

Agenda

Planning Committee Meeting

Wednesday, 19th June 2019

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

John Nevins
Chief Executive Officer
Kingston City Council



Notice is given that Planning Committee Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Wednesday, 19 June 2019.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Planning Committee Meeting 22 May 2019

3. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest

Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.

4. Planning and Development Reports

4.1	Town Planning Application Decisions - May 2019	7
4.2	KP-2018/801 - 101 Station Street, Aspendale	23
4.3	KP-2019/70 - 104-105 Station Street, Aspendale	77
4.4	KP-2018/730 - 29 - 31 Patty Street Mentone	139
4.5	KP-2019/236 - 32-36 Linton Street, Moorabbin	185
4.6	KP-2018/455 - 37 Robert Street, Parkdale	219
4.7	KP-2018/353 - 50-76 and 101 Deals Road, Clayton South	259
4.8	KP-2019/190 - 43 Garden Boulevard, Dingley Village	279

5. Confidential Items

Nil

4. Planning and Development Reports

Explanation of Meeting Procedure



Meeting Procedure is Regulated by Local Law

The procedures for this Planning Committee Meeting are regulated by Council's Meeting Procedures Local Law.

Chairperson

The Mayor as Chairperson is the ultimate authority for the conduct of the meeting.

Agenda

The business to be dealt with at the meeting is set out in the agenda. No other business can be dealt with.

Motions

A motion must be moved and seconded to be valid. The mover of the motion will then be permitted to speak to it. Other Councillors will then be permitted to speak either for or against the motion. The mover will be permitted a right-of-reply, which will conclude the debate.

Voting

The motion will then be voted on by show of hands. If the motion is carried, it becomes a resolution (decision) of the Committee. Any Councillor may call for a Division, in order that the vote of each Councillor is formally recorded.

Amendments

A Councillor may move an amendment to a motion. Any amendment moved shall be dealt with in the same way as a motion, except that there is no right of reply for the mover of the amendment and the mover of the motion if the amendment is carried. If carried, the amendment becomes the motion and the previous motion is abandoned.

Speaking at the Meeting

No visitor to a Planning Committee meeting may speak to the meeting, except for:

- The applicant (or his/her representative) and one objector in relation to an application for a planning permit;
- Special circumstances in which leave to speak is granted by the Chairperson.

Unless special circumstances apply, the Chairperson will limit the presentation of a speaker to three minutes duration.

Confidential Business

The meeting may be closed at any time to deal with confidential items in camera. In these instances members of the public will be asked to leave the Council Chamber, and the meeting re-opened once the confidential business is completed.

community inspired leadership

Planning Committee Meeting

19 June 2019

Agenda Item No: 4.1

TOWN PLANNING APPLICATION DECISIONS - MAY 2019

Contact Officer: Carly De Mamiel, Senior Customer Liaison and Administration Officer

Town Planning Application Decisions – May 2019

Approved By: Jonathan Guttman - General Manager, Planning & Development
Author: Ian Nice – Manager, City Development

Attached for information is the report of Town Planning Decisions for the month of May, 2019

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	109	81
Notice of Decision	13	10
Refusal to Grant a Permit	2	2
Other - Withdrawn (7) - Prohibited (0) - Permit not required (3) - Lapsed (0) - Failure to Determine (0)	10	7
Total	134	100

(NB: Percentage figures have been rounded)

OFFICER RECOMMENDATION

That the report be noted.

Appendices

Appendix 1 - Town Planning Applications Decisions (Ref 19/110720)  

Author/s: Carly De Mamiel, Senior Customer Liaison and Administration Officer

Reviewed and Approved By: Naomi Crowe, Team Leader City Development Administration

4.1

TOWN PLANNING APPLICATION DECISIONS - MAY 2019

1	Town Planning Applications Decisions.....	11
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Planning Decisions May 2019							
APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT DECISION
KP-2018/699	290-300 Old Dandenong Road	DINGLEY VILLAGE	3/09/2018	1/05/2019	The development of a dwelling (replace existing) and associated works including alteration of access to a road in a Road Zone Category 1 in accordance with the endorsed plans	Permit	No
KP-2018/560	253 Station Street	EDITHVALE	12/07/2018	1/05/2019	The development of four (4) dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2019/45	91 Devon Street	CHELTENHAM	1/02/2019	1/05/2019	The development of two (2) dwellings within a Special Building Overlay and associated works in accordance with the endorsed plans	Permit	No
KP-2016/1020/A	1 Christensen Street	CHELTENHAM	21/11/2018	1/05/2019	Develop the land for the construction of two (2) double-storey dwellings	Permit	No
KP-2019/115	19 Lawborough Avenue	PARKDALE	4/03/2019	2/05/2019	Develop the land for the construction of one (1) dwelling on land within a Special Building Overlay	Permit	No
KP-2018/368	63 Chute Street	MORDIALLOC	17/05/2018	2/05/2019	Develop the land for the construction of two (2) double storey dwellings	Permit	No
KP-2018/382	113 McDonald Street	MORDIALLOC	22/05/2018	2/05/2019	Develop the land for a four storey mixed use development comprising a Residential Aged Care Facility, Childcare centre, Medical centre, Restricted recreation facility (gymnasium), Food and drinks premises Use the land for a Childcare centre, Medical centre, Restricted	Permit	No

					recreation facility (gymnasium)		
KP-2019/112	7 Deals Road	CLAYTON SOUTH	1/03/2019	2/05/2019	Use the land for the purpose of a warehouse	Withdrawn	No
KP-2019/254	246 McLeod Road	PATTERSON LAKES	1/05/2019	2/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2005/319/C	12 Lawrence Avenue	ASPENDALE	29/10/2018	3/05/2019	Develop the Land for the Construction of Two (2) Dwellings and Two (2) Lot Subdivision	Permit	No
KP-2018/896	4 Reumah Place	ASPENDALE GARDENS	5/11/2018	3/05/2019	The development of the land for a second dwelling in accordance with the endorsed plans	Permit	No
KP-2018/976	115 Devon Street	CHELTENHAM	6/12/2018	3/05/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2018/979	240 Gladesville Boulevard	PATTERSON LAKES	4/12/2018	3/05/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2019/133	26 Oakes Avenue	CLAYTON SOUTH	15/03/2019	3/05/2019	Subdivide the Land into Five (5) Lots	Permit	No
KP-2018/736	8-12 Lochiel Avenue	EDITHVALE	12/09/2018	3/05/2019	Subdivide the Land into Eight (8) Lots	Permit	No
KP-2019/134	44 Jabiru Drive	CHELSEA HEIGHTS	15/03/2019	3/05/2019	Subdivide the Land into Four (4) Lots	Permit	No
KP-2019/119	3 Breeze Street	BONBEACH	6/03/2019	3/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/40	1 181 Nepean Highway	ASPENDALE	25/01/2019	3/05/2019	Develop the land for buildings & works (two storey dwelling) and relocation of crossover in a Road Zone Category 1	Permit	No
KP-2018/586	51 Church Road	CARRUM	19/07/2018	6/05/2019	Develop three (3) dwellings in accordance with the endorsed plans	Permit	No
KP-2018/1020	4 26-28 Roberna Street	MOORABBIN	21/12/2018	6/05/2019	Use of land for a restricted recreation facility (gym)	Permit	No
KP-1999/671/A	184 Beach Road	MORDIALLOC	29/03/2019	6/05/2019	To develop and use site for a dual occupancy	Permit Not Required	No

					Amendment includes extending the kitchen area to allow for extra bench space; fill in small roofed area on western wall to accommodate a new powder room and extra walk in cupboard for main bedroom; build ensuite on existing rear deck; provision for a lif		
KP-2019/83	1A Washington Drive	OAKLEIGH SOUTH	15/02/2019	7/05/2019	Buildings and works in land affected by a Special Building Overlay	Permit	No
KP-2016/561/A	24 Graham Daff Boulevard	BRAESIDE	9/04/2019	7/05/2019	Develop the land for the construction of building and works associated with warehouse and office and reduction in the car parking requirements	Permit	No
KP-2018/739	13 Patty Street	MENTONE	11/09/2018	7/05/2019	The development for three (3) dwellings	Notice of Decision	No
KP-2019/136	12 Tammany Drive	CLARINDA	15/03/2019	7/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/150	6 Cooma Street	MOORABBIN	19/03/2019	7/05/2019	Subdivide the land into two (2) lots in accordance with the endorsed plans	Permit	No
KP-2019/152	6 Page Street	CHELTENHAM	20/03/2019	7/05/2019	Subdivide the land into three (3) lots in accordance with the endorsed plans	Permit	No
KP-2018/862	5 Courtney Street	CHELTENHAM	24/10/2018	7/05/2019	Develop the land for the construction of one (1) double storey dwelling to the rear of an existing and buildings and works associated with the existing dwelling, on land affected by a Special Building Overlay	Notice of Decision	No
KP-2019/91	1217-1219 Nepean	HIGHETT	21/02/2019	7/05/2019	Subdivide the Land into 33 Lots in a Design and Development Overlay	Permit	No

	Highway				Schedule 12 on land adjacent to a Road Zone Category 1		
KP-2019/186	525-527 Highett Road	HIGHETT	28/03/2019	8/05/2019	Display of electronic promotion signage (associated with a new phone booth on the footpath)	Withdrawn	No
KP-2019/253	254-258 Chesterville Road	MOORABBIN	18/04/2019	8/05/2019	Develop the land for the construction of advertising signage	Permit	No
KP-2019/19	3 Ormond Street	MORDIALLOC	15/01/2019	8/05/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2017/247/B	18 Abercrombie Street	OAKLEIGH SOUTH	15/02/2019	8/05/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2019/138	29 Northcliffe Road	EDITHVALE	15/03/2019	9/05/2019	Subdivide the land into three (3) lots	Permit	No
KP-2018/686/A	2 49 The Corso	PARKDALE	26/03/2019	9/05/2019	The development of two (2) dwellings and associated works in accordance with the endorsed plans	Withdrawn	No
KP-2019/184	21 Moore Avenue	CLAYTON SOUTH	29/03/2019	9/05/2019	Subdivide the Land into four (4) Lots	Permit	No
KP-2019/259	118 Mentone Parade	MENTONE	1/05/2019	9/05/2019	Develop the land for the construction of building & works	Permit	No
KP-2019/72	11 Second Street	CLAYTON SOUTH	13/02/2019	9/05/2019	Subdivide the Land into six (6) Lots	Permit	No
KP-2018/993	6 Marabou Place	ASPENDALE	13/12/2018	9/05/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2019/229	3B Elliott Street	CHELTENHAM	11/04/2019	9/05/2019	Installation of veranda attached to the rear of the dwelling	Permit Not Required	No
KP-2019/58	210-218 Boundary Road	BRAESIDE	7/02/2019	9/05/2019	Subdivide the Land into 33 Lots (Staged subdivision) in a Design and Development Overlay Schedule 5 and Land Subject to Inundation Overlay	Permit	No
KP-2019/137	10 Olive Grove	PARKDALE	15/03/2019	10/05/2019	Subdivide the Land into Four (4) Lots	Permit	No

KP-2018/974	14-18 Venture Way	BRAESIDE	4/12/2018	10/05/2019	The development of a warehouse	Permit	No
KP-2018/906	24 Avon Street	MOORABBIN	8/11/2018	10/05/2019	The development of two (2) dwellings and subdivide the land into two (2) lots in accordance with the endorsed plans	Permit	No
KP-2018/726	11-13 Nelson Street	MOORABBIN	6/09/2018	10/05/2019	The use of the land for a restricted recreation facility and associated works in accordance with the endorsed plans	Notice of Decision	No
KP-2016/1055/B	254-258 Chesterville Road	MOORABBIN	12/11/2018	13/05/2019	Use and development of the land for office, food and drink premises(caf�e)/convenience shop, restricted retail, restaurant and retail (market), tavern, industry (brewery), sale and consumption of liquor for a General licence for the tavern, for the display of advertising signage and a reduction in th	Permit	No
KP-2018/1009	8A James Street	CLAYTON SOUTH	17/12/2018	13/05/2019	Use of the land for the sale of packaged liquor	Permit	No
KP-2019/92	243A Como Parade East	PARKDALE	21/02/2019	13/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/161	19 Powlett Street	MORDIALLOC	21/03/2019	13/05/2019	Subdivide the Land into Three (3) Lots	Permit	No
KP-2018/897	2 19 Chadwell Grove	CHELSEA	5/11/2018	13/05/2019	Develop the land for the construction of two (2) dwellings	Notice of Decision	No
KP-2019/237	11 Elora Road	OAKLEIGH SOUTH	17/04/2019	13/05/2019	Subdivide the Land into Three (3) Lots	Permit	No
KP-2018/975	27 Swanston Street	MENTONE	6/12/2018	13/05/2019	Develop four (4) dwellings in a Special Building Overlay in accordance with the endorsed plans	Notice of Decision	No
KP-2019/255	3 Surf Street	PARKDALE	1/05/2019	13/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/1016	31 Genoa Street	MOORABBIN	20/12/2018	13/05/2019	To use the land for the sale and consumption of liquor	Permit	No

					(restaurant/cafe licence and packaged liquor licence)		
KP-2019/219	1324-1328 Nepean Highway	CHELTENHAM	9/04/2019	14/05/2019	Installation of two (2) business identification signs	Permit	No
KP-2019/130	40-46 Canterbury Road	BRAESIDE	13/03/2019	14/05/2019	Develop the land for the construction of eight (8) warehouses and a reduction in the associated car parking requirement	Permit	No
KP-2016/1003/A	46 Church Road	CARRUM	3/05/2019	15/05/2019	Develop the land for the construction of four (4) dwellings	Permit	No
KP-2018/828	1 Hicks Street	PARKDALE	12/10/2018	15/05/2019	The development of two (2) dwellings in accordance with the endorsed plans	Permit	No
KP-2019/277	2 Berringa Street	PARKDALE	14/05/2019	15/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/556	24 Parkers Road	PARKDALE	11/07/2018	15/05/2019	The construction of a building and works within a specified tree protection zone of a significant tree	Permit	No
KP-2017/975	4 Rigby Street	CARRUM	14/12/2017	16/05/2019	Construction of buildings and works for four dwellings	Permit	No
KP-2017/472	12 Rigby Street	CARRUM	23/06/2017	16/05/2019	In accordance with the endorsed plans development of the land for three dwellings	Permit	No
KP-2018/874	14 Ross Street	ASPENDALE	29/10/2018	16/05/2019	The development of four (4) dwellings in accordance with the endorsed plans	Permit	No
KP-2019/16	21 Mills Road	BRAESIDE	11/01/2019	17/05/2019	The development of a warehouse on land affected by a Land Subject to Inundation Overlay	Permit	No
KP-2017/19/A	37 Ilma Grove	BONBEACH	24/01/2019	17/05/2019	Development of the land for the construction of two double storey dwellings	Permit	No
KP-2015/980/A	12 William Street	MOORABBIN	20/03/2019	17/05/2019	Develop the land for the construction of three (3) dwellings	Permit	No

KP-2019/13	20A Plant Grove	HEATHERTON	10/01/2019	17/05/2019	Use the land for a plant nursery and alter access to a road in a Road Zone, Category 1	Permit	No
KP-2018/954	19 Collins Street	MENTONE	27/11/2018	20/05/2019	The development of the land for the construction of two (2) dwellings and subdivision of the land into two (2) lots	Permit	No
KP-2014/350/A	88 Albert Street	MORDIALLOC	8/02/2019	20/05/2019	Develop the land for the construction of four (4) dwellings	Permit	No
KP-2018/946	20 Fiddes Street	MOORABBIN	26/11/2018	20/05/2019	The development of three (3) dwellings on land in a special building overlay in accordance with the endorsed plans	Permit	No
KP-2019/145	100 Lochiel Avenue	EDITHVALE	19/03/2019	21/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/405	69 Riviera Street	MENTONE	28/05/2018	21/05/2019	The development of four (4) dwellings and associated works in accordance with the endorsed plans	Notice of Decision	No
KP-2019/166	5 Higham Street	CHELTENHAM	25/03/2019	21/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/167	138 Clarinda Road	CLARINDA	25/03/2019	21/05/2019	Subdivide the Land into Three (3) Lots	Permit	No
KP-2019/191	9 Dactyl Road	MOORABBIN	1/04/2019	21/05/2019	Subdivide the Land into Three (3) Lots	Permit	No
KP-2019/207	46 Warren Road	MORDIALLOC	5/04/2019	21/05/2019	Subdivide the Land into three (3) Lots	Permit	No
KP-2019/230	23 Mary Avenue	EDITHVALE	15/04/2019	21/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/476	12 Barker Street	CHELTENHAM	18/06/2018	21/05/2019	Develop 12 dwellings with basement parking and to exceed the precinct setback requirements in accordance with the endorsed plans	Permit	No
KP-2019/234	1372-1374 Centre Road	CLAYTON SOUTH	17/04/2019	21/05/2019	Removal of Easement	Permit	No
KP-2014/650	165 Nepean Highway	MENTONE	13/08/2014	21/05/2019	Construct a mixed use development (8 storeys) comprising retail,	Permit	Yes

					supermarket, bottle shop, café, medical centre and 241 dwellings with a car parking reduction, to use the land for dwellings and for the sale of packaged liquor, vary the bicycle facilities requirements and to create / alter access to		
KP-2018/788	16 Old Dandenong Road	OAKLEIGH SOUTH	25/09/2018	21/05/2019	Develop alterations and additions to an existing building	Permit	No
KP-2018/963	5 Eden Street	CHELTENHAM	4/12/2018	22/05/2019	The development of two (2) double storey dwellings (side by side)	Permit	No
KP-2019/11	36 Second Avenue	CHELSEA HEIGHTS	11/01/2019	22/05/2019	Develop the land for the construction of one (1) dwelling to the rear of an existing dwelling, with associated works to the existing dwelling	Permit	No
KP-2018/1014	7 Sydney Street	CLAYTON SOUTH	18/12/2018	22/05/2019	The development of two (2) dwellings	Notice of Decision	No
KP-2018/918	372-392 Lower Dandenong Road	BRAESIDE	9/11/2018	23/05/2019	Use the site for trade supplies, buildings and works to the existing building, advertising sign, reduction of car parking requirements and alteration to access on a Road Zone Category 1	Permit	No
KP-2019/65	Shop 26 21 Thompson Road	PATTERSON LAKES	8/02/2019	23/05/2019	Develop the land for the construction of a verandah for an existing food and drink premises	Permit	No
KP-2019/305	14 Eden Street	CHELTENHAM	22/05/2019	27/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/958	9 Healey Street	MOORABBIN	29/11/2018	27/05/2019	Develop the land for the construction of two (2) dwellings	Withdrawn	No
KP-2018/558	60 Church Road	CARRUM	12/07/2018	27/05/2019	Develop the land for construction of six (6) dwellings	Notice of Decision	No
KP-2019/168	1 5 MacBeth Street	BRAESIDE	25/03/2019	27/05/2019	Subdivide the Land into Two (2) Lots	Permit	No

KP-2017/858	433 Boundary Road	HEATHERTON	2/11/2017	27/05/2019	Develop and use the land for a wholesale plant nursery on land affected by a Land Subject to Inundation Overlay, to display advertising signage, to create and alter access to land adjacent to a Road Zone Category 1	Permit	No
KP-2019/187	310-314 Highett Road	HIGHETT	29/03/2019	27/05/2019	Display of one electronic sign	Notice of Decision	No
KP-2019/97	52 Rennison Street	PARKDALE	25/02/2019	27/05/2019	Subdivide the Land into Three (3) Lots	Permit	No
KP-2019/106	159A Rowans Road	MOORABBIN	27/02/2019	27/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/239	2 37 Embankment Grove	CHELSEA	23/04/2019	27/05/2019	Variation of an easement	Permit	No
KP-2019/9	35 Parnell Street	CHELTENHAM	8/01/2019	27/05/2019	Construct two (2) dwellings	Notice of Decision	No
KP-2018/459	64 Pier One Drive	PATTERSON LAKES	23/05/2018	28/05/2019	Reduction in car parking	Refused	No
KP-2019/38	4 Tanti Street	CHELTENHAM	23/01/2019	28/05/2019	The development of two (2) double storey dwellings (side by side)	Permit	No
KP-2018/902	131-132 Bay Trail	PARKDALE	5/11/2018	28/05/2019	Use the land for a Restricted Recreation Facility (Yacht Club)	Permit	No
KP-2017/196/A	15 Matthieson Street	HIGHETT	26/03/2019	28/05/2019	Develop the land for the construction of four (4) dwellings within a Special Building Overlay	Permit	No
KP-2019/76	6 Levanto Street	MENTONE	14/02/2019	28/05/2019	Develop the land for the construction of three (3) dwellings	Refused	No
KP-2019/124	47 Elsie Grove	EDITHVALE	5/03/2019	28/05/2019	The development of two dwellings (double storey side by side)	Notice of Decision	No
KP-2018/913	176 Beach Road	PARKDALE	12/11/2018	28/05/2019	The development of two (2) double storey dwellings	Permit	No
KP-2019/235	125-131 Chesterville Road	HIGHETT	17/04/2019	28/05/2019	THE RE-SUBDIVISION OF 4 LOTS INTO 2 LOTS AND ALTERNATIONS TO COMMON PROPERTY IN	Permit	No

					ACCORDANCE WITH THE ENDORSED PLANS		
KP-2019/212	2 Tennyson Street	HIGHETT	8/04/2019	28/05/2019	Subdivide the Land into Four (4) Lots	Permit	No
KP-2019/243	30 French Avenue	EDITHVALE	24/04/2019	28/05/2019	Subdivide the Land into Four (4) Lots	Permit	No
KP-2019/51	77-99 Redwood Drive	DINGLEY VILLAGE	6/02/2019	29/05/2019	Subdivision of the Land into Two (2) Lots adjacent to a Road Zone Category 1 and within a Design and Development Overlay and create an easement	Permit	No
KP-2019/123	1190-1212 Nepean Highway	CHELTENHAM	4/03/2019	29/05/2019	Development of a new Showroom to the existing Car Dealership and to construct Internally Illuminated Business Identification Signage	Permit	No
KP-2018/460	275-295 Nepean Highway	PARKDALE	7/06/2018	30/05/2019	To use the land, construct and carry out works comprising a 20 metre high telecommunications facility	Withdrawn	No
KP-2018/817	1 Ozone Avenue	ASPENDALE	8/10/2018	30/05/2019	Develop three (3) dwellings with basement parking in accordance with the endorsed plans	Notice of Decision	No
KP-2015/543/A	44 Mount View Street	ASPENDALE	12/03/2019	30/05/2019	Develop the land for the construction of two (2) dwellings	Notice of Decision	No
KP-2017/572	Lot 1 Tully Road	CLARINDA	25/07/2017	30/05/2019	Use of the land for a Plant Nursery	Withdrawn	No
KP-2012/409	10 Morton Grove	CHELSEA	2/07/2012	30/05/2019	Develop the Land for the Construction of Two (2) Dwellings	Withdrawn	No
KP-2019/54	12 Nellbern Road	MOORABBIN	4/02/2019	30/05/2019	Use the site for a dog day care centre	Permit	No
KP-2019/306	25 Patty Street	MENTONE	22/05/2019	30/05/2019	Subdivide the land into two (2) lots on land affected by a Special Building Overlay	Permit	No
KP-2019/260	4 61 Hughes Avenue	EDITHVALE	2/05/2019	30/05/2019	Develop the land for the construction of building and works	Permit Not Required	No
KP-2019/198	Factory 1 20-28 Levanswell	MOORABBIN	25/03/2019	31/05/2019	Construction of buildings and works associated with the existing use in	Permit	No

	Road				accordance with the endorsed plans		
KP-2019/310	Unit 4 32 Burns Avenue	CLAYTON SOUTH	23/05/2019	31/05/2019	Construction of a front fence greater than 1.2m in height on land less than 300m2	Permit	No
KP-2019/312	4 Robyn Court	OAKLEIGH SOUTH	22/05/2019	31/05/2019	Buildings and works (new front fence panels and gate) in a Special Building Overlay	Permit	No
KP-2019/30	1 Duke Street	ASPENDALE	16/01/2019	31/05/2019	The development of two (2) dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2019/193	40-42 Charman Road	MENTONE	2/04/2019	31/05/2019	Subdivide the land into six (6) lots	Permit	No
KP-2019/203	53 Woodbine Grove	CHELSEA	5/04/2019	31/05/2019	Subdivide the Land into Four (4) Lots	Permit	No
KP-2019/227	33 Swanpool Avenue	CHELSEA	11/04/2019	31/05/2019	Subdivide the Land into Three (3) Lots	Permit	No
KP-2019/117	5 Camp Street	CHELSEA	5/03/2019	31/05/2019	The development of an extension to the existing dwelling on a lot less than 300m2	Permit	No
KP-2019/271	39B Camp Street	CHELSEA	8/05/2019	31/05/2019	Removal of Easement	Permit	No
KP-2019/146	Unit 1 28 Bridges Avenue	EDITHVALE	19/03/2019	31/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/165	38 Vincent Street	EDITHVALE	25/03/2019	31/05/2019	Subdivide the Land into Four (4) Lots	Permit	No
KP-2019/231	Unit 1 17 Bayside Avenue	EDITHVALE	15/04/2019	31/05/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/258	13 Northcliffe Road	EDITHVALE	3/05/2019	31/05/2019	Subdivide the Land into Three (3) Lots	Permit	No
KP-2018/407	3 583 Nepean Highway	BONBEACH	25/05/2018	31/05/2019	the development of dwelling additions and alterations	Permit	No

KP-2018/933	13 Ashmore Avenue	MORDIALLOC	20/11/2018	31/05/2019	The development of two (2) dwellings	Permit	No
KP-2016/740/B	254-258 Chesterville Road	MOORABBIN	16/04/2019	31/05/2019	Develop the land for the display of nine (9) promotion signs for the purposes of temporary building shrouding	Permit	No
KP-2019/319	22 Charles Street	CHELTENHAM	28/05/2019	31/05/2019	Subdivide the Land into Two (2) Lots	Permit	No

Planning Committee Meeting

19 June 2019

Agenda Item No: 4.2

KP-2018/801 - 101 STATION STREET, ASPENDALE

Contact Officer: Beau McKenzie, Senior Statutory Planner

Purpose of Report

This report is for the Planning Committee to consider Planning Permit Application No. KP-2018/801 - 101 Station Street, Aspendale.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Notice of Decision to Develop the Land for the Construction of six (6) Dwellings comprising five (5) three storey and one (1) double storey at 101 Station Street, Aspendale, subject to the conditions contained within this report.

This application requires a decision by the Planning Committee, following a call in by Councillor Tamsin Bearsley.

EXECUTIVE SUMMARY			
Address	101 Station Street, Aspendale		
Legal Description	Lot 1 on Title Plan 122703V		
Applicant	Stipkon Pty Ltd		
Planning Officer	Beau McKenzie		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential Zone (Schedule 2)		
Overlays	None		
Particular Provisions	Clause 55 – Two or more dwellings on a Lot and Residential Buildings Clause 53.18 – Stormwater Management in Urban Development Clause 52.06 – Car Parking		
Permit Trigger/s	Clause 32.08-6 – Construct two or more dwellings on a lot		
APPLICATION / PROCESS			
Proposal	Develop the Land for the Construction of six (6) Dwellings comprising five (5) three storey and one (1) double storey		
Reference No.	KP-2018/801	RFI Received	22 February 2019
App. Received	4 October 2018	App. Amended	Yes – 17 May 2019
Site inspection	Yes		
S.52 Advertising	Commenced: 12 March 2019	Advertising Completed	28 March 2019
S.55 Referrals	None		
Internal referrals	Yes		
Objection(s)	Nine (9)		
Mandatory Garden area requirement	Complies (35%)	Mandatory Building Height requirement	Complies
LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
CHMP	Exempt		
Considered Plans	Prepared by 'Kiril Architect', Drawing No's. TP00 to TP12 inclusive, project no. STS-101, dated 17 May 2019, submitted to Council on 17 May 2019		

1.0 RELEVANT LAND HISTORY

1.1 There are no recent planning decisions relevant to the assessment of this application.

1.2 Other sites/applications of relevance:

- 122-123 Station Street Aspendale - KP-2015/30 was issued by VCAT on 1 August 2016 for a four storey apartment of 17 dwellings. This site is 200 metres to the south. This permit has not been acted on.
- 77 Station Street Aspendale - has been developed for a prominent three storey dwelling, no planning permit was required. This site is 320 metres to the north.
- 195-197 Station Street Edithvale has been developed for a four storey apartment of 49 dwellings, KP-2010/856 issued 30 September 2011 by VCAT.

- An application is also currently being considered by Council at no. 104-105 Station Street, Aspendale (KP-2019/70). The application proposes a three (3) storey building comprising 19 dwellings and basement parking. This site is only 50 metres to the south of the subject site. The Planning Officer has recommended support for the application.

