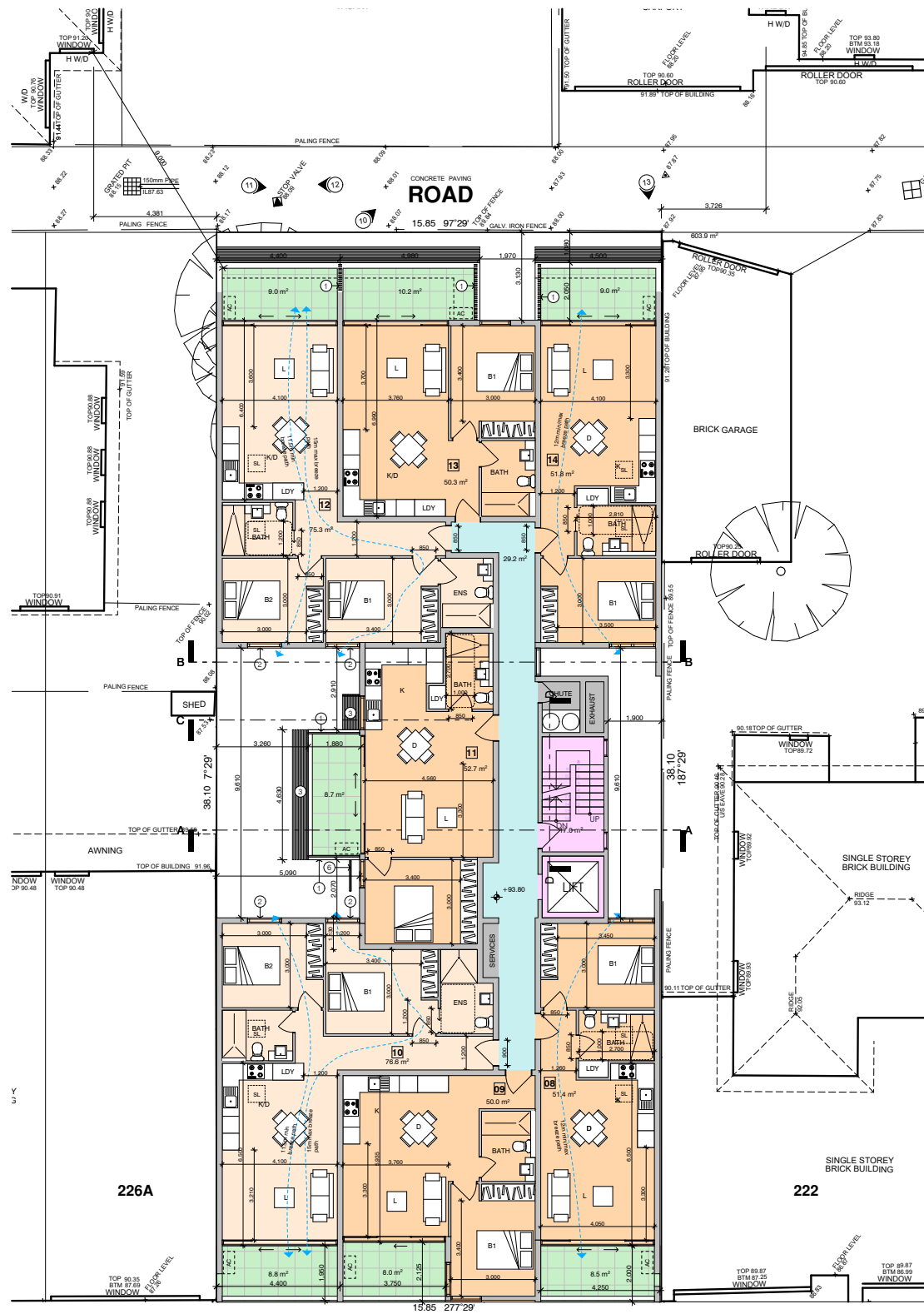
PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE GROUND + FIRST FLOOR PLAN

REVISION HISTORY
A PLANNING APPLICATION
RESPONSE TO RFI 27 NOV 20
15 APR 21

SCALE 1:100@A1	DATE 15 APR 21
1:200@A3	JOB NO.
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SECOND FLOOR PLAN

THIRD FLOOR PLAN

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PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE SECOND-THIRD FLOOR

REVISION HISTORY
A PLANNING APPLICATION
RESPONSE TO RFI 27 NOV 20
15 APR 21



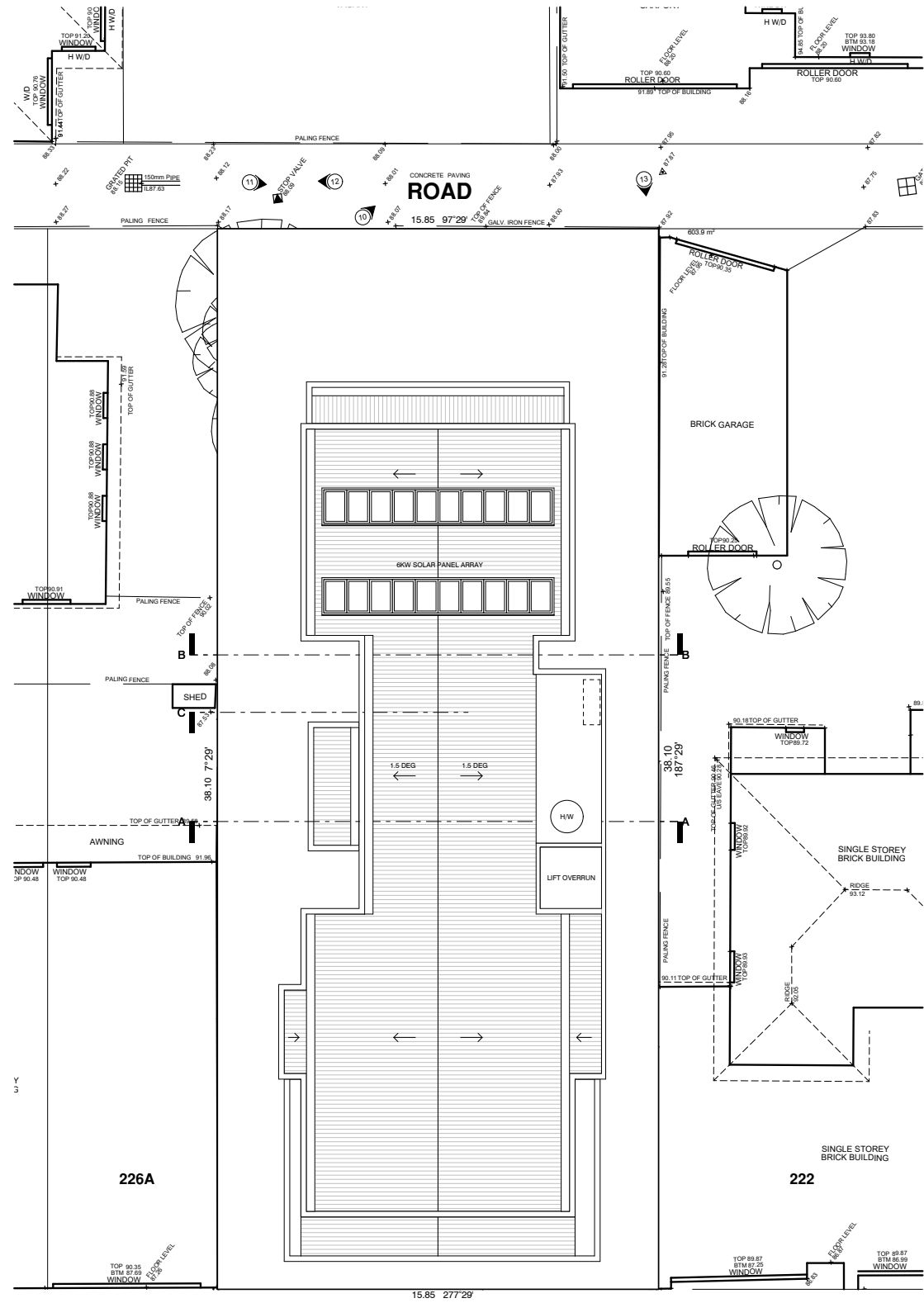
- LEGEND:
- H/W/D HABITABLE WINDOWS/DOORS
 - W/D NON-HABITABLE WINDOWS/DOORS
 - ① 1.7M HIGH ALUMINIUM PRIVACY FENCE (MAX 25% OPENINGS)
 - ② OBSCURE GLAZING TO 1.7M FROM FFL
 - ③ PRIVACY LEDGE
 - ④ BUILDING/CANOPY OVER
 - ⑤ OPERABLE SUNSCREENS
 - ⑥ FIXED SUNSCREEN

SCALE	1:100@A1	DATE	15 APR 21
	1:200@A3	JOB NO.	
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PLANNING DOCUMENT 19/2021 Page 11 of 11

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ROOF PLAN



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PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE ROOF PLAN

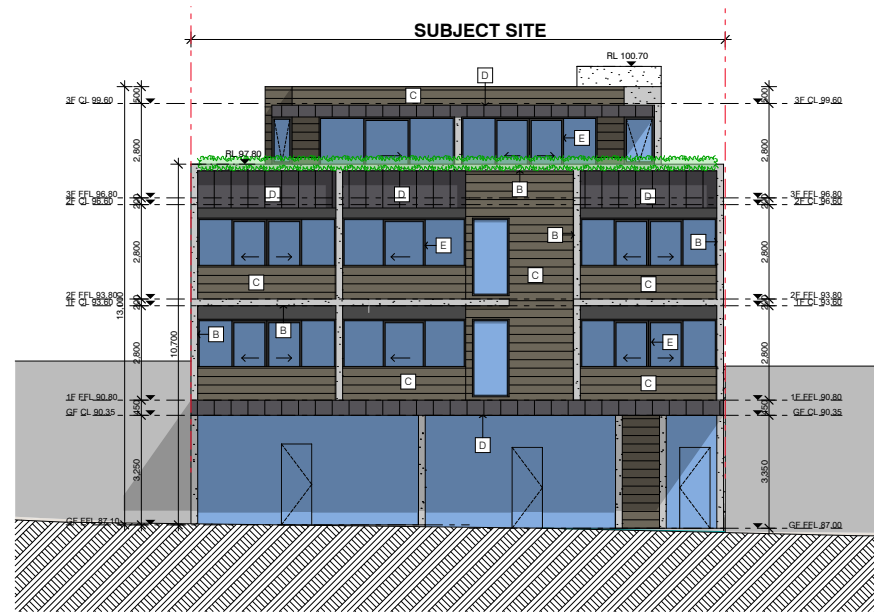
REVISION HISTORY
A PLANNING APPLICATION RESPONSE TO RFI 27 NOV 20 15 APR 21



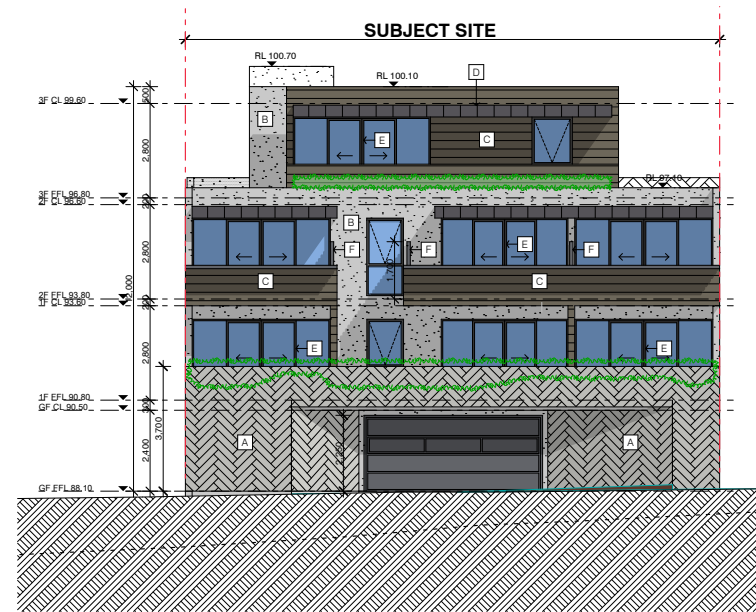
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DRAWN	JL/KL	DWG NO.	TP-11
CHECKED	KL	REV.	A

Darebin City Council Received 27-04-2021

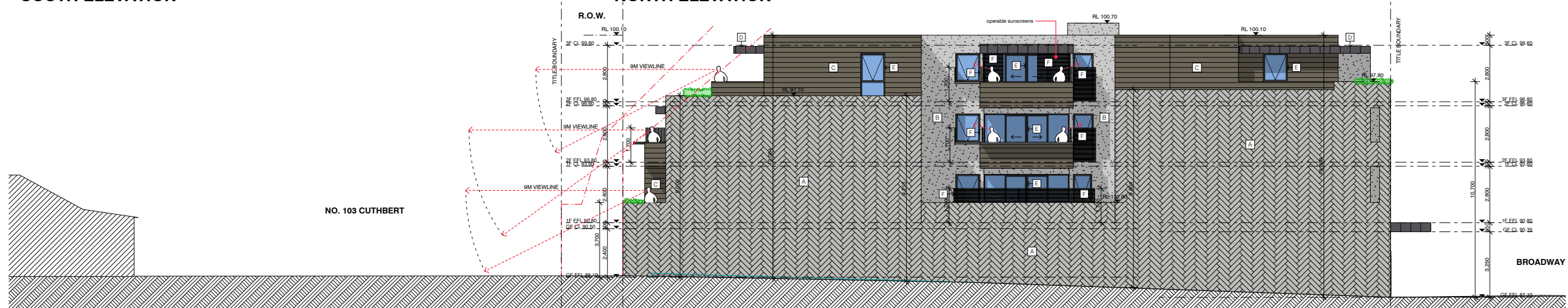
PLANNING APPLICATION RESPONSE TO RFI



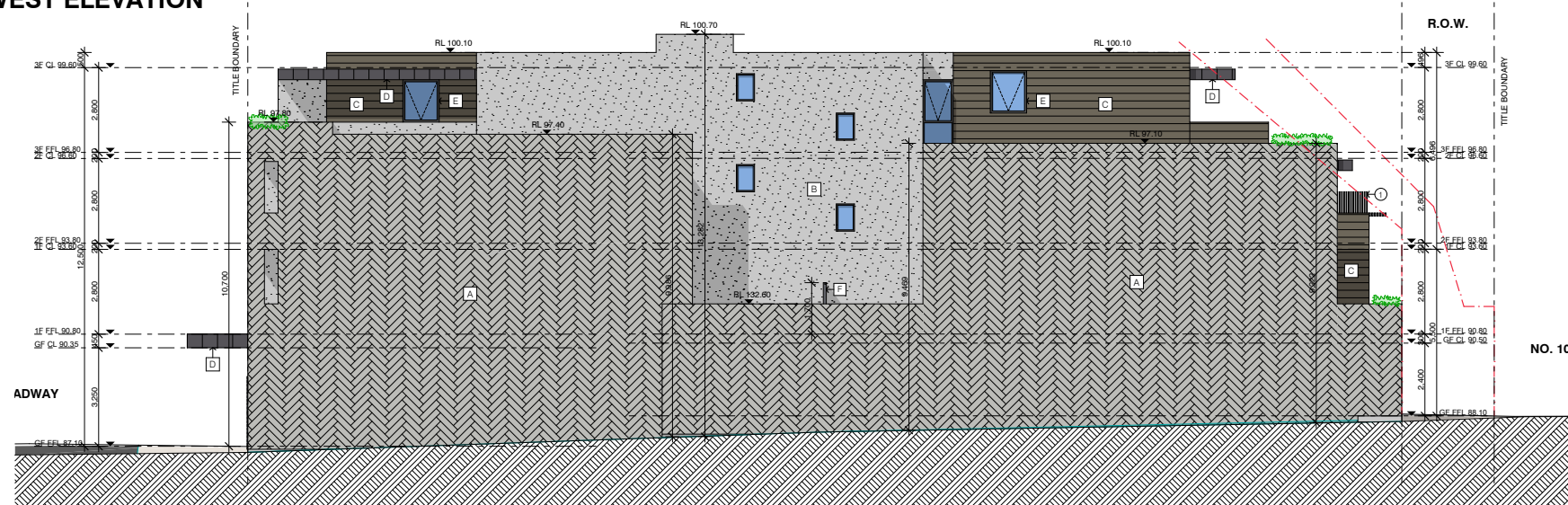
SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

Legend

- A PATTERNED RAW CONCRETE FINISH
- B COLOURED CONCRETE/TEXTURED FINISH
- C TIMBER-TEXTURED CLADDING
- D COLORBOND STANDING-SEAM CLADDING
- E POWERCOATED ALUMINIUM WINDOW FRAMES
- F POWDERCOATED ALUMINIUM PRIVACY SCREEN MAX 25% TRANSPARENCY
- OBSCURE GLAZING
- CLEAR GLAZING

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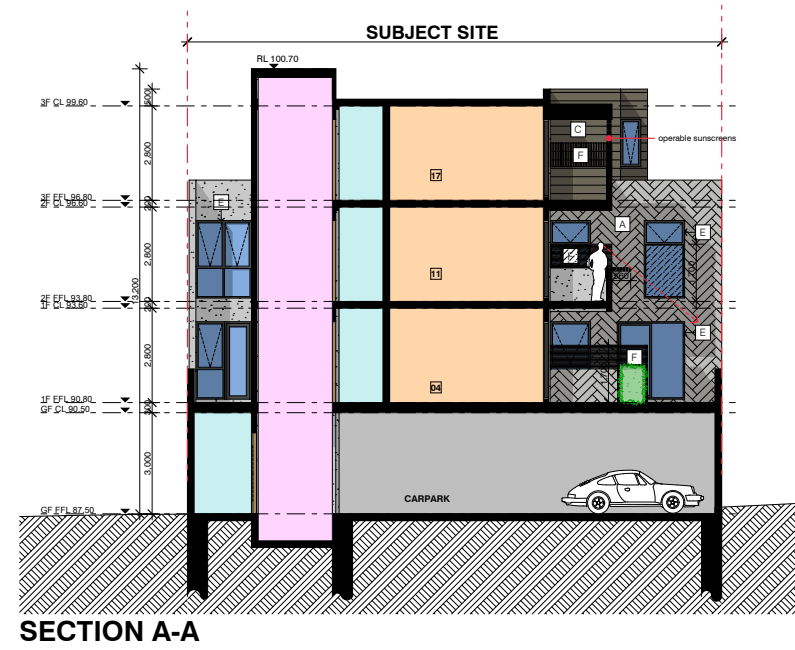
PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE ELEVATIONS