2.0 SITE PARTICULARS

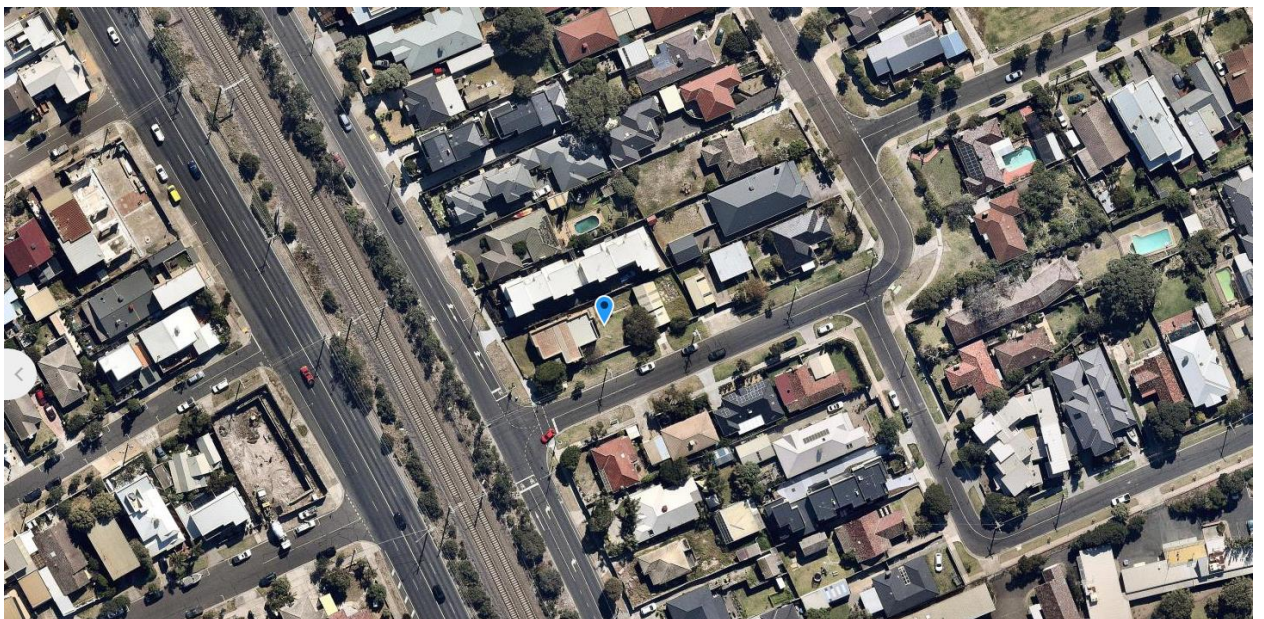
Site configuration	The land is situated on the north-west intersection of Station Street and Laura Street.
Built form	An art deco style single storey brick veneer dwelling with flat metal roof. There is also a detached garage to the rear of the dwelling. The dwelling fronts Station Street with a setback of approximately 6.8 metres.
Size (m²)	758.55m ²
Topography	The land has a slight slope of approximately 0.5 metres that falls from the south-west corner to the north-east corner of the land.
Fencing	A 0.5 metre high stone faced brick wall runs along the Station Street property boundary and for part of the Laura Street boundary. For the remainder of the Laura Street boundary, there is a 1.7 metre high timber paling fence. A 1.8 metre to 2 metre high timber paling fence runs along the side and rear boundaries.
Vegetation	There are existing fruit trees and a <i>Syzygium australe</i> which has been heavily pruned away from the powerlines. No trees on the subject site are worthy of retention.
Easement(s)	There is a 1.83m wide easement located along the site's north-east property boundary.
Footpath assets / access	<p>There is one (1) single-width crossover towards the eastern side of the Laura Street frontage. This crossover provides the only access to the land to the rear garage.</p> <p>There is a traffic sign (no standing), power poles, drainage and telecommunication pits and two (2) young Red-flowering Gum street trees along the Laura Street frontage. There are no assets or infrastructure besides a footpath, along the Station Street frontage.</p>
Covenant(s) / Restrictions	There are no restrictions listed on the Certificate of Title.

3.0 SURROUNDING ENVIRONS

3.1 The following maps illustrates the subject site (blue marker) in its surrounding context with points of interest nominated:



Source: *Nearmaps*, 12 April 2019



Source: *Nearmaps*, 12 April 2019

3.2 Land directly abutting the subject site and opposite is described as follows:

North	No. 100 Station Street – As approved under Planning Permit KP-2013/478, four (4) double storey dwellings have been developed on this property. The development has a minimum setback of 5.5 metres from Station Street. Access is provided via a common driveway along the south-east side boundary shared with the subject site. The dwellings are contemporary in design with flat roofs and constructed with a combination of materials and finishes including render, vertical timber cladding and face brick work. There is no fencing along the front property boundary. There is no vegetation on the land that is in close proximity to the subject site that may be impacted by the proposed development.
East	No. 66 Laura Street – There is a single storey brick dwelling with hip tile roof. There is also a detached brick bungalow with flat metal roof to the rear closest to the subject site. A double garage and open car park spaces are situated along the shared boundary of the site which is accessed via a wide crossover from Laura Street to the south. The existing dwelling has a minimum front setback to Laura Street (facing east) of approximately 6.5 metres. There is no vegetation on the land that is in proximity to the subject site that may be impacted by the proposed development. There is a combination of high timber paling fencing and a low brick wall along the Laura Street frontage of the site including around the bend.
West	Station Street and Frankston Railway Line.
South	<p>No. 102 Station Street – Single storey brick dwelling with hip tile roof located on the south-east corner of Station and Laura Street. The dwelling is setback 8.3 metres from the Station Street frontage. There is a single brick garage at the rear of the dwelling which is accessed via a double crossover (shared with 77 Laura Street) from Laura Street. A 2 metre high timber paling fence runs along each road frontage of this site.</p> <p>No. 77 Laura Street – Single storey brick dwelling with hip tile roof. The dwelling is setback 4.6 metres from Laura Street frontage. There is a single brick garage on the west side of the dwelling which is accessed via a double crossover (shared with 102 Station Street) from Laura Street. A 1.7 metre high white timber paling fence runs along the Laura Street frontage.</p> <p>No. 75 Laura Street – Single storey brick dwelling with hip concrete roof. The dwelling is setback 3 metres from Laura Street frontage. There is an attached single garage on the western side of the dwelling which is accessed via a single width crossover on Laura Street. A 1.2 metre high timber sleeper fence runs along the Laura Street frontage.</p> <p>Vegetation impacts are not an issue at these properties given that they are on the opposite site of Laura Street.</p>
Neighbourhood character	Located within close proximity to the Aspendale Neighbourhood Activity Centre. The surrounding area is predominantly residential, surrounding the Aspendale commercial and shopping precinct and rail station which encompasses a mix of retail uses/development. The site is within 300m of the

	<p>Aspendale railway station and is well serviced by social and physical infrastructure.</p> <p>Whilst the emerging residential character is more typically two storey with double storey present at the rear, notably a new three storey dwelling is located 320m to the north at 77 Station St Aspendale, a substantial four storey apartment building is located near Edithvale Station at 195-197 Station Street Edithvale, and an approval was granted by VCAT for a 4 storey apartment building located 200 metres to the south at 122-123 Station Street Aspendale.</p>
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4.0 PROPOSAL

4.1 A summary of the proposal is provided in the table below.

Description	Demolish the existing dwelling and associated outbuildings on the land to develop the land for the construction of six (6) dwellings comprising five (5) three storey and one (1) double storey dwellings.		
Storeys	2 and 3 storeys		
Maximum building height	9.59m		
Bedrooms (including study)	Dwelling 1 to 4 – 3 bedrooms Dwelling 5 and 6 – 2 bedrooms		
Car parking	12 spaces in total 3 spaces for Dwelling 1 2 spaces for Dwelling 2 to 5 1 space for Dwelling 6		
Front setback	5m to Station Street 2.55m to Laura Street		
Private Open Space (Standard B28 requirements)	<u>Dwelling 1</u>	<u>Dwelling 2</u>	<u>Dwelling 3</u>
	51.58m ² ground level 8m ² balcony	25m ² ground level 10.94m ² balcony	25m ² ground level 10.94m ² balcony
	<u>Dwelling 4</u>	<u>Dwelling 5</u>	<u>Dwelling 6</u>
	25m ² ground level 10.94m ² balcony	25m ² ground level 10.94m ² balcony	59.59m ² ground level

Site Coverage	57.4%	Permeability	38.9%
Access	It is proposed to construct six (6) new single width crossovers, resulting in private access to each dwelling. One (1) crossover is proposed on the Station Street frontage and five (5) on the Laura Street frontage.		
Vegetation removal/retention	No significant vegetation located on subject site or on neighbouring properties within close proximity to common boundaries		
Building materials	A contemporary building form is proposed that includes: render, blockwork, timber cladding and slats, colorbond, scyon axon/linea/matrix cladding.		

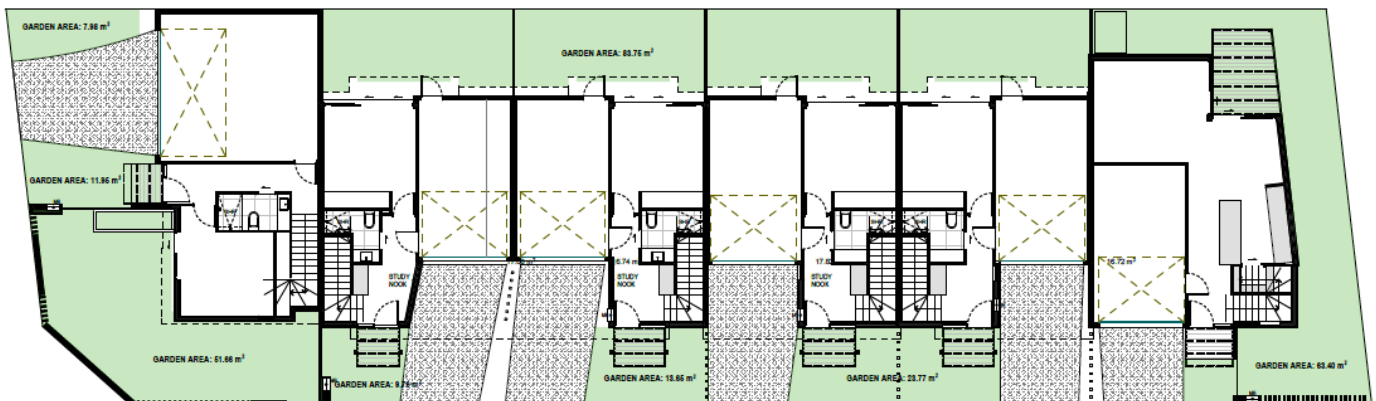
5.0 PLANNING PERMIT PROVISIONS

Zone

- 5.1 General Residential Zone (Schedule 2): Pursuant to Clause 32.08-6 of the Kingston Planning Scheme a planning permit is required to construct two (2) or more dwellings on a lot. A development must meet the requirements of Clause 55 of the Scheme. Schedule 2 to the General Residential Zone includes a variation to one (1) standard within Clause 55.
- 5.2 Pursuant to **Clause 32.08-4**, a lot must provide for the minimum garden area as set out in the following table:

Lot Size	Minimum percentage of a lot set aside as garden area
400-500m2	25%
501-650 m2	30%
Above 650 m2	35%

- 5.3 It is considered that the proposal in its current format complies with the mandatory garden area requirement. A minimum of 35% of garden area has been provided for the entire lot (35.1%). Refer to garden area plan below:



SITE AREA: 739.95m²
TOTAL GARDEN AREA: 265.82m² (35.1%)

Overlay

- 5.4 There are no overlays affecting the subject land.

Particular Provisions

- 5.5 **Clause 52.06 - Car Parking** contains the following residential car parking rates:

1 space to each 1 or 2 bedroom dwelling

2 spaces to each 3 or more bedroom dwelling

0 residential visitor spaces (amended by VC148 on 31 July 2018)

- 5.6 Amendment VC148 came into force by the State Government on 31 July 2018. This amendment, inter alia, revised certain public parking rates for sites within 400 metres of the Principle Public Transport Network, such as the Aspendale railway station. Of relevance to this application, the parking rates for residential visitors are reduced to zero.
- 5.7 This equates to a parking requirement of **ten (10)** spaces for the proposed development.
- 5.8 As the required number of car parking spaces is provided on the site, a planning permit is not required for a reduced car parking rate pursuant to Clause 52.06-3.
- 5.9 **Clause 52.06-9 (Design standards)** vehicle movements, access, splays, garaging dimensions, tandem space dimensions have been reviewed and are considered compliant.
- 5.10 Council's Traffic Engineer raised concerns with the manoeuvrability of vehicles entering and exiting the driveway of Dwelling 2 and 3 due to the angles. Accordingly, it was recommended that a condition be included on any Permit issued requiring the squaring of the alignment between the driveway and crossovers. This will likely require the crossovers to be shifted further east. Consequently, the power pole will need to be relocated to the satisfaction of the relevant service authority.
- 5.11 Due to the number of crossovers proposed along the Laura Street frontage, concerns were initially raised with regard to pedestrian safety particularly as the street experiences high traffic due to the nearby school and reserve. However, the number of crossings is considered acceptable as pedestrian refuges will be provided between each new crossing. The requirements under standard B14 have also been addressed, specifically the overall access width across the frontage. Council's Traffic Engineer and Roads and Drains Engineer raised no concerns with the number of crossings and pedestrian safety.
- 5.12 **Clause 53.18 - Stormwater Management in Urban Development**, seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.
- 5.13 Pursuant to Clause 53.18-1 this clause applies to an application for the construction of works. The proposal has been referred to Council's Development Approvals Engineers who provided consent to the proposal subject to conditions relating to the management of stormwater impacts.
- 5.14 **Clause 55 - Two or More Dwellings on a Lot & Residential Buildings** – (Refer to Appendix A for the Planning Officer's full assessment against this report).

General Provisions

- 5.15 The Decision Guidelines of **Clause 65.01** of the Kingston Planning Scheme are relevant to this application and require consideration to be given to a variety of matters including planning scheme policies, the purpose of the zone, orderly planning and the impact on amenity.

6.0 ADVERTISING

6.1 The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. Nine (9) objections to the proposal were received. The grounds of objection raised are summarised as follows:

- Parking and traffic concerns
- Visual Bulk/Height
- Neighbourhood character
- Density
- Overshadowing
- Overlooking
- Loss of vegetation/lack of vegetation
- Property de-valuation (not a valid planning consideration)

7.0 PLANNING CONSULTATION MEETING

7.1 A planning consultation meeting was held on 2 May 2019 with the relevant Planning Officer, Permit Applicant and one (1) objector in attendance. The above-mentioned issues were discussed at length.

7.2 The above concerns were unable to be resolved at the meeting, and the objections still stand.

8.0 SECTION 50 / 50A / 57A – AMENDMENT TO PLANS

8.1 The application was formally amended under Section 57A of the Act on 17 May 2019 at the request of the Council’s Planning Officer. The amendments were required to achieve garden area compliance of 35%. The following changes were made:

- The covered porch for Dwelling 6 modified to an open porch.
- The cantilever associated with the balcony of Dwelling 1 removed (balcony set in further).

8.2 As the above changes are largely cosmetic and relate only to garden area compliance, re-advertising of the plans was not considered necessary.

9.0 REFERRALS

9.1 The application was referred as set out in the tables below.

Internal Referrals

Department / Area	Comments
Council’s Vegetation Management Officer	No objection raised, subject to conditions included on any permit issued relating to the provision of a landscape plan and the protection of one (1) street tree.
Council’s Development Engineer	No objection raised, subject to conditions included on any permit issued relating to stormwater management on-site and the provision of an apex along the Station Street frontage.

Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to vehicle crossings and other road reserve works.
Traffic Engineer	No objection raised, subject to conditions included on any permit issued relating to car parking and access. The Engineer confirmed that traffic generation will not significantly impact the surrounding road network, including the operation of the signalised Laura and Station Street intersection in relation to queuing given the low movement levels.
Urban Advisor Design Advisor	<p>No support was offered by the Urban Design Advisor for the following reasons:</p> <ul style="list-style-type: none"> • Poor streetscape integration due to at-grade garaging and number of vehicle crossings along street frontage. • Lack of dwelling individuality due to the mid-level framing element. • Sheer double storey stack bond face brickwork walls (where internal stairwells are located) between dwellings not treated with consistency across development. • Extent of obscured glazing along north elevation and its impact to internal amenity. • Preference was given to the inclusion of a basement to address the majority of the streetscape integration concerns. <p>If a Permit was to be granted however, the Advisor recommended the following conditions:</p> <ul style="list-style-type: none"> • Express the property boundary between each dwelling and don't carry balcony frames across dwellings. • Provide glazing to stairwells along the Laura Street frontage. • Remove most of the obscure glazing in the middle section of the north elevation and undertake an assessment and retain obscured glazing where it is absolutely necessary.
Construction Liaison Officer	No objection raised, subject to condition requiring a Construction Management Plan.

External Referrals

Department	Section 52/55	Determining / Recommending	Objection	Comments
None	N/A	N/A	N/A	N/A

10.0 PLANNING CONSIDERATIONS:

10.1 Planning Policy Framework (PPF)

- Clause 11 Settlement*
- Clause 15 Built Environment and Heritage*
- Clause 16 Housing*

10.2 Local Planning Policy Framework (LPP)

Clause 21.05 Residential Land Use

Clause 22.11 Residential Development Policy

Clause 22.19 Public Open Space Contributions

Clause 22.20 Stormwater Management

Clause 22.21 Environmentally Sustainable Development

Planning Policy Framework

10.3 The State Planning Policy Framework sets out the relevant state-wide policies for residential development at **Clause 11** (Settlement), **Clause 15** (Built Environment and Heritage) and **Clause 16** (Housing). Essentially, the provisions within these clauses seek to achieve the fundamental objectives and policy outcomes sought by 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017).

10.4 The settlement policies at **Clause 11** seek to promote sustainable growth and development and deliver choice and opportunity through a network of settlements. Of particular relevance to housing, **Clause 11** promotes housing diversity and urban consolidation objectives in the established urban realm. **Clause 11.02-1S** (Supply of urban land) states that Planning Authorities should plan to accommodate projected population growth over at least a 15 year period, taking account of opportunities for redevelopment and intensification of existing urban areas as well consideration being had for environmental aspects, sustainable development and the costs associated with providing infrastructure. This clause states:

Planning for urban growth should consider:

- *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
- *Neighbourhood character and landscape considerations.*
- *The limits of land capability and natural hazards and environmental quality.*
- *Service limitations and the costs of providing infrastructure.*

10.5 **Clause 11.01-1R1** (Settlement – Metropolitan Melbourne) and **Clause 11.03-1S** (Activity centres) places particular emphasis on providing increased densities of housing in and around activity centres or sites that have good access to a range of services, facilities and transport options.

10.6 **Clause 11.02** (Managing Growth) main directive is to ensure a sufficient supply of land is made available for a variety of purposes, including residential. To achieve this, it takes into account sufficient land availability to meet forecasted demand. **Clause 11.03-1S** places particular emphasis on providing a diversity of housing, including forms of higher density housing, in defined activity centres to cater for different households that are close to jobs and services.

10.7 **Clause 15** (Built Environment and Heritage) aims to ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

- 10.8 Policies pertaining to urban design, built form and heritage outcomes are found at Clause 15 of the Planning Policy Framework. Of particular significance, **Clause 15.01-1S** (Urban design) and **Clause 15.01-1R** (Urban Design – Metropolitan Melbourne) encourages development to achieve high quality architectural and urban design outcomes that contribute positively to neighbourhood character, minimises detrimental amenity impacts and achieves safety for future residents, and the community, through good design. The provisions of **Clause 15.02** (Sustainable Development) promotes energy and resource efficiency through improved building design, urban consolidation and promotion of sustainable transport.
- 10.9 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 10.10 The Subject Land **is** identified in an area of Aboriginal Cultural Heritage Sensitivity, however the proposed activity is **exempt** from requiring a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Regulations 2018* as it sits outside of 200 metres from coastal waters and the lot size is less than 0.11 hectares. Specifically, the proposal meets the following exemption under the Regulations:

The construction of 3 or more dwellings on a lot or allotment is an exempt activity if the lot or allotment is—

(a) not within 200 metres of the coastal waters of Victoria, any sea within the limits of Victoria or the Murray River; and

(b) less than 0.11 hectares.

- 10.11 The following map depicts the subject site outside of the 200 metre setback (dark green):



Source: VicPlan, 2019

- 10.12 Housing objectives are further advanced at **Clause 16**. This Clause aims to encourage increased diversity in housing to meet the needs of the community through different life stages and respond to market demand for housing. In much the same vein as **Clause 11**, this Clause advances notions of consolidation of existing urban areas, particularly in and around activity centres and employment corridors that are well served by all infrastructure and services.

- 10.13 The policies contained within **Clause 16.01-3S** (Housing diversity) encourage the provision of range of housing types to meet the increasingly diverse needs of the community. Emphasis is placed on development of well-designed medium density housing with respect to neighbourhood character. Further, this Clause aims to make better use of the existing infrastructure and provide more energy efficient housing. **Clause 16.01-4S** (Housing affordability) raises the objective of delivering more affordable housing closer to jobs, transport and services.
- 10.14 It is submitted that the proposed development satisfies the aforementioned State strategies and policy direction. Specifically, the subject site is located on land earmarked for residential purposes, whereby residential development is an 'as of right' use under the zoning provisions. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable design outcome for the site and its immediate abuttals, whilst enjoying convenient and direct access to community facilities and the like, including public transport nodes.

Local Planning Policy Framework

- 10.15 The City of Kingston's MSS at **Clause 21.05 - Residential Land Use** of the Kingston Planning Scheme, seeks to provide guidance to development in residential zoned land, mixed use zoned lands and land within activity centres. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.
- 10.16 Relevant objectives and strategies in **Clause 21.05-3: Residential Land Use** include:
- *To provide a range of housing types across the municipality to increase housing diversity and cater for the changing housing needs of current and future populations, taking account of the capacity of local areas in Kingston to accommodate different types and rates of housing change. This is to be achieved through encouraging residential development within activity centres via mixed-use development, and on transitional sites at the periphery of activity centres.*
 - *To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality. This is to be achieved through promoting new residential development, which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.*
 - *To promote more environmentally sustainable forms of residential development. To be achieved through promoting medium density housing development in close proximity to public transport facilities, particularly train stations.*
 - *To ensure residential development does not exceed known physical infrastructure capacities.*
 - *To recognise and response to special housing needs within the community.*
- 10.17 Council's Local Planning Policy at **Clause 21.05** essentially reinforces State Planning Policy relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases.

- 10.18 **Clause 22.11 - Residential Development Policy** extends upon the provision contained at **Clause 21.05 - Residential Land Use**, relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. It provides design guidance on how new residential development should achieve architectural and urban design outcomes that positively respond to neighbourhood character.
- 10.19 Relevant objectives in **Clause 22.11-2 Residential Development Policy** include:
- *To promote a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS.*
 - *To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having particular regard to that identified in the Kingston Neighbourhood Character Guidelines – August 2007.*
 - *To promote on-site car parking which is adequate to meet the anticipated needs of future residents.*
 - *To ensure that landscaping and trees remain a major element in the appearance and character of the municipality's residential environments.*
 - *To limit the amount and impact of increased stormwater runoff on local drainage systems.*
 - *To ensure that the siting and design of new residential development takes account interfaces with sensitive and strategic land uses.*
- 10.20 **Clause 22.11** nominates the surrounding General Residential Zone Schedule 2 area for Increased Housing, and states:
- Encourage increased residential densities and a wider diversity in housing types and sizes in areas which are within convenient walking distance of public transport and activity centres. These areas are identified for 'increased housing diversity' on the Residential Framework Plan within the MSS.*
- 10.21 It is submitted that the proposed development satisfies the aforementioned Planning Policy Framework. Further discussion provided under standard B2 of the ResCode assessment under Appendix A.
- 10.22 **Clause 22.19 (Public Open Space Contributions)** forms the prevailing policy that guides Council to apply a land or cash public open space contribution, which is applicable to all subdivision applications. This policy identifies the important role that contributions play in funding new open space areas and facilitating capital improvements to existing public open space to meet the needs of the future population growth in Kingston.
- 10.23 Whilst the application at hand does not propose to subdivide the land, it is imperative to identify at this stage of the process whether a public open space contribution requirement is likely to be applied should the site be subdivided at a later date and, if so, whether the land is located in a 'cash' or 'land' preferred area. If in a land preferred area, the proposed design and layout must be considered as it will ultimately shape the subdivision configuration and whether any land is set aside for public open space purposes.

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- 10.24 The subject site is located in area 8A (Aspendale), which is a Cash Contribution Preferred Area on Map 1 of this clause.
- 10.25 As the site is located in a ‘cash’ preferred area, the public open space contribution requirements will be considered and advanced at the subdivision stage of the process. As such, there is no need to consider this matter any further at this point in time.
- 10.26 **Clause 22.20 – Stormwater Management** is applicable to the consideration of medium and large scale developments as specified within Table 1 of the policy. This clause seeks to improve the quality and reduce the impact of stormwater run-off, incorporate the use of WSUD principles in development and to ensure that developments are designed to meet best practice performance objectives.
- 10.27 It is considered that the proposed development generally complies with and satisfies the State and Local Planning Policy Framework guidelines which aim to encourage well-designed medium density housing in appropriate locations. This is discussed in the Clause 55 assessment, later within this report.
- 10.28 **Clause 22.21 – Environmentally Sustainable Development (ESD)** policy applies to the consideration of residential development of 3 or more dwellings (refer to Table 1 – ESD Application requirements). As required by the policy, an application for a development involving three (3) to nine (9) dwellings requires the preparation of a Sustainable Design Assessment (BESS/STORM).
- 10.29 The Sustainable Design Assessment was not provided with the application given the application was lodged prior to the above policy being introduced into the Kingston Planning Scheme. However, no transitional provisions apply to applications lodged before the policy date. As such, it is recommended that a condition be included on any Permit granted requiring the preparation of a Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority. Any changes resulting from the SDA will be required to be made on amended plans before endorsement.

11.0 CLAUSE 55 (RESCODE ASSESSMENT)

- 11.1 The proposal has been assessed against the objectives and standards of **Clause 55** (ResCode) of the Kingston Planning Scheme (refer to Appendix A). **Clause 55** requires that a development **must** meet all of the objectives, and all of the standards of this clause **should** be met. Variations to the standards are able to be considered where it is determined that the overall objective is met.
- 11.2 The table found below provides a detailed discussion, where relevant, for any standards where concessions are sought. Overall, it is noted that the application achieves a high level of compliance with the ResCode provisions, with only minor variations sought, specifically six (6) of the thirty-three (33) ResCode standards.

Two or more dwellings on a lot and residential buildings in a General Residential Zone – Schedule 2. ****MUST meet the objective, SHOULD meet the standard****

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
Clause 55.02-1 Neighbourhood Character objectives <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes 	Standard B1 <ul style="list-style-type: none"> • The design response must be appropriate to the neighbourhood and site. 	Complies

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<p>to a preferred neighbourhood character.</p> <ul style="list-style-type: none"> To ensure that development responds to the features of the site and the surrounding area. 	<ul style="list-style-type: none"> The proposed design must respect the existing or preferred neighbourhood character and respond to site features. 	
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Assessment:

The proposal appropriately responds to the preferred character for increased housing diversity for the following reasons:

- The number of dwellings provides a sufficient density to the site to capitalise on the strategic benefit and close proximity to an activity centre and rail station.
- Its location on a corner with limited sensitive interfaces allows for a three storey design response that will have no impact on overshadowing, overlooking and other amenity impacts.
- The third storey has been designed to minimise visual bulk and massing to adjoining properties and the public realm. The varying materials (including roof like colorbond cladding), setbacks and breaks along the side elevations result in a less dominant profile.
- This recessive third level will maintain a predominantly 2 storey scale presentation from the street and abutting properties which reflects the prevailing 2 storey scale and 2 storey developments on the adjoining properties and beyond.
- Three storey developments are not uncommon for the area with 77 Station Street, 104-105 Station Street (currently under consideration), 122-123 Station Street and 195-197 Station Street all comprising or approved for three or four storeys in height.
- Reasonable side and rear setbacks that will not cause detrimental amenity impacts to adjoining residents. Setbacks are consistent with recent approvals and the emerging character.
- The materiality and finishes of the development are consistent with other contemporary development in the area. Subject to conditions, design detail can be improved for particular elements of the development including framing, garage treatments and more clear glazed windows.

<p>Clause 55.02-2 Residential Policy objectives</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the MPS and the PPF. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Standard B2</p> <ul style="list-style-type: none"> An application must be accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF & MPS 	<p>Complies</p>
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Assessment:

Section 10 of this report outlines the policy foundation of Clause 22.11, which is based on the principles outlined in the *Kingston Residential Strategy (September 2000)* and *Kingston Neighbourhood Character Guidelines (August 2007)*. In unity with the policy premise of the *Kingston Residential Strategy*, Clause 22.11 seeks to provide a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS

Clause 22.11 nominates the site and its surrounds in a General Residential Zone Schedule 2 area for Increased Housing, and states:

Encourage increased residential densities and a wider diversity in housing types and sizes in areas which are within convenient walking distance of public transport and activity centres. These areas are identified for ‘increased housing diversity’ on the Residential Framework Plan within the MSS.

In accordance with the new height parameters and garden area requirements of the General Residential Zone – Schedule 2, there is an expectation that 3 storey residential development will become more prominent in increased housing change areas. The subject land is no exception to this given its advantageous location on a corner where amenity impacts are limited, particularly overshadowing and overlooking. As described throughout this report, there are examples of 3 storey developments either established or approved in the area. The proposal is therefore consistent with the emerging character.

The third storey element of the development has been sensitively designed to minimise massing and visual bulk. This has been achieved through articulation, varied setbacks and a mix of materials and finishes. The northern elevation will be treated with colorbond cladding and will appear as a rooftop, somewhat disguising the third storey.

It is considered that the proposed development generally complies with and satisfies the Scheme’s Planning Policy Framework guidelines which aim to encourage well-designed medium density housing in appropriate locations. The built form, landscaping and car parking policy outcomes have been generally achieved.

Clause 55.02-3 Dwelling Diversity objective To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	Standard B3 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	N/A
Assessment: The application proposes less than ten (10) dwellings.		
Clause 55.02-4 Infrastructure objectives <ul style="list-style-type: none"> • To ensure development is provided with appropriate utility services and infrastructure. • To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	Standard B4 <ul style="list-style-type: none"> • Connection to reticulated services/sewerage, electricity, gas and drainage services • Capacity of infrastructure and utility services should not be exceeded unreasonably • Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists 	Complies
Assessment: It is recommended that suitable condition(s) be included in any permit issued to address infrastructure considerations including roads and drains, stormwater management and car parking.		
Clause 55.02-5 Integration with the street objective <ul style="list-style-type: none"> • To integrate the layout of development with the street. 	Standard B5 <ul style="list-style-type: none"> • Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. 	Complies
	<ul style="list-style-type: none"> • Development oriented to front existing/proposed streets 	Variation sought
	<ul style="list-style-type: none"> • High fencing in front of dwellings should be avoided if practicable. 	Variation sought

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	<ul style="list-style-type: none"> Development next to existing public open space should be laid out to complement the open space. 	N/A
<p>Assessment: The integration of the ground level of the development with Laura Street is less than ideal due to the absence of habitable rooms and number of garages. However, with the inclusion of clear glazed windows to the north facing stairwell walls of Dwelling 2, 3, 4 and 5 will provide improved activation and surveillance to the street. The balconies on the first floor will also provide a good level of surveillance and activation to the street given that this space will be the primary open space for residents. It is recommended that the garage doors be constructed of timber panelling to soften their appearance and dominance to the street. This should be conditioned on any Permit issued.</p>		
<p>Clause 55.03-1 Street setback objective</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Standard B6 Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> If no distance is specified in a schedule to the zone, the distance specified in Table B1 	Variation sought
<p>Assessment: The required street setbacks of the proposed development are as follows (based off minimum setbacks of adjoining properties) -</p> <ul style="list-style-type: none"> 5.9 metres (front setback – Station Street) 0.4 metres (side setback – Laura Street) <p>The proposed street setbacks of the development are as follows:</p> <ul style="list-style-type: none"> 5 metres (front setback – Station Street) 2.55 metres (side setback – Laura Street) <p>As identified in red above, the application seeks a variation to the minimum front setback to Station Street of 900mm. As the site is located on a corner, there is no continuous pattern of setbacks on either side of the site. Single dwelling allotments along Station Street typically have larger setbacks however the emergence of medium density housing has reduced these street setbacks particularly to the north of the site. The proposed setback is generally consistent with these emerging street setbacks and will provide a transition when approaching the Laura Street intersection. The setback allows efficient use of the site by ensuring sufficient private open space for each dwelling and meaningful landscaping throughout the site, including provision for canopy trees within the street setback. A variation is therefore deemed acceptable and achieves the objective of this provision.</p>		
<p>Clause 55.03-2 Building height objective</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Standard B7 Maximum: 11 metres and no more than 3 storeys under GR22</p>	Complies
<p>Assessment: The proposal meets the height requirements of the standard and General Residential Zone. The proposal will have a total height of 9.59 metres with no more than 3 storeys.</p>		
<p>Clause 55.03-3 Site Coverage objective</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Standard B8 Maximum: GR22 – 60%</p>	Complies
<p>Assessment: The proposal will have a total site coverage of 57.4%.</p>		

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<p>Clause 55.03-4 Permeability objectives</p> <ul style="list-style-type: none"> ▪ To reduce the impact of increased stormwater run-off on the drainage system. ▪ To facilitate on-site stormwater infiltration. 	<p>Standard B9</p> <p>At least: 20%</p>	<p>Complies</p>
<p>Assessment: The permeability figure proposed (i.e. 38.9%) exceeds that specified in the Standard.</p>		
<p>Clause 55.03-5 Energy Efficiency objectives</p> <ul style="list-style-type: none"> ▪ To achieve and protect energy efficient dwellings and residential buildings. ▪ To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Standard B10</p> <p>Orientation, siting & design of buildings should make appropriate use of solar energy. Further, siting & design should ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</p> <p>Living areas & private open space should be located on the north side of the development, if practicable.</p> <p>Solar access to north-facing windows is maximised.</p>	<p>Complies (through conditions)</p>
<p>Assessment: Overall, the development will be efficiently designed with north-facing private open space and living/kitchen/dining areas achieved. East and west facing windows have also been minimised to reduce the reliance of mechanical cooling/heating. It is acknowledged that south-facing balconies are proposed, however this is considered acceptable given the site's opportunities to orientate unobstructed balconies and living areas to the street.</p>		
<p>Clause 55.03-6 Open Space objective</p> <ul style="list-style-type: none"> ▪ To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Standard B11</p> <p>Public or communal open space should:</p> <ul style="list-style-type: none"> ▪ Be substantially fronted by dwellings ▪ Provide outlook for dwellings ▪ Be designed to protect natural features. ▪ Be accessible and useable. 	<p>N/A</p>
<p>Assessment: There is no communal private open space adjoining the site.</p>		
<p>Clause 55.03-7 Safety objectives</p> <ul style="list-style-type: none"> ▪ To ensure the layout of development provides for the safety and security of residents and property. 	<p>Standard B12</p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting should not create unsafe spaces along streets and accessways</p> <p>Good lighting, visibility and surveillance of car parks and internal accessways should be achieved.</p> <p>Private spaces should be protected from inappropriate use as public thoroughfares.</p>	<p>Complies</p>
<p>Assessment: The proposal provides an acceptable level of consideration for safety & security of residents. In part, this is evidenced by the highly visibly, identifiable & attainable dwelling entries.</p>		
<p>Clause 55.03-8 Landscaping objectives</p> <ul style="list-style-type: none"> ▪ To encourage development that respects the landscape character of the neighbourhood. ▪ To encourage development that maintains and enhances 	<p>Standard B13</p> <p>In summary, landscape layout & design should:</p> <ul style="list-style-type: none"> ▪ Protect predominant landscape features of the neighbourhood. ▪ Take into account the soil type and drainage patterns of the site. ▪ Allow for intended vegetation growth and structural protection of buildings. 	<p>Complies (subject condition) to</p>

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<p>habitat for plants and animals in locations of habitat importance.</p> <ul style="list-style-type: none"> ▪ To provide appropriate landscaping. ▪ To encourage the retention of mature vegetation on the site. 	<ul style="list-style-type: none"> ▪ Provide a safe, attractive and functional environment for residents. <p>In summary, development should:</p> <ul style="list-style-type: none"> ▪ Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. ▪ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. ▪ Specify landscape themes, vegetation (location and species), paving and lighting. 	
<p>Assessment:</p> <p>Objector's raised concerns with the loss of vegetation/greenery as a result of the development. The application provides adequate space for the planting of various species, including canopy trees. As a condition of any permit issued, a detailed landscape plan will be required. There will be no significant vegetation removed from the land. Further to this, there will be no impact to existing vegetation on adjoining properties.</p>		
<p>Clause 55.03-9 Access objective</p> <ul style="list-style-type: none"> ▪ To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard B14</p> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> ▪ 33 per cent of the street frontage, or ▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	<p>Complies</p>
	<p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p>	<p>Complies</p>
	<p>The location of crossovers should maximise the retention of on-street car parking spaces.</p>	<p>Complies</p>
	<p>The number of access points to a road in a Road Zone should be minimised.</p>	<p>N/A</p>
	<p>Access for service, emergency and delivery vehicles must be provided.</p>	<p>Complies</p>
<p>Assessment:</p> <p>The proposed width of the accessway along the Station Street frontage will be 24.61%, less than the maximum allowable 40%.</p> <p>The proposed width of the accessways along the Laura Street frontage will be 31.67%, less than the maximum allowable 33%.</p> <p>Although on-street parking will be impacted somewhat by the proposed number of crossovers along each road frontage, the site is adjacent to a signalised intersection where there are restrictions in where you can park up to. However, on-street parking will still be available to the front of the site between the crossovers of Dwelling 4 and 5 and Dwelling 6 and the adjoining property.</p> <p>Sufficient access will be maintained for emergency and delivery vehicles, particularly as each dwelling will be fronting a street.</p> <p>Council's Urban Designer raised concerns with the number of driveways and crossovers along this frontage and its impact to pedestrians. It was suggested by the Designer that basement parking would be the preferred outcome for the development. Whilst a basement would likely address these concerns, the applicant has applied for the current design and must be considered on its merits. The number of crossovers along the frontage is compliant with the standard requirements of B14 with separate access to each dwelling allowable under this provision. The total width of the driveways at the property frontage will also be compliant. Refuges will be provided between each crossover ensuring pedestrian safety.</p>		
<p>Clause 55.03-10 Parking location objectives</p> <ul style="list-style-type: none"> ▪ To provide convenient parking for resident and visitor vehicles. 	<p>Standard B15</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be well ventilated if enclosed. 	<p>Complies</p>

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<ul style="list-style-type: none"> ▪ To protect residents from vehicular noise within developments 	<p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	
<p>Assessment: The proposal raises no concern with respect to the layout and design of on-site car parking.</p> <p>There are no shared accessways proposed for the development.</p>		
<p>Clause 55.04-1 Side and rear setbacks objective</p> <ul style="list-style-type: none"> ▪ To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B17 A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> ▪ 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	<p>Variation sought</p>
<p>Assessment:</p> <p>The west and south facing setbacks are not applicable under this standard as they face the street. Refer to standard B6 for an assessment of these setbacks.</p> <p><u>Ground Floor</u></p> <p><i>North setback</i></p> <p>Minimum required – 1m Minimum proposed – 1.74m</p> <p><i>East setback</i></p> <p>Minimum required – 1m Minimum proposed – 2.1m</p> <p><u>First Floor</u></p> <p><i>North setback</i></p> <p>Minimum required – 1.89m from Dwelling 1 kitchen wall and 1.86m from Dwelling 6 bedroom 2 wall Minimum proposed – 1.8m from Dwelling 1 kitchen wall and 1.79m from Dwelling 6 bedroom 2 wall</p> <p><i>East setback</i></p> <p>Minimum required – 1.87m Minimum proposed – 2.1m</p> <p><u>Second Floor</u></p> <p><i>North setback</i></p> <p>Minimum required – 3.8m Minimum proposed – 3.8m</p> <p><i>East setback</i></p>		

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<p>Minimum required – 4.69m Minimum proposed – 10.39m</p> <p>As highlighted above, a variation is sought to the first floor north setbacks of Dwelling 1 and 6. These variations are very marginal with only 70mm and 90mm difference. Compliance with the required setbacks would not result in any visual change to the elevation or improved amenity to the adjoining property, particularly as there are no direct sensitive interfaces on this side of the property. The common driveway for the units at the adjoining property runs along the shared boundary of the subject site. The setbacks will not compromise the preferred character of the neighbourhood. Therefore, a variation is considered appropriate and will achieve the objective of this provision.</p>		
<p>Clause 55.04-2 Walls on boundaries objective</p> <ul style="list-style-type: none"> ▪ To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B18</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> ▪ 10 m plus 25% of the remaining length of the boundary of an adjoining lot, or ▪ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <p>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. A building on a boundary includes a building set back up to 200mm from a boundary. The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Variation sought</p>
<p>Assessment:</p> <p>The only proposed wall on boundary will be the Dwelling 1 garage wall on the north boundary.</p> <p>The maximum allowable length of the wall on this boundary is 20.10 metres. The proposed length of the wall will be only 6.4 metres, significantly less than that allowed.</p> <p>The proposed wall appears to have a maximum average wall height marginally more than the maximum allowable 3.2 metres. However, this average height will not have any amenity impacts to the adjoining property particularly as the common driveway of no. 100 Station Street runs along the shared boundary with the subject site. The neighbourhood character will not be compromised by this slight increase in height. The overall height will not exceed 3.6 metres.</p> <p>This small variation is therefore considered acceptable and will meet the objective of the Clause.</p>		
<p>Clause 55.04-3 Daylight to existing windows objective</p> <ul style="list-style-type: none"> ▪ To allow adequate daylight into existing habitable room windows. 	<p>Standard B19</p> <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3m² and minimum dimension of 1m clear to the sky.</p>	<p>Complies</p>
	<p>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc</p>	<p>Complies</p>

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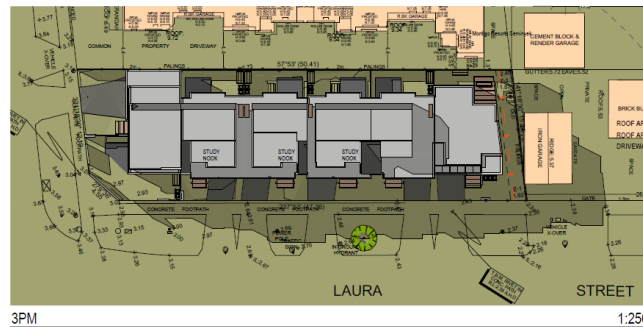
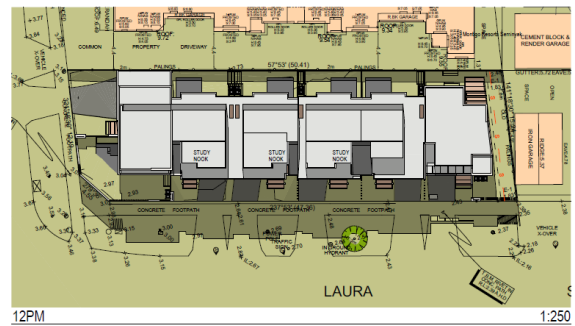
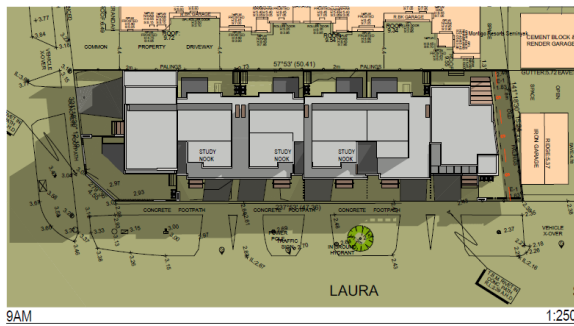
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	may be swung to within 35 degrees of the plane of the wall containing the existing window.	
<p>Assessment: Given the axis of the allotment and siting of the dwellings, the proposal will not have an unreasonable impact upon daylight to existing habitable room windows. Setbacks to habitable room windows facing the site at 101 Station Street will be well in excess of the above requirements.</p>		
<p>Clause 55.04-4 North facing windows objective</p> <ul style="list-style-type: none"> ▪ To allow adequate solar access to existing north-facing habitable room windows. 	<p>Standard B20 Buildings should be setback 1m if an existing HRW is within 3m of the abutting lot boundary (add 0.6m to this setback for every metre of height over 3.6m & add 1m for every metre of height over 6.9m)</p>	N/A
<p>Assessment: There are no north-facing windows impacted by the proposed development. The land to the south is a street.</p>		
<p>Clause 55.04-5 Overshadowing open space objective</p> <ul style="list-style-type: none"> ▪ To ensure buildings do not significantly overshadow existing secluded private open space 	<p>Standard B21 Where sunlight to the SPOS of an existing dwelling is reduced, at least 75%, or 40m² with min. 3m, whichever is the lesser area, of the SPOS should receive a min of 5hrs of sunlight btw 9am & 3pm on 22 September. If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	Complies
<p>Assessment: The proposed development does not result in an unreasonable level of overshadowing to any existing SPOS areas. As illustrated in the below diagrams, the shadowing from the development will cast primarily over Station and Laura Street and on the site itself. There will be some shadowing in the afternoon to the adjoining property at no. 66 Laura Street, however there will be sufficient areas of SPOS that will remain unshadowed in accordance with this standard.</p> <p>One of the objectors at no. 75 Laura Street raised concerns with the accuracy of the shadow diagrams prepared by the applicant and its potential impact to their solar panels. The shadows have been assessed by the Council Planning Officer and it has been determined that there will be no shadowing onto the objector's property including solar panels as the shadowing will not extend beyond the kerb and channel of Laura Street.</p>		

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<p>Clause 55.04-6 Overlooking objective</p>	<p>Standard B22</p>	<p>Complies</p>
<ul style="list-style-type: none"> ▪ To limit views into existing secluded private open space and habitable room windows. 	<p>A HRW, balcony, terrace, deck or patio should be located & designed to avoid direct views into the SPOS of an existing dwelling within 9m (refer to clause for exact specifications). Where within it should be either:</p> <ul style="list-style-type: none"> ▪ Offset a minimum of 1.5m from the edge of one window to the edge of the other. ▪ Have sill heights of at least 1.7m above floor level. ▪ Have fixed, obscure glazing in any part of the window below 1.7m above floor level. ▪ Have permanently fixed external screens to at least 1.7m above floor level & be no more than 25% transparent. 	
	<p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p>	<p>Complies</p>
	<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> ▪ Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. ▪ Permanent, fixed and durable. ▪ Designed and coloured to blend in with the development. 	<p>N/A</p>

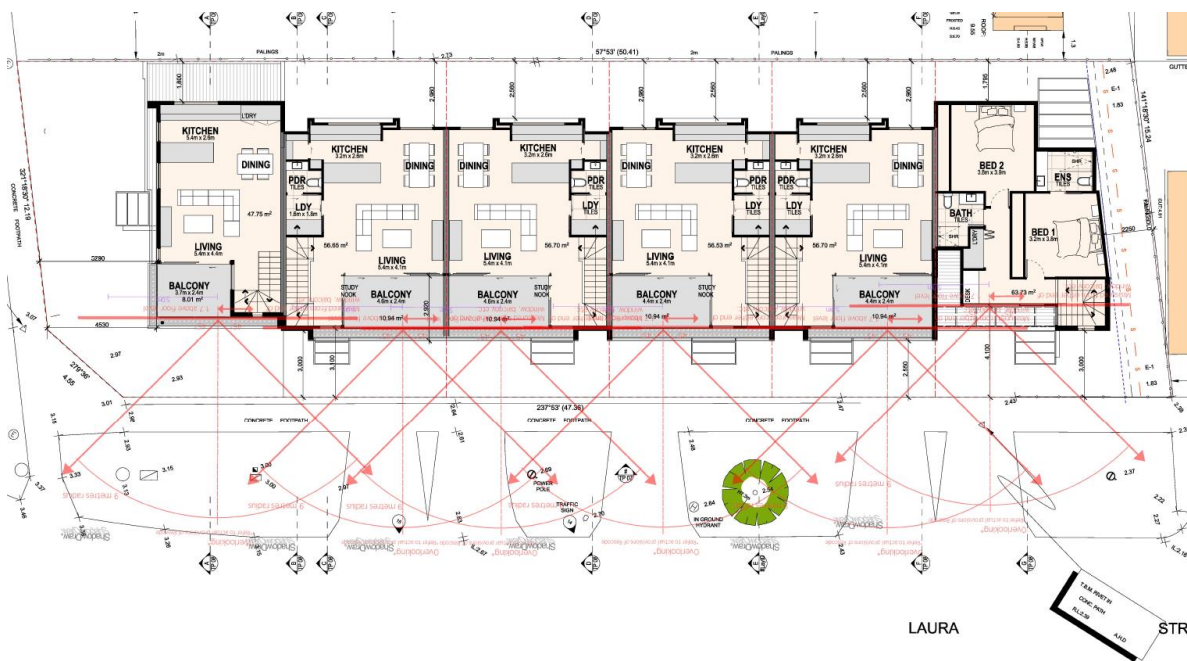
Assessment:

Whilst limited, where there are overlooking opportunities to sensitive areas on adjoining properties, proposed habitable room windows have been designed to comply with the standard, specifically as highlight windows at a height of 1.7m above the finished floor level. The only windows requiring overlooking measures are the bedroom 1 east facing window and bedroom 2 windows of Dwelling 6. There will be no ground level overlooking to adjoining properties, however it is recommended that this be clarified through conditions requiring the boundary fence height surrounding Dwelling 6 to be a minimum 1.8m in height.

The objectors at no. 102 Station Street and 75 Laura Street (both properties opposite the site) raised concerns with overlooking from the development. Balconies and habitable room windows facing the street and toward the objector's properties will be well in excess of 9 metres and therefore do not require screening. As shown on the below diagrams, the overlooking arc of 9 metres will fall on the subject site and nature strip only.



Second Floor Plan



First Floor Plan

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<p>Clause 55.04-7 Internal views objective</p> <ul style="list-style-type: none"> ▪ To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard B23 Windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Complies</p>
<p>Assessment: As a result of the conditions recommended to remove obscured glazing to particular windows as discussed under standard B10 (Energy efficiency), there may be some internal views created into each other's SPOS of the development. However, no more than 50% of views will occur in accordance with this standard.</p>		
<p>Clause 55.04-8 Noise impacts objectives</p> <ul style="list-style-type: none"> ▪ To contain noise sources in developments that may affect existing dwellings. ▪ To protect residents from external noise. 	<p>Standard B24 Noise sources should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and SPOS of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	<p>Complies (through conditions)</p>
<p>Assessment: The proposal will sit opposite an existing busy railway line with possible noise impacts to future residents, particularly for Dwelling 1. Accordingly, it is recommended that should a Permit be issued, the following condition be included to address noise impacts:</p> <ul style="list-style-type: none"> • that habitable windows facing the railway be treated with double glazing. <p>There will be no unreasonable noise generated by the proposed development. All noise sources will be of domestic nature only. A standard condition will be included on the Permit if granted to ensure external heating/cooling units are appropriately located to not cause any amenity impacts to existing habitable room windows.</p>		
<p>Clause 55.05-1 Accessibility objective</p> <ul style="list-style-type: none"> ▪ To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard B25 The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	<p>Complies</p>
<p>Assessment: It is considered that the proposed layout and design of the dwellings and their entries can accommodate for people of limited mobility.</p>		
<p>Clause 55.05-2 Dwelling entry objective</p> <ul style="list-style-type: none"> ▪ To provide each dwelling or residential building with its own sense of identity. 	<p>Standard B26 Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> ▪ Be visible and easily identifiable from streets and other public areas. ▪ Provide shelter, a sense of personal address and a transitional space around the entry. 	<p>Complies</p>
<p>Assessment: The proposed entries to all dwellings are clearly visible from the public realm.</p>		
<p>Clause 55.05-3 Daylight to new windows objective</p> <ul style="list-style-type: none"> ▪ To allow adequate daylight into new habitable room windows. 	<p>Standard B27 HRW should be located to face:</p> <ul style="list-style-type: none"> ▪ Outdoor space clear to the sky or a light court with a minimum area of 3m² and min. dimension of 1m clear to the sky or 	<p>Complies</p>

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	<ul style="list-style-type: none"> ▪ Verandah provided it is open for at least 1/3 of its perimeter, or ▪ A carport provided it has 2 or more open sides and is open for at least 1/3 of its perimeter. 	
<p>Assessment: All proposed windows will be provided with adequate solar access and natural daylight into primary and secondary living areas as required by this standard.</p>		
<p>Clause 55.05-4 Private open space objective</p> <ul style="list-style-type: none"> ▪ To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Standard B28 GRZ2 –</p> <p>A dwelling or residential building should have POS consisting of:</p> <ul style="list-style-type: none"> ▪ An area of 40m², with one part of the POS to consist of SPOS at the side or rear of the dwelling or residential building with a min. 25m², a min. dimension of 3m and convenient access from a living room, or ▪ A balcony of 8m² with a min. width of 1.6m and convenient access from a living room, or ▪ A roof-top area of 10m² with a min. width of 2m and convenient access from a living room. 	Complies
<p>Assessment: Each dwelling has been provided with POS in excess of the area and dimension requirements specified above and will service the social, recreational and passive needs of future residents. These spaces have been provided through a combination of ground floor POS and balcony on the upper level.</p>		
<p>Clause 55.05-5 Solar Access to Open Space</p> <ul style="list-style-type: none"> ▪ To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Standard B29</p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	Complies
	<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.</p>	Variation sought
<p>Assessment: Dwelling 2 to 6 will incorporate north facing private open space with excellent solar access. However, the Dwelling 1 ground and first floor private open space will be located on the south-west side of the dwelling. The lack of solar access to the POS of Dwelling 1 is considered acceptable as the balcony will be offered with obstructed views to the street and beyond including the bay, maintaining a high level of amenity for future residents.</p>		
<p>Clause 55.05-6 Storage objective</p> <ul style="list-style-type: none"> ▪ To provide adequate storage facilities for each dwelling. 	<p>Standard B30</p> <p>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	Complies (through conditions)
<p>Assessment: Storage facilities including dimensions have not been nominated on the plans, however it is considered that there is adequate provision for these facilities and can be addressed through conditions on any Permit issued.</p>		
<p>Clause 55.06-1 Design Detail objective</p> <ul style="list-style-type: none"> ▪ To encourage design detail that respects the existing or preferred neighbourhood character 	<p>Standard B31</p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> ▪ Facade articulation and detailing ▪ Window and door proportions, ▪ Roof form, and ▪ Verandahs, eaves and parapets, 	Complies (through conditions)

	<p>should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	
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Assessment:

There are particular elements of the design detail that are not considered a satisfactory response to the preferred character of the area.

As outlined by Council's Urban Design Advisor, the framing elements along the Laura Street elevation (highlighted in yellow on below elevation) creates a horizontal emphasis to the façade that extends across and merges individual dwellings. This treatment as a large graphic device, while somewhat logical in the development itself, undermines the hierarchy of elements in the streetscape more broadly and obscures the legibility and individuality of dwellings, with Dwellings 2 and 3 particularly affected. To address this, the framing should be extended vertically between the two balconies of Dwellings 2 and 3 to demarcate the dwellings. The framing that extends along the upper level stairwell wall for Dwelling 4 should also be cut back with a vertical frame extending down where the passageway window sits, replicating the Dwelling 5 framing.

As discussed under standard B5, the streetscape integration of the development is poor along the Laura Street frontage. However, the provision of clear glazed windows to the stairwells of Dwelling 2, 3 and 5 will improve the perception of passive surveillance along the street as well as breaking up the visually prominent blockwork between framing (highlighted in green on below elevation). This can be conditioned on any Permit issued.



Other design detail changes recommended for the development include continuing the render material for the Dwelling 1 garage to provide consistency and prevent mismatching of materials on this façade. Garage walls should also be of timber panelling to reduce their dominance along the public realm.

The above changes are recommended to be conditioned on any Permit issued.

The remaining elevations of the proposal are considered to be of acceptable detail and will respect the preferred character of the area.

<p>Clause 55.06-2 Front fences objective</p> <ul style="list-style-type: none"> ▪ To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Standard B32 The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>Schedule to GRZ2: A front fence within 3m of a street should not exceed: 2m for streets in a RDZ1 or 1.2m for other streets</p>	<p>Complies</p>
		<p>Variation sought</p>

Assessment:

A 1.8m high front fence is proposed for part of the street frontage of the land. Specifically, to the front of Dwelling 1 along part of the Station Street and Laura Street frontages and to the front of Dwelling 6 on the Laura Street frontage. A variation to the height requirements is considered appropriate in this instance as the fencing will provide additional secluded private open space for residents, without significantly compromising the integration of the development with the street. High fencing is also common in the

<p>area, particularly along Station Street where residents seek high fencing to protect against traffic and railway noise. It is recommended however that the front fence of Dwelling 1 (on the Station Street side) be shifted in with landscaping provided between the fence and property boundary to soften the ground level of Dwelling 1 to the street.</p>		
<p>Clause 55.06-3 Common property objectives</p> <ul style="list-style-type: none"> ▪ To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. ▪ To avoid future management difficulties in areas of common ownership. 	<p>Standard B33</p> <p>Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p>N/A</p>
<p>Assessment: No common property is proposed as part of this development.</p>		
<p>Clause 55.06-4 Site services objectives</p> <ul style="list-style-type: none"> ▪ To ensure that site services can be installed and easily maintained. ▪ To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard B34</p> <p>Dwelling layout and design should provide sufficient space and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p>	<p>Complies</p>
<p>Assessment: Site services such as mailboxes and bin/recycling enclosures have been nominated on the respective plans and located appropriately.</p>		

12.0 RESPONSE TO GROUNDS OF OBJECTIONS

12.1 The objector concerns have largely been addressed in the body of this report.

12.2 The following objector concerns, however, remain outstanding:

Ground(s)	Response
Property devaluation	Pursuant to the <i>Planning and Environment Act 1987</i> and Kingston Planning Scheme, this concern falls outside of the scope of planning considerations.

13.0 CONCLUSION:

13.1 On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.

13.2 As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of the Act have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.

- 13.3 The proposed development is considered appropriate for the Site, subject to conditions, as evidenced by:
- The compatibility of the design and siting with the surrounding area
 - The mitigation of off-site amenity impacts
 - A suitable level of compliance with all relevant policies, including **Clause 55** of the Kingston Planning Scheme

14.0 RECOMMENDATION:

- 14.1 That the Planning Committee determine to **support** the proposal and issue a **Notice of Decision to Grant a Permit to Develop the Land for the Construction of six (6) Dwellings comprising five (5) three storey and one (1) double storey** at No. 101 Station Street, Aspendale, 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the amended plans prepared by 'Kiril Architect', Drawing No's. TP00 to TP12 inclusive, project no. STS-101, plot date 17 May 2019, submitted to Council on 17 May 2019, but modified to show:
 - a. the rendered framing element around the south facing first floor level of Dwelling 2 and 3 extended vertically between the balconies to demarcate the two dwellings in accordance with standard B31;
 - b. the rendered framing element extending in front of the first floor stairwell wall of Dwelling 4 deleted with a vertical frame provided adjacent to the passageway window, replicating the framing of Dwelling 5 in accordance with standard B31;
 - c. the Dwelling 1 front fence on Station Street setback at least 2 metres from the front boundary with landscaping provided to the front of the fence in accordance with standard B32;
 - d. the provision of clear glazed south facing stairwell windows for Dwellings 2, 3, 4 and 5 in accordance with standard B5 and B31;
 - e. habitable room windows facing the railway of Dwelling 1 provided with double glazing in accordance with standard B24;
 - f. the north-east boundary fencing nominated as having a height of at least 1.8 metres;
 - g. the blockwork for the Dwelling 1 garage replaced with render as provided for the framing elements on this façade in accordance with standard B31;
 - h. provision of a minimum 2000 litre rainwater tank provided for each new dwelling and nominated as having water collected for toilet flushing;
 - i. the provision of a longitudinal section of the reversefall driveway ramp of Unit 1 showing gradients, levels, distances, with headroom clearances complying with AS2890.1:2004 and the flood proof apex;
 - j. the provision of the required apex of 150mm above the back of footpath level must be along the entire Station Street frontage of the subject site;

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- k. the mailbox of Dwelling 6 located within the title boundary and conveniently accessed from the adjoining footpath;
- l. all windows shown on floor plans and reflected on elevations;
- m. full dimensions of the overhead storage within the garages with at least 6 m³ provided in accordance with standard B30;
- n. external storage of at least 6m³ nominated for Dwelling 1 and 6 in accordance with standard B30;
- o. vehicle crossings shown not to be within the prohibited zone (6 metres from the tangent of the corner);
- p. where possible, a standard on-street car parking bay at least 5.4 metres in length provided between vehicle crossings;
- q. the provision of a notation specifying that 'proposed side by side vehicle crossovers provided with a common layback with a triangle of grass between the infill sections of the vehicle crossings to create a pedestrian refuge of no less than 1 metre and constructed to the satisfaction of the Responsible Authority';
- r. the internal driveways shown to be at least 500mm from the side boundary at the front boundary;
- s. the vehicle crossings and driveways of Dwelling 2 and 3 squared up to meet the property boundary at right angles with the driveways and vehicle crossings aligned;
- t. vehicle crossings shown to be constructed at a 90 degree alignment with the kerb on Station Street and Laura Street with all internal driveways aligned;
- u. the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar;
- v. the location of all externally-located heating and cooling units, exhaust fans and the like, clearly shown and in accordance with condition 17 of this Permit;
- w. the provision of a full colour palette, finishes and building materials schedule for all external elevations, front fencing and driveways of the development;
- x. all relevant commitments identified within the Sustainable Design Assessment/Sustainable Management Plan, required under condition 8 of this permit, shown on plans.
- y. the provision of a landscape plan in accordance with the submitted development plan, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
 - i. a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant with all plants to be to the satisfaction of the Responsible Authority;
 - ii. a survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii. a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;

- iv. the delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - v. a range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart); with the species chosen to comprise of a 100% coastal indigenous species by plant type and total quantities;
 - vi. one (1) *Eucalyptus pauciflora* 'Little Snowman' to be planted in the front setback of Unit 5 and Unit 6;
 - vii. one (1) *Banksia marginata* (Silver Banksia) to be planted in the front setback of Unit 2 and Unit 3;
 - viii. one (1) *Banksia integrifolia* (Coast Banksia) to be planted in the secluded private open space of Unit 1;
 - ix. one (1) canopy tree capable of growing to minimum mature dimensions of 6 metres in height and 4 metres in width to be planted in the secluded private open space of Units 2-5;
 - x. all trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
 - xi. notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements;
 - xii. tree protection measures including for street trees accurately drawn to scale and labelled.
- z. tree protection measures including for street trees accurately drawn to scale and labelled on the Ground Floor Plan.