REVISION HISTORY
A PLANNING APPLICATION RESPONSE TO RFI 27 NOV 20 15 APR 21

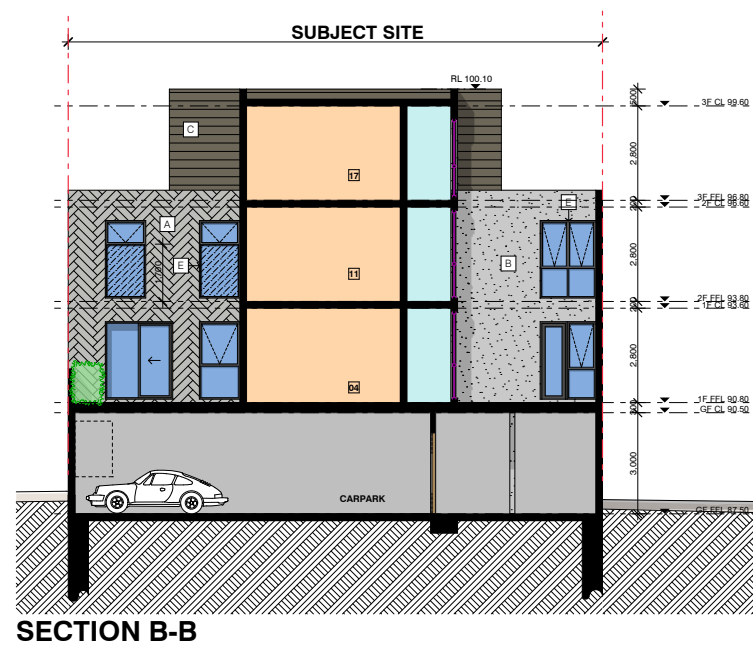
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DRAWN JL/KL	DWG NO. TP-12
CHECKED KL	REV. A

Darebin City Council Received 27-04-2021

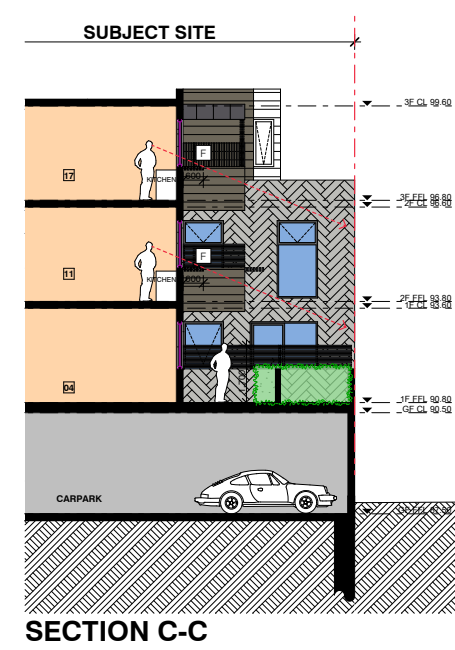
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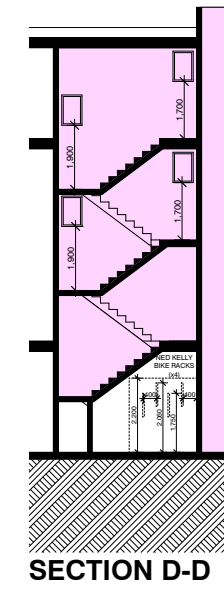
SECTION A-A



SECTION B-B



SECTION C-C



SECTION D-D

Legend

- A PATTERNED RAW CONCRETE FINISH
- B COLOURED CONCRETE/TEXTURED FINISH
- C TIMBER-TEXTURED CLADDING
- D COLORBOND STANDING-SEAM CLADDING
- E POWERCOATED ALUMINIUM WINDOW FRAMES
- F POWDERCOATED ALUMINIUM PRIVACY SCREEN
MAX 25% TRANSPARENCY
- OBSCURE GLAZING
- CLEAR GLAZING



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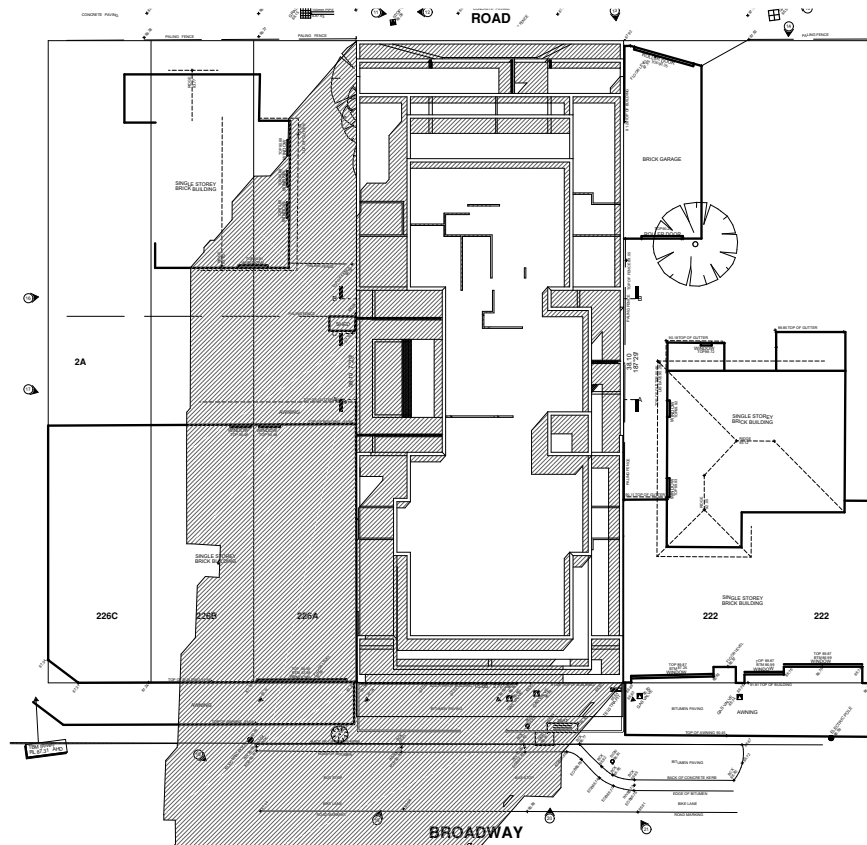
PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE SECTIONS

REVISION HISTORY
A PLANNING APPLICATION RESPONSE TO RFI 27 NOV 20 15 APR 21

SCALE 1:100@A1	DATE 15 APR 21
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DRAWN JL/KL	DWG NO. TP-13
CHECKED KL	REV. A

Darebin City Council Received 27-04-2021

PLANNING APPLICATION RESPONSE TO RFI



SEPT 22: 0900HRS



SEPT 22: 1200HRS



SEPT 22: 1400HRS



SEPT 22: 1400HRS



SEPT 22: 1500HRS

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PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE SHADOW DIAGRAMS 22 SEPT: 9AM-3PM

REVISION HISTORY
A PLANNING APPLICATION
RESPONSE TO RFI 27 NOV 20
15 APR 21



SCALE 1:200@A1	DATE 15 APR 21
1:400@A3	JOB NO.
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PROJECT | 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE | VISUAL AIDS 1

REVISION HISTORY
A | PLANNING APPLICATION
RESPONSE TO RFI | 27 NOV 20
15 APR 21

SCALE	1:100@A1	DATE	15 APR 21
	1:200@A3	JOB NO.	
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Approved Document 1, page 10 of 11

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19-Apr-21

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PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE VISUAL AIDS 2

REVISION HISTORY
A PLANNING APPLICATION RESPONSE TO RFI 27 NOV 20
15 APR 21

SCALE	1:100@A1 1:200@A3	DATE	15 APR 21
DRAWN	JL/KL	DWG NO.	TP-16
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PROJECT 224 BROADWAY RESERVOIR
MIXED-USE DEVELOPMENT
DRAWING TITLE VISUAL AIDS 3

REVISION HISTORY
A PLANNING APPLICATION RESPONSE TO RFI 27 NOV 20 15 APR 21

SCALE	1:100@A1 1:200@A3	DATE	15 APR 21
		JOB NO.	
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Darebin City Council Received 27-04-2021

**5.2 APPLICATION FOR PLANNING PERMIT D/470/202 20A
DUNDAS STREET THORBURY****Author:** Statutory Planner**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

- Construction is proposed of two new double-storey dwellings in a tandem (front and back) configuration.
- Notably, the lot is a battle-axe shaped lot with a 1.2 metre frontage to Dundas Street, a rear width of 10.3 metres and a maximum depth of 58.03 metres.
- Unit 1 comprises an open plan living/dining/kitchen, separate laundry, pantry and 25.75 sqm of secluded private open space (SPOS) at ground level, with two (2) bedrooms with ensuites and WIR on the first floor.
- Unit 2 comprises a bedroom, bathroom, laundry, open plan living/dining/kitchen, and 25.76 sqm of SPOS at ground level, with bedroom, ensuite and open study area on the first floor.
- The building has a maximum height of 7.66 metres.
- Two (2) car spaces are provided (unroofed) accessed from the ROW at the southern boundary of the site. No car parking reduction is required.
- Materials include face brickwork, metal cladding with metal privacy louvres. No paving or decking is indicated within the SPOS of either dwelling.
- No bicycle parking is indicated.
- The site is located in the General Residential 2 Zone and is affected by the Development Contributions Plan Overlay (the provisions of this overlay are currently expired).
- The mandatory garden area requirement is not applicable as the lot is less than 400sqm.
- There is no restrictive covenant on the title for the subject land.
- Six (6) objections were received against this application.
- The proposal is generally consistent with the objectives of Clause 55 of the Darebin Planning Scheme.
- It is recommended that the application be supported.

Officer Recommendation

That Planning Permit Application D/470/2021 be supported and a Notice of Decision to Grant a Permit be issued for Construction of two (2) double storey dwellings on a lot at 20A Dundas Street, Thornbury subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as, TP02 and TP04 to TP07 prepared by Archiscale and received by Council on the 14/12/2021) but modified to show:
 - (a) The Unit 2 east-facing wall height reduced to ensure no additional overshadowing onto the private open space of 7/24 Dundas Street at 2 pm on September 22 in accordance with Standard B21 of the Darebin Planning Scheme.
 - (b) Both dwelling's private open space areas increased to satisfy Standard B28 of the Darebin Planning Scheme, without further reducing side setbacks. This may be achieved by increasing the private open space areas to the rear or side of each dwelling through the reduction of floor area.
 - (c) Upper level cladding to be a lighter tone pursuant to Standard B31 of the Darebin Planning Scheme.
 - (d) Entry arbour to be roofed for its entire length in translucent material to provide shelter and sense of address pursuant to Standard B26 of the Darebin Planning Scheme. In addition, the arbour should provide a legible and safe access for the dwellings.
 - (e) Shared pedestrian accessway to be permeable in accordance with Condition No. 3 of this Permit. The design of this space must include creative landscaping, shelter, lighting, paving and/ or other appropriate treatments to improve the pedestrian experience and sense of safety within the space for future occupants and visitors.
 - (f) Details of fencing on the eastern boundary (except where existing walls on boundary are provided) in accordance with Condition No. 9 of this Permit.
 - (g) Screening to Unit 2 east-facing windows clearly annotated on elevations to be 1.7 metres above finished floor level.
 - (h) Provision of bike storage within the secluded private open space of both dwellings.
 - (i) External operable sun shading devices (excluding roller shutters to windows that face the street or common areas at Ground Floor) to all *east and west* facing habitable room windows/ glazed doors. Where sun shading devices are used a dimensioned section diagram or photograph must be provided.
 - (j) All habitable room windows to be operable. Window operation must not increase overlooking of adjoining secluded private open space and/or habitable room windows. Casement, sliding and sash windows must be used for habitable room windows.
 - (k) 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.
- (l) The location of gas, water and electricity metres. Where metres would be visible from the public realm, these are to be:
- (i) co-located where possible;
 - (ii) positioned on a side boundary or adjacent to the accessway; and
 - (iii) screened from view using either landscaping or durable screening that integrates with the development.
- (m) Any modifications required as a result of the approved Landscape Plan required by Condition No. 3 of this Permit.
- (n) Annotations detailing Tree Protection Zone(s), associated tree protection fencing and tree protection measures in accordance with the requirements of Condition No. 4 and 5 of this Permit.
- (o) Any modifications required as a result of the approved Sustainable Design Assessment (SDA) required by Condition No. 6 of this Permit.
- (p) The provision of a Stormwater Management System Plan, including a Water Sensitive Urban Design Plan, in accordance with Standard W1 of Clause 53.18-4 of the Darebin Planning Scheme. Refer to Condition No. 7 of this Permit.
- (q) The provision of a Site Management Plan in accordance with Standard W3 of Clause 53.18-6 of the Darebin Planning Scheme. Refer to Condition No. 8 of this Permit.

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

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before plans are endorsed under Condition No. 1 of this Permit, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and drawn to scale with dimensions. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- (a) Tree protection measures in accordance with Condition No. 4 and 5 of this Permit.
 - (b) A notation on plan that:
 - i. The TPZ of trees within No. 24 Dundas Street to be adequately protected with suitably ground protection in accordance with AS4970-2009 Protection of Trees on Development Sites. All tree protection measures are to be implemented prior to all works including demolition, excavation and construction works commencing on the site. Protection measures can only be removed to allow for approved works to occur under supervision.
 - ii. All excavation works within the TPZ of trees within No. 24 Dundas Street are to be supervised by a suitably qualified experienced arborist.
 - (c) Any modifications relating to landscaping required as a result of the Sustainable Design Assessment required by Condition No. 6 of this Permit.
 - (d) Any modifications relating to landscaping required as a result of the Water Sensitive Urban Design Plan/Report required by Condition No. 7 of this Permit.

- (e) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties and street trees within the nature strip. The genus, species, height and spread of all trees must be specified. All existing trees to be retained must be retained and protected in accordance with Australian Standards.
- (f) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity, pot size and quantities of all plants.
- (g) A diversity of plant species and forms.
- (h) Provision of one (1) medium canopy tree within the secluded private open space of each dwelling. All canopy trees must have a minimum height of 1.6 metres in 40 litre containers at the time of installation and must have the following minimum widths at maturity: small canopy (4 metres), medium canopy (6 metres), large canopy (10 metres).
- (i) Annotated graphic construction details showing all landscape applications and structures including tree and shrub planting, entrance pedestrian arbour, retaining walls, raised planter bed and decking.
- (j) Type and details of all surfaces including lawns, mulched garden beds and permeable and/or hard paving (such as pavers, brick, gravel, asphalt and concrete) demonstrating a minimum site permeability of 20%. Percentage cover of permeable surfaces must be stated on the plan. Where paving is specified, material types and construction methods (including cross sections where appropriate) must be provided.
- (k) Hard paved surfaces at all entry points to dwellings.
- (l) Shared pathway to be permeable paving.
- (m) 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).
- (n) Type and details of edge treatment between all changes in surface (e.g. grass (lawn), gravel, paving and garden beds).
- (o) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
- (p) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
- (q) Clear graphics identifying trees (deciduous and evergreen), shrubs, grasses/sedges, groundcovers and climbers.
- (r) Scale, north point and appropriate legend.
- (s) Landscape specification notes including general establishment and maintenance requirements.

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

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

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

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

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

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

Tree*	Location	TPZ (radius from the base of the tree trunk)
Tree group (south-west corner)	Adjoining property at No. 7/24 Dundas Street (east)	2 metres
*as defined in internal referral comments from Council’s Planning Arborist		

5. The following tree protection measures must be implemented for trees identified in the table to Condition No. 4 of this Permit:

- (a) Tree protection measures must be in accordance with Australian Standard AS4970 – 2009: Protection of trees on development sites or as otherwise approved in writing by the Responsible Authority.
- (b) Tree protection fencing must be constructed of star pickets and chain mesh (or similar) to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed or unless otherwise agreed by the Responsible Authority in writing.
- (c) The tree protection fencing must be maintained at all times and may only be moved the minimum amount necessary for approved buildings and works to occur within a Tree Protection Zone (TPZ). The movement of the fencing to allow such buildings and works shall only occur for the period that such buildings and works are undertaken, after which time the full extent of the fencing must be reinstated.
- (d) Except with the written consent of the Responsible Authority:
 - (i) The area within the TPZ and Tree Protection Fencing (TPF) must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.
 - (ii) No vehicular or pedestrian access, trenching or soil excavation is to occur within a TPZ, save for that allowed to complete the approved development.
 - (iii) No storage or dumping of tools, equipment or waste is to occur within a TPZ.
- (e) All excavation works within the TPZ of trees within No. 24 Dundas Street are to be supervised by a suitably qualified arborist.
- (f) 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.
- (g) The construction of the crossover (and any other buildings and works within a TPZ) must be undertaken under the supervision and direction of a qualified arborist.

- (h) Where applicable to a tree on a neighbouring lot, a TPZ only applies where within the site.
 - (i) Before any development (including demolition) starts, all existing vegetation shown on the endorsed plan(s) to be retained must be marked and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
6. Before plans are endorsed under Condition No.1 of this Permit, a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SDA will be endorsed and will then form part of this Permit. The SDA must be prepared by a suitably qualified professional and must:
- (a) Detail the sustainable design strategies to be incorporated into the development.
 - (b) Outline proposed sustainable design initiatives within the development including energy efficiency, water conservation, stormwater quality, waste management and material selection.
 - (c) Be accompanied by a report from an industry accepted performance measurement tool.

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

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

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

8. Before plans are endorsed under Condition No. 1 of this Permit, a Site Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of this Permit. The Site Management Plan must be generally in accordance with Melbourne Water's *Keeping Our Stormwater Clean – A*

Builder's Guide (2002) and must describe how the site will be managed prior to and during the construction period, including requirements for:

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

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

9. The development must not be occupied until a fence to a minimum height of 1.8 metres above natural ground level is erected along the eastern property boundary. The fence must be constructed to the satisfaction of the Responsible Authority.

If the existing fence/s on the eastern property boundary with a height less than 1.8 metres is structurally sound, the fence height may be increased by the addition of a free-standing, self-supporting trellis adjacent to the fence to the required height. If used, such trellis must be a maximum of 25% visually permeable and be fixed, permanent, durable and of materials, finishes and colour that will blend in with the development.

10. 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).

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

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

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

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

14. 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.

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

16. 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.

17. A clothesline must be provided to each dwelling. Clotheslines must not be visible from the public realm.

18. Provision must be made on the land for letter boxes and a slot for newspapers to the satisfaction of the Responsible Authority.
19. 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.
20. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.
21. Before the occupation of the development all vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority.
22. This Permit will expire if either:
 - (a) The development does not start within three (3) years from the date of this Permit; or
 - (b) The development is not completed within five (5) years of the date of this Permit.As relevant, the Responsible Authority may extend the times referred to if a request is made in writing:
 - (a) Before this Permit expires;
 - (b) Within six (6) months after the expiry date; or
 - (c) Within twelve (12) months after the expiry date if the request relates to the completion of the development or a stage of the development.