Endorsed Plans

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

Street Trees

3. Tree Protection Fencing is to be established around the eastern-most *Corymbia ficifolia* (Red-flowering Gum) street tree located in the Laura Street nature strip prior to demolition and maintained until all works on site are complete.
- a) The fencing is to be a 1.8-metre-high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting.
 - b) The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.
4. Prior to the construction of any crossovers as shown on the endorsed development plans, the western-most *Corymbia ficifolia* (Red-flowering Gum) street tree (Asset ID 71417) located in the Laura Street nature strip must be removed by Council at the expense of the Developer/Owner. Payment of the removal and replacement fee for this tree/s must be made to Kingston City Council's customer service in accordance with Council's Tree Management Policy at least 2 weeks prior to its required removal date.

Drainage and Water Sensitive Urban Design

5. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
 - a) Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
 - b) The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - c) A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
 - d) The water sensitive urban design treatments as per conditions 5 a), b) and c) above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
6. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
 - a) All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
 - b) The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 6.8L/s.
 - c) All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.
7. A flood proof apex (i.e. ridge level) protecting the proposed reverse fall driveway must be provided to protect the property from overland flows. This apex is to be a minimum of 150mm above the existing back of path level along the Station St frontage. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (e.g. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.

Sustainable Design Assessment

8. Prior to the endorsement of the plans required pursuant to Condition 1 of this permit, the provision of a Sustainable Design Assessment (SDA) to be prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The SDA must include, but is not limited to, detailing initiatives for stormwater harvesting, insulation, building materials, daylighting, collective rainwater tanks and/or individual rainwater tanks, public and private landscape irrigation and car washing, energy efficient concepts, glazing and internal ventilation and the like.

Construction Management

9. Prior to the commencement of any buildings and works on the land, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The CMP must specify and deal with, but is not limited to, the following elements:
- a. Public Safety, Amenity and Site Security
 - b. Traffic Management
 - c. Stakeholder Management
 - d. Operating Hours, Noise and Vibration Controls
 - e. Air Quality and Dust Management
 - f. Stormwater and Sediment Control
 - g. Waste and Materials Re-use

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

Infrastructure and Road Works

10. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Station Street and Laura Street and all internal driveways must align with the existing/proposed vehicle crossing.
11. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
12. Prior to the commencement of the development, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised or lowered to the satisfaction of the Responsible Authority.
13. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
14. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
15. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.

General amenity conditions

16. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
17. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
18. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

Completion of Works

19. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
20. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Time Limits

21. In accordance with section 68 of the *Planning and Environment Act 1987* (the Act), this permit will expire if one of the following circumstances applies:
 - The development is not started within two (2) years from the date of permit issue.
 - The development is not completed within four (4) years from the date of permit issue.

In accordance with section 69 of the Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Note: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

Note: The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

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Note: Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's Vegetation Management Officer to verify if a Local Laws Permits is required for the removal of such vegetation.

Note: Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

Note: The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).

Note: The fee for removal of the street tree(s) from the nature strip is **(\$698.25 including GST)**, payable to Kingston City Council's Customer Service Department - refer to attached invoice. Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks notice from the Developer/Owner.

Note: The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

OR

In the event that the Planning Committee wishes to refuse the application, it can do so on the following grounds:

1. The proposal is not consistent the General Residential Zone 2 at Clause 32.08 of the Kingston Planning Scheme as the proposal does not provide a design outcome that is respectful of the prevailing and preferred neighbourhood character.
2. The proposal fails to satisfy all the requirements of Clause 55 of the Kingston Planning Scheme (ResCode), in particular Clause 55.02-1 Neighbourhood Character Objective, Clause 55.02-2 Residential Policy Objective, Clause 55.02-5 Integration with the Street Objective, Clause 55.03-1 Street Setback Objective, Clause 55.04-1 Side and Rear Setbacks Objective and Clause 55.06-1 Design Detail Objective.
3. The proposed extent of massing is visually intrusive and unresponsive to the context of the site and would result in unreasonable amenity impacts on adjoining properties.
4. The proposal fails to provide an acceptable built form outcome having regard to the physical and policy context. In particular, the proposal includes an unacceptable separation and continuous built form on upper levels and lack of activation to the street.
5. The proposal represents an overdevelopment of the subject site providing an inappropriate response to local policy expectations and the character of the area.

Appendices

Appendix 1 - KP-2018/801 - 101 Station Street Aspendale - Plans for consideration at Planning Committee Agenda Meeting date 3 June 2019 (Ref 19/99925)



Author/s: Beau McKenzie, Senior Statutory Planner
Reviewed and Approved By: Guillermo Henning, Principal Planner
Ian Nice, Manager City Development

4.2

KP-2018/801 - 101 STATION STREET, ASPENDALE

1	KP-2018/801 - 101 Station Street Aspendale - Plans for consideration at Planning Committee Agenda Meeting date 3 June 2019	63
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ARTISTIC IMPRESSION



LOCALITY PLAN

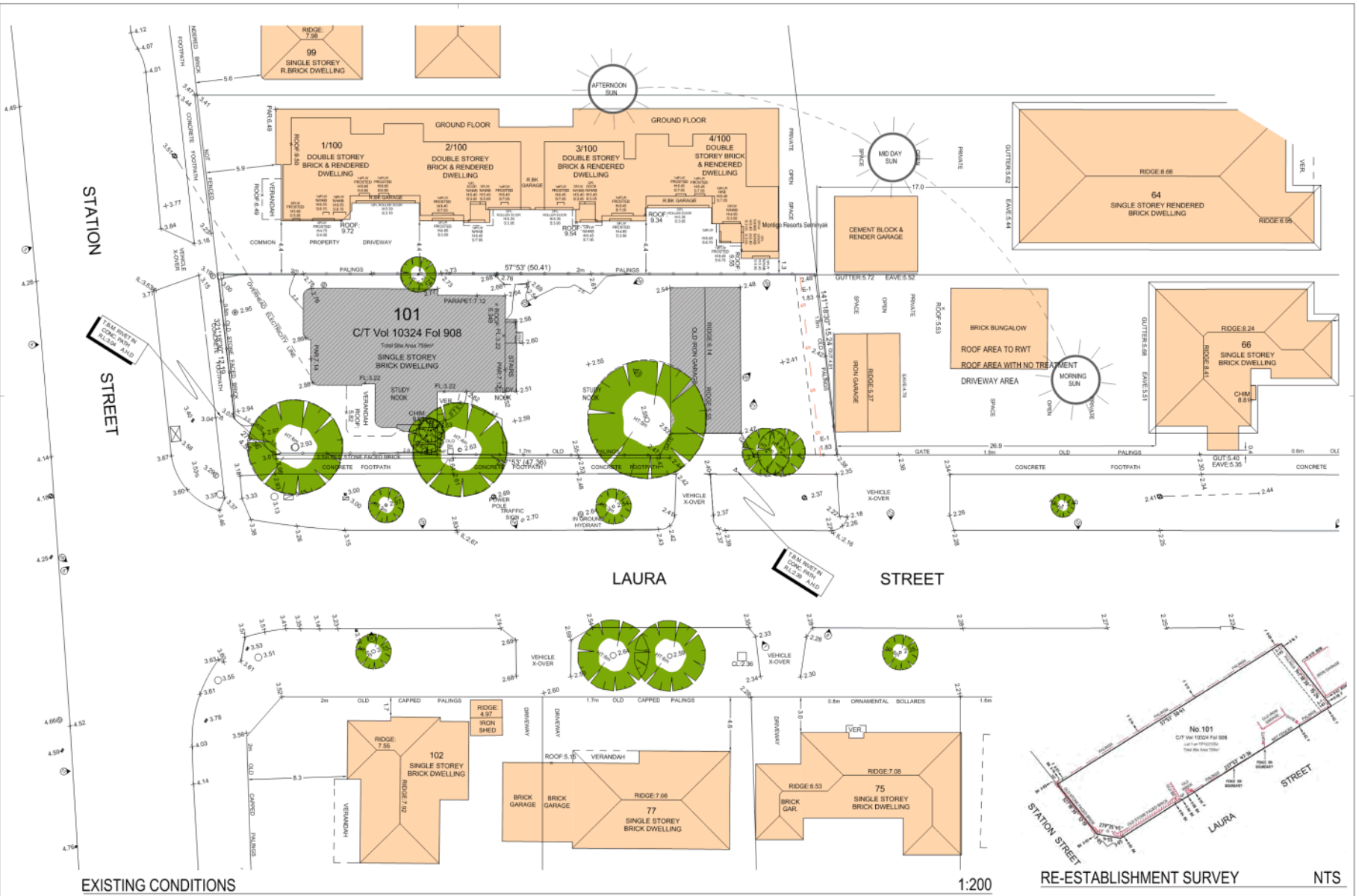


ARTISTIC IMPRESSION

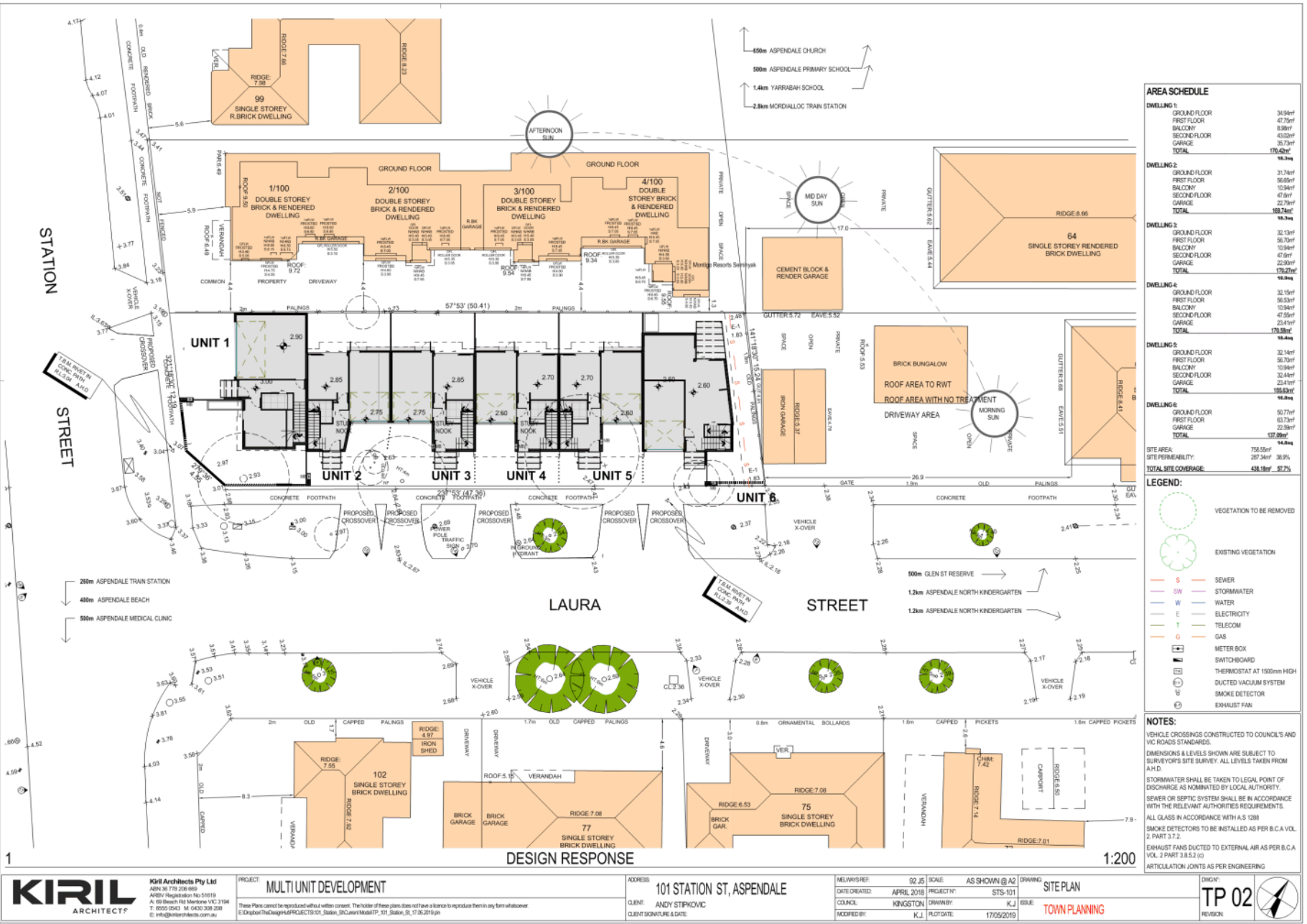
DRAWING INDEX	
DRAWING No:	DRAWING:
TP 00	COVER PAGE
TP 01	EXISTING CONDITIONS
TP 02	SITE PLAN
TP 03	GROUND FLOOR PLAN
TP 04	FIRST FLOOR PLAN
TP 05	SECOND FLOOR PLAN
TP 06	ROOF PLAN
TP 07	ELEVATIONS
TP 08	SECTIONS
TP 09	GARDEN AREAS
TP 10	W.S.U.D PLAN
TP 11	SHADOW DIAGRAMS
TP 12	ARTISTIC IMPRESSION

101 STATION ST, ASPENDALE
 MULTI UNIT DEVELOPMENT
 TOWN PLANNING

KIRIL
 ARCHITECTS



KIRIL ARCHITECTS	Kiril Architects Pty Ltd ABN 36 778 208 859 ARB/VR Registration No 531519 A/ 69 Beach Rd Marlinwa VIC 3194 T: 0030 0543 M: 0420 308 208 E: info@kirilarchitects.com.au	PROJECT: MULTI UNIT DEVELOPMENT	ADDRESS: 101 STATION ST, ASPENDALE	MELB/VAL REF: S2 J5 SCALE: AS SHOWN @ A2	DRAWING: EXISTING CONDITIONS	DWG NO: TP 01
		CLIENT: ANDY STPKOVIC CLIENT SIGNATURE DATE:	DATE CREATED: APRIL 2018 PROJECT NO: STS-101	COUNCIL: KINGSTON DRAWN BY: K.J	ISSUE: TOWN PLANNING	REVISED: 0





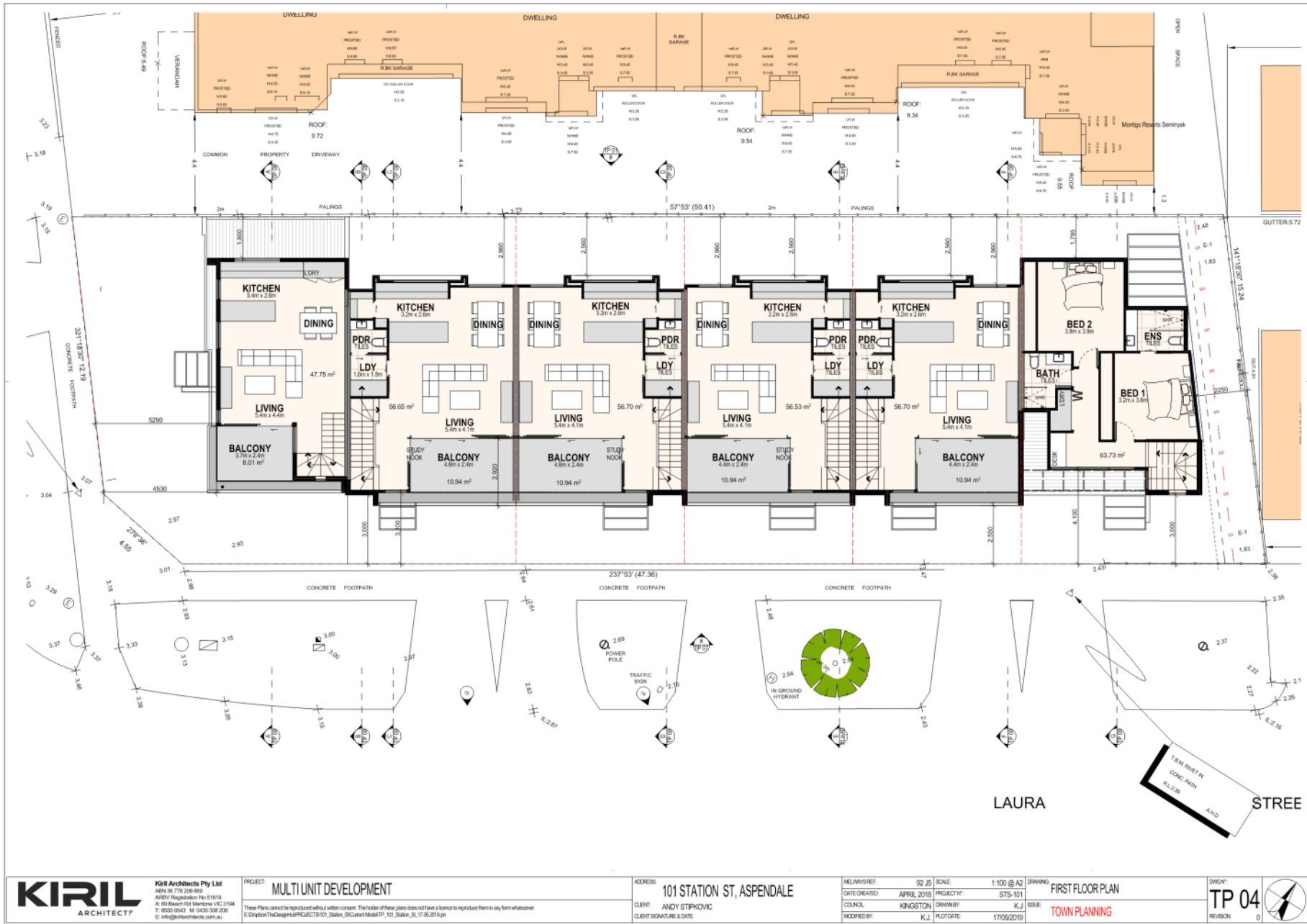
KIRIL ARCHITECTS
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PROJECT: MULTI UNIT DEVELOPMENT
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ADDRESS: 101 STATION ST, ASPENDALE
 CLIENT: ANDY STPKOVIC
 CLIENT SIGNATURE DATE:

MELBOURNE REF: 52 JS SCALE: 1:100 @ A2
 DATE CREATED: APRIL 2018 PROJECT NO: STS-101
 COUNCIL: KINGSTON DRAWN BY: K.J
 MODIFIED BY: K.J PLOT DATE: 17/05/2019
 DRAWING: GROUND FLOOR PLAN
 ISSUE: TOWN PLANNING

DWG: TP 03
 REVISION: 0



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ADDRESS: **101 STATION ST, ASPENDALE**
CLIENT: **ANDY STPKOVIC**
CLIENT SIGNATURE & DATE:

MELBOURNE REF: **52 JS** SCALE: **1:100 @ A2** DRAWING: **FIRST FLOOR PLAN**
DATE CREATED: **APRIL 2018** PROJECT NO: **STS-101**
COUNCIL: **KINGSTON** DRAWN BY: **K.J** ISSUE: **TOWN PLANNING**
MODIFIED BY: **K.J** PLOT DATE: **17/05/2019**

DWG NO: **TP 04**
REVISION: **0**





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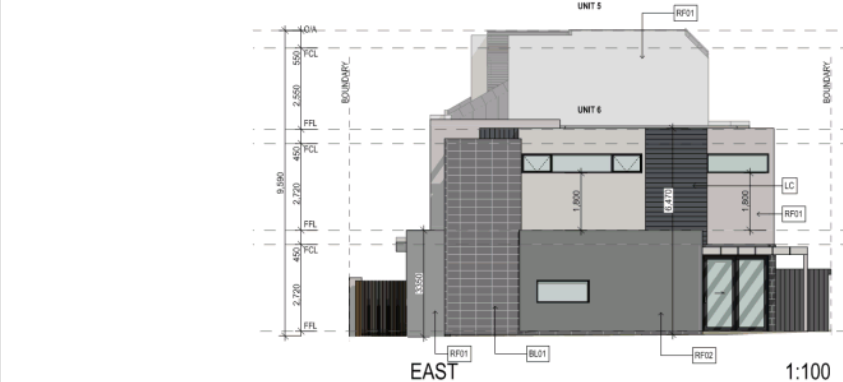
ADDRESS: **101 STATION ST, ASPENDALE**
 CLIENT: **ANDY STPKOVIC**
 CLIENT SIGNATURE & DATE:

MELBOURNE REF: **52 JS** SCALE: **1:100 @ A2** DRAWING: **SECOND FLOOR PLAN**
 DATE CREATED: **APRIL 2018** PROJECT NO: **STS-101**
 COUNCIL: **KINGSTON** DRAWN BY: **K.J** ISSUE: **TOWN PLANNING**
 MODIFIED BY: **K.J** PLOT DATE: **17/05/2019**

DWG NO: **TP 05**
 REVISION: **0**



KIRIL ARCHITECTS Kiril Architects Pty Ltd ABN 36 778 208 859 ABEV Registration No 51819 A: 69 Beach Rd Melbourne VIC 3194 T: 03 9593 4543 M: 0420 308 208 E: info@kirilarchitects.com.au	PROJECT: MULTI UNIT DEVELOPMENT <small>These Plans cannot be reproduced without written consent. The holder of these plans does not have a license to reproduce them in any form whatsoever. E:\Desktop\TheDesignHub\PROJECTS\101_Station_Street\101_MultiUnit\101_Sketch_S1_17.05.2019.dwg</small>	ADDRESS: 101 STATION ST, ASPENDALE CLIENT: ANDY STPKOVIC CLIENT SIGNATURE DATE:	MELBAYS REF: S2 J5 SCALE: 1:100 @ A2 DATE CREATED: APRIL 2018 PROJECT#: STS-101 COUNCIL: KINGSTON DRAWN BY: K.J. ISSUE: TOWN PLANNING MODIFIED BY: K.J. PLOT DATE: 17/05/2019	DRAWING: ROOF PLAN REVISION: 0	DIMV: TP 06
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FRONT FENCE SCHEDULE:

- FF-01 ACRYLIC RENDERED FINISH TO BLOCKWORK 1.8M HIGH TO MAILBOX AND METERBOX STRUCTURE
- FF-02 NATURALLY WHEATERED TIMBER SLEEPERS

FINISHES SCHEDULE:

- RB - ACRYLIC RENDERED FINISH TO BLOCKWORK
- RF - ACRYLIC RENDERED FINISH TO FOAM
- BL - BLOCKWORK
- BR - BRICKWORK
- PF - PAINT FINISH
- TC - TIMBER CLADDING
- TSC - TIMBER SLATS CLADDING
- CBC - COLORBOND CLADDING
- AXC - JH SCYON AXION CLADDING
- LC - JH SCYON LINEA CLADDING
- MXC - JH SCYON MATRIX CLADDING
- BAL - BALUSTRADE
- SCR - SCREEN

REFER SPECIFICATION SECTION 37 FOR COLOUR SELECTION



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PROJECT: **MULTI UNIT DEVELOPMENT**

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ADDRESS: **101 STATION ST, ASPENDALE**

CLIENT: **ANDY STPKOVIC**

CLIENT SIGNATURE & DATE:

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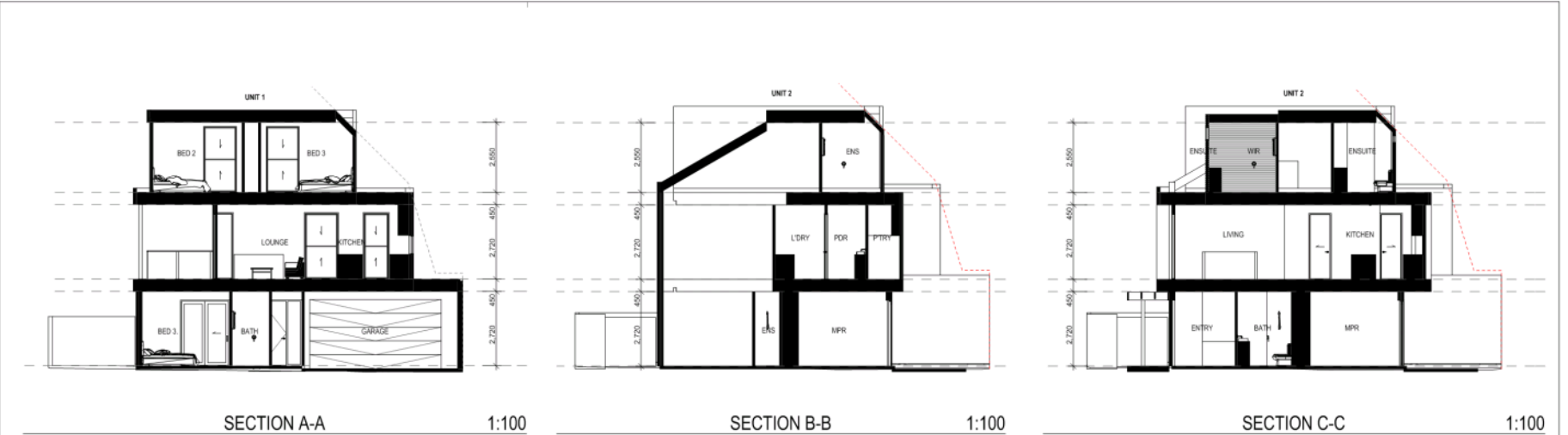
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COUNCIL: **KINGSTON** DRAWN BY: **K.J** ISSUE: **TOWN PLANNING**

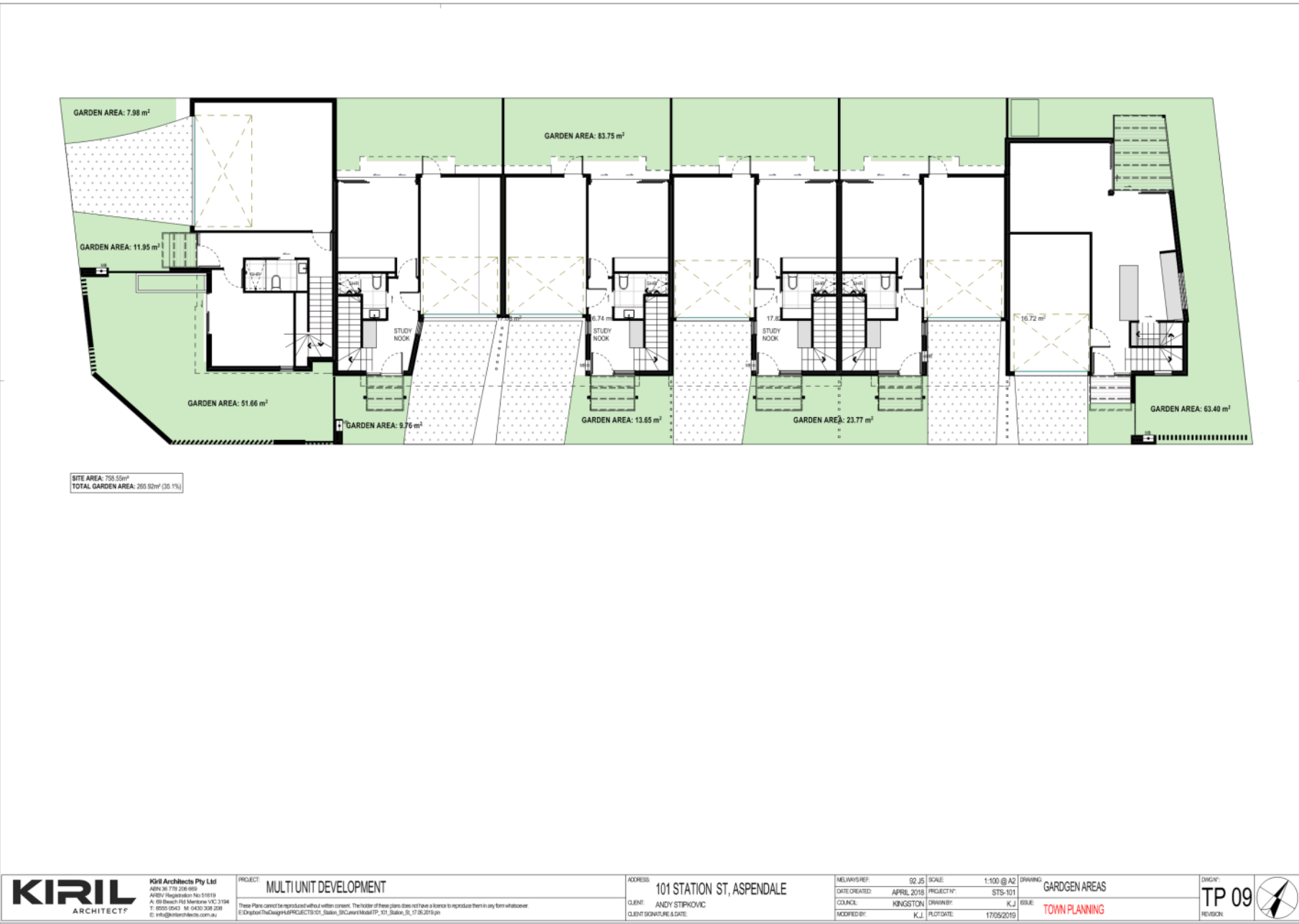
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DWG: **TP 07**

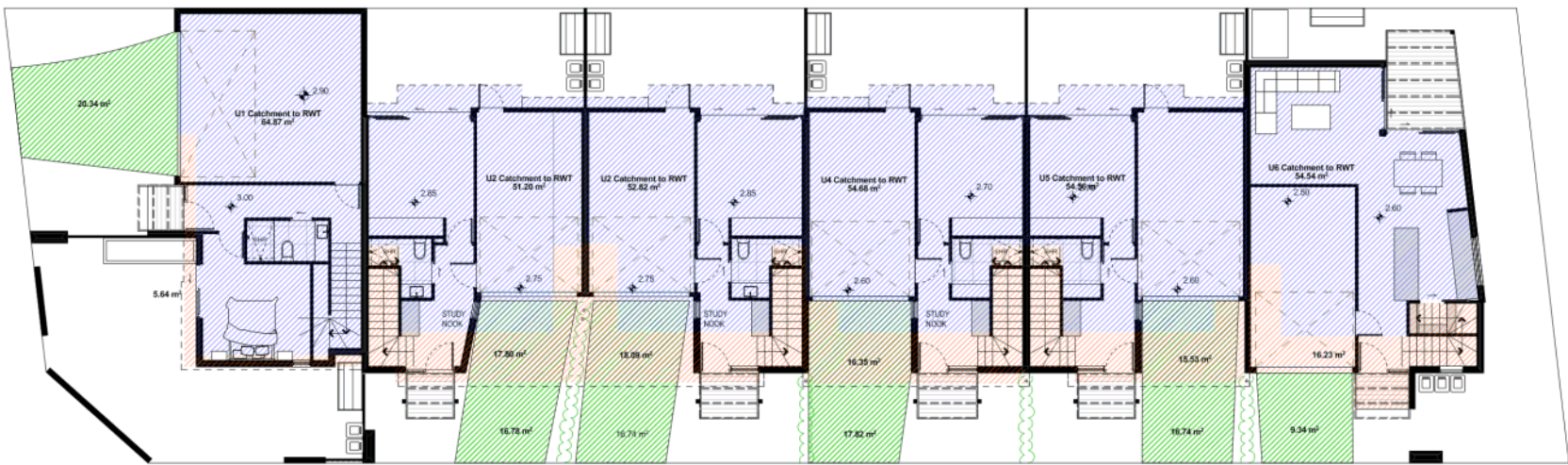
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KIRIL ARCHITECTS	Kiril Architects Pty Ltd ABN 36 778 208 869 ARB/1 Registration No 51619 A: 69 Beach Rd Melbourne VIC 3194 T: 0300 05431 M: 0420 308 208 E: info@kirilarchitects.com.au	PROJECT MULTI UNIT DEVELOPMENT <small>These Plans cannot be reproduced without written consent. The holder of these plans does not have a licence to reproduce them in any form whatsoever. E:\Droptown\TheDesignHub\PROJECTS\101_Station_S\Concept\Modell\TP_101_Station_S_17.05.2019.dwg</small>	ADDRESS 101 STATION ST, ASPENDALE CLIENT: ANDY STIPKOVIC CLIENT SIGNATURE & DATE:	MELBWAYS REF: S2 J5 SCALE: 1:100 @ A2	DRAWING SECTIONS	DWG/N: TP 08	
				DATE CREATED: APRIL 2018 PROJECT NO: STS-101	ISSUE: TOWN PLANNING		
				COUNCIL: KINGSTON DRAWN BY: K.J.	ISSUE DATE: 17/05/2019		
				MODIFIED BY: K.J. PLOT DATE: 17/05/2019			



KIRIL ARCHITECTS	Kiril Architects Pty Ltd ABN 36 778 208 669 ARB/Registration No 51619 A: 69 Beach Rd Melbourne VIC 3194 T: 0300 05433 M: 0420 308 208 E: info@kirilarchitects.com.au	PROJECT: MULTI UNIT DEVELOPMENT	ADDRESS: 101 STATION ST, ASPENDALE	MELBWAYS REF: S2 J5 SCALE: 1:100 @ A2	DRAWING: GARDGEN AREAS	DWG NO: TP 09
		These Plans cannot be reproduced without written consent. The holder of these plans does not have a licence to reproduce them in any form whatsoever. E:\Desktop\TheDesignHub\PROJECTS\101_Station_S\Content\Modell\TP_101_Station_S_17.06.2019.pln	CLIENT: ANDY STIPKOVIC CLIENT SIGNATURE & DATE:	DATE CREATED: APRIL 2018 PROJECT NO: STS-101	COUNCIL: KINGSTON DRAWN BY: K.J ISSUE: TOWN PLANNING	MODIFIED BY: K.J PLOT DATE: 17/05/2019



Melbourne Water STORM Rating Report

TransactionID: 659639
 Municipality: KINGSTON
 Rental Station: KINGSTON
 Address: 101 Station St

Assessor: Tanya Pierce
 Development Type: Residential - Multiunit
 Allotment Site (m2): 758.55
 STORM Rating %: 105

- ROOF AREA TO RWT
- ROOF AREA WITH NO TREATMENT
- DRIVEWAY AREA

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants/ Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Roof - Unit 1	64.87	Rainwater Tank	2,000.00	3	160.40	82.00
Roof - Unit 1	5.64	None	0.00	0	0.00	0.00
Driveway - Unit 1	20.34	None	0.00	0	0.00	0.00
Roof - Unit 2	51.20	Rainwater Tank	2,000.00	3	170.00	82.00
Roof - Unit 2	17.80	None	0.00	0	0.00	0.00
Driveway - Unit 2	16.78	None	0.00	0	0.00	0.00
Roof - Unit 3	52.85	Rainwater Tank	2,000.00	3	168.20	82.00
Roof - Unit 3	18.09	None	0.00	0	0.00	0.00
Driveway - Unit 3	16.74	None	0.00	0	0.00	0.00
Roof - Unit 4	54.68	Rainwater Tank	2,000.00	3	167.10	82.00
Roof - Unit 4	16.35	None	0.00	0	0.00	0.00
Driveway - Unit 4	17.82	None	0.00	0	0.00	0.00
Roof - Unit 5	54.56	Rainwater Tank	2,000.00	3	167.20	82.00
Roof - Unit 5	15.53	None	0.00	0	0.00	0.00
Driveway - Unit 5	16.74	None	0.00	0	0.00	0.00
Roof - Unit 6	54.54	Rainwater Tank	2,000.00	2	153.00	67.60
Roof - Unit 6	16.23	None	0.00	0	0.00	0.00
Driveway - Unit 6	9.34	None	0.00	0	0.00	0.00

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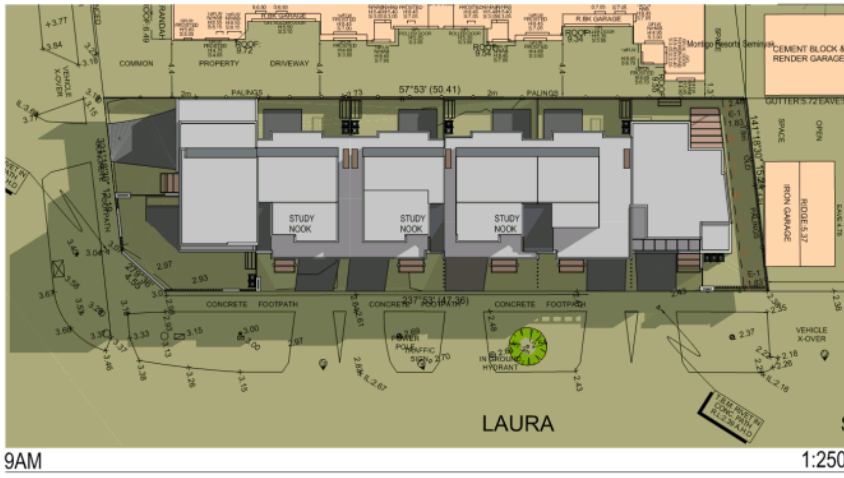
PROJECT: MULTI UNIT DEVELOPMENT
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ADDRESS: 101 STATION ST, ASPENDALE
 CLIENT: ANDY STPKOVIC
 CLIENT SIGNATURE & DATE:

MELWAYS REF: S2 J5 SCALE: 1:100 @ A2
 DATE CREATED: APRIL 2018 PROJECT NO: STS-101
 COUNCIL: KINGSTON DRAWN BY: K.J.
 MODIFIED BY: K.J. PLOT DATE: 17/05/2019

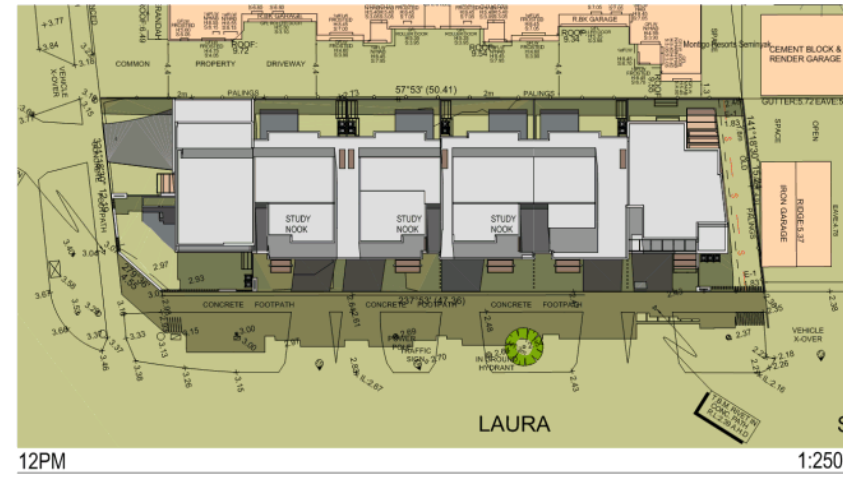
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 ISSUE: TOWN PLANNING

DWG NO: TP 10
 REVISION:



9AM

1:250



12PM

1:250



3PM

1:250



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PROJECT: **MULTI UNIT DEVELOPMENT**
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ADDRESS: **101 STATION ST, ASPENDALE**
 CLIENT: **ANDY STPKOVIC**
 CLIENT SIGNATURE & DATE:

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 DATE CREATED: **APRIL 2018** PROJECT NO: **STS-101**
 COUNCIL: **KINGSTON** DRAWN BY: **K.J** ISSUE: **TOWN PLANNING**
 MODIFIED BY: **K.J** PLOT DATE: **17/05/2019**

DRAWING: **SHADOW DIAGRAMS**
 REVISION: **0**





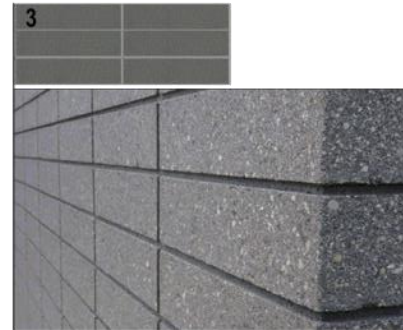
	Kiril Architects Pty Ltd ABN 36 778 238 859 A/255 Chapelton Rd 51013 A/101 Beach Rd Marlene VIC 3194 T: 0800 054231 M: 0420 308 238 E: info@kirilarchitects.com.au	PROJECT: MULTI UNIT DEVELOPMENT	ADDRESS: 101 STATION ST, ASPENDALE	MELBAYS REF: S2 J5 SCALE: @ A2 DRAWING: ARTISTIC IMPRESSION	DWG NO: TP 12
		These Plans cannot be reproduced without consent. The holder of these plans does not have a licence to reproduce them in any form whatsoever. E:\Dropbox\TheDesignHub\PROJECTS\101_Station_St\Client Model\TP_101_Station_St_17.05.2019.rvt	CLIENT: ANDY STIPKOVIC CLIENT SIGNATURE & DATE:	DATE CREATED: APRIL 2018 PROJECT NO: STS-101 COUNCIL: KINGSTON DRAWN BY: K.J ISSUE: TOWN PLANNING MODIFIED BY: K.J PLOT DATE: 17/05/2019	REVISION:



01. FACE BLOCKWORK - EBONY



02. RENDER - GREY PEBBLE- QUARTER



03. FACE BLOCKWORK- STACK BOND- EBONY



04. RENDER - CB MONUMENT



05. WINDOW FRAMES - BLACK SATIN



06. STANDING SEAM COLORBOND CLADDING



07. ROOF DECKING - COLORBOND SHALE GREY



08. DRIVEWAY - EXPOSED AGREGATE



09. DECKING - SPOTTED GUM



10. METAL HORIZONTAL COLORBOND CLADDING



11. LINEA CLADDING - MONUMENT



12. AXON CLADDING - MONUMENT

Planning Committee Meeting

19 June 2019

Agenda Item No: 4.3

KP-2019/70 - 104-105 STATION STREET, ASPENDALE

Contact Officer: Hugh Charlton, Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2019/70 - 104-105 Station Street, Aspendale.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Notice of Decision for the development of 19 dwellings and basement parking at 104-105 Station Street, Aspendale, subject to the conditions contained within this report.

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2019/70 - 104-105 Station Street, Aspendale.

EXECUTIVE SUMMARY			
Address	104 - 105 Station Street, ASPENDALE		
Legal Description	Lots 3 and 4 on PS 28089		
Applicant	Ratio Consultants		
Planning Officer	Hugh Charlton		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential 2 Zone		
Overlays	None		
Particular Provisions	Clause 55 – To construct or extend an apartment development Clause 52.06 – Car Parking Clause 53.18 – Stormwater Management in Urban Development		
Permit Trigger/s	Clause 32.08 – 6 – Construct two or more dwellings on a lot		
APPLICATION / PROCESS			
Proposal	Develop a three (3) storey building comprising 19 dwellings and basement parking		
Reference No.	KP-2019/70	RFI Received	12/3/19
App. Received	11/2/19	App. Amended	N/A
Site inspection	Yes		
S.52 Advertising	Commenced: 1/4/19	Advertising Completed	Yes 18/4/19
S.55 Referrals	None		
Internal referrals	Yes		
Objection(s)	5 (TRIM checked on 12/06/2019)		
Lot Size	Each lot 650.3m ²	Mandatory Building Height requirement	Complies <12m on sloped land & no more than three storeys
Mandatory Garden area requirement	Complies > 35%		
LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
Aboriginal Cultural Sensitivity Area	YES		
CHMP	EXEMPT		
Considered Plans	Prepared by T-A Square comprising Drawing No's. TP.000 to TP.701 inclusive, Revisions 5 and 6 dated 28/2/2019, submitted on 12 March 2019		

SITE HISTORY

Planning Application KP-134/2017 which sought to develop a four (4) storey apartment building with basement comprising 23 dwellings was not supported by Council, as advised on 7 March 2018 to the VCAT in relation to the section 79 failure appeal lodged by the Permit Applicant. The application for review was later withdrawn by the Permit Applicant.

Other sites/ applications of relevance:

122-123 Station Street Aspendale - KP-2015/30 was issued by VCAT on 1 August 2016 for a four storey apartment of 17 dwellings. This site is 120 metres to the south. This permit has not been acted on.

77 Station Street Aspendale - has been developed for a prominent three storey dwelling, no planning permit was required. This site is 380 metres to the north.

195-197 Station Street Edithvale has been developed for a four storey apartment building of 49 dwellings, KP-2010/856 issued 30 September 2011 by VCAT.

SUBJECT LAND

The photograph below illustrates the subject site from a streetscape perspective.



Built form	Two single storey dwellings with outbuildings, one dwelling to each lot.
Size (m2)	1300 (each lot 650.3m ²)
Topography	Moderate fall of 2.1 metres from front to rear, mostly falling in the front half of the site
Fencing	Brick or timber palings to 2.1m high
Significant Vegetation	None
Easements	Drainage and sewerage 1.83m wide along rear boundary
Footpath assets/ access	One existing crossover. 1 street tree and 1 power pole in the frontage

SURROUNDING LAND

The following map illustrates the subject site in its surrounding context.



North	Single storey dwelling with outbuilding, with private open space adjacent to shared site boundary
East	A double storey dwelling at the rear, as part of a recent four dwelling development, with private open space adjacent to shared site boundary A single storey dwelling with outbuildings fronting Afton Way, with private open space adjacent to shared site boundary
South	Three dwellings comprising two double storey and one single storey, with private open space adjacent to shared site boundary
West	Station Street and railway corridor
Neighbourhood Character	Located within close proximity to the Aspendale Neighbourhood Activity Centre. The surrounding area is predominantly residential, surrounding the Aspendale strip shops and rail station which encompasses a mix of retail uses/development. The site is within 250m of the Aspendale railway station and is well serviced by social and physical infrastructure.

Whilst the emerging residential character is more typically two storey with double storey present at the rear, notably a new three storey dwelling is located less than 400m to the north at 77 Station St Aspendale, a substantial four storey apartment building is located near Edithvale Station at 195-197 Station Street Edithvale, and an approval was granted by VCAT for a 4 storey apartment building located 120 metres to the south at 122-123 Station Street Aspendale.

PROPOSAL

A summary of the proposal is provided in the table below.

Description	Demolish the existing dwellings and Develop a three (3) storey building comprising 19 dwellings and basement parking		
Use	Residential		
Storeys	3 storeys and 1 level of basement car parking		
Maximum building height	11.3m		
Bedrooms (including study)	A mix of apartment types are proposed, consisting of: 7 x 1 bedroom dwellings 10 x 2 bedrooms dwellings 2 x 3 bedroom dwellings		
Car parking	21 resident spaces in total 9 bicycle parking spaces		
Front setback	7.6m		
Private Open Space	<ul style="list-style-type: none"> ▪ Courtyard 32m²-122m² ▪ Balcony: 8m²- 10m² ▪ Terraces 53m²- 82m² ▪ Communal open space 91m² is provided on 2nd floor terrace 		
Site Coverage	58%	Permeability	32%
Access	Existing crossovers to be reinstated, new double crossover proposed		

Vegetation removal/retention	No significant vegetation located on subject site or on neighbouring properties within close proximity to common boundaries
Building materials	A contemporary building form is proposed that includes: render, expressed joint cladding, timber look screening, perforated metal screening

PLANNING CONTROLS

Zone / Overlay / Particular Provisions	Rationale
32.08 – GRZ2	<p>The proposal accords with the purpose of the Zone by providing a multi-level mixed use development that will provide residential uses at a density that is complementary to the role and scale of the Aspendale Neighbourhood Activity Centre, located less than 250 metres away.</p> <p>The proposed density is considered appropriate as it meets the overarching strategic intentions in the planning policy framework to capitalise on good access to public transport, existing services and infrastructure.</p> <p>The proposed is considered to respect the preferred character of the area as discussed later in this report.</p>
52.06 Car parking	<p>The following car parking rates apply:</p> <p>1 space to each 1 or 2 bedroom dwelling 2 spaces to each 3 or more bedroom dwelling 0 residential visitor spaces (amended by VC148 on 31 Jul 18)</p> <p>Amendment VC148 came into force by the State Government on 31 July 2018. This amendment, inter alia, revised certain public parking rates for sites within 400 metres of the Principle Public Transport Network, such as the Aspendale railway station. Of relevance to this application, the parking rates for residential visitors are reduced to zero.</p> <p>This equates to a parking requirement of 21 resident spaces.</p> <p>As such the proposed parking provision is adequate with no reductions in the parking requirement. The proposal therefore meets the anticipated demand set by State Government, quantified within Clause 52.06.</p> <p>Further, Council's Traffic Engineer states that:</p> <p style="padding-left: 40px;">Traffic Consultant undertook a carparking occupation survey which indicates that there is sufficient publicly available carparking in the general area to accommodate the subject site's shortfall of carparking this is considered reasonable.</p> <p style="padding-left: 40px;">The consultant's empirical assessment of parking demand and/or carparking occupancy survey are considered to be in accordance with accepted traffic engineering practice and sufficient evidence to justify the carparking dispensation sought.</p>

Zone / Overlay / Particular Provisions	Rationale
	<p>Should a permit be granted prospective residents of this development would be unlikely to be granted resident parking permits in the future, in line with Council's Parking Management Policy adopted on 26 April 2016</p> <p>The provision for bicycle parking is supported</p> <p>Clause 52.06 – 8 Design standards including swept paths, splays, parking and access dimensions, headroom and ramp grades, are considered compliant by Council's Traffic Engineer, subject to condition:</p> <p style="padding-left: 20px;">a) Security door to car parking</p> <p>It is noted that the proposal provides for one-way traffic management control as sought by Council's Traffic Engineer, where Stop/Go traffic signals are shown which will reduce the potential for vehicle conflict within the access ramp.</p> <p>Further, the reliance on over-bonnet storage is considered inappropriate. This is strongly discouraged as it is impractical for bulky goods, inadequate in capacity, and limits a range of vehicle types, affecting parking access. As such a condition is later recommended for deletion of all over bonnet storage and for appropriate replacement elsewhere.</p>
53.18 Stormwater management in urban development	It is considered that the proposed development generally complies guidelines and provides for an ability to incorporate WSUD and adequate space to include measures that can be used to reduce run-off. Council's Drainage Engineer is satisfied with the proposal subject to conditions included on any permit issued, as specified within the officer recommendation.
55 - ResCode	Assessment provided below.

POLICY CONSIDERATIONS

General Provisions

Clause 65.01 of the Kingston Planning Scheme are relevant to this application and require consideration to be given to a variety of matters including planning scheme policies, the purpose of the zone, orderly planning and the impact on amenity.

Planning Policy Framework

The Planning Policy Framework sets out the relevant state-wide policies for mixed-use development at **Clause 11** (Settlement), **Clause 15** (Built Environment and Heritage), **Clause 16** (Housing) and **Clause 17** (Economic Development). Essentially, the provisions within these clauses seek to achieve the fundamental objectives and policy outcomes sought by 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017).

Clause 11 seeks to ensure planning anticipates and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

Clause 15 (Built Environment and Heritage) aims to ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

Clause 15.01-1S encourages development to achieve high quality architectural and urban design outcomes that contribute positively to neighbourhood character, minimises detrimental amenity impacts and achieves safety for future residents, and the community, through good design. The provisions of **Clause 15.02-1S** promote energy and resource efficiency through improved building design, urban consolidation and promotion of sustainable transport.

Clause **15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

The Subject Land **is** identified in an area of Aboriginal Cultural Heritage Sensitivity, however the proposed activity is **exempt** from requiring a Cultural Heritage Management Plan, as the development of three or more dwellings on a lot is (reg.10 of the *Aboriginal Heritage Regulations* 2018:

- less than 0.11 hectares in size; and
- not within 200 metres of the coastal waters of Victoria, any sea within the limits of Victoria or the Murray River. This is demonstrated by the online heritage mapping tool hosted by Aboriginal Victoria which calculates the site as 220 metres away from coastal waters.

Housing objectives are further advanced at **Clause 16** which seek to encourage increased diversity in housing.

Clause 16.01 (Residential Development) seeks to promote a housing market that meets community needs, and is located in areas which offer good access to jobs, services and transport. **Clause 16.01-2R** specifically requires consideration of population growth in locations that are considered major and neighbourhood activity centres, especially those with good public transport connections.

Clause 17 (Economic Development) strives to provide a strong and innovative economy with policy objectives focused on diversification, improving accessibility to employment opportunities, providing development that meets the community's needs for retail, entertainment, office and other commercial services.

The City of Kingston's MSS at **Clause 21.05** (Residential Land Use) of the Kingston Planning Scheme, seeks to provide guidance to development in residential zoned land, mixed use zoned lands and land within activity centres. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.

Relevant objectives and strategies are contained at **Clause 21.05-3: Residential Land Use**. These essentially reinforce Planning Policy Framework relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases.

Clause 22.11 Residential Development Policy extends upon the provision contained at **Clause 21.05** (Residential Land Use), relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. It provides design guidance on how new residential development should achieve architectural and urban design outcomes that positively respond to neighbourhood character. The subject site is in an area designated for increased housing diversity, which states:

Encourage increased residential densities and a wider diversity in housing types and sizes in areas which are within convenient walking distance of public transport and activity centres. These areas are identified for 'increased housing diversity' on the Residential Framework Plan within the MSS.

The proposed density and typology is considered appropriate to reflect Council's preferred character of increased housing diversity in a location within convenient walking distance of public transport and activity centres.

Clause 22.20 – Stormwater Management is applicable to the consideration of medium and large scale developments as specified within Table 1 of the policy. This clause seeks to improve the quality and reduce the impact of stormwater run-off, incorporate the use of WSUD principles in development and to ensure that developments are designed to meet best practice performance objectives.

It is considered that the proposed development generally complies with the above guidelines and provides for an ability to incorporate WSUD and adequate space to include measures that can be used to reduce run-off. Council's Drainage Engineer is satisfied with the proposal subject to conditions included on any permit issued, as specified within the officer recommendation.

Clause 22.21 Environmentally Sustainable Development (ESD) policy applies to the consideration of residential development of 3 or more dwellings (refer to Table 1 – ESD Application requirements). As required, the application for planning permit was accompanied by a Sustainability Management Plan (BESS/STORM). Further, the SMP assessment was referred to Council's ESD officer who has advised of no objection subject to conditions included on any permit issued.

In summary, it is considered that the proposed development generally complies with the Planning Policy Framework guidelines. Importantly, the proposal delivers on specific objectives relating to the development of larger opportunity sites, which seek to encourage well-designed medium density housing in appropriate locations, as well providing diversity in housing choice to assist in meeting the anticipated future population forecasts.

INTERNAL REFERRALS

Department / Area	Comments / Rationale / Recommended Conditions
Council's Vegetation Management Officer	No objection raised, subject to conditions included on any permit issued relating to an improved landscape plan. The street tree was approved for removal.
Council's Development Engineer	No objection raised, subject to conditions included on any permit issued relating to provision of an apex, stormwater management and water sensitive urban design.
Roads and Drains	No objection raised, subject to conditions included on any permit issued.
Traffic Engineer	No objection raised, subject to conditions included on any permit issued
Waste	No objection raised, subject to conditions included on any permit issued
ESD	No objection raised, subject to conditions included on any permit issued

OBJECTIONS

Following the commencement of advertising, 5 objection(s) to the proposal were received. The valid grounds of objection raised are summarised as follows:

- Neighbourhood character
- Visual bulk
- Overdevelopment/density
- Site coverage
- Overlooking
- Overshadowing
- Parking, traffic and safety concerns
- Drainage system

The following objections raised are not planning considerations:

- Proposed vegetation resulting in overshadowing
- Noise from future occupants

The objectors were contacted by the planning officer on 13 May 2019 to discuss their concerns, with this information then being relayed to the applicant.

In accordance with Council's Planning Consultation Meeting Policy, no meeting was required as less than 6 objections to the application were received. However, as required by the Policy, Council's planning officer contacted the objectors followed by further discussions with the applicant to ascertain if the concerns raised by the objectors could be resolved. It should be noted that during the discussion with the objectors no request was received by the planning officer for a planning consultation meeting to be held.

Within the officer recommendation, conditions have been included on any permit to address overlooking concerns to the rear. Nevertheless the objector concerns were unable to be resolved, and the objections still stand.

Further Consideration / Analysis

A comparison to the previous apartment development application of this site is provided.

Planning Application KP-134/2017 sought to develop a four (4) storey apartment building with basement comprising 23 dwellings, and ultimately was not supported by Council officers for a range of reasons, mainly due to overdevelopment, excessive height and lack of recession, visual impact to the street and to neighbours.

In comparison, the current application addresses all grounds of refusal and differs for the following reasons:

- No fourth storey, proposing a lower height that is acceptable in its context.
- Third storey is recessive from all sides, setback 11 metres from the street and 9 metres minimum from the rear.
- Visually recessive from the sides and from rear, predominantly reading as a two storey development from neighbouring properties
- Does not dominate the street given the above, and responds to the topography by cutting further into the land.
- Provides deep rebates to all sides/rear and places balconies to each corner, increasing the side/rear setbacks in part to 6 metres to provide genuine visual relief

RESPONSE TO GROUNDS OF OBJECTION

The concerns raised by objector(s) have been considered within the Policy considerations and Clause 55 assessment.

CLAUSE 55 - TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS ASSESSMENT

To construct or extend an apartment development in the NRZ, GRZ, RGZ, MUZ.