NOTATIONS

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

- N1. Any failure to comply with the conditions of this planning permit may result in the issue of an Enforcement Order against some or all persons having an interest in the site. Non-compliance may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.
- N2. This planning permit is one of several approvals required before use or development is allowed to start on the site. The planning permit holder is required to obtain other relevant approvals and make themselves aware of easements and restrictive covenants affecting the site.
- N3. Amendments made to plans noted in Condition No. 1 of this Permit are the only ones that will be assessed by Council. If additional amendments are made to the [insert development or use or both] they must be brought to the attention of Council as additional planning assessment may be required through a separate planning approval.
- N4. This Planning Permit represents the planning approval for the use and/or development of the site and does not represent the approval of other Council departments or statutory authorities. Other approvals may be required before the use/and or development allowed by this planning permit starts.

- N5. To complete a satisfactory Sustainable Design Assessment (SDA) the Responsible Authority recommends the use of the Built Environment Sustainability Scorecard (BESS) to assess the developments environmental performance against appropriate standards.
- N6. Numbering on plans should be allocated in a logical clockwise direction and follow existing street number sequence. Please contact Revenue Office on 8470 8888 for further information and assistance.
- N7. This planning permit is to be attached to the “statement of matters affecting land being sold”, under Section 32 of the Sale of Land Act 1962 and any tenancy agreement or other agreement under the Residential Tenancies Act 1997, for all purchasers, tenants and residents of any dwelling shown on this planning permit, and all prospective purchasers, tenants and residents of any such dwelling are to be advised that they will not be eligible for on-street parking permits pursuant to the Darebin Residential Parking Permit Scheme.

INTRODUCTION AND BACKGROUND

Planning Permit D/718/2011 allowing a two (2) lot subdivision was issued on 9 January 2012 and the plan of subdivision certified and a statement of compliance issued 22 May 2012.)

Lot 1 contained the existing dwelling on the land and comprised a total lot area of approximately 240.8 square metres. The second lot (Lot 2) is a battle-axe shaped lot that sits at the rear of the existing dwelling and measures approximately 344 square metres. This Lot 2 has vehicular access provided via the rear laneway. Pedestrian access, egress for bins and a sense of address is provided via a 1.28metre wide strip of land adjacent to the western boundary of Lot 1 with frontage to Dundas Street.

It is the vacant Lot 2 that was formed as a result of this subdivision that is the subject of this planning application.

An application for the Construction of a two-storey building comprising four (4) single bedroom apartments with a reduction in car spaces from four (4) to two (2), resulting in a waiver of car parking for two (2) apartments, was refused by Council on 01 November 2018 (Council reference D/966/2017). Key aspects of the previous application:

- Seven (7) objections were received.
- Refusal was based on poor site responsiveness, amenity, visual bulk, overshadowing and overlooking.
- Council’s decision was appealed at the Tribunal (VCAT reference P2516/2018 - *Vassilacos v Darebin CC [2019] VCAT 1505*).
- The Tribunal affirmed the Council’s decision that no permit be granted. The Tribunal in its order dated 30 May 2019 found in relation to the four (4) dwelling proposal that:
 - It is expected that the character of these areas of substantial change identified under Council’s Strategic Housing Framework Plan will change substantially in the future.
 - The combination of the height, coverage and other design elements lead to an unacceptable response. These were in the main, about the presentation of visual

bulk and the overshadowing of adjoining open space. The design proposal in this case was for four (4) attached dwellings.

- the combination of the height, coverage and other design elements of the dwellings and their open space, including multiple elements of unacceptable onsite amenity, lead to an unacceptable response.
- the swimming pool next door was considered as communal space. The Tribunal was persuaded that some consideration needs to be given to protecting this as the key open space and external amenity space of the apartment building. However, based on the shadow diagrams provided, which showed additional shadow to this pool was limited to after 2pm and only for part of the open space, the Tribunal was satisfied the limited additional shadow was acceptable.

This current application, with the reduction in the number of dwellings and significant alterations to the design which address both internal and external amenity, is considered to address the previous issues raised by the Tribunal (subject to some conditions). This improved design outcome is discussed in detail in later sections of this report.

CONSULTATION

- Public notice was originally given via one (1) sign posted on site and letters sent to surrounding owners and occupiers.
- As a result of the initial notification six (6) objections were received. In order to carry out consultation with the objectors the Applicant reviewed the objections and advised Council that he was willing to amend the plans in order to address as many of the objectors concerns as possible.
- The changes made to the plans included: -
 - To the East:
 - Both units provided more substantial entry porch structures to improve sense of address and shelter;
 - Unit 1 large staircase window provided fixed external screening to prevent overlooking to apartments/pool;
 - Entry pathway provided an arbour to improve sense of address and shelter.
 - To the West:
 - Unit 1 Bed 1 window provided external shroud to prevent overlooking;
 - Unit 2 ground floor Master bedroom wall-on-boundary reduced in length 5.1 metres to 4.9 metres and reduced in height from an average of 2.9 metres down to 1.8 metres to reduce bulk and overshadowing onto secluded private open space of No. 18B Dundas Street. This was achieved by including a cut to the natural ground level;
 - Unit 2 second level reduced in height by an average of 150 millimetres to manage overshadowing onto secluded private open space of No. 18B Dundas Street.

- The amended plans were then formally submitted by way of the lodgement of a Section 57A amendment.
- Further notification was then given by letters sent to existing objectors however, no objections were withdrawn. In addition, Council received two (2) additional objections (addendums) from two of the original objectors within the apartment complex.
- The Addendum objection commentary reiterated concerns that were previously identified. Overshadowing and the dark cladding proposed being the continued primary focus of 7/24 Dundas Street. From 5/24 Dundas Street – bulk, overshadowing and overlooking to the pool area.
- Council officers identified that further amendments to the plans would result in the proposal complying with the standards relating to Private Open Space (Standard B28) and Overshadowing (Standard B21). This would further minimise any impact on adjoining properties. The Applicant has agreed to accept conditions that makes these changes.
- In light of all of the above, it is considered that further consultation, i.e. a formal consultation meeting, is not required in this instance.
- This application was internally referred to Council's: Infrastructure and Capital Delivery Unit; City Design officer; Property officer; and Climate Emergency & Sustainable Transport Unit.
- This application was not required to be referred to external authorities.

Subject site and surrounding area

- The land is irregular in shape, best described as a battle-axe shaped lot, with a narrow 1.2 metre frontage to Dundas Street, a rear width of 10.3 metres and a maximum depth of 58.03 metres.
- The land is located within the General Residential Zone – Schedule 2.
- The land is located on the south side of Dundas Street, approximately 160 metres east of the intersection with High Street.
- The site does not currently contain a dwelling and has been subdivided to form a lot of approximately 344 square metres. The land is currently used for storage of two vehicles and various outbuildings. There is no significant vegetation on the lot.
- To the east is a double storey apartment building, with basement car parking accessed via Dundas Street (24 Dundas Street). Limited landscaping exists around the perimeter of the building. There is communal private open space and a lap pool along the western boundary.
- To the north across Dundas Street is the South Preston Shopping Centre car park and a single storey brick dwelling with a pitched tile roof.
- To the west abutting the narrow pedestrian entrance to the subject site and fronting onto Dundas Street are two single storey semi-detached brick duplex dwellings with hipped tile roofs originally constructed on the land (18A and 18B Dundas Street). It appears that these dwellings have undergone a similar subdivision which has created two battle-axe shaped lots with only pedestrian access to Dundas Street. The other battle-axe lot that abuts the bulk of the subject site's western boundary (to the rear of

an older semi-detached duplex dwelling) contains two single storey townhouses with metal roofs and uncovered car parking provided via the rear laneway (18A and 18B Dundas Street). The development on this adjoining site has provided two attached dwellings that are side-by-side as opposed to the subject site's proposed tandem arrangement with one dwelling behind the other.

- To the south over the laneway, are the rear open spaces of two premises fronting Pender Street (17 and 19 Pender Street). These are single storey dwellings with tiled roofs.
- The site is well-located proximate to the intersection of High Street, Plenty Road and Dundas/Miller Street. This intersection contains two (2) large apartment complexes and the sites in Dundas Street abutting this intersection have commercial buildings and a couple of older walk up flats. Further east along Dundas Street the area is typified by generally well-maintained Victorian, Edwardian, Interwar or 1950s era dwellings, with infill development generally respectful of the scale and form of older homes in the area. One exception to this is the two storey (with basement) apartment building that abuts the eastern boundary of the subject site. Streetscapes have an open and low-scale feel with few dwellings over two storeys in height and low-scale or limited street planting. The site has good access to public transport. There are no parking restrictions along Dundas Street within proximity of the site.

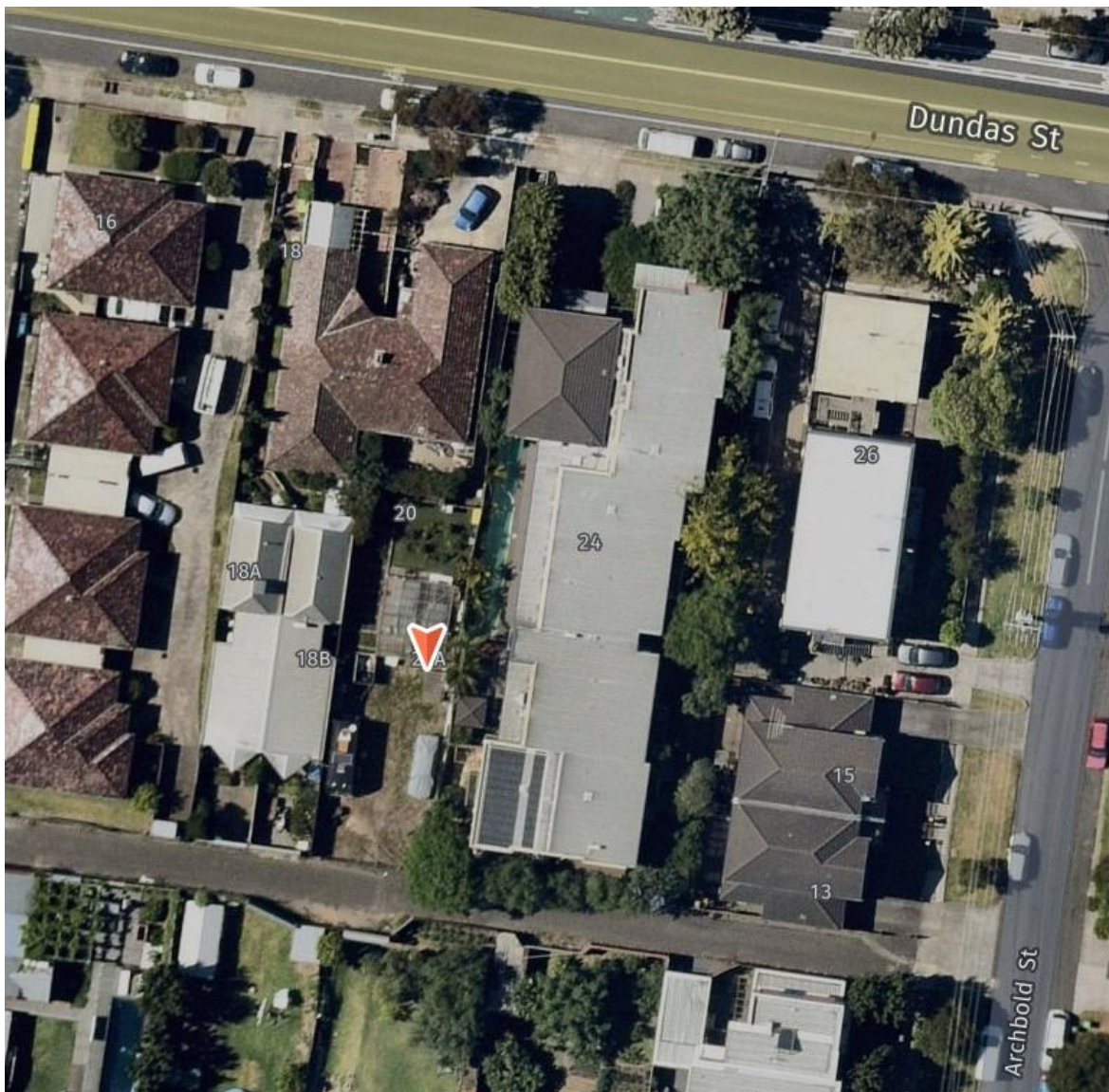


Figure 1: Aerial image of the subject site taken from Nearmap 24 December 2021



Figure 2: Dundas Street access to the subject site taken from Google 24 January 2019



Figure 3: Dundas Street access to the subject site taken site visit 07/02/2022

Proposal

- Construction of two (2) new double-storey dwellings in a tandem (front and back) configuration to the rear of an existing single storey semi-detached dwelling. This existing dwelling is on a separate lot with a frontage to Dundas Street. The new dwellings have pedestrian access via Dundas Street and vehicle access via the constructed access way to the rear of the site.
- Both proposed dwellings are to be contemporary with angular gable roof forms purposely designed to limit overshadowing.
- Finishes are brick lower levels with raised vertical seam metal cladding wrapping around the upper level.
- Fenestration is proportional and responds to the angular forms proposed and is innovative, while limiting overlooking potential.

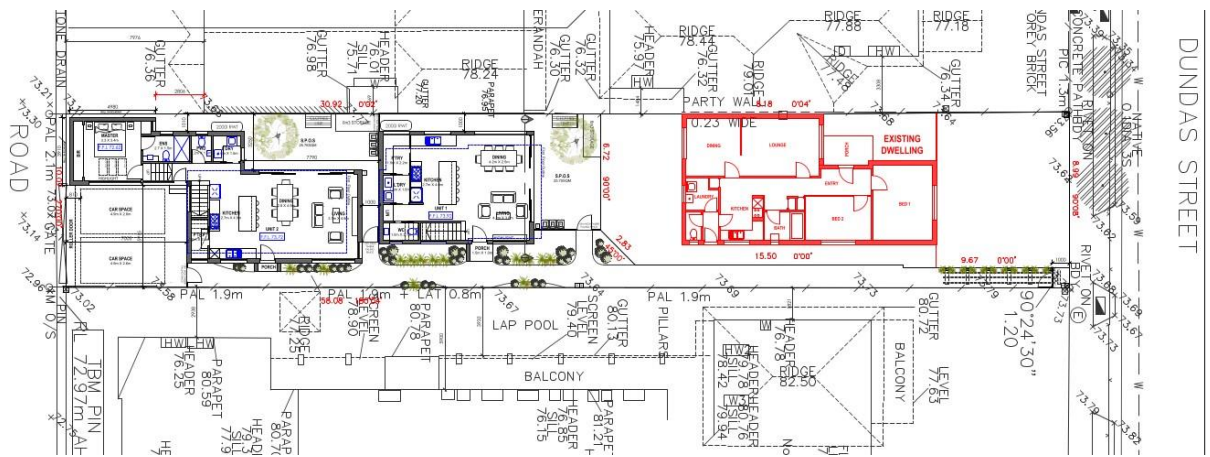


Figure 4: Proposed ground floor prepared by Archiscale

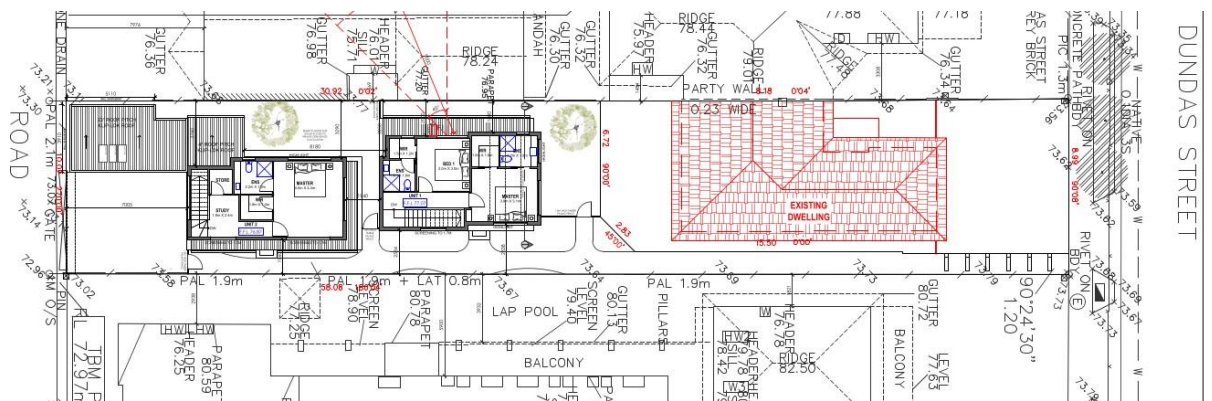


Figure 5: Proposed first floor prepared by Archiscale



Figure 6: West elevation facing single storey townhouses



Figure 7: East elevation facing apartment complex



Figure 8: North elevation facing street / South elevation facing laneway



Figure 9: Proposed street interface entry treatment

Objections

- Six (6) objections were received against this application.

Notably and as consequence of initial concerns, Section 57A amended plans considered to largely address objector concerns were provided and re-advertised. However, in this instance no objections were withdrawn.

Following further consultation with the applicant, a number of conditions to be included on any permit have been agreed to in a substantive effort to fully address objector concerns.

Objections summarised

- Double storey in rear of site inconsistent with local character.
- Built form, bulk, materials and design not in accordance with neighbourhood character.
- Overlooking/ privacy concerns (Unit 1 Staircase window; Unit 2 Study)
- Overshadowing.
- Loss of sunlight will increase damp in No.24 Dundas Street apartments.
- Units sited too close to western boundary.
- Poor landscaping provision.
- Outlook to dark coloured building.
- Increased noise.
- Built form on boundary.
- Impact on garden solar access.

Officer comment on summarised objections

Double storey in rear of site inconsistent with local character

The site is within a residential area identified for ‘substantial change’ over time. Local policy in Clause 22.02 directs that new development contributes to the preferred future character of the precinct while retaining and enhancing existing elements that contribute to local character.

Clause 32.08 (GRZ2) zoning of the land allows three (3) storeys at a maximum height of 11 metres. The proposal is two (2) storeys at 7.66 metres and therefore well within the zoning requirements.

The proposal responds appropriately to the local planning policy and does not represent unreasonable visual intrusion within a substantial change area under the Strategic Housing Framework Plan. This is discussed further within the Planning Assessment of the report.

Built form, bulk, materials and design not in accordance with neighbourhood character

As discussed above, the proposed development site falls within an area identified for substantial change. Policy supports intensive and innovative housing development with a high degree of change, while avoiding underdevelopment. The consideration of a medium density development is based on its compliance with a set of criteria outlined in the Darebin Planning Scheme.

The amended proposal subject to conditions complies with Rescode siting controls. This is discussed further within the Planning Assessment of the report.

Overlooking/ privacy concerns (Unit 1 Staircase window; Unit 2 Study)

Standard B22 requires that development is designed to limit views into neighbouring secluded private open space and habitable room windows. Not to eliminate all views into secluded private open space.

The plans originally advertised have been amended to better manage potential overlooking impacts. The revised plans show appropriate external screening provided to all upper level windows. Notably, screening has also been provided to non-habitable windows to alleviate neighbour's concerns. Overlooking potential has been satisfactorily managed. This is discussed further within the Planning Assessment of the report.

Overshadowing

Standard B21 aims to limit additional overshadowing. Controls require we consider whether any additional overshadowing is unreasonable. The amended plans demonstrate a reduction in the original built form with a corresponding reduction in shadowing.

To the west, additional shadowing has been deleted due to the reduced built form. To the east, there remains some overshadowing.

Most of the overshadowing at 3pm onto the communal open space and pool area is a result of the existing boundary fence.

Overshadowing onto the secluded private open space and west-facing habitable window of apartment 7/24 Dundas Street would be caused by the proposed Unit 2 upper level. It does not impact the primary decked area accessible from the living area but affects an area to the side of the dwelling. The area impacted by additional shadowing is approximately 1.6 square metres at 3pm.

In order for the proposal to fully comply with the overshadowing standard (B28), a condition would be included on any permit to demonstrate compliance with Standard B28. The applicant has agreed to this condition.

Loss of sunlight will increase damp in No.24 Dundas Street apartments.

Damp issues associated with some indoor habitable spaces are commonly a result of poor ventilation or rising moisture and not directly related to sun penetration into a space. The dampness issue is not a relevant planning consideration and may be more applicable to

Building Regulations. The dampness may be more related to the proximity of the pool above a basement in this instance.

The proposed development will not measurably impact existing dampness issues within the apartment complex.

Relevantly, the proposal will be conditioned to satisfactorily comply with the B21 Overshadowing standard of Clause 55, while deferring to previous Tribunal commentary related to minor additional overshadowing onto the communal open space of 24 Dundas Street.

Units sited too close to western boundary.

The plans originally advertised have been amended to better manage overshadowing and overlooking concerns that were raised by objectors. This has resulted in marginally reduced built form.

The application complies with Clause 55.04-1 side and rear set back and Clause 55.04-2 walls on boundaries requirements.

The proposal responds appropriately to the local planning policy and does not represent unreasonable visual intrusion within the Strategic Housing Framework Plan.

Poor landscaping provision.

Both units provide areas for landscaping. It is acknowledged the pedestrian accessway will require additional consideration in relation to landscaping. Private open space areas are not compliant in total area in accordance with the Standard and a condition is recommended that requires appropriate landscaping to private open space areas.

A suitable landscaping plan will be required as part of any permit issued. This is discussed further within the Planning Assessment of the report.

Outlook to dark coloured building.

The design detail controls under Clause 55.06 of the Planning Scheme allow Council to consider whether the design is innovative and of a high architectural standard, including the potential for visual bulk and whether this is acceptable in the neighbourhood setting.

This specific concern has been raised by the owner/occupant of ground floor rear apartment 7/24 Dundas Street with concern about the outlook from the west-facing dining area windows being impacted.

The setback from the side boundary of the proposed upper level of Unit 2 results in an overall setback of approximately 5 metres from the window(s) in question. One of the two dining area windows faces directly onto the proposed dark upper level wall.

The Applicant has agreed to revise the proposed dark cladding to be a lighter tone to address the concern raised. Any permit will be conditioned accordingly.



Figure 10: Materials swatches

Increased noise

The proposed use is residential and will have noise impacts consistent with those normal to a residential zone, unlike a commercial or an industrial use which would create noise impacts that are not normal to a residential zone.

The site is within an area earmarked for substantial change to cater for increasing number of residents. Overall, there would be no unreasonable noise from the proposal.

Built form on western boundary

The objection was raised in relation to proposed built form on the western rear boundary which was increasing overshadowing onto the secluded private open space of 18B Dundas Street. The amended plans show a wall measuring 1.95 metres in height above natural ground level as viewed from 18B Dundas Street, removing additional overshadowing onto 18B Dundas Street.

Impact on garden solar access

As described above, the revised built form will not cause additional overshadowing onto the secluded private open space or garden area of 18B Dundas Street.

Solar access to the west is not reduced by the proposed development.

PLANNING ASSESSMENT**Neighbourhood Character Precinct Guideline Assessment - Precinct D2**Existing Buildings

There are no existing buildings on the site.

Not applicableVegetation

There are no significant trees on the site that are proposed to be removed.

A condition will require a landscape plan to be provided and approved by Council prior to the commencement of the development.

Additional open space will be required with setbacks maintained on the site to ensure an appropriate level of landscaping can occur. Any permit issued will require existing vegetation on adjoining properties be appropriately protected during the development.

Complies subject to conditionsSiting

As the site has a minimal 1.2metre wide street frontage, there is no space for a typical front garden. The entry pathway will be provided an arbour structure that may be used to support climbing vegetation and identify the entrance to the two new dwellings.

The proposal provides satisfactory areas for landscaping, subject to conditions. A condition will require a landscape plan to be provided and approved by Council prior to the commencement of the development.

The two dwellings are not attached, with a 1.94 metre gap provided between the upper levels. The dwellings are generally set back from shared east and west boundaries. Only to the rear of the site is there single-level built form which is constructed to both side

boundaries. Notably the wall on boundary is below the required height required by Clause 55.04-2 due to proposed excavation to lower the natural ground level and reduce built form.

No front garden is lost as a consequence of the development.

Complies subject to conditions

Height and building form

Dwellings in the area are a combination of both single and double storey. It is reasonable to expect a double storey height in an established residential area. The development is not out of scale with the adjoining buildings and does not dominate the streetscape, as it located behind the existing dwelling at 20 Dundas Street. The proposal presents a graduated increase in height over adjoining single storey buildings and is less than the height of the adjoining double storey with basement apartments to the east.

The upper floors are set back from the façade and articulation is provided to the façade through setbacks, materials and openings. The upper levels are not unreasonably close to sensitive interfaces and setbacks comply with Clause 55.04-1 (Setbacks). The amended plans comprise a reduction in the roof form to limit overshadowing to the west.

The dwellings have been designed to minimise bulk, with first floor areas smaller than the ground floor envelope. However, to the east some further reduction (as a condition) to roof height is considered justified to reduce overshadowing and perceptions of bulk.

Complies subject to condition

Materials and design detail

The site has a 1.2metre wide frontage to Dundas Street. The narrow access pathway to the site will be treated with an arbour, gate and planting to provide a visually interesting contribution to the streetscape. The proposed dwellings will not be readily apparent from the street, being largely concealed behind the 20 Dundas Street existing dwelling.

The materials palette of the development is contemporary and robust. The angular forms and fenestration create an interesting architectural outcome.

Complies

Front boundary treatment

The proposal will include a low transparent pedestrian gate and large arbour to denote the entryway. The proposal will not reduce the views into adjoining established landscaping.

Complies subject to condition

Clause 55 Assessment

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

Clause 55.02-1 B1 – Neighbourhood Character

The site is within a residential area anticipated to experience '*substantial change*' over time. The Tribunal has previously found in considering this site (VCAT reference P2516/2018) that '*development in Substantial Housing Change Areas (Objectives 1 and 2 of Clause 21.03-2), encourage intensive and innovative housing development and anticipate a high degree of change while avoiding underdevelopment...There is no direction to apply neighbourhood*

policy to substantial change areas’... Clause 21.03-4 which addresses character specifically states in its objective to ensure that development respects neighbourhood character in Minimal and Incremental Housing Change residential areas, but not the Substantial Change Areas of the Strategic Housing Framework Plan.’

Nonetheless, referring to Clause 22.02, policy directs that new development contributes to the preferred future character of the precinct while retaining and enhancing existing elements that contribute to local character. There is some inconsistency between the strategy of Clause 21.03 and Clause 22.02. The Tribunal noted the more recent introduction of Clause 21.03 should reasonably be given priority for sites within areas identified for substantial change.

The proposal adjoins an apartment complex (two storeys plus basement) on the west but has single storey dwellings on the other boundaries. It is a generally held planning principle that a gradual increase in height is acceptable. Double storey dwellings are a graduated increase in height from single storey forms. Double storey height is low-scale and reasonable in an established residential area. The proposed dwellings are detached, and the upper levels are relatively modest in scale to minimise visual bulk.

The zoning of the land allows three (3) storeys at a maximum height of 11 metres. The proposal is two (2) storeys at 7.66 metres and therefore well within the zoning requirements.

The design response respects the existing neighbourhood character in relation to scale, spacing between building, roof forms and materiality. The proposal responds to the limitations of the well-located yet unusual site in providing two contemporary dwellings with satisfactory private open spaces and car parking to the rear of the site. The proposal will contribute to the preferred neighbourhood character in line with neighbourhood policy applicable to substantial change areas.

Complies

Clause 55.02-5 B5 Integration with the street

The shape of the lot does not provide good integration with Dundas Street. Given the unusual battle-axe shape of the lot, the development is effectively disconnected from the street. The frontage to the street is restricted to a narrow 1.2metre wide pathway and is not representative of the local street interface. Of note, the pedestrian entry pathway of 18A and 18B Dundas Street is a similar configuration to that of the development site – albeit with a more generous width of 2.6 metres.

Nonetheless, as discussed above, policy aims to direct density increases towards areas most accessible to amenities and transport while embracing innovative and varied built forms to cater for increasing population.

The proposed development has a gate, mailboxes and arbour to identify the new dwellings. A condition of any approval would require the gate and arbour provide a legible and safe access for the dwellings. Improving the entryway design in relation to landscaping, paving, shelter and lighting can be adequately managed by conditioning any permit that is issued.

Complies subject to condition

Clause 55.02-5 B12 Safety

The development should be designed to provide shelter, good lighting and to discourage inappropriate use as a public thoroughfare. Unwanted access is not enabled from the laneway at the rear of the site due to the proposed carport roller door.

The proposed development provides entrances to the dwellings that will be relatively hidden and somewhat isolated from the street. Internal accessway is restricted to the narrow 1.2metre wide common pathway and will only be able to be viewed by inhabitants of the two units within the site. The existing 1.8metre high paling fence that runs along both sides of the pathway for approximately 28 metres and the treatment of the pedestrian entrance way will require consideration in respect to both lighting, creative landscaping and finish to improve the sense of safety within the space.

Improved pedestrian experience can be achieved by way of condition on any permit issued.

Complies subject to conditionsClause 55.03-8 B13 – Landscaping

In order to provide a safe, attractive and functional environment for residents, attention will be required to provide appropriate landscaping across the challenging site. To improve the pedestrian experience for future occupants and visitors, a higher level of design will be required. A reduction in concreted surfaces is considered appropriate to enhance the sense of place and improve landscaping opportunities.

Therefore, a condition of any permit will require an acceptable landscape plan produced by a suitably qualified professional be provided with scope for inspection of the completed works by Council considered appropriate in this instance.

Complies subject to conditionsClause 55.04-2 B18 – Walls on boundaries

Clause 55.04-2 allows a new wall to be 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot. A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

The application complies with Clause 55.04-1 side and rear set back and Clause 55.04-2 walls on boundaries requirements.

Clause 55.04-5 B21 – Overshadowing

The Clause aims to ensure new buildings do not significantly overshadow existing secluded private open space. In response to objections, the original plans were amended to address overshadowing concerns. Revised roof forms mean there would be no additional overshadowing onto the rear secluded private open space of No. 18B Dundas Street, or onto the small east-facing lightwell located on the boundary. Existing shadowing from the boundary fence would remain but not be increased.

In relation to apartment 7/24 Dundas Street, at 3pm there is some limited additional overshadowing onto the secluded private open space and the two (2) dining area west-facing windows. However other glazing associated with the open plan living area (leading onto the main entertainment decked area of the apartment) are not impacted by additional shadow. Overshadowing onto the secluded private open space and west-facing habitable window of apartment 7/24 Dundas Street from the proposed Unit 2 upper level does not impact the primary secluded private open space with a minimum dimension of 3.0 metres accessible

from the living area. The area impacted at 3pm is a secondary outdoor area with vegetable garden and clothesline located at the side of the dwelling – more akin to a service area.

Further reduction to the proposed upper-level built form now agreed to, will ensure no additional overshadowing for the five (5) hours required by the Standard is caused by the development.



Figure 11: Image of secluded private open space of 7/24 Dundas Street (facing north) showing landscaping along western boundary taken from realestate.com

In relation to other open spaces within 24 Dundas Street, any additional overshadowing onto the communal open space and pool of the apartment complex at 3pm will also be further reduced as a result of the amended plans. The Tribunal, in considering the previous development application for the site, acknowledged the communal spaces were significant to shared amenity. The member found some additional shadow after 2pm (an hour earlier) onto the 'integral pool space' was acceptable. In the current application, most of the overshadowing onto the communal pool space is a result of the existing boundary fence. Some minor additional overshadowing onto the communal open space is considered acceptable given the policy expectations relating to change within the locality.

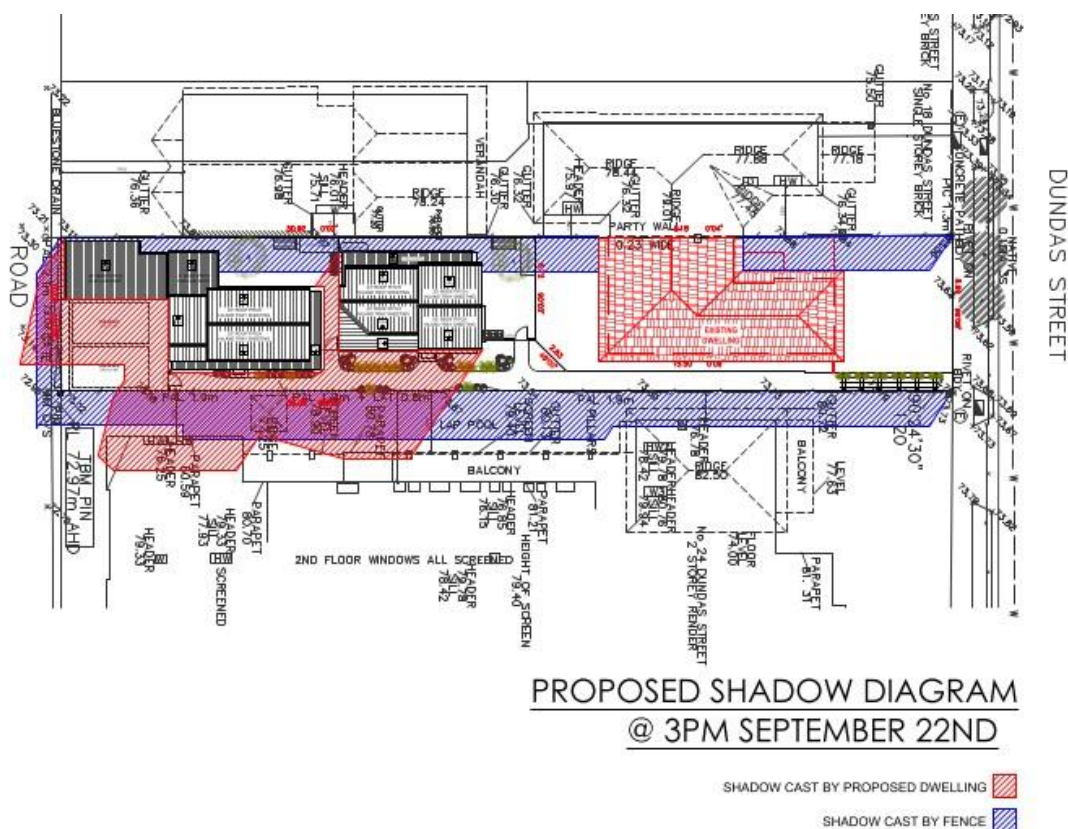


Figure 12: Overshadowing at 3pm onto communal areas of apartment/ pool

Nonetheless, a condition of any permit will specifically require no additional overshadowing impacts 7/24 Dundas Street at 2pm. In contrast, some minor additional overshadowing onto the communal spaces of 24 Dundas Street will be acceptable to align with the previous Tribunal finding.

Complies subject to conditions

Clause 55.04-6 B22 Overlooking

The proposed dwellings are double storey and have finished floor levels less than 0.8 metres above natural ground level at the boundary. Existing 1.9metre high boundary fence on the eastern boundary will sufficiently limit overlooking. Along the western boundary where no constructed wall-on-boundary is shown, suitable fencing will be required by way of condition.

The development is designed to limit views into neighbouring secluded private open space and habitable room windows. All upper storey windows are appropriately designed and/or screened to limit potential overlooking. Notably, the amended plans show that fixed external louvre screening has been provided to Unit 1 staircase window to disallow downward views to the neighbouring communal pool area of No. 24 Dundas Street. The staircase window is not a habitable room window as it is a transitional space and as such overlooking screening is not technically required. The Applicant has willingly provided this additional screening.

Unit 2 Staircase window faces south across the laneway and is set back 7 metres from the rear boundary. This window is associated with the staircase which is a transitional space and not considered to be a habitable room. If the window was indeed to a habitable room, screening would still be unwarranted given the overall 10metre distance between the window, laneway and the fenced rear secluded private open spaces of properties to the south. There will be no unreasonable overlooking potential from the south-facing window.

Complies

Clause 55.04-8 B24 – Noise Impacts

The proposed use is residential and will have noise impacts consistent with those normal to a residential zone.

Complies

Clause 55.05-4 B28 Private Open Space

The development provides the minimum secluded private open space to each dwelling with direct access to a living room. This is achieved through the provision of secluded private open space at the side or rear of the dwelling with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room. The total private open space (POS) however is less than the minimum 40 square metres required under the standard.

The common property of the accessway accounts for approximately 87.2 square metres of additional open space provided on the site. This area cannot be considered private open space in this instance as it is both narrow and intended as the primary shared accessway.