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Clause 55.02-1 Neighbourhood Character objectives</p> <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. • To ensure that development responds to the features of the site and the surrounding area. 	<p>Standard B1</p> <ul style="list-style-type: none"> • The design response must be appropriate to the neighbourhood and site. • The proposed design must respect the existing or preferred neighbourhood character and respond to site features. 	<p>Complies with standard & meets objective</p>
<p>Assessment:</p>		

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>The proposal responds to the preferred character for increased housing diversity by:</p> <ul style="list-style-type: none"> • An apartment typology that provides sufficient density to capitalise on the strategic benefit and close proximity to an activity centre and rail station • A three storey scale, consistent with the allowable three storey scale under the zone, and which is an appropriate height on a collector road opposite a rail corridor and arterial road beyond • Responds to typography by being cut into the land, below street level, presenting less than 3 storeys and a less dominant profile to the street • A recessive third level from side and rear boundaries, presenting a 2 storey scale from abutting properties which reflects the prevailing 2 storey scale and existing 2 storey development to the rear • Provides parking within the basement/lower ground, avoiding dominant parking • Reasonable side and rear setbacks that is consistent with recent approvals and the emerging character and planning approvals 		
<p>Clause 55.02-2 Residential Policy objectives</p> <ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the MPS and the PPF. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Standard B2</p> <ul style="list-style-type: none"> • An application must be accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF & MPS 	<p>Complies with standard & meets objective</p>
<p>Assessment: See policy section and response within the body of the report</p>		
<p>Clause 55.02-3 Dwelling Diversity objective To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Standard B3 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	<p>Complies with standard & meets objective</p>
<p>The proposal includes a range of dwelling sizes and floor areas that achieves adequately dwelling diversity.</p>		
<p>Clause 55.02-4 Infrastructure objectives</p> <ul style="list-style-type: none"> • To ensure development is provided with appropriate utility services and infrastructure. • To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard B4</p> <ul style="list-style-type: none"> • Connection to reticulated services/sewerage, electricity, gas and drainage services • Capacity of infrastructure and utility services should not be exceeded unreasonably • Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists 	<p>Complies with standard & meets objective</p>
<p>Assessment: It is recommended that suitable condition(s) be included in any permit issued to address infrastructure considerations.</p>		
	<p>Standard B5</p>	<p>Complies</p>

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
Clause 55.02-5 Integration with the street objective <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<ul style="list-style-type: none"> Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. 	
	<ul style="list-style-type: none"> Development oriented to front existing/proposed streets 	Complies
	<ul style="list-style-type: none"> High fencing in front of dwellings should be avoided if practicable. 	Complies
	<ul style="list-style-type: none"> Development next to existing public open space should be laid out to complement the open space. 	N/A
Assessment: A communal entry is located facing the street, clearly signposted by hardscaping treatments and mailboxes.		
Clause 55.03-1 Street setback objective <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	Standard B6 Walls of buildings should be set back from streets: <ul style="list-style-type: none"> If no distance is specified in a schedule to the zone, the distance specified in Table B1 Required: 8.2 metres Proposed: 7.6-8.2 metres	Complies with the objective Variation to the standard
Assessment: Although the minimum setback on average does not strictly comply, the proposed street setback aligns with the existing street setbacks of the immediately adjoining properties which are generally 7.6m and 8.2m on either side. As such the proposal respects the existing character and a variation to this standard is deemed reasonable.		
Clause 55.03-2 Building height objective <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	Standard B7 Maximum: 11metres plus 1 additional metre due to slope (12 metres) and 3 storeys (GRZ2) Proposed: 11.3 metres and 3 storeys	Complies with standard & meets objective
Assessment: The proposal meets the preferred heights parameters specified in the GRZ.		
Clause 55.03-3 Site Coverage objective <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Standard B8 Maximum: GRZ2 – 60%	Complies with standard & meets objective
Assessment: The proposal achieves a site coverage statistic of 58%, less than the preferred maximum coverage		
Clause 55.03-4 Permeability & stormwater management objectives	Standard B9 At least: 20%	Complies with standard & meets objective

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> • To reduce the impact of increased stormwater run-off on the drainage system. • To facilitate on-site stormwater infiltration. • To encourage stormwater management that maximises the retention & reuse of stormwater 		
<p>Assessment: The permeability figure proposed (32%) exceeds the minimum permeability Standard and adequately reduces the potential impact of stormwater run-off.</p>		
<p>Clause 55.03-7 Safety objectives</p> <ul style="list-style-type: none"> • To ensure the layout of development provides for the safety and security of residents and property. 	<p>Standard B12 Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting should not create unsafe spaces along streets and accessways Good lighting, visibility and surveillance of car parks and internal accessways should be achieved. Private spaces should be protected from inappropriate use as public thoroughfares.</p>	Complies with standard & meets objective
<p>Assessment: The proposal provides an acceptable level of consideration for safety & security of residents. In part, this is evidenced by the highly visibly, identifiable & attainable dwelling entries fed from a common walkway.</p> <p>For further improvements to the safety and security of residents and property, a condition on any permit issued is recommended that:</p> <p style="padding-left: 20px;">a) security door to basement car parking.</p>		
<p>Clause 55.03-8 Landscaping objectives</p> <ul style="list-style-type: none"> • To encourage development that respects the landscape character of the neighbourhood. • To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. • To provide appropriate landscaping. • To encourage the retention of mature vegetation on the site. 	<p>Standard B13 In summary, landscape layout & design should:</p> <ul style="list-style-type: none"> • Protect predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • Provide a safe, attractive and functional environment for residents. <p>In summary, development should:</p> <ul style="list-style-type: none"> • Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. • Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. • Specify landscape themes, vegetation (location and species), paving and lighting. 	Complies with standard & meets objective

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Assessment: The provided landscape plan, substantially supported by Council's VMO, provides sufficient planting opportunities for substantive vegetation to adequately soften the development and appears consistent with the existing garden character</p>		
<p>Clause 55.03-9 Access objective</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard B14 The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> 33 per cent of the street frontage, or if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	Complies with standard & meets objective
	No more than one single-width crossover should be provided for each dwelling fronting a street.	Complies
	The location of crossovers should maximise the retention of on-street car parking spaces.	Complies
	The number of access points to a road in a Road Zone should be minimised.	N/A
	Access for service, emergency and delivery vehicles must be provided.	Complies
<p>Assessment: The double crossover comprises 18% of the frontage, less the maximum standard. The width of the double crossover and ramp is considered appropriate by Council's Traffic Engineer, and provides a passing area to reduce the likelihood of vehicle conflict to the collector road.</p>		
<p>Clause 55.03-10 Parking location objectives</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments 	<p>Standard B15 Car parking facilities should:</p> <ul style="list-style-type: none"> Be reasonably close and convenient to dwellings and residential buildings. Be secure. Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	Complies with standard & meets objective subject to condition
<p>Assessment: The proposal raises no concern with respect to the layout of on-site car parking.</p> <p>To meet the design standard, conditions are recommended to require:</p> <ol style="list-style-type: none"> parking to be ventilated, with any exhaust integrated into the building and located away from adjoining properties or habitable rooms; habitable room window(s) adjacent to the ramp be double glazed (notably all windows are later recommended to be double glazed); 		
<p>Clause 55.04-1 Side and rear setbacks objective</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B17 A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	Complies with standard & meets objective

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Assessment: The proposal limits the impact on the amenity of existing dwellings and avoids the perception of visual bulk by the following:</p> <ul style="list-style-type: none"> • Side and rear setbacks are respectful of the neighbourhood character and exceed the standard, consistent with recent approvals and the emerging character which double storey is present to the rear. • Deep, obvious rebates into the building and recessed corners provide adequate visual relief to side and rear elevations, increasing the side/rear first floor setbacks in part to 6 metres • Amenity impacts are limited to adjoining properties by virtue of the generous side setbacks, fully detached from side boundaries and a high level of architectural detailing. • A recessive third level from side and rear boundaries, presenting a 2 storey scale from abutting properties which reflects the prevailing scale 		
<p>Clause 55.04-2 Walls on boundaries objective</p> <ul style="list-style-type: none"> • To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B18 A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • 10 m plus 25% of the remaining length of the boundary of an adjoining lot, or • Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 	N/A
<p>Clause 55.04-3 Daylight to existing windows objective</p> <ul style="list-style-type: none"> • To allow adequate daylight into existing habitable room windows. 	<p>Standard B19 Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3m² and minimum dimension of 1m clear to the sky.</p>	Complies
	<p>Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>	Complies
<p>Assessment: Given the axis of the allotment and siting of the dwelling(s), the proposal will not have an unreasonable impact upon daylight to existing habitable room windows.</p>		
<p>Clause 55.04-4 North facing windows objective</p> <ul style="list-style-type: none"> • To allow adequate solar access to existing north-facing habitable room windows. 	<p>Standard B20 Buildings should be setback 1m if an existing HRW is within 3m of the abutting lot boundary (add 0.6m to this setback for every metre of height over 3.6m & add 1m for every metre of height over 6.9m)</p>	Complies with standard & meets objective
<p>Assessment: The proposal is setback 6.7m from the southern boundary where opposite existing north-facing habitable room windows, well in excess of the minimum southern side setback varied by this Standard.</p>		
<p>Clause 55.04-5 Overshadowing open space objective</p>	<p>Standard B21 Where sunlight to the SPOS of an existing dwelling is reduced, at least 75%, or 40m² with min. 3m, whichever is the lesser area, of the SPOS should receive a min of 5hrs of sunlight btw 9am & 3pm on 22 September.</p>	Does not meet the objective/ standard

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space 	<p>If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Can comply subject to condition</p>
<p>Assessment: The proposed development results in an unreasonable level of overshadowing to the existing secluded POS areas to the south at Units 1, 2 and 3 of 106 Station Street in the afternoon at 2pm and 3pm.</p> <p>Overshadowing to these areas of secluded POS appears to be significant in the afternoon hours, further reducing what little sunlight is available to these small areas at a key time of the day and would result in nearly complete overshadowing at those hours. The areas do not receive adequate sunlight to 75% of their area for 5hrs thus according to the standard, should not be further overshadowed.</p> <p>As such a condition is recommended, on any permit issued, that:</p> <p style="margin-left: 40px;">a) no additional overshadowing to the secluded private open space of Units 1, 2 and 3 of 106 Station Street and with modification to the development where necessary to comply with Standard B21 of Clause 55 of the Kingston Planning Scheme;</p> <p>Further, the additional overshadowing to No.6 Afton Way at 3pm is not considered a significant impact, given it: affects a smaller part of the larger POS; away from the principle area of POS; does not result in complete overshadowing at any hour; and on balance this property enjoys more unaffected hours.</p>		
<p>Clause 55.04-6 Overlooking objective</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Standard B22</p> <p>A HRW, balcony, terrace, deck or patio should be located & designed to avoid direct views into the SPOS of an existing dwelling within 9m (refer to clause for exact specifications). Where within it should be either:</p> <ul style="list-style-type: none"> Offset a minimum of 1.5m from the edge of one window to the edge of the other. Have sill heights of at least 1.7m above floor level. Have fixed, obscure glazing in any part of the window below 1.7m above floor level. Have permanently fixed external screens to at least 1.7m above floor level & be no more than 25% transparent. 	<p>Does not meet the objective/standard</p> <p>Can comply subject to condition</p>
	<p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p>	<p>Complies</p>
	<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. 	<p>Complies</p>
<p>Assessment: All first floor HRW balconies and terraces with a unobstructed view within 9 metres of an existing HRW or secluded POS have been screened according to the standard, using a range of deep planter boxes and shelf screening to prevent downward views whilst maximising internal amenity, or by obscured glazing.</p> <p>However overlooking to the east and south from ground floor living rooms and raised courtyards within G04-G07 has not been limited. The existing/proposed boundary fencing height is insufficient, and in</p>		

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>some instances increases to boundary fencing may result in adverse amenity impacts to adjoining properties.</p> <p>To ensure compliance, conditions on permit are recommended for:</p> <ul style="list-style-type: none"> a) northern boundary fencing opposite Apartment G.04 to be a minimum height of 2.1 metres, constructed at the start of the development at the developer/permit holder's expense; b) freestanding privacy screening at an equivalent height of 1.7 metres from finished ground floor level, setback a minimum 500mm from the eastern boundary at a required length to limit overlooking from Apartments G.04 and G.05, or a reasonable alternative; c) freestanding privacy screening at an equivalent height of 1.7 metres from finished ground floor level, setback a minimum 500mm from the southern boundary at a required length to limit overlooking from Apartments G.05 and G.07 courtyards, or a reasonable alternative; 		
<p>Clause 55.04-7 Internal views objective</p> <ul style="list-style-type: none"> • To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard B23</p> <p>Windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling or residential building directly below and within the same development.</p>	Complies
<p>Assessment: No unreasonable internal overlooking will occur.</p>		
<p>Clause 55.05-3 Daylight to new windows objective</p> <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. 	<p>Standard B27</p> <p>HRW should be located to face:</p> <ul style="list-style-type: none"> • Outdoor space clear to the sky or a light court with a minimum area of 3m² and min. dimension of 1m clear to the sky or • Verandah provided it is open for at least 1/3 of its perimeter, or • A carport provided it has 2 or more open sides and is open for at least 1/3 of its perimeter. 	Complies with standard & meets objective
<p>Assessment: The proposed windows are sited appropriately to achieve adequate solar access and natural daylight into habitable rooms. See assessment under Standard B48</p>		
<p>Clause 55.05-4 Private open space objective</p> <ul style="list-style-type: none"> • To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Standard B28</p> <p>A dwelling or residential building should have POS consisting of:</p> <ul style="list-style-type: none"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. 	Complies with standard & meets objective
<p>Assessment:</p>		

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
Each dwelling is provided with adequate POS that meets the area and dimension requirements specified above and will service the social, recreational and passive needs of future residents.		
Clause 55.05-5 Solar Access to Open Space <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Standard B29 The private open space should be located on the north side of the dwelling or residential building, if appropriate.	Complies with objective
	The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.	Does not comply with standard
Assessment: A small percentage of dwellings (4 of 19) rely on south facing open space. This is unavoidable given the lot layout and building typology, but commendably most apartments have good solar access to POS. Further, all dwellings have access to communal open space which will receive sufficient solar access.		
Clause 55.06-1 Design Detail objective <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character 	Standard B31 The design of buildings, including: <ul style="list-style-type: none"> Facade articulation and detailing Window and door proportions, Roof form, and Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	Complies with standard & meets objective
Assessment: Design detail is considered satisfactory and includes variations of expressed joint cladding, render, with additional architectural features and a range of varying yet consistent setbacks to articulate walls that achieve a visually interesting design that respects the preferred character.		
Clause 55.06-2 Front fences objective <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	Standard B32 The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.	Complies with objective
	A front fence within 3m of a street should not exceed:2m for streets in a RDZ1 or 1.5m for other streets	Does not meet the standard
Assessment: The proposed 2m high front fence with transparent panels is considered acceptable given the high traffic volume and rail corridor opposite. The fencing strikes a reasonable balance between providing an outlook and integration to the street, and offers security and useable front areas of POS.		
Clause 55.06-3 Common property objectives	Standard B33 Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	Complies with standard & meets objective

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 		
<p>Assessment: Where common property is proposed, it is functional, well-designed and capable of efficient management through an owner's corporation arrangement.</p>		
<p>Clause 55.06-4 Site services objectives</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard B34</p> <p>Dwelling layout and design should provide sufficient space and facilities for services to be installed and maintained efficiently and economically.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p>	Complies with standard & meets objective
<p>Assessment: Site services such as mailboxes, services and bin/recycling enclosures have been nominated on the respective plans and located and designed appropriately.</p>		
<p>55.07 APARTMENT DEVELOPMENTS</p>		
<p>Clause 55.07-1 Energy efficiency objectives</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. To ensure dwellings achieve adequate thermal efficiency. 	<p>Standard B35/D6</p> <p>Buildings should be:</p> <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged. <p>Living areas and POS should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is optimised. Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.</p>	<p>Does not meet the objective/standard</p> <p>Can comply subject to condition</p>
<p>Assessment: The proposal is generally energy efficient with acceptable dwelling orientation as previously discussed, where living areas and POS have been located on the north side of the development where practicable. Access to daylight is supported for dwellings.</p> <p>To improve the development's overall energy efficiency performance, the following conditions are recommended on any permit issued:</p>		

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>a) Double glazing to north and west facing habitable room windows (notably double glazing is required to all habitable windows as later discussed);</p> <p>b) Endorsement of the submitted SMP subject to minor improvements to achieve Best Practice using the BESS assessment tool.</p>		
<p>Clause 55.07-2 Communal open space objective</p> <ul style="list-style-type: none"> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development. 	<p>Standard B36/D7</p> <p>Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.</p> <p>Communal open space should:</p> <ul style="list-style-type: none"> Be located to: <ul style="list-style-type: none"> Provide passive surveillance opportunities Provide outlook for as many dwellings as practicable Avoid overlooking into habitable rooms and POS of new dwellings. Minimise noise impacts to new & existing dwellings. Be designed to protect any natural features on the site. Maximise landscaping opportunities. Be accessible, useable and capable of efficient management. 	<p>N/A as the development includes less than 40 dwellings</p>
<p>Assessment: Whilst communal space area is not required for less than 40 dwellings, the development provides for a communal space area of 89m² on the 2nd floor terrace which generally meets the design Standard above.</p> <p>The communal space is designed and located so that it provides acceptable passive surveillance opportunities, outlooks, minimised overlooking potential into nearby HRWs or POS areas of new dwellings. This space is accessible and allows for efficient management and care abilities.</p>		
<p>Clause 55.07-3 Solar access to communal outdoor open space objective</p> <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	<p>Standard B37/D8</p> <p>The communal outdoor open space should be located on the north side of a building, if appropriate.</p> <p>At least 50% or 125m², whichever is the lesser, of the primary communal outdoor open space should receive a minimum of 2 hrs of sunlight between 9am-3pm on 21 June.</p>	<p>N/A as the development includes less than 40 dwellings</p>
<p>55.07-4 Deep soil areas and canopy trees</p> <ul style="list-style-type: none"> To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect. 	<p>Standard B38</p> <p>The landscape layout and design should:</p> <ul style="list-style-type: none"> Be responsive to the site context. Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration. Maximise deep soil areas for planting of canopy trees. Integrate planting and water management. <p>Developments should provide the deep soil areas and canopy trees specified in Table B5.</p>	

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD									
	<p>If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:</p> <ul style="list-style-type: none"> • Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature • tree soil volume requirements. • Vegetated planters, green roofs or green facades. <table border="1" style="width: 100%; border-collapse: collapse;"> <caption>Table B5 Deep soil areas and canopy trees</caption> <thead> <tr> <th style="background-color: #333; color: white;">Site area</th> <th style="background-color: #333; color: white;">Deep soil areas</th> <th style="background-color: #333; color: white;">Minimum tree provision</th> </tr> </thead> <tbody> <tr> <td>750 - 1000 square metres</td> <td>5% of site area (minimum dimension of 3 metres)</td> <td>1 small tree (6-8 metres) per 30 square metres of deep soil</td> </tr> <tr> <td>1001 - 1500 square metres</td> <td>7.5% of site area (minimum dimension of 3 metres)</td> <td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td> </tr> </tbody> </table>	Site area	Deep soil areas	Minimum tree provision	750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil	1001 - 1500 square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil	
Site area	Deep soil areas	Minimum tree provision									
750 - 1000 square metres	5% of site area (minimum dimension of 3 metres)	1 small tree (6-8 metres) per 30 square metres of deep soil									
1001 - 1500 square metres	7.5% of site area (minimum dimension of 3 metres)	1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil									
<p>Assessment: The proposal exceeds the minimum requirement for 97.5m² of deep soil area with a minimum 3m dimension. Council's Vegetation Management Officer is supportive of the submitted landscape plans which provides a range of adequate canopy trees, subject to minor improvements to species selection which will be achieved by conditions.</p>											
<p>Clause 55.07-5 Integrated water & stormwater management objective</p> <ul style="list-style-type: none"> • To encourage the use of alternative water sources such as rainwater, stormwater & recycled water. • To facilitate stormwater collection, utilisation and infiltration within the development. • To encourage development that reduces the impact of stormwater run-off on the drainage system & filters sediment & waste from stormwater prior to discharge from the site. 	<p>Standard B39/D13 Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. The stormwater management system should be:</p> <ul style="list-style-type: none"> • Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). • Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	<p>Complies with standard & meets objective (subject to conditions on any permit issued)</p>									
<p>Assessment: In-principle the proposal provides for adequate WSUD considerations. Council's Development Approvals Engineer is supportive and has recommended additional site management to ensure sufficient stormwater management measures are provided.</p>											
<p>Clause 55.07-6 Noise impacts objectives</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external and internal noise sources. 	<p>Standard B40/D16 Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. The layout of new dwellings & buildings should minimise noise transmission within the site.</p>	<p>Can comply with standard/ objective subject to condition</p>									

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	<p>Noise sensitive rooms (such as living areas & bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</p> <p>New dwellings should be designed & constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</p> <p>Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:</p> <ul style="list-style-type: none"> • Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am. • Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm. <p>Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.</p> <p>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</p>	
<p>Assessment: It is considered that internally, the proposal has given adequate consideration to contain noise sources in the development. The proposal does not appear to have design measures to protect future residents from external noise sources given it is in close proximity to a passenger and freight railway line and the Nepean Highway.</p> <p>Should a permit issue, a condition is recommended to require</p> <p style="margin-left: 20px;">a) double glazing to all habitable room windows;</p>		
<p>Clause 55.07-7 Accessibility objective</p> <ul style="list-style-type: none"> • To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>Standard B41/D17</p> <p>At least 50 per cent of dwellings should have:</p> <ul style="list-style-type: none"> • A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. • A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom & the living area. • A main bedroom with access to an adaptable bathroom. • At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4. 	<p>Complies with standard & meets objective</p>
<p>Assessment: The design layout demonstrates that at least 50% of dwellings meet the Standard.</p>		

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD												
<p>Clause 55.07-8 Building entry and circulation objectives</p> <ul style="list-style-type: none"> To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation. 	<p>Standard B42/D18</p> <p>Entries to dwellings and buildings should:</p> <ul style="list-style-type: none"> Be visible and easily identifiable. Provide shelter, a sense of personal address and a transitional space around the entry. <p>The layout and design of buildings should:</p> <ul style="list-style-type: none"> Clearly distinguish entrances to residential and non-residential areas. Provide windows to building entrances and lift areas. Provide visible, safe and attractive stairs from the entry level to encourage use by residents. Provide common areas and corridors that: <ul style="list-style-type: none"> Include at least one source of natural light and natural ventilation. Avoid obstruction from building services. Maintain clear sight lines. 	<p>Complies with standard & meets objective</p>												
<p>Assessment: Communal corridors and entry achieve an inviting space, adequate in dimension, external outlook with ventilation opportunities, and with a central stairwell that encourages use.</p>														
<p>Clause 55.07-9 Private open space above ground floor objective</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Standard B43</p> <p>A dwelling should have private open space consisting of:</p> <ul style="list-style-type: none"> An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or A balcony with an area and dimensions specified in Table B8 and convenient access from a living room. <p>If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.</p> <p>Table B8 Balcony size</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #0056b3; color: white;"> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom dwelling</td> <td>8 square metres</td> <td>1.8 metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>8 square metres</td> <td>2 metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>12 square metres</td> <td>2.4 metres</td> </tr> </tbody> </table>	Dwelling type	Minimum area	Minimum dimension	Studio or 1 bedroom dwelling	8 square metres	1.8 metres	2 bedroom dwelling	8 square metres	2 metres	3 or more bedroom dwelling	12 square metres	2.4 metres	<p>Complies with standard & meets objective</p>
Dwelling type	Minimum area	Minimum dimension												
Studio or 1 bedroom dwelling	8 square metres	1.8 metres												
2 bedroom dwelling	8 square metres	2 metres												
3 or more bedroom dwelling	12 square metres	2.4 metres												
<p>Assessment: Each dwelling has been provided with adequate POS that meets the area and dimension requirements specified above and will service the social, recreational and passive needs of future residents, as discussed under Standard B28.</p>														
<p>Clause 55.07-10 Storage objective</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Standard B44/D20</p> <p>Each dwelling should have convenient access to usable and secure storage space.</p> <p>The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #0056b3; color: white;"> <th style="width: 30%;">Dwelling type</th> <th style="width: 30%;">Total minimum storage volume</th> <th style="width: 30%;">Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling				<p>Does not meet the objective/standard</p> <p>Can comply subject to condition</p>						
Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling												

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OBJECTIVE	STANDARD			LEVEL OF COMPLIANCE AGAINST STANDARD
	<i>Studio</i>	<i>8 cubic metres</i>	<i>5 cubic metres</i>	
	<i>1 bedroom dwelling</i>	<i>10 cubic metres</i>	<i>6 cubic metres</i>	
	<i>2 bedroom dwelling</i>	<i>14 cubic metres</i>	<i>9 cubic metres</i>	
	<i>3 or more bedroom dwelling</i>	<i>18 cubic metres</i>	<i>12 cubic metres</i>	
<p>Assessment: The proposal relies on over-bonnet storage which is strongly discouraged as it is impractical for bulky goods, inadequate in capacity, and limits a range of vehicle types as previously discussed.</p> <p>With minor modification/rearrangement to the basement, cages could be fully compliant without needing over bonnet storage or expansion to the basement area. As such it is recommended a condition require:</p> <p style="padding-left: 40px;">b) replacement of all over bonnet storage with storage cages that meet Standard B44 of Clause 55 of the Kingston Planning Scheme, located outside of car spaces and door openings, and without enlargement to the basement;</p>				
<p>Clause 58.06-3 Waste and recycling objectives</p> <ul style="list-style-type: none"> • To ensure dwellings are designed to encourage waste recycling. • To ensure that waste and recycling facilities are accessible, adequate and attractive. • To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. 	<p>Standard B46/D23</p> <p>Developments should include dedicated areas for:</p> <ul style="list-style-type: none"> • Waste and recycling enclosures which are: <ul style="list-style-type: none"> – Adequate in size, durable, waterproof and blend in with the development. – Adequately ventilated. – Located and designed for convenient access by residents and made easily accessible to people with limited mobility. 			<p>Complies with standard & meets objective</p>

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
	<ul style="list-style-type: none"> • Adequate facilities for bin washing. These areas should be adequately ventilated. • Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate. • Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing. • Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing. • Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate. • Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and: <ul style="list-style-type: none"> • Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria. • Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements. 	
<p>Assessment: Council's Waste Management Officer is satisfied with the Waste Management Plan provided, subject to minor improvements</p>		
<p>Clause 58.07-2 Room depth objective</p> <ul style="list-style-type: none"> • To allow adequate daylight into single aspect habitable rooms. 	<p>Standard B47/D25</p> <p>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</p> <p>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</p> <ul style="list-style-type: none"> • The room combines the living area, dining area and kitchen. • The kitchen is located furthest from the window. • The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen. <p>The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: Living room depths to single aspect dwellings are less than the maximum 9m with a generous floor to ceiling height of 2.7m, thus will have adequate daylight access.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Clause 58.07-3 Windows objective</p> <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. 	<p>Standard B48/D26</p> <p>HRW should have a window in an external wall of the building.</p> <p>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</p> <p>The secondary area should be:</p> <ul style="list-style-type: none"> • A minimum width of 1.2 metres. • A maximum depth of 1.5 times the width, measured from the external surface of the window. 	<p>Complies with standard & meets objective</p>
<p>Assessment: All bedrooms have adequate access to daylight, exceeding the minimum standards for light penetration into habitable areas.</p>		
<p>Clause 58.07-4 Natural ventilation objectives</p> <ul style="list-style-type: none"> • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings. 	<p>Standard B49/D27</p> <p>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</p> <p>At least 40% of dwellings should provide effective cross ventilation that has:</p> <ul style="list-style-type: none"> • A maximum breeze path through the dwelling of 18 metres. • A minimum breeze path through the dwelling of 5 metres. • Ventilation openings with approximately the same area. <p>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The floor plans demonstrate appropriate natural ventilation being achieved for all dwellings, in accordance with Standard B27.</p>		

CONCLUSION

On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.

As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of the *Planning and Environment Act 1987* have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.

RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Notice of Decision for the development of 19 dwellings and basement parking at 104-105 Station Street, Aspendale, 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by T-A Square comprising Drawing No's. TP.000 to TP.701 inclusive, Revisions 5 and 6 dated 28/2/2019, submitted to Council on 12 March 2019, but modified to show:
 - a. no additional overshadowing to the secluded private open space of Units 1, 2 and 3 of 106 Station Street and with modification to the development where necessary to comply with Standard B21 of Clause 55 of the Kingston Planning Scheme;
 - b. replacement of all over bonnet storage with storage cages that meet Standard B44 of Clause 55 of the Kingston Planning Scheme, located outside of car spaces and door openings, and without enlargement to the basement;
 - c. the following measures to address overlooking:
 - i. northern boundary fencing opposite Apartment G.04 to be a minimum height of 2.1 metres, constructed at the commencement of the development authorised by this permit at the developer/permit holder's expense;
 - ii. freestanding privacy screening at an equivalent height of 1.7 metres from finished ground floor level, setback a minimum 500mm from the eastern boundary at a required length to limit overlooking from Apartments G.04 and G.05, or a reasonable alternative;
 - iii. freestanding privacy screening at an equivalent height of 1.7 metres from finished ground floor level, setback a minimum 500mm from the southern boundary at a required length to limit overlooking from Apartments G.05 and G.07 courtyards, or a reasonable alternative;
 - d. all habitable room windows be double glazed;
 - e. security door to basement car parking;
 - f. basement parking to be ventilated, with any exhaust integrated into the building and located away from adjoining properties or habitable rooms;
 - g. all habitable room windows be double glazed;
 - h. the provision of a longitudinal section of the basement ramp showing gradients, levels, distances, with headroom clearances complying with AS2890.1:2004 and the flood proof apex;
 - i. the provision of a 150mm high flood proof apex above the existing back of footpath level along the entire Station Street frontage of the subject site as required by Condition 6 of this permit;
 - j. the endorsement of the submitted full colour palette, finishes and building materials schedule for all external elevations and including driveways of the development;
 - k. the submitted Landscape Plans (L1-L4) prepared by Genus Landscape Architects (24/01/2019, Rev. G), but modified to show:
 - i) The substitution of the *Magnolia grandiflora* 'Little Gem' with a more appropriate species, with the species chosen to be approved by the Responsible Authority;

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- ii) A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii) A survey including botanical names, of all existing street trees and trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
 - iv) Notes and diagrams regarding site preparation, including the removal of all weeds, proposed mulch, soil specifications, subsoil preparation, planter box dimensions, planting specifications and any specific maintenance requirements including automated irrigation systems
- I. the submitted Sustainability Management Plan prepared by SUHO Consultants dated 11/2/2019, revision V1, but modified to show:
- ii) a commitment to the stated 7.4-star average ratings or amend BESS entries to reflect actual commitment;
 - iii) electrical connection points that allow for electric vehicle charging in basement, convenient to parking spaces;
 - iv) external tap and drainage to each balcony;
 - v) updated to reflect the current proposal, with the above requirements, and demonstrated to meet or exceed the BESS Best Practice;
 - vi) all relevant or principle commitments identified shown/summarised on plans.
- m. the submitted Waste Management Plan prepared by Ratio Consultants dated 30/1/19, but modified to show bin collection frequency should be a maximum of once per week.

Endorsed Plans

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

Street Trees

3. Prior to the construction of any crossovers as shown on the endorsed development plans, the *Allocasuarina* sp. (Sheoak) street tree located in the Station Street nature strip must be removed by Council at the expense of the Developer/Owner. Payment of the removal and replacement fee for this tree/s must be made to Kingston City Council's customer service in accordance with Council's Tree Management Policy at least 2 weeks prior to its required removal date.

Drainage and Water Sensitive Urban Design

4. Unless with prior written consent of the Responsible Authority, before the development commences the following Integrated Stormwater Management (drainage) documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
- a) Stormwater Management (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.