	Total POS	Secluded POS	Minimum dimension of secluded POS
Unit 1	<u>34.1 square metres</u>	25.75 square metres	3.80 metres
Unit 2	<u>33.6 square metres</u>	25.76 square metres	3.25 metres

Any permit will condition compliance of this standard is demonstrated to the satisfaction of the Responsible Authority. The private open space will be required to be provided within the side and rear setbacks of the dwellings and will require a reduction in floor area and must not reduce any of the proposed building setbacks to boundaries.

Complies subject to conditions

Clause 52.06 Car Parking

Number of Parking Spaces Required

One car parking space is provided for each of the two (2) bedroom dwellings.

Design Standards for Car parking

The car parking spaces, provided within a shared double carparking area (unroofed with roller door), accessed from laneway. The accessway has appropriate dimension to enable efficient use and management.

The double car space dimensions of 7.0 metres length x 5.9 metres width comply with the minimum requirements of the standard.

Swept paths have been provided and are considered acceptable. Access dimensions to the car spaces comply with the standard.

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see assessment in the body of this report.	Y	Y
55.02-2	B2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		N/A as development contains less than 10 dwellings	N/A	N/A
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development	Y	Y
55.02-5	B5	Integration with the street		
		Complies subject to condition of any approval. Please see assessment in the body of this report	Y	Y
55.03-1	B6	Street setback		
		The dwellings are set back from the street frontage due to the shape of the site. Street setback is not impacted by the development.	Y	Y
55.03-2	B7	Building height		
		7.66 metres	Y	Y
55.03-3	B8	Site coverage		
		42.29%	Y	Y
55.03-4	B9	Permeability		
		46%.	Y	Y
55.03-5	B10	Energy efficiency		
		Dwellings are considered to be generally energy efficient and will not unreasonably impact adjoining properties.	Y	Y
55.03-6	B11	Open space		
		N/A as the site does not abut public open space.	N/A	N/A
55.03-7	B12	Safety		
		Complies subject to condition of any approval. Please see assessment in the body of this report	Y	Y
55.03-8	B13	Landscaping		
		Areas are provided for appropriate landscaping and a landscape plan will be required as a condition of approval. Please see assessment in the body of this report.	Y	Y

Clause	Std		Compliance	
55.03-9	B14	Access		
		Access is sufficient and respects the character of the area.	Y	Y
55.03-10	B15	Parking location		
		Parking facilities are proximate to the dwellings they serve, the access is provided by a rear right of way, it is observable and habitable room windows are sufficiently set back from accessways.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Dwellings are set back in accordance with the requirements of this standard.	Y	Y
55.04-2	B18	Walls on boundaries		
		Walls on boundaries comply with the requirements of this standard.	Y	Y
55.04-3	B19	Daylight to existing windows		
		Sufficient setbacks exist to allow adequate daylight	Y	Y
55.04-4	B20	North-facing windows		
		There are no north facing windows within 3.0 metres of the common boundary with the subject site.	N/A	N/A
55.04-5	B21	Overshadowing open space		
		Subject to condition the shadow cast by the development is required to comply with the parameters set out by the standard. See assessment in the body of this report.	Y	Y
55.04-6	B22	Overlooking		
		Please see assessment in the body of this report.	Y	Y
55.04-7	B23	Internal views		
		There are no internal views.	Y	Y
55.04-8	B24	Noise impacts		
		Noise impacts are consistent with those in a residential zone.	Y	Y
55.05-1	B25	Accessibility		
		The ground levels of the proposal can be made accessible for people with limited mobility.	Y	Y
55.05-2	B26	Dwelling entry		
		Please see assessment in body of this report, subject to condition.	Y	Y
55.05-3	B27	Daylight to new windows		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y

Clause	Std		Compliance	
55.05-4	B28	Private open space		
		Subject to condition additional private open space is to be provided to comply with the standard. Please see assessment in the body of this report.	Y	Y
55.05-5	B29	Solar access to open space		
		Sufficient depth is provided for adequate solar access.	Y	Y
55.05-6	B30	Storage		
		Sufficient storage areas are provided.	Y	Y
55.06-1	B31	Design detail		
		Design detail of dwellings is appropriate in the neighbourhood setting.	Y	Y
55.06-2	B32	Front fences		
		Please see assessment in the body of this report, subject to condition.	Y	Y
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Sufficient areas for site services are provided.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
Capital Works	No objection, subject to condition included in recommendation.
Transport Management and Planning	The following comments were provided: <ul style="list-style-type: none"> Swept paths shown on the plans are acceptable. Swept paths show corrective manoeuvring movements will be required however this is acceptable given the ROW is 3.853 metres wide Noted there is an inset adjoining the proposed garage provided by the existing property to the south The internal dimensions of the proposed garage are satisfactory with the depth of 7 metres being greater than required. This will benefit users.
Property and Business Improvement	The right of way is a legal carriageway owned by council for use with the abutting owners. As such, Property Services have no objection.
City Design	Shared accessway to be carefully considered in relation to optimised planting and permeability.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Clause 32.08 – 6 – Construct two (2) or more dwellings on a lot.

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1S, 13.07-1S, 15, 15.01-1S, 15.01-5S, 15.02-1S, 16, 19.03
LPPF	21.03, 21.04, 21.05
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 55
General provisions	65.01
Neighbourhood Character Precinct	D2

POLICY IMPLICATIONS

Environmental Sustainability

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

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

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

FUTURE ACTIONS

Nil

RELATED DOCUMENTS

Darebin Planning Scheme & *The Planning and Environment Act 1987* (as amended)

Attachments

- Appendix A - Objection Map 20A Dundas Street Thornbury.pdf (**Appendix A**)
Confidential - enclosed under separate cover
- Appendix B - Advertised Documents S57A - 20A Dundas Street Thornbury - D_470_2021 - Plans.pdf (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any 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.

TOWN PLANNING APPLICATION - DAREBIN CITY COUNCIL

20A DUNDAS STREET, THORNBURY, 3071

TP00 - COVER PAGE

TP01 - NEIGHBOURHOOD & SITE DESCRIPTION

TP02 - PROPOSED SITE PLAN
- STREETSCAPE ELEVATION

TP03A- PROPOSED SHADOW DIAGRAMS (9AM, 10AM, & 11AM)
TP03B- PROPOSED SHADOW DIAGRAMS (12PM & 3PM)

TP04 - PROPOSED ROOF PLAN

TP05 - PROPOSED GROUND FLOOR PLAN


TP06 - PROPOSED FIRST FLOOR PLAN

TP07 - PROPOSED ELEVATIONS

design revisions:

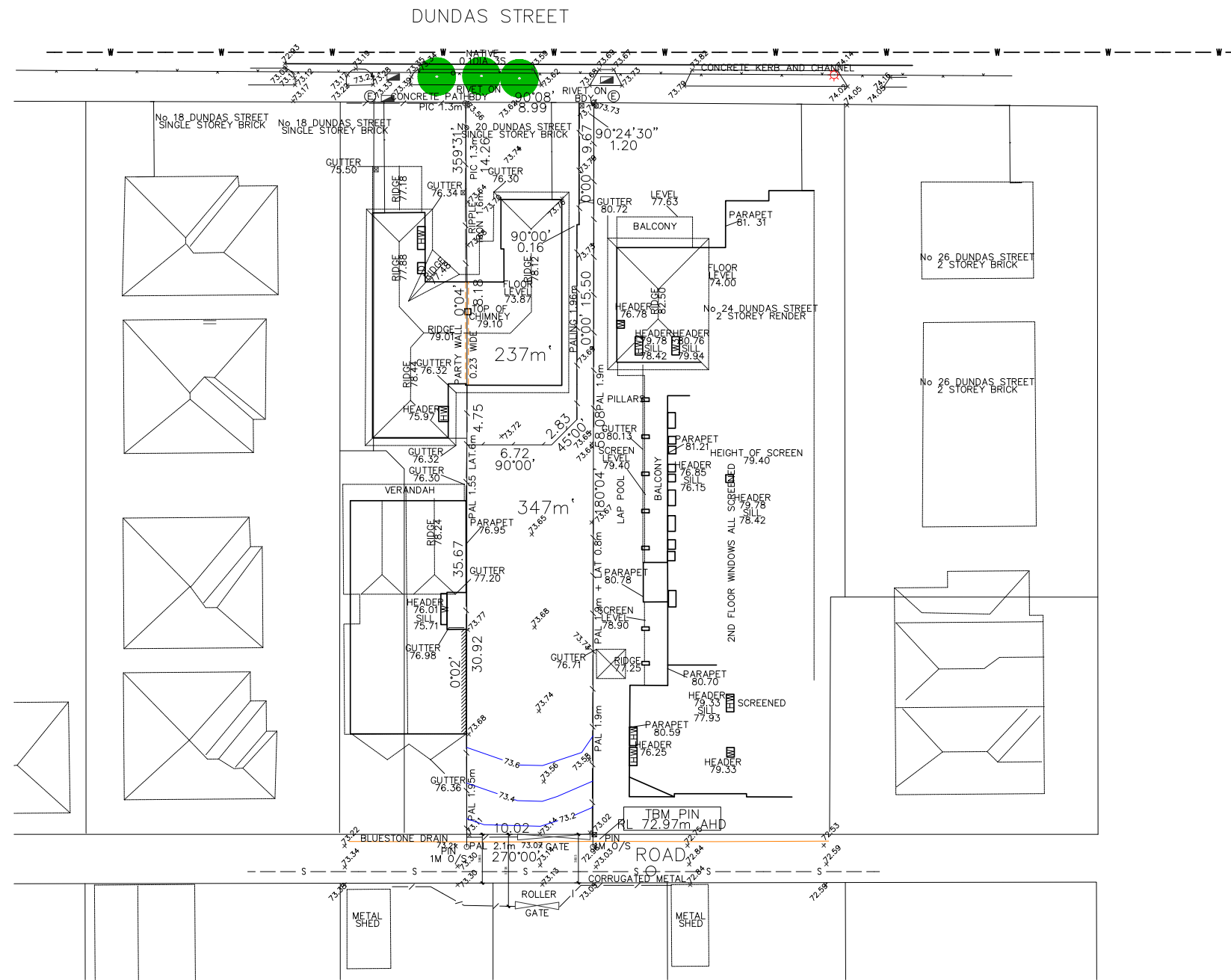
- Increased upper floor western setback and reduction to the size of Unit 2's upper floor
 - oThe reductions have brought the proposed shadows under the existing building/fence shadows for the SPOS of 18B Dundas Street (west) at all times of the day (9 am – 3 pm – no additional overshadowing)
 - oPlease refer to plan sheet 4 of 9 for morning shadows that confirm the above

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 A1 <small>591 PLENTY ROAD, PRESTON, 3072, VIC. TEL: 613 9478 8873, EMAIL: archiscale@mac.com, WEB: archiscale.com</small>	CLIENT:	DRAWN:	JOB NO:	DATE:	SCALE:	SITE ADDRESS:	DWG NO.
		ARCHISCALE	-	DECEMBER 2021	1:100@A1	20A DUNDAS STREET, THORNBURY, VIC 3071	TP00 OF 07
		A.H.				CITY OF DAREBIN	

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Darebin City Council Received 14/12/2021



LOT 1 and 2 on PS641763T
CROWN ALLOTMENT 19 SECTION A
CITY OF NORTHCOTE
PARISH OF JIKA JIKA
COUNTY OF BOURKE

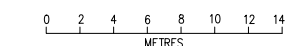
NOTATIONS

HEIGHTS ARE AHD BASED ON MMB 1328 RL 67.465 AHD
HW DENOTES HABITABLE WINDOW
W DENOTES WINDOW D DENOTES DOOR
POSITION OF NEIGHBOURING PROPERTIES IS APPROXIMATE ONLY
GAS MAIN LOCATION DERIVED FROM MOCS SUPPLIED PLAN
CONTOUR INTERVAL 0.2m
WHERE FENCING MORE THAN 15 YEARS OLD ENCLOSES ON
THE SITE, ANY FUTURE DEVELOPMENT SHOULD NOT OCCUR
PAST THE FENCE LINE UNLESS THERE IS WRITTEN CONSENT
FROM THE NEIGHBOUR WHO MAY HAVE GAINED POSSESSORY
RIGHTS OVER THE
LAND IN QUESTION

This is a plan of Re-establishment of Title boundaries and, as such,
is not examined in the Land Titles Office. No responsibility can
therefore be accepted for any future difference in boundary
definition which may result from re-surveys of adjoining land or
subsequent registration in the Land Titles Office of new plans.

RELOCATION SURVEY – 20 DUNDAS STREET, THORNBURY

LEGEND		CERTIFICATION BY SURVEYOR	
	POLE WITH LIGHT	I, Murray Alan Clayton of 433 Smith St Fitzroy certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004 and completed on 8 February 2021, that this plan is accurate and correctly represents the adopted boundaries and the survey accuracy accords with that required for level land as defined in regulation 7(2) of the Surveying (Costal Survey) Regulations 2005. Date: 10 February 2021 Updated: 16/09/2020 Licensed Surveyor, Surveying Act 2004.	
	POLE		
	OVERHEAD ELECTRICITY		
	GAS (UNDERGROUND)		
	SEWERAGE (UNDERGROUND)		
	DRAINAGE (UNDERGROUND)		
	SIDE ENTRY PIT		
	DRAINAGE JUNCTION		
	DRAINAGE GRATED PIT		
	GAS METER		
	WATER STOP VALVE		
	WATER METER		
	FIRE PLUG		
	SEWERAGE MANHOLE	NUMBER OF SHEETS IN PLAN : 1 NUMBER OF THIS SHEET : 1	
	TELECOM PIT		
	FIRE HYDRANT	ORIGINAL SCALE: 1:200 SHEET SIZE: A1	
	ELECTRICITY PIT		



MAC SURVEYING + MAPPING

SURVEYORS REF 11-005

DRAWING NO 11-005-01

DWG NO. TP01 OF 07

NORTH

ArchiScale
591 PLENTY ROAD, PRESTON, 3072, VIC.
TEL: 613 9478 8873, EMAIL: archiscale@mac.com, WEB: archiscale.com

A1

CLIENT: ARCHISCALE
DRAWN: A.H.

JOB NO: -
DATE: DECEMBER 2021

SCALE: 1:200@A1

SITE ADDRESS: 20A DUNDAS STREET, THORNBURY, VIC 3071
CITY OF DAREBIN

DWG NO. TP01 OF 07



**BUILDING AREA:
DEVELOPMENT SUMMARY &
GROSS BUILDING AREA:**

SITE AREA:	347.00m ²
SITE COVERAGE:	146.75m ² (42.29%)
SITE PERMEABILITY:	160.26m ² (46.18%)

GROSS BUILDING AREA/UNIT:

DWELLING 1	
PORCH:	0.60m ²
CAR SPACE AREA:	41.19m ²
GROUND:	58.45m ²
FIRST:	50.45m ²
TOTAL:	150.69m ² 16.22SQ
DWELLING 2	
PORCH:	0.60m ²
CAR SPACE AREA:	41.19m ²
GROUND:	87.10m ²
FIRST:	43.97m ²
TOTAL:	172.86m ² 18.60SQ

PRIVATE OPEN SPACE:

DWELLING 1	
SECLUDED P.O.S.:	25.75m ²
TOTAL PRIVATE OPEN SPACE:	49.23m ²
DWELLING 2	
SECLUDED P.O.S.:	25.76m ²
TOTAL PRIVATE OPEN SPACE:	39.88m ²

DWELLING MIX:

DWELLING 1 x 2-BED DWELLING (1 CARSPACE ALLOCATED)	1
DWELLING 2 x 2-BED DWELLING (1 CARSPACE ALLOCATED)	1
2 DWELLINGS TOTAL	(2 CARSPACES)

STORAGE ALLOCATION:

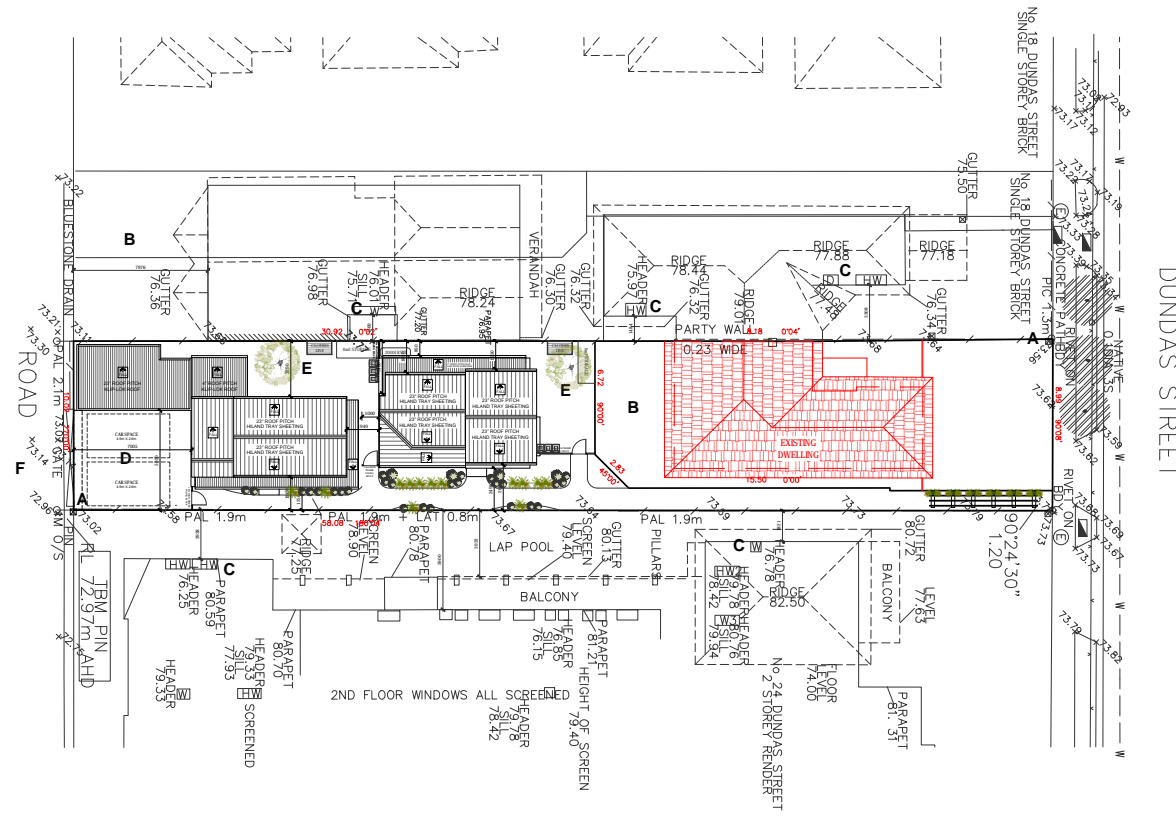
DWELLING 1 x 2-BED DWELLING (6m ³ Min. Each)	1
DWELLING 2 x 2-BED DWELLING (6m ³ Min. Each)	1

EXTERNAL FINISHES SCHEDULE

ROOFING:.....HILAND TRAY SHEETS
GUTTERS & DOWNPIPES:.....COLORBOND TO LATER DETAIL
WALLS:.....HILAND TRAY SHEETS & BRICK FACE, SEE ELEVATIONS
NOTES:
WINDOWS & DOORS:.....ALUMINIUM FRAME

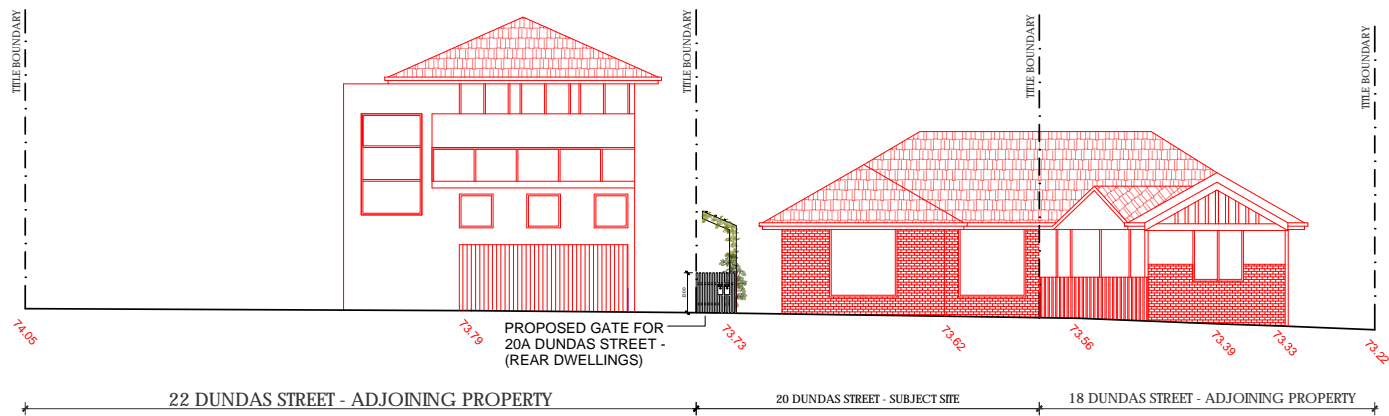
CONSTRUCTION:

INTERNAL PARTITION WALLS:
90mm THICK TIMBER STUD CONSTRUCTION
EXTERNAL WALLS:
GROUND FLOOR 240mm THICK BRICK VENEER CONSTRUCTION.
FIRST FLOOR 200mm THICK WALL WITH HILAND TRAY SHEET
CLADDING CONSTRUCTION, WALLS TO ENGINEER'S DETAIL INCL
FINISH AS NOTED ON ELEVATIONS.

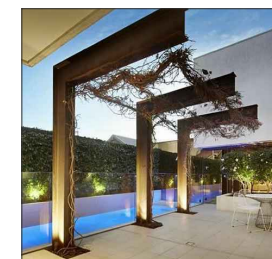


- SITE CHARACTERISTICS**
- A** - THE SITE SLOPES DOWN 540mm FROM THE NORTH-WEST CORNER TO THE SOUTH-EAST CORNER
 - B** - ADJACENT OPEN SPACE TO BE PROTECTED FROM OVER-LOOKING & OVER-SHADOWING
 - C** - SOLAR ACCESS & PRIVACY TO ADJOINING WINDOWS TO BE PROTECTED
 - D** - CAR PARKING ON SITE FOR DWELLING 1 & 2 IS BY WAY OF A DOUBLE CARSPACE
 - E** - PRIVATE OPEN SPACE IS APPROPRIATELY PROPORTIONED TO PROVIDE GOOD NORTH EXPOSURE TO SOLAR ACCESS
 - F** - SURVEILLANCE OF REAR LANE WAY IS POSSIBLE FROM ALL UNITS

PROPOSED SITE PLAN



PROPOSED STREETSCAPE ELEVATION

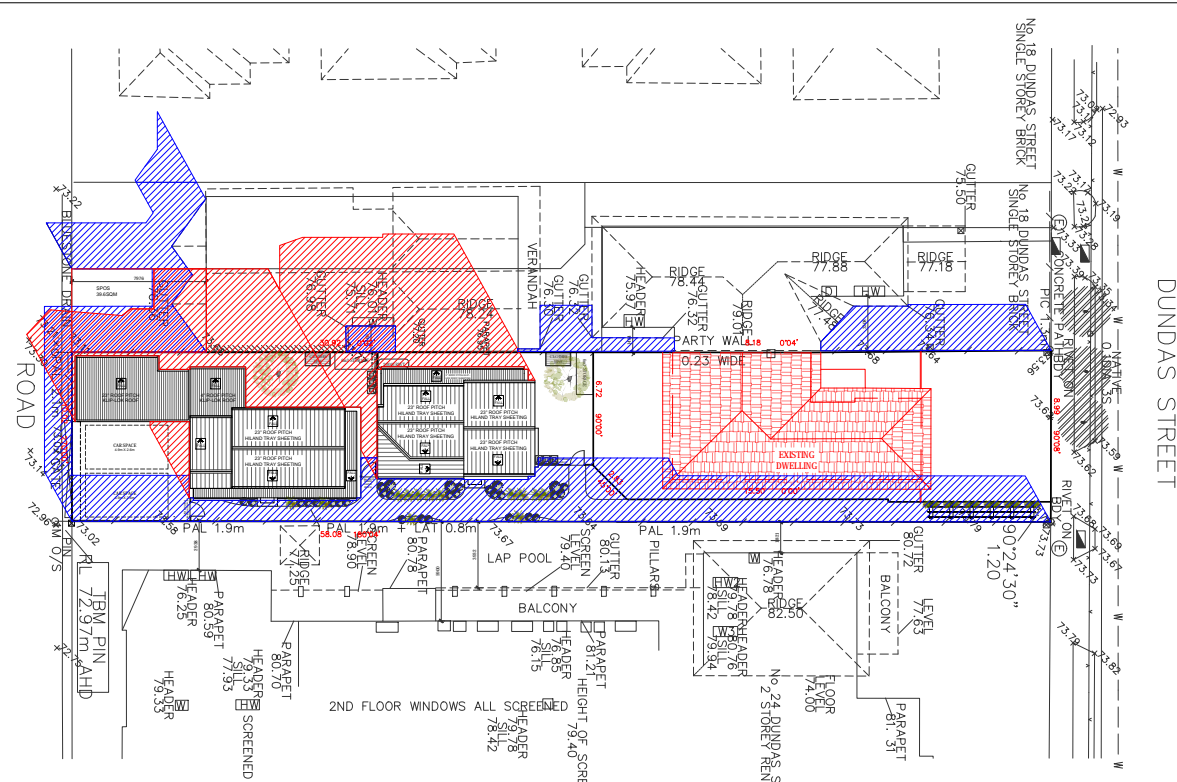


EXAMPLE IMAGE - ENTRY ARBOUR WITH PLANTING/CREEPER PLANTS (EXAMPLE ONLY)

NEIGHBORHOOD & SITE DESCRIPTION

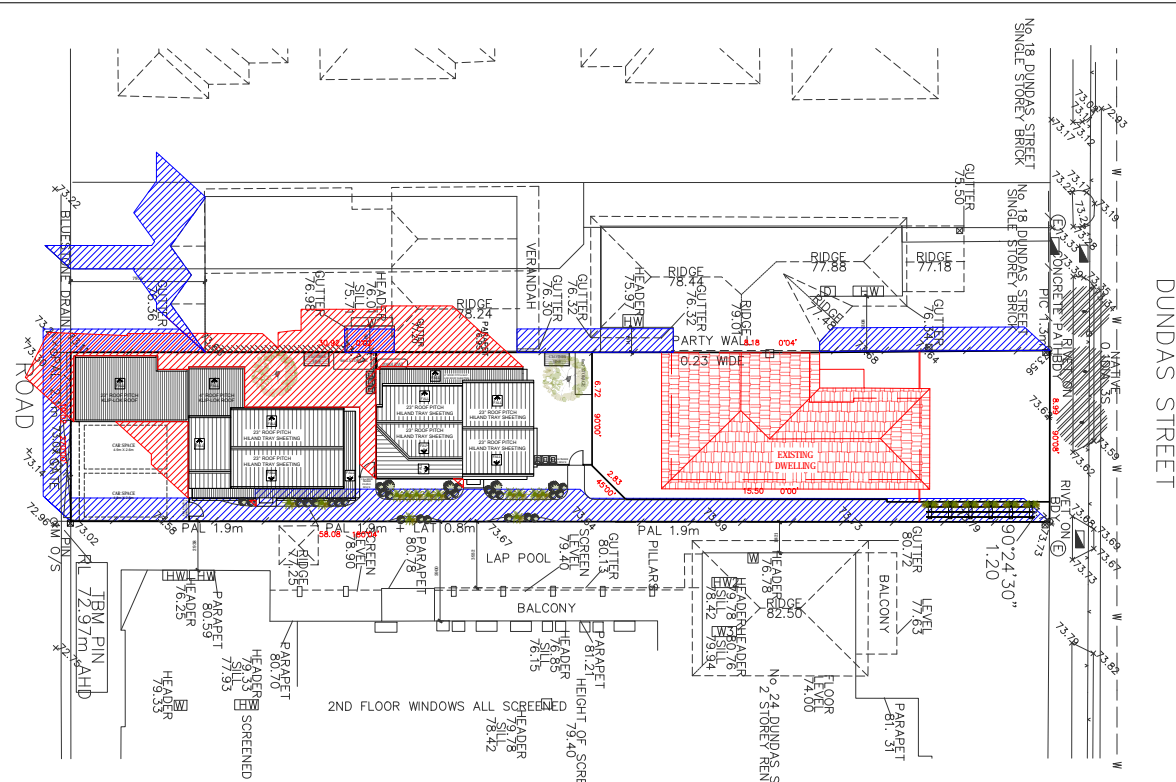
<p>A1</p> <p>991 PLENTY ROAD, PRESTON, 3072, VIC. TEL: 613 9478 8673, EMAIL: archiscale@mac.com, WEB: archiscale.com</p>	CLIENT:	DRAWN:	JOB NO.:	DATE:	SCALE:	SITE ADDRESS:	DWG NO.	<p>NORTH</p>
		ARCHISCALE	-	DECEMBER 2021	1:200@A1	20A DUNDAS STREET, THORNBURY, VIC 3071 CITY OF DAREBIN	TP02 OF 07	

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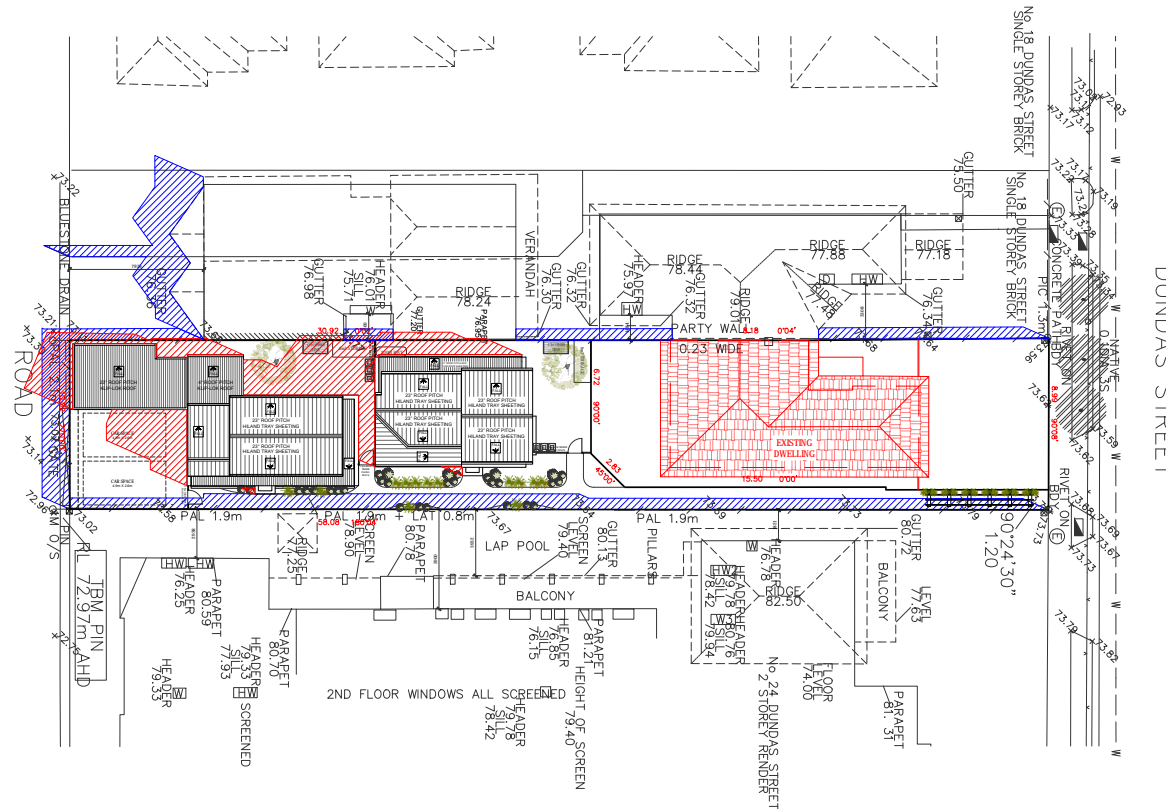
**PROPOSED SHADOW DIAGRAM
@ 9AM SEPTEMBER 22ND**

- SHADOW CAST BY PROPOSED DWELLING
- SHADOW CAST BY FENCE & EXISTING DWELLING



**PROPOSED SHADOW DIAGRAM
@ 10AM SEPTEMBER 22ND**

- SHADOW CAST BY PROPOSED DWELLING
- SHADOW CAST BY FENCE



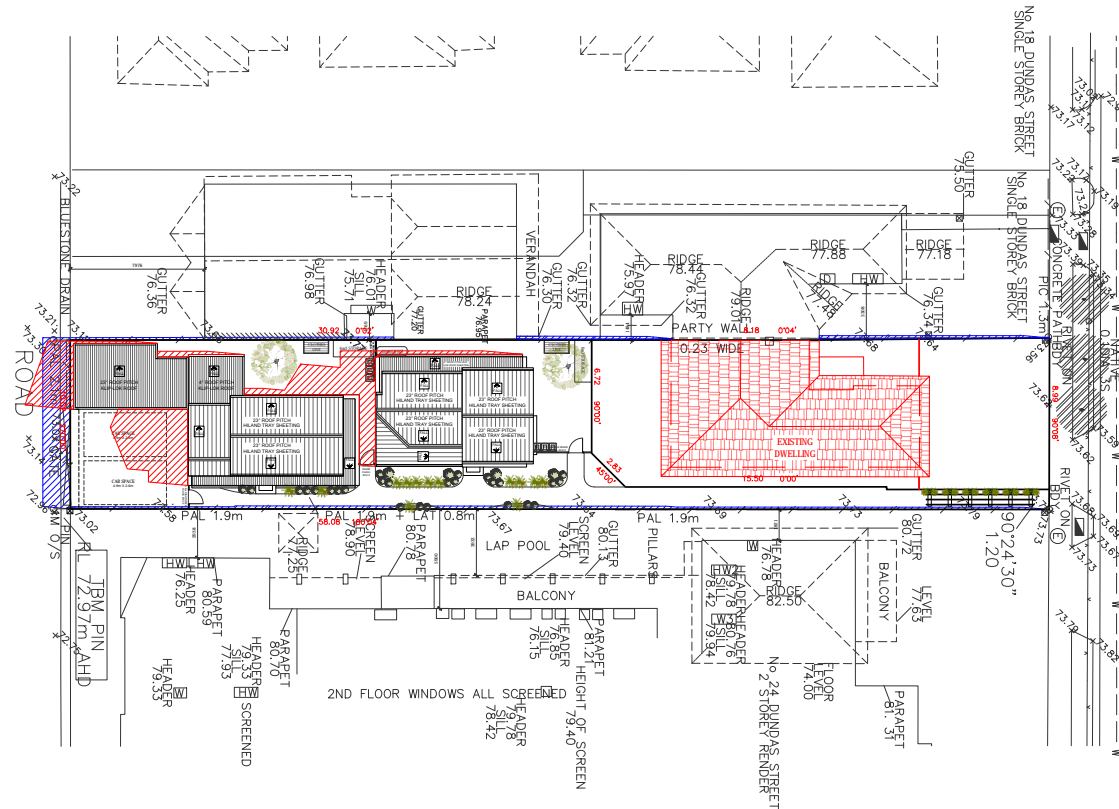
**PROPOSED SHADOW DIAGRAM
@ 11AM SEPTEMBER 22ND**

- SHADOW CAST BY PROPOSED DWELLING
- SHADOW CAST BY FENCE

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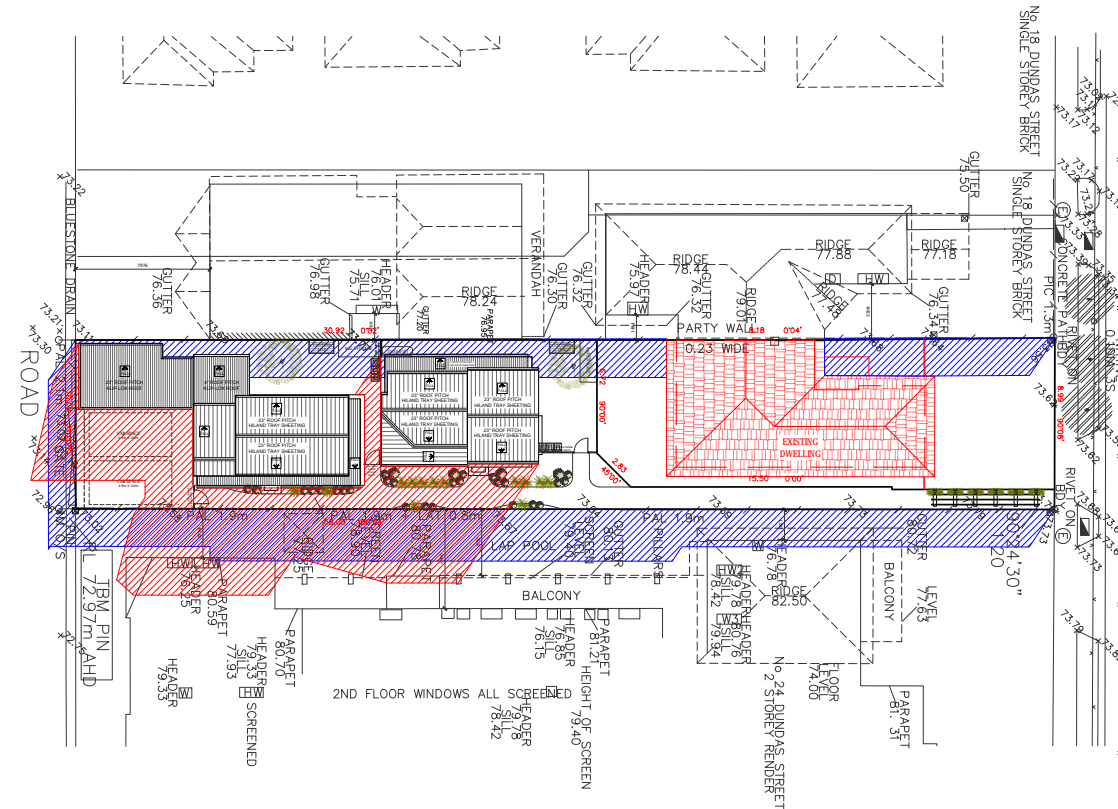
 A1	CLIENT: ARCHISCALE A.H.	DRAWN: ARCHISCALE A.H.	JOB NO: -	DATE: DECEMBER 2021	SCALE: 1:200@A1	SITE ADDRESS: 20A DUNDAS STREET, THORNBURY, VIC 3071 CITY OF DAREBIN	DWG NO. TP03A OF 07	NORTH 
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**PROPOSED SHADOW DIAGRAM
@ 12PM SEPTEMBER 22ND**