- b) Prior to submitting detailed plans, a comprehensive stormwater management (drainage) strategy for the site must be prepared that addresses the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - c) The stormwater management (drainage) strategy must include a report with MUSIC modelling results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
 - d) The water sensitive urban design treatments as per conditions above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
5. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan and to the satisfaction of the Responsible Authority including the following:
- a) All stormwater (drainage) works must be provided onsite so as to prevent overflows onto adjacent properties.
 - b) The implementation of stormwater (drainage) detention system which restricts stormwater discharge to the maximum allowable flowrate of 12L/s.
 - c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.
6. A flood proof apex (ridge level) protecting the property from any overland flows must be provided. This apex is to be a minimum of 150mm above the existing back of footpath level along the entire Station Street frontage of the subject site. This apex is to continue through any driveways or pathways that may cross it. The apex is to be a permanent structure (eg. rise in concrete driveway/pathway, sleeper retaining wall, solid brick fence/wall). Low mounded soil on its own is unlikely to be acceptable due to the likelihood of future disturbance.
7. A groundwater assessment report (GAR) must be prepared by a qualified hydro-geologist to assess any possible impacts the proposed development has on the ground water table, surrounding land and buildings to the satisfaction of Responsible Authority. Should the findings of the submitted GAR demonstrate that the site is likely to experience issues associated with ground water management, a ground water management plan (GMP) must be submitted to and approved by the responsible authority.
8. The basement structure must be designed to respond to the findings of the GAR and GMP required under the above condition and constructed to the satisfaction of the responsible authority.

Construction Management

9. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy and Construction Management Guidelines. The CMP must specify and deal with, but is not limited to, the following elements:

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- a. Public Safety, Amenity and Site Security
- b. Traffic Management
- c. Stakeholder Management
- d. Operating Hours, Noise and Vibration Controls
- e. Air Quality and Dust Management
- f. Stormwater and Sediment Control
- g. Waste and Materials Re-use

When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

Infrastructure and Road Works

10. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
11. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
12. Any reinstatements and new/modified vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
13. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
14. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
15. Prior to the commencement of development, property boundary, footpath and vehicle crossing levels must be obtained from Council's Roads and Drains Department with all levels raised to the satisfaction of the Responsible Authority.
16. The vehicle crossing must be constructed to Council's higher strength specifications.

General amenity conditions

17. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
18. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
19. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

Completion of Works

20. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
21. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.

Expiry

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22. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
- a. The development is not started within two (2) years of the issue date of this permit.
 - b. The development is not completed within four (4) years of the issue date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Note: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

Note: It is noted the development includes fence to be built over the easement. Separate consent from Council and any other relevant service authority is required to build over the easement and will need to be obtained prior to the issue of a Building Permit.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

Note: The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

Note: Before removing / pruning any vegetation from the site, the applicant or any contractor engaged to remove any vegetation, should consult Council's Vegetation Management Officer to verify if a Local Laws Permits is required for the removal of such vegetation.

Note: Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

Note: The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).

Note: The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

Note: The fee for removal of the street tree(s) from the nature strip is \$1008.71 (including GST), payable to Kingston City Council's Customer Service Department - refer to cashier code "STRE". Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks notice from the Developer/Owner.

OR

In the event that the Planning Committee wishes to oppose the Officer's recommendation and instead seeks to refuse the application, it can do so on the following grounds:

1. The proposal is not consistent the General Residential Zone 2 at Clause 32.08 of the Kingston Planning Scheme as the proposal does not provide a design outcome that is respectful of the prevailing and preferred neighbourhood character.
2. The proposal fails to satisfy the requirements of Clause 58 of the Kingston Planning Scheme.
3. The proposed extent of massing is visually intrusive and unresponsive to the context of the site and would result in unreasonable amenity impacts on adjoining properties.
4. The proposal fails to provide an acceptable built form outcome having regard to the physical and policy context.
5. The proposal represents an overdevelopment of the subject site providing an inappropriate response to local policy expectations and the character of the area.

Appendices

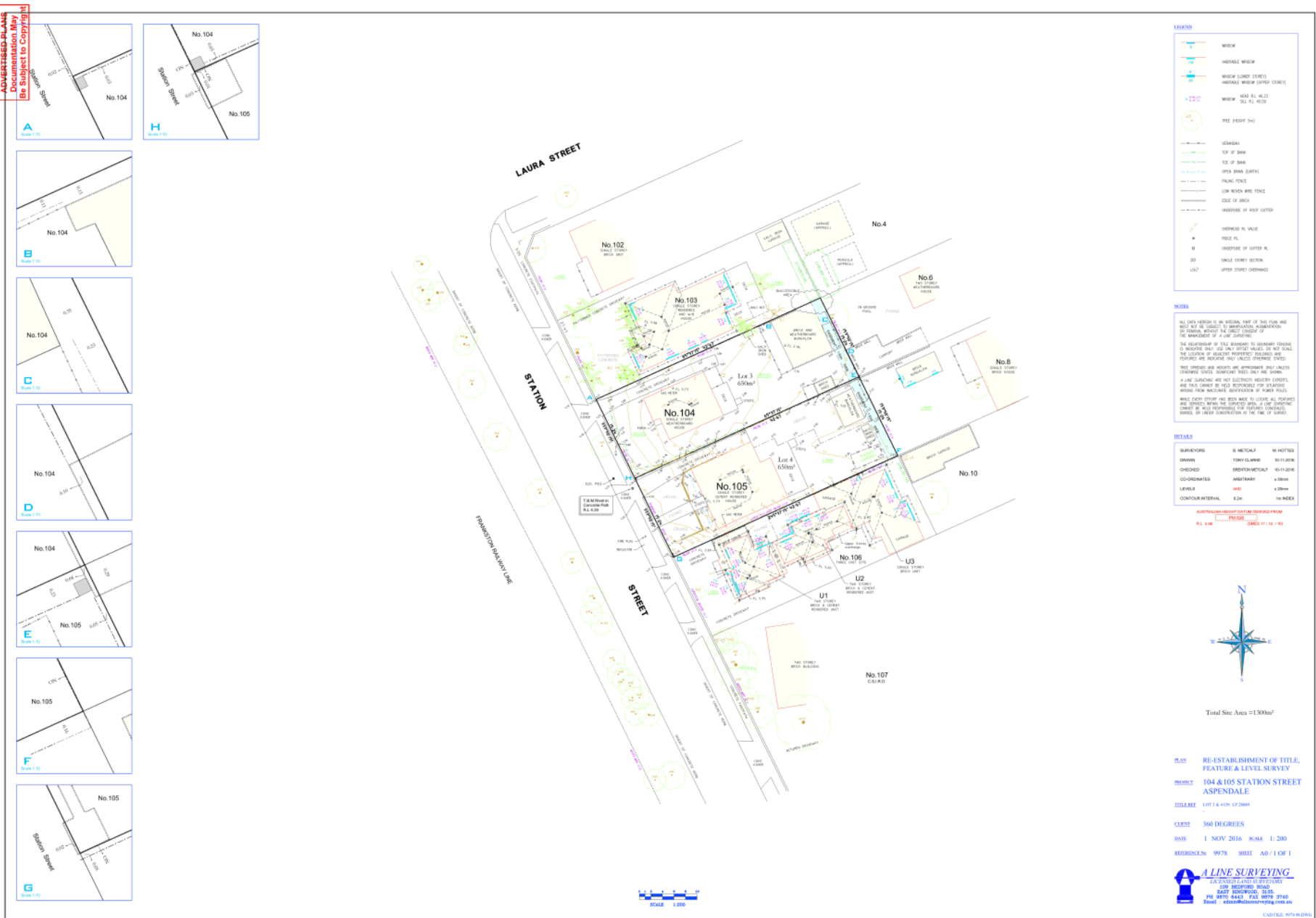
Appendix 1 - Plans for consideration by Committee (Ref 19/93506) 

Author/s: Hugh Charlton, Statutory Planner
Reviewed and Approved By: Jennifer Pippo, Team Leader Statutory Planning
Ian Nice, Manager City Development

4.3

KP-2019/70 - 104-105 STATION STREET, ASPENDALE

1 Plans for consideration by Committee 113



ADVERTISED PLANS
Do not constitute an offer
or a contract to carry out
work



LEGEND

	WIDTH
	INSTALLABLE WIDTH
	WIDTH (FRONT STREET)
	INSTALLABLE WIDTH (FRONT STREET)
	WIDTH (REAR RL, RL, RL)
	INSTALLABLE WIDTH (REAR RL, RL, RL)
	TREE (DEPTH 3m)
	EASEMENT
	TOP OF BANK
	EDGE OF BANK
	OPEN BANK (EARTH)
	FENCING FENCE
	LOW WOOD WIRE FENCE
	EDGE OF ROAD
	UNDERPASS OF ROAD (OTHER)
	OVERHEAD RL VALUE
	PRICE PL
	UNDERPASS OF LOTTER RL
	SINGLE STOREY SECTION
	UPPER STOREY (OVERHANG)

NOTES

ALL DATA HEREON IS AN ORIGINAL PART OF THE PLAN AND NOT BE SUBJECT TO MODIFICATION, AMENDMENT OR VARIATION WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

THE RELATIONSHIP OF THIS SURVEY TO EXISTING SURVEYS IS INDICATED BY THE DASHED LINES. THE LOCATION OF ADJACENT PROPERTIES BOUNDARIES ARE SHOWN AND MEASURED THIS BEING OBSERVED AND VERIFIED.

THIS SURVEY AND REPORTS ARE APPROVED ONLY IN RELATION TO THE SPECIFIC MATTERS SET OUT HEREIN.

ALL LINES SHOWN ARE NOT ELECTRICITY, GAS OR WATER LINES AND ARE NOT TO BE USED FOR SUCH PURPOSES WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

THE SURVEYOR HAS BEEN MADE TO LOCATE ALL POINTS AND BEING SURE THAT THE SURVEY IS ACCURATE AND CORRECT.

THE SURVEYOR HAS BEEN MADE TO LOCATE ALL POINTS AND BEING SURE THAT THE SURVEY IS ACCURATE AND CORRECT.

DETAILS

SURVEYORS	S. METCALF	M. HOTTES
DRAWN	TERRY CLARKE	10-11-2016
CHECKED	SHANTON METCALF	10-11-2016
COORDINATES	ANTHONY	4-2016
LEGIBLE	DATE	4-2016
CONTOUR INTERVAL	0.2m	10-INDEX

ADDITIONAL POINT DATA PROVIDED FROM
 RL 5.0m PRICE PL (SCALE 1:10 = 1%)



Total Site Area = 1300m²

PLAN RE-ESTABLISHMENT OF TITLE, FEATURE & LEVEL SURVEY

PROJECT 104 & 105 STATION STREET ASPENDALE

TITLE REF LOT 3 & 4 ON LP 2869

CLIENT 360 DEGREES

DATE 1 NOV 2016 8:56A 1:200

REFERENCE 9978 SHEET A0 / 1 OF 1





APARTMENT SUMMARY MAIN

Apartment No.	NSA	BEDROOM No.	BATHROOM No.	ENS No.	CARPARK	POS/BALC AREA
0.01	88.28 m ²	2	1			
0.02	53.28 m ²	1	1			
0.03	53.28 m ²	1	1			
0.04	88.28 m ²	2	1			
0.05	88.28 m ²	2	1			
0.06	73.28 m ²	2	1			
0.07	58.28 m ²	1	1			
0.08	88.28 m ²	2	1			
0.09	847.78 m ²	18	8	5	8	
1.01	88.28 m ²	2	1			
1.02	53.28 m ²	1	1			
1.03	53.28 m ²	1	1			
1.04	88.28 m ²	2	1			
1.05	88.28 m ²	2	1			
1.06	73.28 m ²	2	1			
1.07	58.28 m ²	1	1			
1.08	88.28 m ²	2	1			
1.09	847.78 m ²	18	8	5	8	
2.01	133.80 m ²	3	1	1	1	
2.02	144.81 m ²	3	1	1	1	
2.03	58.18 m ²	1	1	1	1	
2.04	203.87 m ²	7	3	2	3	
TOTAL 19	1822.82 m ²	33	19	12	19	

COMMERCIAL OFFICE AREA = 81m²

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DEVELOPMENT...

LEVEL	OVERALL	NSA	POS AREA	SERVICE CORE	CIRCULATION
BASEMENT	814.23 m ²	587.71 m ²	6.38 m ²	58.71 m ²	117.82 m ²
GROUND FLOOR UPPER	1,303.81 m ²	586.14 m ²	488.28 m ²	84.81 m ²	28.81 m ²
FIRST FLOOR UPPER	1,217.18 m ²	588.24 m ²	427.31 m ²	88.88 m ²	27.88 m ²
SECOND FLOOR UPPER	688.75 m ²	182.82 m ²	233.84 m ²	33.28 m ²	28.82 m ²
TOTAL	3803.97 m ²	1822.82 m ²	1155.81 m ²	165.68 m ²	84.18 m ²

APARTMENTS SUMMAR...

APT TYPE	NO.	NAME	AREA	EFFICIENCY
APT 1802 + 1803H	7	DRIVEWAY	82 m ²	0%
APT 2002 + 1803H	3	WATERSCOPE	48 m ²	4%
APT 1802 + 1803H + 1804	10	PERFORMANCE AREA	418 m ²	22%
APT 1802 + 1803H + 1805	7	RTS COVERAGE	151 m ²	8%
TOTAL			1089 m ²	18%

GARDEN AREA SUMMARY

ADDRESS	SITE AREA	GARDEN AREA REQUIREMENT	GARDEN AREA PROVIDED	COMPLIANCE	IDENTIFICATION COLOUR
GARDEN AREA	1500m ²	35% = 525m ²	616.07m ²	35.0%	Yes
ROCK GARDEN		11.30m ²	0.0%	-	
PAVED GARDEN		8.87m ²	0.0%	-	

* METRE
ROCK GARDEN AND PAVED GARDEN ARE NOT PART OF GARDEN AREA CALCULATION.

- DRAWING REGISTER**
- TP.000 COVER SHEET
 - TP.001 NEIGHBOURHOOD DESCRIPTION
 - TP.002 DESIGN RESPONSE
 - TP.201 BASEMENT FLOOR PLAN
 - TP.202 GROUND FLOOR PLAN
 - TP.203 FIRST FLOOR PLAN
 - TP.204 SECOND FLOOR PLAN
 - TP.205 ROOF PLAN
 - TP.300 ELEVATION
 - TP.301 ELEVATION
 - TP.400 SECTIONS
 - TP.401 SECTIONS
 - TP.500 SHADOW DIAGRAMS - 9am 22nd SEP
 - TP.501 SHADOW DIAGRAMS - 10am 22nd SEP
 - TP.502 SHADOW DIAGRAMS - 11am 22nd SEP
 - TP.503 SHADOW DIAGRAMS - 12pm 22nd SEP
 - TP.504 SHADOW DIAGRAMS - 1pm 22nd SEP
 - TP.505 SHADOW DIAGRAMS - 2pm 22nd SEP
 - TP.506 SHADOW DIAGRAMS - 3pm 22nd SEP
 - TP.601 Unnamed
 - TP.701 GARDEN AREA SUMMARY

- ESD NOTES**
- 3 STAR WELS RATED SHOWERHEAD (6.0 - 7.5 L/min), 5 STAR WELS RATED TAPS, 4 STAR WELS RATED WC AND 3 STAR WELS RATED DISHWASHER TO BE USED IN THE DEVELOPMENT.
 - 3-STAR RATED REVERSE CYCLE SPLIT SYSTEMS FOR HEATING AND COOLING TO EACH DWELLING.
 - 10.5 KL CAPACITY RAINWATER HARVESTING TANK CONNECTED TO ALL THE WCs IN THE DEVELOPMENT FOR FLUSHING.
 - INDIVIDUAL UTILITY METERS FOR ALL THE DWELLINGS.
 - CO MONITORING SYSTEM TO BE PROVIDED IN THE BASEMENT CARPARK.
 - HIGH PERFORMANCE DOUBLE GLAZED CLEAR WINDOWS WITH ALUMINIUM FRAMES IN THE DEVELOPMENT WITH U VALUE ≤ 2.98 AND SHGC = 0.48 ± 10%.
 - A TAP AND FLOOR WASTE WILL BE PROVIDED TO BALCONIES AND A TAP TO THE COURTYARDS.
 - AVERAGE LIGHTING POWER DENSITY OF 4W/M² OR LESSER TO BE ACHIEVED IN THE DEVELOPMENT THROUGH THE USE OF EFFICIENT LIGHTING FIXTURES (SUCH AS LED).
 - LOW / ULTRA-LOW VOC PAINTS, ADHESIVES AND SEALANTS, LOW FORMALDEHYDE WOOD PRODUCTS (E.G. E0/SUPER E0 MDF AND PLYWOOD) TO BE USED IN THE DEVELOPMENT.

STORAGE SCHEDULE

ITEM	EXTERNAL STORAGE(m ³)				INTERNAL STORAGE(m ³)				TOTAL	OVERHEADS (m ³)	CLEAN LAMP (m ³)	APARTMENT (m ³)	TOTAL (m ³)
	RECYCLED	GENERAL	HAZARDOUS	FLAMMABLE LIQUIDS	RECYCLED	GENERAL	HAZARDOUS	FLAMMABLE LIQUIDS					
NSA	0	0	0	0	0	0	0	0	0	0	0	0	0
0.01	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.02	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.03	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.04	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.05	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.06	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.07	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.08	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
0.09	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.01	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.02	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.03	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.04	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.05	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.06	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.07	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.08	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
1.09	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
2.01	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
2.02	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
2.03	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
2.04	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y
TOTAL	0	7.6	5	2.6	0	13	20.6	0	38	26	Y	Y	Y

104-105 STATION STREET, ASPENDALE 3195

PROJECT ADDRESS
104-105 STATION ST, ASPENDALE

CLIENT
360 DEGREES PTY LTD.

ISSUE
TOWN PLANNING

DATE
08/02/2017

PROJECT NO
TP.000

PROJECT NO
18030

REV
6

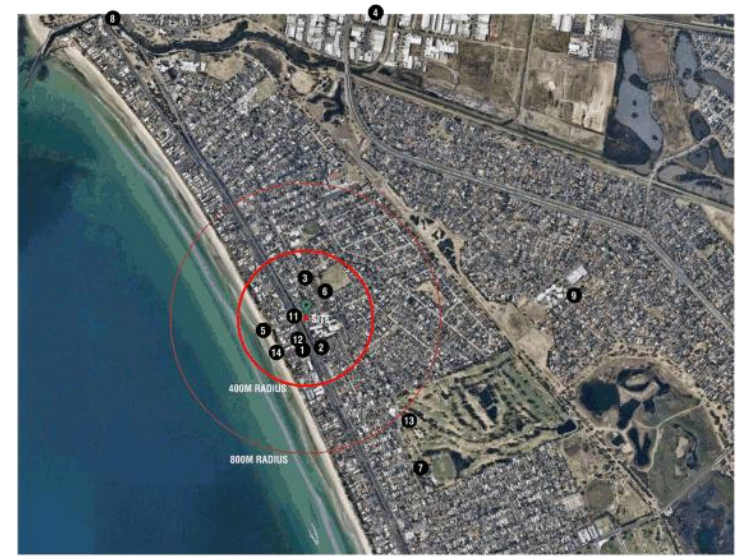
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ARCHITECTURE
INTERIOR DESIGN

Fig. 02 PLANNING ZONE

SITE CONTEXT - STATION STREET.

SUBJECT SITE

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SATELLITE IMAGE - NOT TO SCALE



SITE CONTEXT
THE SUBJECT SITE IS LOCATED FACING THE STATION STREET, ASPENDALE, SURROUNDED BY LAURA STREET, AFTON WAY AND ROBERTSON PARADE. IT FALLS WITHIN THE JURISDICTION OF KINGSTON CITY COUNCIL (LOCAL GOVERNMENT). THE SUBJECT SITE LIES APPROXIMATELY 32.7KM FROM MELBOURNE CBD AND IS WELL SERVED VIA NEPEAN HIGHWAY. ASPENDALE TRAIN STATION IS LOCATED WITHIN 500M OF THE SUBJECT SITE.

THE SUBJECT SITE IS AN AMALGAMATION OF TWO BLOCKS OF LAND.

- SITE CONTEXT**
- RETAIL AMENITIES**
1. ASPENDALE CENTRAL (240M WEST)
- SCHOOLS**
2. NOLA BARBER KINDERGARTEN (500M SOUTH)
 3. ASPENDALE PRIMARY SCHOOL (950M NORTH)
 4. PARKDALE SECONDARY COLLEGE (8KM NORTH)
- OPEN PARKLAND**
5. ALI AND VANESSA BEACH (300M WEST)
 6. GLEN STREET RESERVE (300M NORTHEAST)
 7. REDETS PARK & ROSSDALE GOLF CLUB (800M SOUTHEAST)
- SOCIAL AMENITIES**
8. PARKDALE LIBRARY (4.5M NORTH)
 9. ASPENDALE GARDEN COMMUNITY CENTRE (2.2M EAST)
- RECREATIONAL FACILITIES**
10. ROSSDALE GOLF CLUB (800M SOUTHEAST)
 11. ASPENDALE LIFE SAVING CLUB (550M SOUTHWEST)
- PUBLIC TRANSPORT**
12. LAURA STREET BUS STOP (50M NORTH)
 13. ASPENDALE TRAIN STATION (300M SOUTH)

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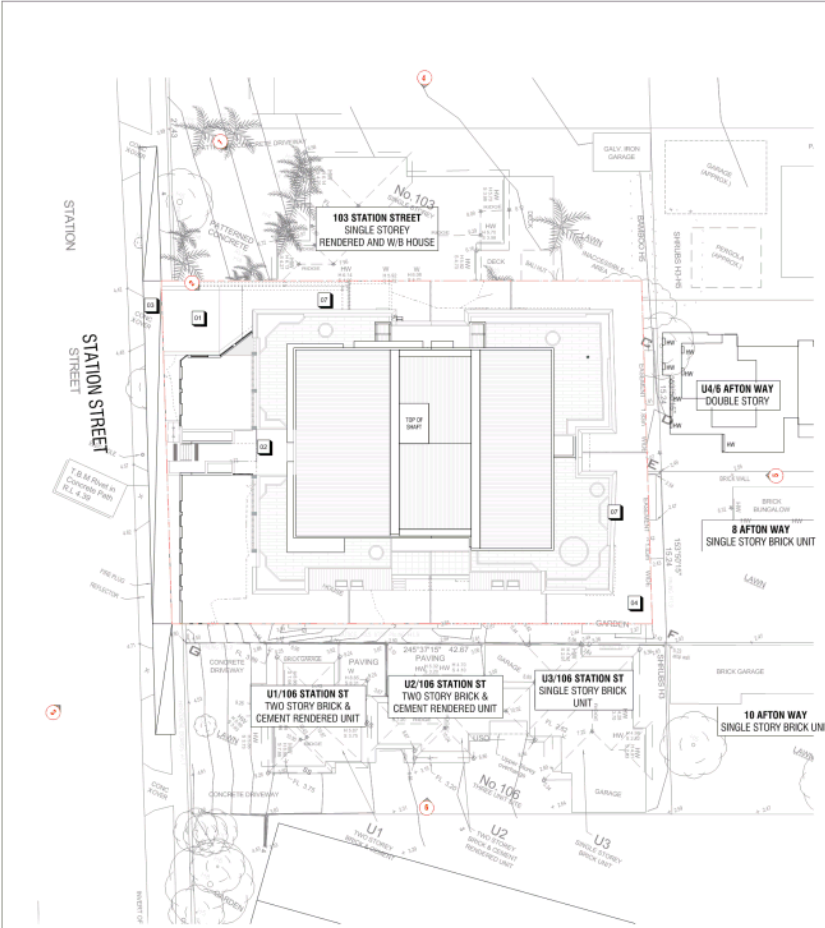
VERSION	REV. DATE	DESCRIPTION
1	2024-03-04	TOWN PLANNING
2	19-10-2024	PRELIMINARY CONSULTATION
3	14-10-2024	PRELIMINARY CONSULTATION
4	08-10-2024	PRELIMINARY CONSULTATION

PROJECT: 104-105 STATION ST, ASPENDALE
CLIENT: 360 DEGREES PTY LTD.
DRAWING TYPE: NEIGHBOURHOOD DESCRIPTION

SCALE: NTS
DATE: 18/03/2024
DRAWING NO: TP_001

DRAWN BY: AM
CHECKED BY: MC
DATE: 24/01/2019

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1 PERSPECTIVE VIEW 1
Scale



1 PERSPECTIVE VIEW 4
Scale



1 PERSPECTIVE VIEW 2
Scale



1 PERSPECTIVE VIEW 5
Scale



1 PERSPECTIVE VIEW 3
Scale



1 PERSPECTIVE VIEW 6
Scale

DESIGN RESPONSE

- 01 CAMERA
- 02 Proposed new crossover & safe vehicular access to maximize potential growth of front landscape.
- 03 Well defined pedestrian access via atrium to enhance sense of entry
- 04 Existing crossover to be reinstated with nature strips planting to soften the boundary.
- 05 Provision of landscaping around boundaries to soften the boundaries & provide pleasing sceneries.
- 06 Vertical fin blades to act as shading device to reduce the impact of harsh evening sun into west facing units. Front facade is well articulated with placement of fins & shrouds.
- 07 Design steps down gradually from west to east, to respect neighbouring units.
- 08 Canopy to reduce visual bulk & vertical hanging plants softens the facade.
- 09 Rhythmic and repetitive elements enhance in breaking up the building mass.
- 10 Mixture between lightweight cladding & render as well as solid and void assist in breaking up the facade.

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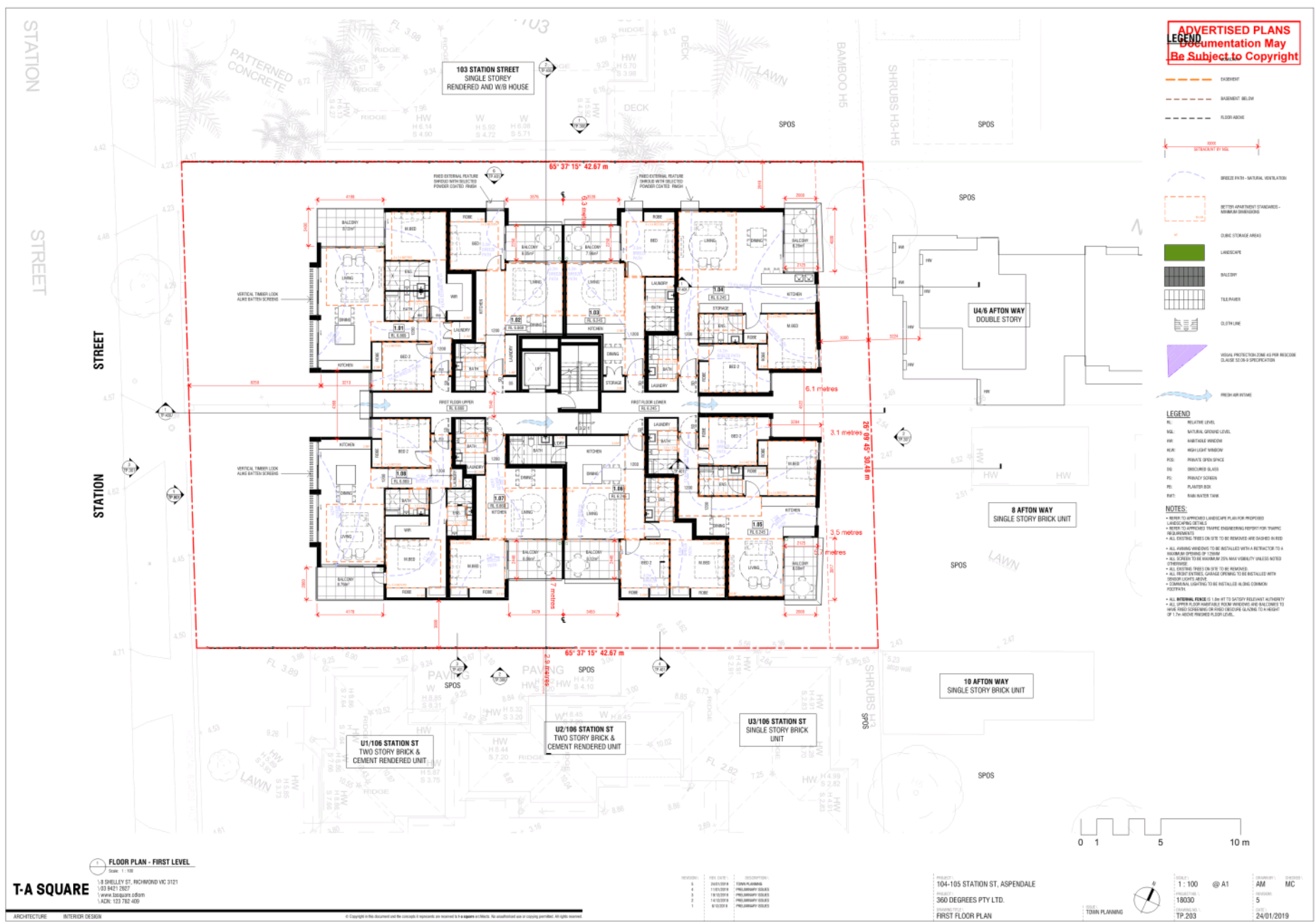
REVISION	REV. DATE	DESCRIPTION
1	10/10/2019	TOWN PLANNING
2	10/10/2019	PRELIMINARY DESIGN
3	10/10/2019	PRELIMINARY DESIGN

PROJECT: 104-105 STATION ST, ASPENDALE
CLIENT: 360 DEGREES PTY LTD.
DESIGN RESPONSE

SCALE: NTS
DATE: 18/03/20
DRAWING NO: TP.002

DESIGNED BY: AM
DRAWN BY: MC
CHECKED BY: 3
DATE: 24/01/2019





ADVERTISED PLANS
LEGEND
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- EXTERIOR
- BALCONY BELDEN
- FLOOR ABOVE
- 0000
 STRUCKOUT BY ME
- BRICK PATH - NATURAL VENTILATION
- SETBACK APARTMENT STAIRWAYS -
 MINIMUM REQUIREMENTS
- CLARK STORAGE AREAS
- LANDSCAPE
- BALCONY
- TERRAPLAN
- CLOTHING
- WINDA PROTECTION ZONE AS PER WINDCODE
 CLAUSE 5.0.4.5 SPECIFICATION
- WIND AIR BYPASS

- LEGEND**
- RL RELATIVE LEVEL
 - NVL NATURAL OPENING LEVEL
 - HW HORIZONTAL WINDOW
 - HLW HIGH LIGHT WINDOW
 - POS PRIVATE OPEN SPACE
 - SS SHOWER SCREEN
 - PS PRANCY SCREEN
 - PL PLASTER BOIS
 - WET WASH WETTER DOWN