- SHADOW CAST BY PROPOSED DWELLING
- SHADOW CAST BY FENCE



**PROPOSED SHADOW DIAGRAM
@ 3PM SEPTEMBER 22ND**

- SHADOW CAST BY PROPOSED DWELLING
- SHADOW CAST BY FENCE

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

 A1	CLIENT: ARCHISCALE A.H.	DRAWN: ARCHISCALE A.H.	JOB NO: -	DATE: DECEMBER 2021	SCALE: 1:200@A1	SITE ADDRESS: 20A DUNDAS STREET, THORNBURY, VIC 3071 CITY OF DAREBIN	DWG NO. TP03B OF 07	NORTH 
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591 PLENTY ROAD, PRESTON, 3072, VIC.
TEL: 613 9478 8873, EMAIL: archiscale@mac.com, WEB: archiscale.com

BUILDING AREA:
DEVELOPMENT SUMMARY & GROSS BUILDING AREA:

SITE AREA: 347.00m²
 SITE COVERAGE: 146.75m² (42.29%)
 SITE PERMEABILITY: 160.26m² (46.18%)

GROSS BUILDING AREA/UNIT:

DWELLING 1
 PORCH: 0.60m²
 CAR SPACE AREA: 41.19m²
 GROUND: 58.45m²
 FIRST: 50.45m²
 TOTAL: 150.69m² 16.22SQ

DWELLING 2
 PORCH: 0.60m²
 CAR SPACE AREA: 41.19m²
 GROUND: 87.10m²
 FIRST: 43.97m²
 TOTAL: 172.86m² 18.60SQ

PRIVATE OPEN SPACE:

DWELLING 1
 SECLUDED P.O.S.: 25.75m²
 TOTAL PRIVATE OPEN SPACE: 49.29m²

DWELLING 2
 SECLUDED P.O.S.: 25.76m²
 TOTAL PRIVATE OPEN SPACE: 39.88m²

DWELLING MIX:
 DWELLING 1 x 2-BED DWELLING (1 CARSPACE ALLOCATED)
 DWELLING 2 x 2-BED DWELLING (1 CARSPACE ALLOCATED)
 2 DWELLINGS TOTAL (2 CARSPACES)

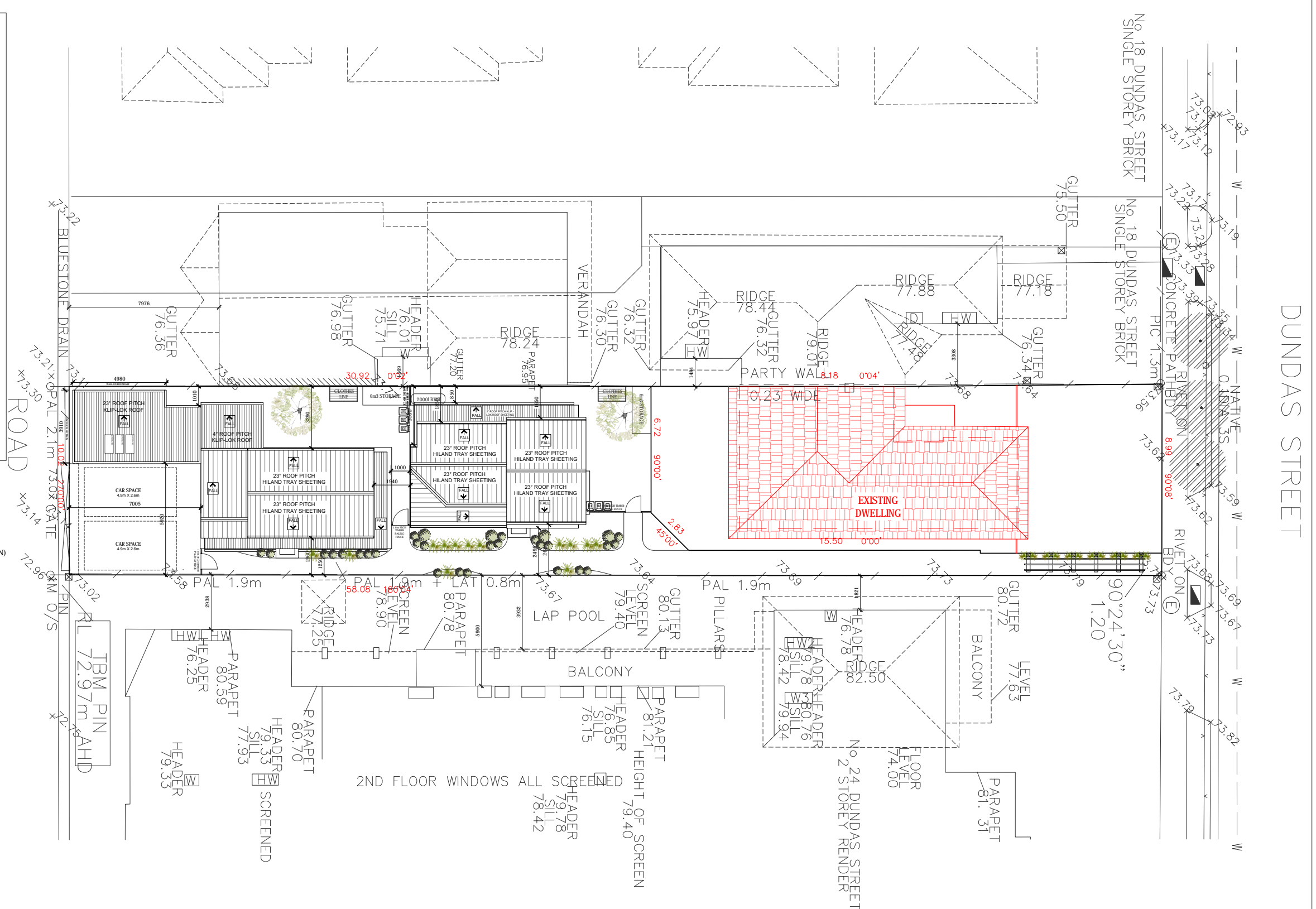
STORAGE ALLOCATION:
 DWELLING 1 x 2-BED DWELLING (6m³ Min. Each)
 DWELLING 2 x 2-BED DWELLING (6m³ Min. Each)

EXTERNAL FINISHES SCHEDULE

ROOFING: HILAND TRAY SHEETS
 GUTTERS & DOWNPIPES: COLORBOND TO LATER DETAIL
 WALLS: HILAND TRAY SHEETS & BRICK FACE. SEE ELEVATIONS NOTES
 WINDOWS & DOORS: ALUMINIUM FRAME

CONSTRUCTION:
 INTERNAL PARTITION WALLS: 80mm THICK TIMBER STUD CONSTRUCTION
 EXTERNAL WALLS: GROUND FLOOR 240mm THICK BRICK VENEER CONSTRUCTION. FIRST FLOOR 230mm THICK WALL WITH HILAND TRAY SHEET CLADDING CONSTRUCTION. WALLS TO ENGINEER'S DETAIL INCL. FINISH AS NOTED ON ELEVATIONS.

- LEGEND:**
- E ELECTRICAL METER LOCATION
 - M MAIL BOX LOCATION
 - G GAS METER LOCATION
 - W WATER METER LOCATION
 - T GARDEN TAP LOCATION
 - B1 B2 B3 BIN LOCATION (GENERAL, RECYCLE, GREEN)
 - F.F.L. PROPOSED FINISHED FLOOR LEVEL TO AHD
 - X EXISTING TREES TO BE REMOVED



PROPOSED ROOF PLAN

ArchiScale
 591 PLENTY ROAD, PRESTON, 3072, VIC.
 TEL: 613 9478 8873, EMAIL: archiscale@mac.com, WEB: archiscale.com

A1

CLIENT:	DRAWN:	JOB NO:	DATE:	SCALE:	SITE ADDRESS:	DWG NO.	NORTH
	ARCHISCALE	-	DECEMBER 2021	1:100@A1	20A DUNDAS STREET, THORNBURY, VIC 3071	TP04 OF 07	
	A.H.				CITY OF DAREBIN		

BUILDING AREA:
DEVELOPMENT SUMMARY & GROSS BUILDING AREA:
 SITE AREA: 347.00m²
 SITE COVERAGE: 146.75m² (42.29%)
 SITE PERMEABILITY: 160.26m² (46.18%)

GROSS BUILDING AREA/UNIT:
 DWELLING 1
 PORCH: 0.60m²
 CAR SPACE AREA: 41.19m²
 GROUND: 58.45m²
 FIRST: 50.45m²
 TOTAL: 150.69m² 16.22SQ
 DWELLING 2
 PORCH: 0.60m²
 CAR SPACE AREA: 41.19m²
 GROUND: 87.10m²
 FIRST: 43.97m²
 TOTAL: 172.86m² 18.60SQ

PRIVATE OPEN SPACE:
 DWELLING 1
 SECLUDED P.O.S.: 25.75m²
 TOTAL PRIVATE OPEN SPACE: 49.29m²
 DWELLING 2
 SECLUDED P.O.S.: 25.76m²
 TOTAL PRIVATE OPEN SPACE: 39.88m²

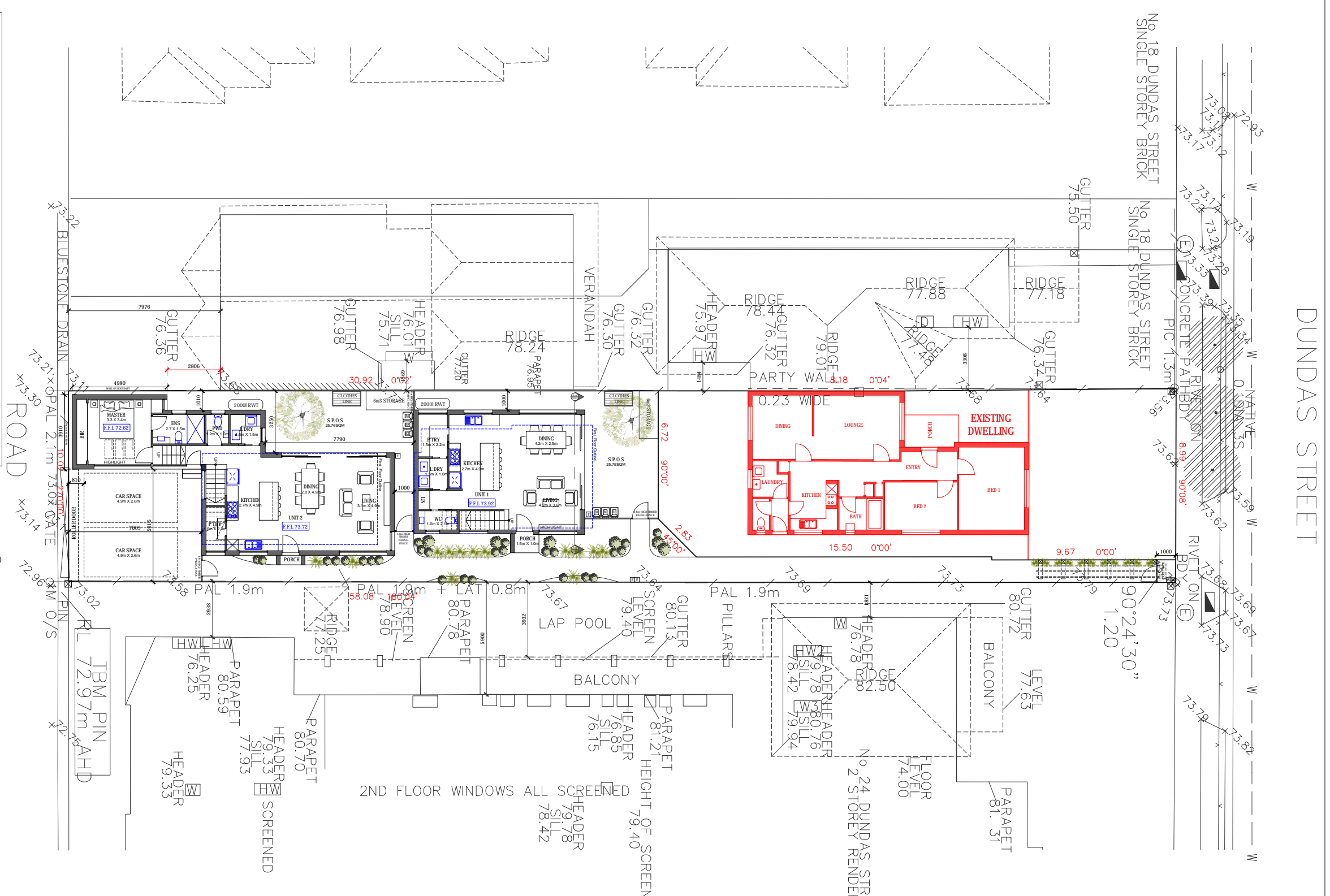
DWELLING MIX:
 DWELLING 1 x 2-BED DWELLING (1 CARSPACE ALLOCATED)
 DWELLING 2 x 2-BED DWELLING (1 CARSPACE ALLOCATED)
 2 DWELLINGS TOTAL (2 CARSPACES)

STORAGE ALLOCATION:
 DWELLING 1 x 2-BED DWELLING (6m³ Min. Each)
 DWELLING 2 x 2-BED DWELLING (6m³ Min. Each)

EXTERNAL FINISHES SCHEDULE
 ROOFING: HILAND TRAY SHEETS
 GUTTERS & DOWNPIPES: COLORBOND TO LATER DETAIL
 WALLS: HILAND TRAY SHEETS & BRICK FACE, SEE ELEVATIONS
 NOTES
 WINDOWS & DOORS: ALUMINIUM FRAME

CONSTRUCTION:
 INTERNAL PARTITION WALLS:
 90mm THICK TIMBER STUD CONSTRUCTION
 EXTERNAL WALLS:
 GROUND FLOOR 240mm THICK BRICK VENEER CONSTRUCTION.
 FIRST FLOOR 200mm THICK WALL WITH HILAND TRAY SHEET
 CLADDING CONSTRUCTION. WALLS TO ENGINEER'S DETAIL INCL.
 FINISH AS NOTED ON ELEVATIONS.

LEGEND:
 [E] ELECTRICAL METER LOCATION
 [M] MAIL BOX LOCATION
 [G] GAS METER LOCATION
 [W] WATER METER LOCATION
 [T] GARDEN TAP LOCATION
 [B1][B2][B3] BIN LOCATION (GENERAL, RECYCLE, GREEN)
 [F.F.L.] PROPOSED FINISHED FLOOR LEVEL TO AHD
 [C] EXISTING TREES TO BE REMOVED



PROPOSED GROUND FLOOR PLAN

ArchiScale
 591 PLENTY ROAD, PRESTON, 3072, VIC.
 TEL: 613 9478 8873. EMAIL: archiscale@mac.com, WEB: archiscale.com

A1

CLIENT:	DRAWN:	JOB NO:	DATE:	SCALE:	SITE ADDRESS:	DWG NO.	NORTH
	ARCHISCALE	-	DECEMBER 2021	1:100@A1	20A DUNDAS STREET, THORNBURY, VIC 3071	TP05 OF 07	
	A.H.				CITY OF DAREBIN		

**BUILDING AREA:
DEVELOPMENT SUMMARY &
GROSS BUILDING AREA:**

SITE AREA:	347.00m ²
SITE COVERAGE:	146.75m ² (42.29%)
SITE PERMEABILITY:	160.26m ² (46.18%)

GROSS BUILDING AREA/UNIT:

DWELLING 1	
PORCH:	0.60m ²
CAR SPACE AREA:	41.19m ²
GROUND:	58.45m ²
FIRST:	50.45m ²
TOTAL:	150.69m ² 16.22SQ
DWELLING 2	
PORCH:	0.60m ²
CAR SPACE AREA:	41.19m ²
GROUND:	87.10m ²
FIRST:	43.97m ²
TOTAL:	172.86m ² 18.60SQ

PRIVATE OPEN SPACE:

DWELLING 1	
SECLUDED P.O.S.:	25.75m ²
TOTAL PRIVATE OPEN SPACE:	49.29m ²
DWELLING 2	
SECLUDED P.O.S.:	25.76m ²
TOTAL PRIVATE OPEN SPACE:	39.88m ²

DWELLING MIX:

DWELLING 1 x 2-BED DWELLING (1 CARSPACE ALLOCATED)	
DWELLING 2 x 2-BED DWELLING (1 CARSPACE ALLOCATED)	
2 DWELLINGS TOTAL	(2 CARSPACES)

STORAGE ALLOCATION:

DWELLING 1 x 2-BED DWELLING (6m ³ Min. Each)	
DWELLING 2 x 2-BED DWELLING (6m ³ Min. Each)	

EXTERNAL FINISHES SCHEDULE

ROOFING:.....HILAND TRAY SHEETS
GUTTERS & DOWNPIPES:.....COLORBOND TO LATER DETAIL
WALLS:.....HILAND TRAY SHEETS & BRICK FACE, SEE ELEVATIONS
NOTES:
WINDOWS & DOORS:.....ALUMINIUM FRAME

CONSTRUCTION:

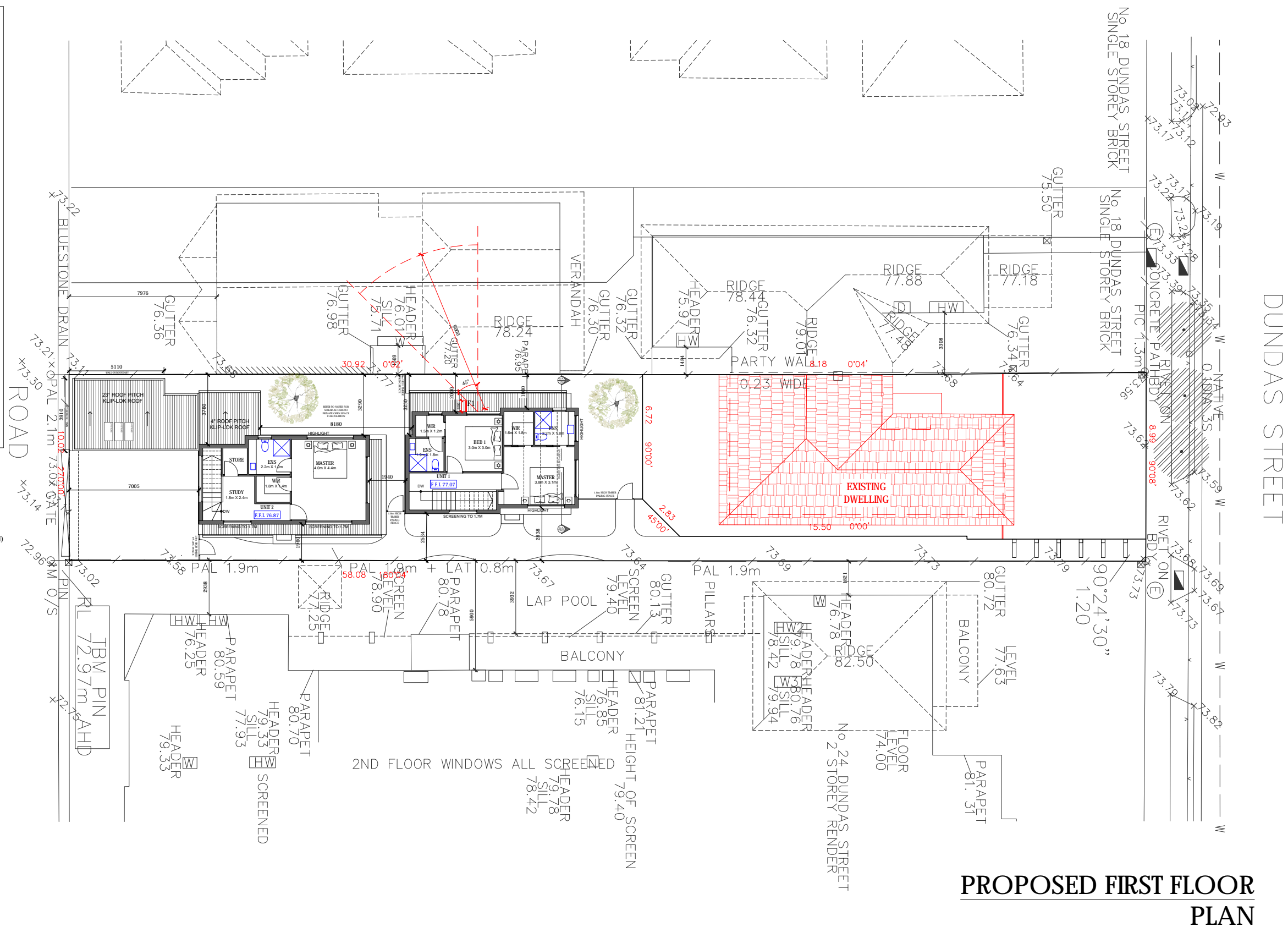
INTERNAL PARTITION WALLS:
90mm THICK TIMBER STUD CONSTRUCTION
EXTERNAL WALLS:
GROUND FLOOR 240mm THICK BRICK VENEER CONSTRUCTION
FIRST FLOOR 200mm THICK WALL WITH HILAND TRAY SHEET
CLADDING CONSTRUCTION, WALLS TO ENGINEER'S DETAIL INCL
FINISH AS NOTED ON ELEVATIONS.

LEGEND:

- E** ELECTRICAL METER LOCATION
- M** MAIL BOX LOCATION
- G** GAS METER LOCATION
- W** WATER METER LOCATION
- T** GARDEN TAP LOCATION
- B1/B2/B3** BIN LOCATION (GENERAL, RECYCLE, GREEN)
- F.F.L.** PROPOSED FINISHED FLOOR LEVEL TO AHD
- EXISTING TREES TO BE REMOVED

SOLAR ACCESS TO SECLUDED PRIVATE OPEN SPACE (UNIT 2) – STANDARD B29

B29 STANDARD: 2 + 0.9 (HEIGHT)
2 + 0.9 X 6.7m
= 8.03m SETBACK



**PROPOSED FIRST FLOOR
PLAN**

ArchiScale
591 PLENTY ROAD, PRESTON, 3072, VIC.
TEL: 613 9478 8873, EMAIL: archiscale@mac.com, WEB: archiscale.com

A1

CLIENT:	DRAWN:	JOB NO:	DATE:	SCALE:	SITE ADDRESS:	DWG NO.	NORTH
	ARCHISCALE	-	DECEMBER 2021	1:100@A1	20A DUNDAS STREET, THORNBURY, VIC 3071	TP06 OF 07	
	A.H.				CITY OF DAREBIN		



PROPOSED ELEVATIONS

<p>A1</p> <p>591 PLENTY ROAD, PRESTON, 3072, VIC. TEL: 613 9478 8873, EMAIL: archiscale@mac.com, WEB: archiscale.com</p>	CLIENT:	DRAWN:	JOB NO:	DATE:	SCALE:	SITE ADDRESS:	DWG NO.
		ARCHISCALE A.H.	-	DECEMBER 2021	1:100@A1	20A DUNDAS STREET, THORNBURY, VIC 3071 CITY OF DAREBIN	TP07 OF 07

6. OTHER BUSINESS

6.1 GENERAL PLANNING INFORMATION: SCHEDULED VCAT APPLICATIONS

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

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

Officer Recommendation

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

RELATED DOCUMENTS

Nil

Attachments

- Applications determined by VCAT (**Appendix A**) [↓](#)

Delegate Decisions before VCAT

AUGUST 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
10/08/2021 (Compulsory Conference)	D/635/2020	3 Furzer Street, Preston West	Medium density development comprising the construction of eight (8) dwellings within a part 2 part 3 storey building above a basement, as shown on the plans accompanying the application.	Failure Appeal – Council has formed a position to oppose the application.	Council's decision set aside – Permit granted
Result	Did not settle				
17/08/2021	D/410/2020	32 Wood Street, Preston Central	The construction of a medium density housing development comprised of four (4) triple storey dwellings; and The reduction of the car parking requirements;	Refusal – Applicant Appeal	Council's decision set aside – Permit granted
Result	In setting aside Council's decision, the Tribunal found that the 'residential growth' policy context outlined in the Darebin Planning Scheme supported medium density housing in this location. The Tribunal considered the issues raised by Council including design response, equitable development, internal amenity and car parking layout were acceptable in this instance.				
18/08/2021	D/696/2020	48 High Street, Northcote South	Proposed multi storey mixed-use development	Failure Appeal – Council has formed a position to oppose the application.	Council's decision set aside – Permit granted
Result	In setting aside Council's deemed refusal, the Tribunal found that the proposed six (6) storey development was not supported by policy in respect of the height. As a result, a condition requiring the deletion of Level 3 was imposed on the planning permit. The Tribunal noted that the deletion of Level 3 will also result in an acceptable outcome in respect of overshadowing and views from the existing north-facing habitable room window of the adjoining property.				

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

AUGUST 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
31/08/2021	D/476/2020	231A Dundas Street, Thornbury South East	Proposed use of land to sell and consume liquor in association with a Take-Away Food and Drink Premises within an industrial zone as shown on the plans accompanying the application.	Refusal – Applicant Appeal	Awaiting Decision
Result					

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

SEPTEMBER 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
2/09/2021	D/253/2020	70 O'Connor Street, Reservoir North West	Proposed four (4) double storey dwellings	Refusal – Applicant Appeal	Council's decision set aside – permit granted.
Result					
21/09/2021 (Compulsory Conference)	D/299/2018	1 Timmins Street, Northcote South	Application to Amend a Permit: Double storey extension to the rear of the existing shop/residence comprising additional commercial floorspace and a new dwelling above and a reduction to the car parking requirement, as shown on the plans accompanying the application.	Objector Application to Cancel or Amend a Permit	
Result	Did not settle				

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

OCTOBER 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
7/10/2021	D/280/2020	2 McNamara Street, Preston West	Construct a medium density housing development comprising of four (4) double storey dwellings	Notice of Decision – Objector Appeal.	Council' decision affirmed – permit granted
Result					
8/10/2021 (Compulsory Conference)	D/113/2021	3-5 Cambrian Avenue, Preston Central	Proposed construction of five dwellings and a reduction in the visitor parking requirement	Failure Appeal – Council formed a position to oppose the application.	Council's decision set aside – Permit granted
Result	Did not settle				
25/10/2021	D/635/2020	3 Furzer Street, Preston West	Medium density development comprising the construction of eight (8) dwellings within a part 2 part 3 storey building above a basement, as shown on the plans accompanying the application.	Failure Appeal – Council has formed a position to oppose the application.	Council's decision set aside – Permit granted
Result					
25/10/2021	D/167/2020	171 Victoria Road, Northcote South Central	Construction of two double storey dwellings on the lot	Refusal – Applicant Appeal	Adjourned
Result					

Planning Committee Decisions before VCAT

AUGUST 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
5/08/2021 (Compulsory Conference)	D/103/2020	24A & 26 Habury Street, Reservoir West	A medium density housing development comprised of the construction of ten (10) double storey dwellings and a reduction in the visitor car parking requirement, as shown on the plans accompanying the application.	Committee (contrary Officer Recommendation) – Applicant Appeal	Council's decision affirmed - no permit is granted
Result	Did not settle				
12/08/2021 (Compulsory Conference)	D/727/2020	57 Martin Street, Thornbury South Central	Construction of six double storey dwellings and a reduction in car parking requirements, as shown on the plans accompanying the application.	Committee (contrary Officer Recommendation) – Applicant Appeal	Council's decision set aside (by consent) – Permit granted
Result	The parties were able to reach agreement as to a suitable form of development, as such, they were in position that Council's refusal could be set aside by consent.				

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

AUGUST 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/08/2021 (Compulsory Conference)	D/474/2020	25 Separation Street, Northcote South Central	A mixed-use development comprised of the: * Use of land for accommodation (dwellings); * Use of land for the purpose of place of assembly (library) * Use of land for the sale of packaged liquor; * Construction of buildings and works comprised of six (6) buildings ranging in height between 4-28 storeys plus two (2) basement levels containing a Library, Retail Premises (nine (9) shops and a supermarket), an eight (8) storey office building, 660 dwellings and associated car parking; * A reduction in the statutory car parking requirement.	Committee (in line with Officer Recommendation) – Applicant Appeal	
Result	Did not settle				
26/08/2021	D/352/2020	31 Albert Street, Preston Central	Declaration proceeding	Committee (in line with Officer Recommendation) – Applicant Appeal	Awaiting Decision
Result					

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

SEPTEMBER 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
8/09/2021 (Compulsory Conference)	D/474/2020	25 Separation Street, Northcote South Central	A mixed-use development comprised of the: * Use of land for accommodation (dwellings); * Use of land for the purpose of place of assembly (library) * Use of land for the sale of packaged liquor; * Construction of buildings and works comprised of six (6) buildings ranging in height between 4-28 storeys plus two (2) basement levels containing a Library, Retail Premises (nine (9) shops and a supermarket), an eight (8) storey office building, 660 dwellings and associated car parking; * A reduction in the statutory car parking requirement.	Committee (in line with Officer Recommendation) – Applicant Appeal	
Result	Did not settle				

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

OCTOBER 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
11/10/2021	D/103/2020	24A & 26 Habury Street, Reservoir West	A medium density housing development comprised of the construction of ten (10) double storey dwellings and a reduction in the visitor car parking requirement, as shown on the plans accompanying the application.	Committee (contrary Officer Recommendation) – Applicant Appeal	Council' decision affirmed – no permit granted
Result	In affirming Council's decision, the Tribunal found that the proposal did not respond to the existing and preferred neighbourhood character, set out in Council's Neighbourhood Character Study. In particular, the extent of double storey form extending through the length of the site was considered excessive in the context.				
13/10/2021	D/200/2019	24-26 Rathcown Road, Reservoir North-East	Construction of a medium density housing development comprising eight (8) double storey dwellings	Committee (contrary Officer Recommendation) – Applicant Appeal	Council' decision affirmed – no permit granted
Result	The Tribunal found that the bulk and massing throughout the site is inconsistent with the scale of development nearby, including multi-dwelling developments. The intensity of development throughout the site, particularly at first floor level, will not complement the scale of existing dwellings or other multi-dwelling developments nearby				

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

OCTOBER 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
15/10/2021 (Preliminary Hearing)	D/474/2020	25 Separation Street, Northcote South Central	A mixed-use development comprised of the: * Use of land for accommodation (dwellings); * Use of land for the purpose of place of assembly (library) * Use of land for the sale of packaged liquor; * Construction of buildings and works comprised of six (6) buildings ranging in height between 4-28 storeys plus two (2) basement levels containing a Library, Retail Premises (nine (9) shops and a supermarket), an eight (8) storey office building, 660 dwellings and associated car parking; * A reduction in the statutory car parking requirement.	Committee (in line with Officer Recommendation) – Applicant Appeal	Application Allowed
Result	The purpose of this preliminary hearing was to consider whether amended plans circulated by the Applicant were a transformation of the Application and thus raised a jurisdiction issue for the Tribunal. An oral decision was provided at the conclusion of the hearing. In finding that the amended plans did not offend the relevant VCAT Practice Note and could therefore be substituted, the Tribunal adjourned the hearing until April 2022 to allow the parties more time to prepare for the hearing.				
25/10/2021	D/420/2020	38 Oakhill Avenue, Reservoir North Central	Partial demolition and construction of buildings and works for an extension to existing dwelling in a Heritage Overlay (HO172) and a new detached garage, in accordance with the endorsed plans.	Committee (contrary Officer Recommendation) – Applicant Appeal	Council's decision set aside – Permit granted
Result	A permit was granted, significantly however, VCAT imposed a condition that required the deletion of the first floor of a proposed two storey garage				

NOVEMBER 2021					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

10/11/2021	D/425/2020	58 Clindin Street, Northcote North Central	Proposed construction of a medium density development comprising four dwellings, as shown on the plans accompanying the application.	Failure Appeal - Council has formed a position to oppose the application.	Council's decision set aside – Permit granted
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DECEMBER 2021

Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
13/12/2021	D/474/2020	1 Timmins Street, Northcote South	Double storey extension to the rear of the existing shop/residence comprising additional commercial floorspace and a new dwelling above and a reduction to the car parking requirement, as shown on the plans accompanying the application.	Section 87 appeal (Amendment to existing permit)	Withdrawn

JANUARY 2022

Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
18/01/2022	D/217/2021	2 Jacka Street, Preston West	A medium density housing development comprised of the construction of two (2) side-by side double storey dwellings	Failure Appeal – Council formed a position to oppose the application.	Council's decision set aside.
19/01/2022	D/352/2020	31 Albert Street, Preston Central	Proposed change of Liquor Licence trading hours pursuant to clause 52.27 of the Darebin Planning Scheme	Failure Appeal – Council has formed a position to oppose the application.	Council's decision set aside.

PLANNING COMMITTEE MEETING

13 DECEMBER 2021

21/01/2022 Preliminary hearing	D/461/2020	620-622 High Street, Preston Central	A mixed-use development comprising construction of a five (5) storey building plus a basement level; use of land for the purpose of 27 dwellings and two (2) retail premises (shop); and reduction in the car parking requirement	Notice of Decision – Objector Appeal.	Awaiting Decision on whether objectors appeal will be allowed
Result	The purpose of this preliminary hearing was to, among other things, consider an extension of time for lodging the application for review. At the Hearing, the objector indicated that they were not aware that the application may have been lodged outside the required timeframe and were not therefore prepared to argue their case. Accordingly, VCAT decided to re-list the preliminary hearing to enable the applicant, and other parties, to prepare submissions as to whether the application was lodged outside the required timeframes and, if so, whether the Tribunal should exercise its powers to extend the time for lodgement. The re-listed hearing has taken place and Council is awaiting VCAT's decision on whether the objector should be allowed to pursue their objection.				
27/01/2022	D/167/2020	171 Victoria Road, Northcote	Construction of two double storey dwellings on the lot	Refusal – Applicant Appeal	Council's decision affirmed
28/01/2022 Compulsory conference	D/672/2020	12 Carson Street	Construction of a three (3) storey mixed-use development (comprised of two (2) dwellings above a shop) and a reduction of car parking	Notice of Decision – Objector Appeal.	Council's decision varied (by consent) – Permit granted
Result	The parties were able to reach an agreement by consent.				

FEBRUARY 2022					
Date of Hearing	App. No.	Property/Ward	Proposal	Council Decision/Nature of Appeal	VCAT Decision
3/02/2022 Compulsory conference	D/18/2021	58 Herbert Street, Northcote South	Partial demolition and construction of a two storey extension on a lot less than 300 square metres and affected by a Heritage Overlay and a Design and Development Overlay	Notice of Decision – Objector Appeal.	
Result	Ongoing discussion occurring between parties				

7. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

In accordance with Section 66(2) of the *Local Government Act 2020*, Council may resolve to close the meeting to members of the public to consider items, deemed to be confidential by the Chief Executive Officer in accordance with Section 3(1) of the Act for the reasons indicated:

7.1 State Government Facilitation Of Development

This item is designated confidential because it contains land use information, being information that if prematurely released is likely to encourage speculation in land values pursuant to Section 3(1) (c) of the Act .

CLOSE OF MEETING

Recommendation

That in accordance with section 66(2) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider the items designated confidential by the Chief Executive Officer on the basis that the matters are confidential in accordance with Section 3(1) of the Act.

RE-OPENING OF MEETING

Recommendation

That the meeting be re-opened to the members of the public.


8. CLOSE OF MEETING

**CITY OF
DAREBIN**

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

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

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

 **Speak your language**
T 8470 8470

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繁體中文	Македонски	Español
Ελληνικά	नेपाली	اردو
हिंदी	ਪੰਜਾਬੀ	Tiếng Việt