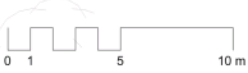
- NOTES:**
- REFER TO APPROVED LANDSCAPE PLAN FOR PROPOSED LANDSCAPING DETAILS
 - REFER TO APPROVED TRAFFIC ENGINEERING REPORT FOR TRAFFIC SIGNALS
 - ALL EXISTING TREES ON SITE TO BE REMOVED ARE SHOWN IN RED
 - ALL EXISTING TREES TO BE RETAINED WITH A RETECTOR TO A MINIMUM OPEN AREA VIBRILITY UNLESS NOTED OTHERWISE
 - ALL EXISTING TREES ON SITE TO BE REMOVED
 - ALL EXISTING TREES TO BE REMOVED TO BE REPLACED WITH SHEDDY LIGHTS ABOVE
 - EXISTING LIGHTING TO BE REPLACED ALONG COMMON FOOTPATH
 - ALL EXISTING TREES TO BE REPLACED WITH SHEDDY LIGHTS ABOVE
 - ALL EXISTING TREES TO BE REPLACED WITH SHEDDY LIGHTS ABOVE
 - ALL EXISTING TREES TO BE REPLACED WITH SHEDDY LIGHTS ABOVE

FLOOR PLAN - FIRST LEVEL
 Scale: 1:100

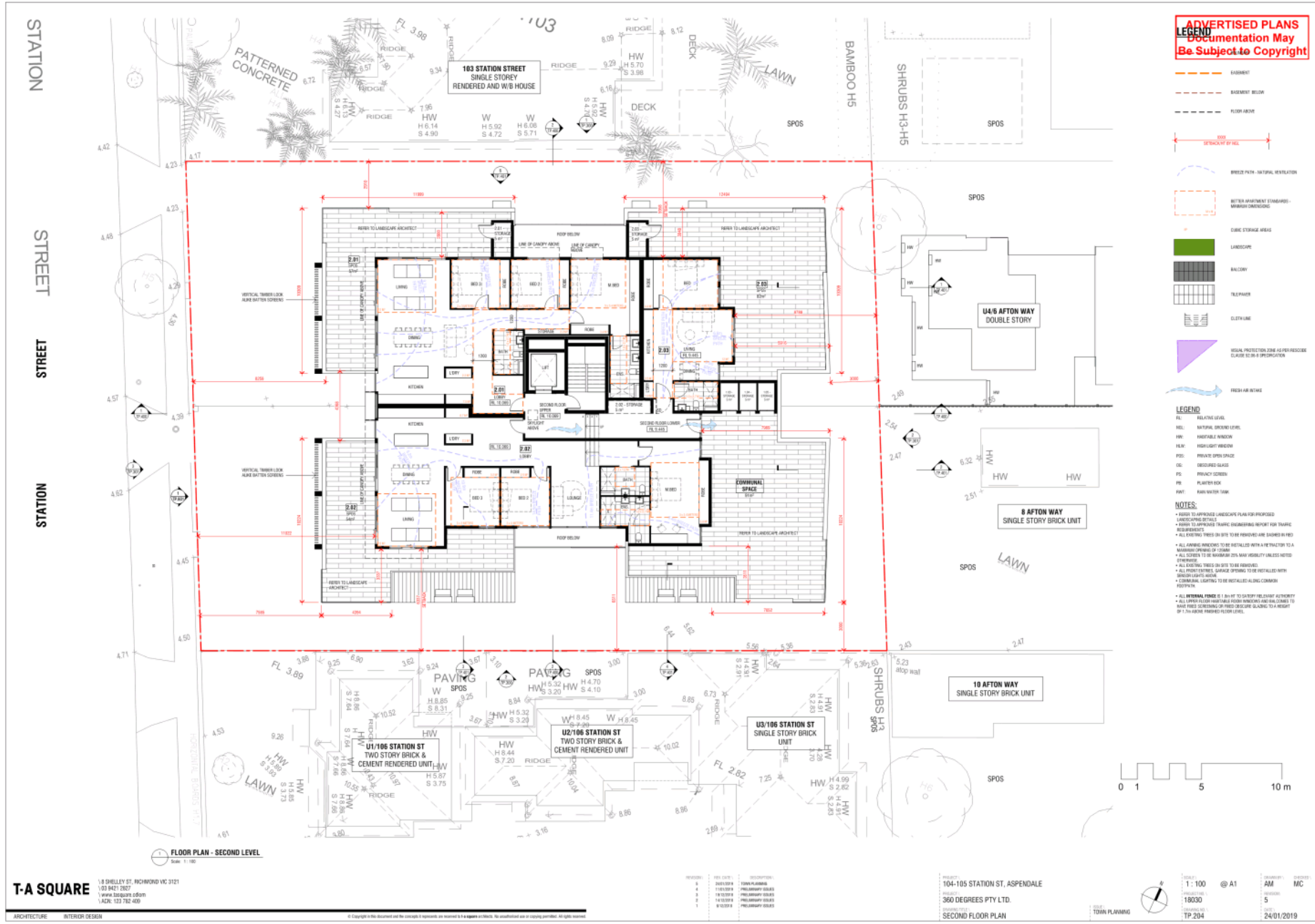
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 A/CN: 133 762 460

NO.	REV.	DATE	DESCRIPTION
1	01/01/2019	18/10/2019	PRELIMINARY ISSUES
2	02/01/2019	18/10/2019	PRELIMINARY ISSUES
3	03/01/2019	18/10/2019	PRELIMINARY ISSUES
4	04/01/2019	18/10/2019	PRELIMINARY ISSUES

PROJECT:
 104-105 STATION ST, ASCENDALE
 360 DEGREES PTY LTD.
PROJECT NO:
 18030
DATE:
 24/01/2019



PROJECT:
 104-105 STATION ST, ASCENDALE
 360 DEGREES PTY LTD.
PROJECT NO:
 18030
DATE:
 24/01/2019



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SCHEDULE OF FINISHES:

CODE	MATERIAL DESCRIPTION	COLOR	MATERIAL IMAGE
C0	CLEAR GLAZED	CLEAR	
MC1	LIGHT WEIGHT VERTICAL CLADDING	SILVER GREY	
MC2	VERTICAL CLADDING	OFF GREY	
MP-1	PORCELANATED METAL MESH	BLACK	
D0	BRICK SLABS	WHITE	
P5	NATURAL TIMBER TRANSPARENCY PERFORATED METAL SCREEN	NATURAL GREEN	
RM1	PORCELANATED WALL	OFF WHITE	
RM2	PORCELANATED WALL	LIGHT BROWN	
R1	ROCKER	DARK GREY	
R2	ROCKER	OFF WHITE	
VF	TRIMMED ALUMINUM ANGLE	NATURAL BRASS	

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TACR: 133 762 460

PROJECT: 104-105 STATION ST, ASPENDALE
CLIENT: 360 DEGREES PTY LTD.
ELEVATION

SCALE: 1:100 @ A1
DATE: 18/03/20
DRAWN BY: TP-300

REVISIONS:
1 18/03/20 PRELIMINARY ISSUES
2 18/03/20 PRELIMINARY ISSUES
3 18/03/20 PRELIMINARY ISSUES
4 18/03/20 PRELIMINARY ISSUES
5 18/03/20 PRELIMINARY ISSUES
6 18/03/20 PRELIMINARY ISSUES

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SCHEDULE OF FINISHES:

CODE	MATERIAL DESCRIPTION	COLOR	MATERIAL IMAGE
CG	CLERK GLAZED	CLERK	
MC1	LIGHT WEIGHT VERTICAL CLADDING	MICROM GREY	
MC2	VERTICAL CLADDING	OFF GREY	
MP-1	PORCELANATED METAL SHEET	BLACK	
OG	ORGANIC GLASS	WAVE	
PS	MAXIMUM 2% TRANSPARENCY PERFORATED METAL SCREEN	NATURAL GREEN	
RW1	RENDERED WALL	OFF WHITE	
RW2	RENDERED WALL	LEAT BROWN	
R1	BRICKS	DAKE GREY	
R2	BRICKS	OFF WHITE	
VF	TANBER LOOK ALIKE ALUMINUM FINIS	NATURAL FINISH	

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REVISIONS:

NO.	DATE	DESCRIPTION
1	18/02/2019	PRELIMINARY ISSUES
2	14/03/2019	PRELIMINARY ISSUES
3	14/03/2019	PRELIMINARY ISSUES
4	14/03/2019	PRELIMINARY ISSUES
5	28/02/2019	TOWN PLANNING
6	28/02/2019	AM

PROJECT: 104-105 STATION ST, ASPENDALE
CLIENT: 360 DEGREES PTY LTD.
DRAWING: ELEVATION

SCALE: 1:100 @ A1
DATE: 28/02/2019
DRAWN BY: TP.301
CHECKED BY: AM MC

ADVERTISED PLANS
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SECTION A
Scale: 1:100



SECTION B
Scale: 1:100

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NO.	REV. DATE	DESCRIPTION
1	18/10/2019	TOWN PLANNING
2	18/10/2019	PRELIMINARY ISSUES
3	18/10/2019	PRELIMINARY ISSUES
4	18/10/2019	PRELIMINARY ISSUES
5	18/10/2019	PRELIMINARY ISSUES

PROJECT:
104-105 STATION ST, ASPENDALE
360 DEGREES PTY LTD.
SECTIONS

SCALE	DATE	DESIGNED BY	CHECKED BY
1:100 @ A1	24/01/2019	AM	MC
18000		S	
TP-400			

ARCHITECTURE INTERIOR DESIGN

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SECTION C
Scale: 1:100

SECTION D
Scale: 1:100

SECTION DETAIL - TYPICAL BALUSTRADE PRIVACY SHELF
Scale: 1:25

TYPICAL PLANTER DETAIL
Scale: 1:25

SECTION E
Scale: 1:100

SECTION F
Scale: 1:100

TYPICAL WINDOW SHROUD ELEVATION
Scale: 1:25

TYPICAL WINDOW SHROUD
Scale: 1:25

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ARCHITECTURE INTERIOR DESIGN

PROJNO: 104-105 STATION ST, ASPENDALE
 REV: 001 TOWN PLANNING
 002 PRELIMINARY ISSUES
 003 PRELIMINARY ISSUES
 004 PRELIMINARY ISSUES
 005 PRELIMINARY ISSUES

PROJECT: 104-105 STATION ST, ASPENDALE
 CLIENT: 360 DEGREES PTY LTD.
 DRAWN BY: SECTIONS
 SCALE: As indicated @ A1
 DATE: 19/03/2019
 TOWN PLANNING TP-401

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REVISION	REV. DATE	DESCRIPTION
0	20/01/2019	TOWN PLANNING
1	19/10/2019	PRELIMINARY ISSUES
2	19/10/2019	PRELIMINARY ISSUES
3	19/10/2019	PRELIMINARY ISSUES
4	19/10/2019	PRELIMINARY ISSUES
5	19/10/2019	PRELIMINARY ISSUES

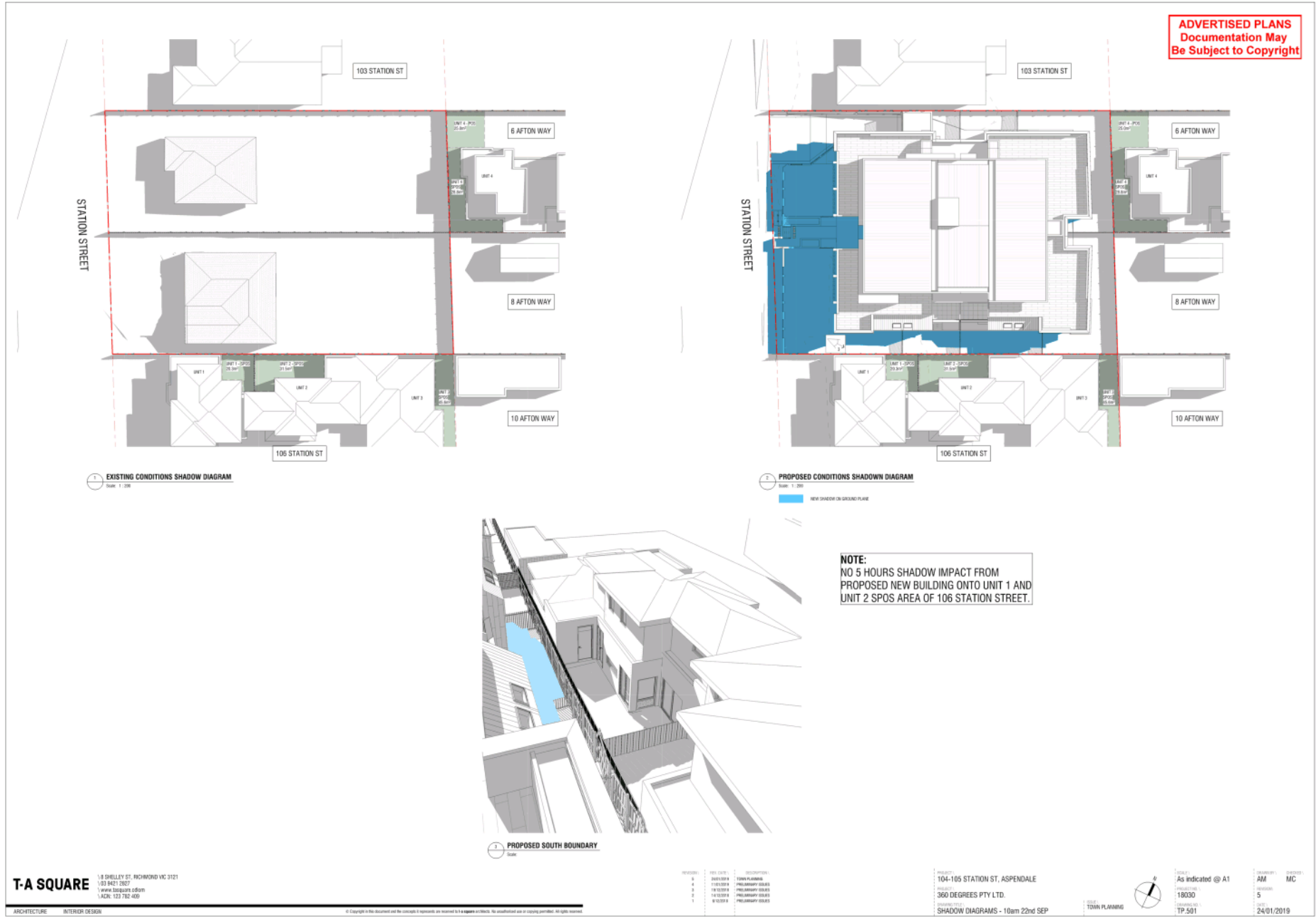
PROJECT:
104-105 STATION ST, ASCENDALE
CLIENT:
360 DEGREES PTY LTD.
DRAWING TITLE:
SHADOW DIAGRAMS - 9am 22nd SEP

SCALE:
As indicated @ A1
DATE:
19/03/20
DRAWN BY:
TP-500
DESIGNED BY:
TP-500
DATE:
24/01/2019
DRAWN BY:
AM
MC
CHECKED BY:
S
DATE:
24/01/2019

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1 EXISTING CONDITIONS SHADOW DIAGRAM
Scale: 1:200

2 PROPOSED CONDITIONS SHADOW DIAGRAM
Scale: 1:200
NEW SHADOWS ON GROUND PLANE

3 PROPOSED SOUTH BOUNDARY
Scale

NOTE:
NO 5 HOURS SHADOW IMPACT FROM
PROPOSED NEW BUILDING ONTO UNIT 1 AND
UNIT 2 SPOS AREA OF 106 STATION STREET.

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REVISION	REV. DATE	DESCRIPTION
1	10/10/2019	PRELIMINARY ISSUES
2	19/10/2019	PRELIMINARY ISSUES
3	19/10/2019	PRELIMINARY ISSUES
4	11/10/2019	TOWN PLANNING
5	20/01/2019	PRELIMINARY ISSUES

PROJECT: 104-105 STATION ST, ASCENDALE
CLIENT: 360 DEGREES PTY LTD.
DRAWING TITLE: SHADOW DIAGRAMS - 10am 22nd SEP

SCALE: As indicated @ A1
GRAPHIC SCALE: 1:8000
DRAWN BY: TP-501

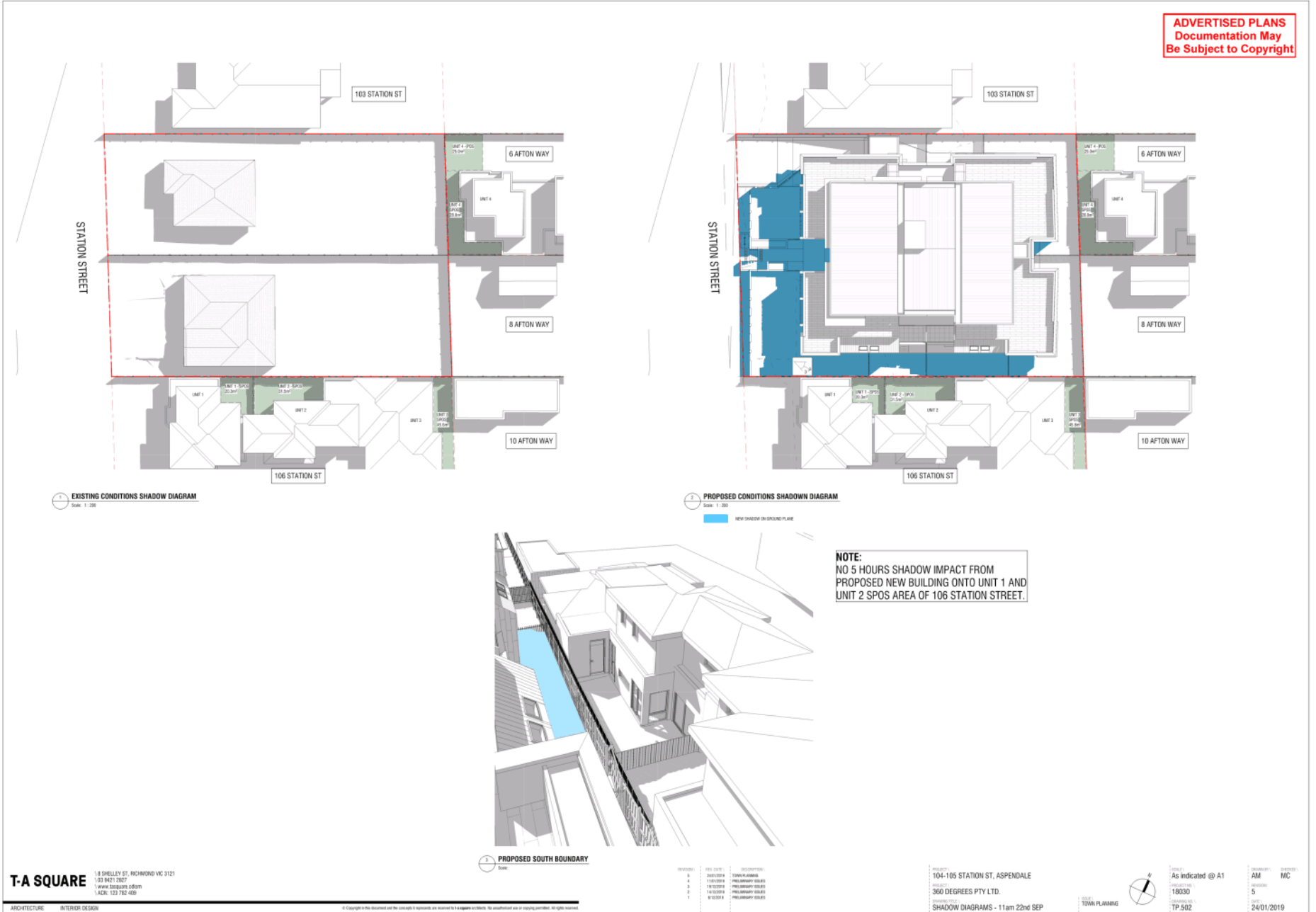


DESIGNED BY: AM MC
CHECKED BY: S
DATE: 24/01/2019

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1 EXISTING CONDITIONS SHADOW DIAGRAM
Scale: 1:200

2 PROPOSED CONDITIONS SHADOW DIAGRAM
Scale: 1:200

3 PROPOSED SOUTH BOUNDARY
Scale:

NOTE:
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PROPOSED NEW BUILDING ONTO UNIT 1 AND
UNIT 2 SPOS AREA OF 106 STATION STREET.

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NO.	REV. DATE	DESCRIPTION
0	20/01/2019	TOWN PLANNING
1	19/10/2019	PRELIMINARY ISSUES
2	19/10/2019	PRELIMINARY ISSUES
3	19/10/2019	PRELIMINARY ISSUES
4	19/10/2019	PRELIMINARY ISSUES
5	19/10/2019	PRELIMINARY ISSUES

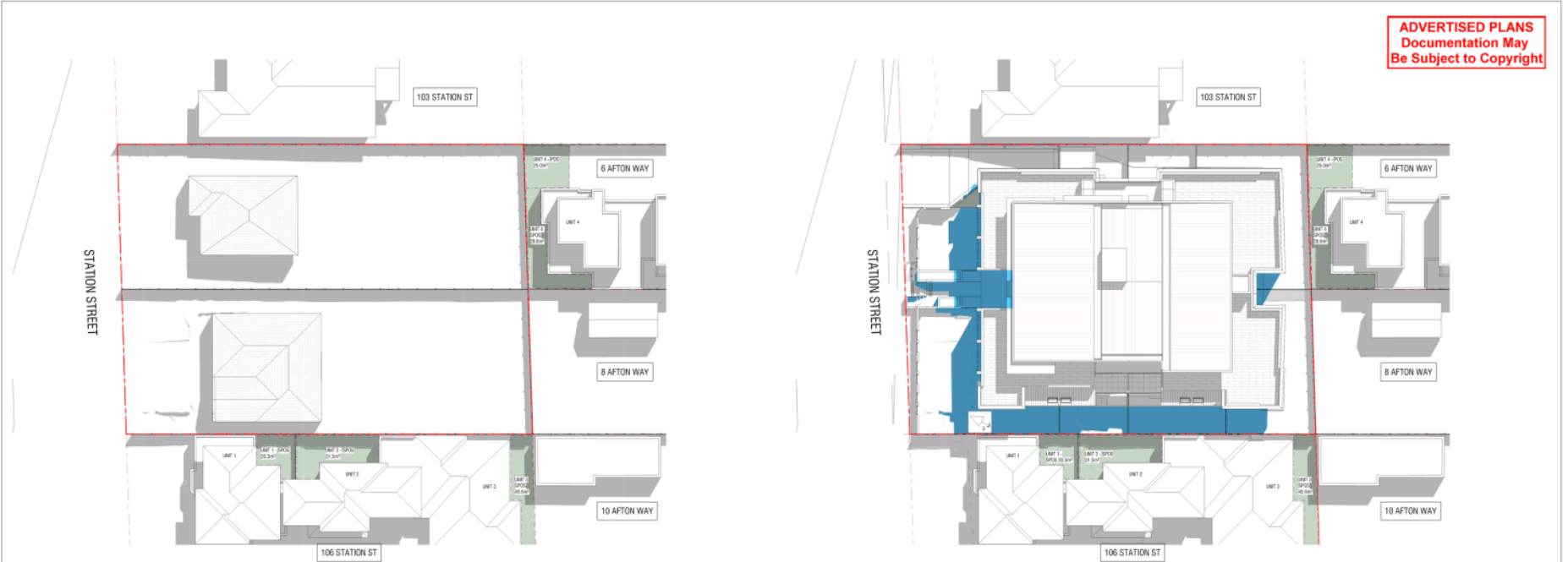
PROJECT:
104-105 STATION ST, ASCENDALE
CLIENT:
360 DEGREES PTY LTD.
DRAWN BY:
SHADOW DIAGRAMS - 11am 22nd SEP

SCALE:
As indicated @ A1
DATE:
19/03/20
DRAWN BY:
TP-502



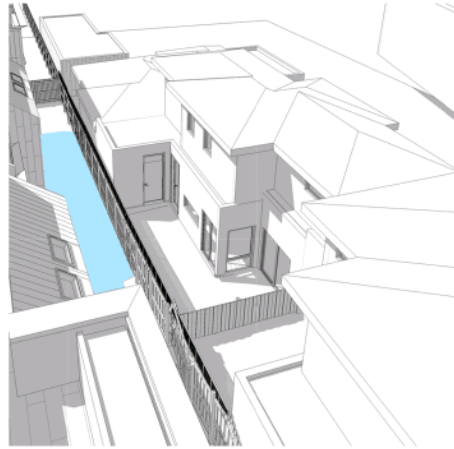
DESIGNED BY:
AM MC
DATE:
24/01/2019

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1 EXISTING CONDITIONS SHADOW DIAGRAM
Scale: 1:200

2 PROPOSED CONDITIONS SHADOW DIAGRAM
Scale: 1:200
NEW SHADOW ON OPPOSED PLANE



3 PROPOSED SOUTH BOUNDARY
Scale:

NOTE:
NO 5 HOURS SHADOW IMPACT FROM
PROPOSED NEW BUILDING ONTO UNIT 1 AND
UNIT 2 SPOS AREA OF 106 STATION STREET.

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REVISION	REV. DATE	DESCRIPTION
0	20/01/2019	TOWN PLANNING
1	19/10/2019	PRELIMINARY ISSUES
2	19/10/2019	PRELIMINARY ISSUES
3	19/10/2019	PRELIMINARY ISSUES
4	19/10/2019	PRELIMINARY ISSUES
5	19/10/2019	PRELIMINARY ISSUES
6	19/10/2019	PRELIMINARY ISSUES

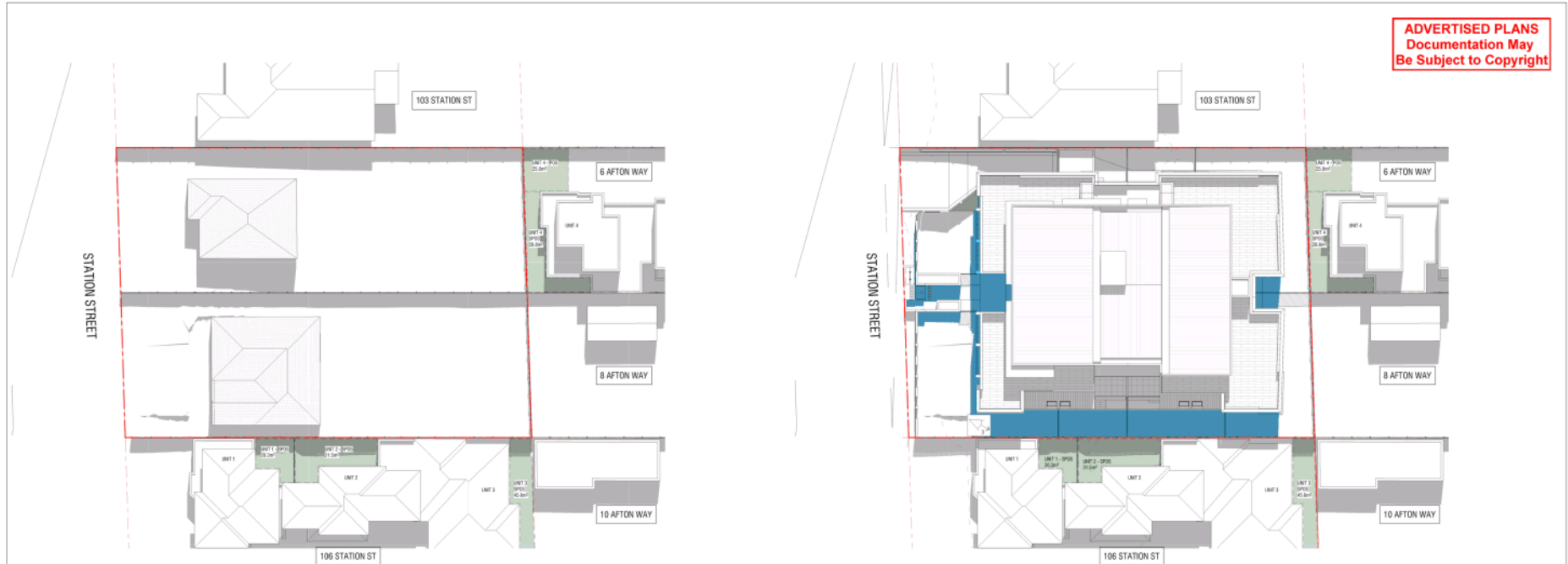
PROJECT:
104-105 STATION ST, ASCENDALE
CLIENT:
360 DEGREES PTY LTD.
DRAWN BY:
SHADOW DIAGRAMS - 12pm 22nd SEP

SCALE:
As indicated @ A1
DATE:
19/03/20
DRAWN BY:
TP-503
CHECKED BY:
AM MC
DATE:
24/01/2019
TOWN PLANNING

ARCHITECTURE INTERIOR DESIGN

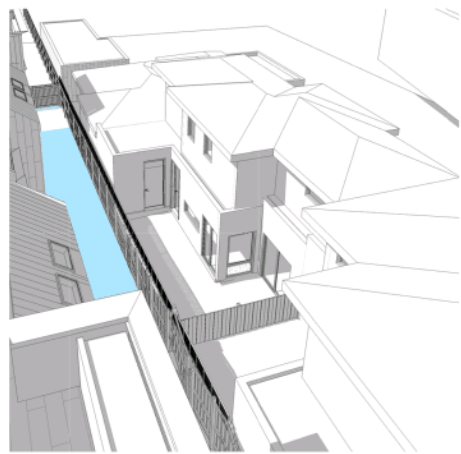
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1 EXISTING CONDITIONS SHADOW DIAGRAM
Scale: 1:200

2 PROPOSED CONDITIONS SHADOW DIAGRAM
Scale: 1:200
NEW SHADOW ON GROUND PLANE



3 PROPOSED SOUTH BOUNDARY
Scale:

NOTE:
NO 5 HOURS SHADOW IMPACT FROM
PROPOSED NEW BUILDING ONTO UNIT 1 AND
UNIT 2 SPOS AREA OF 106 STATION STREET.

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REVISION	REV DATE	DESCRIPTION
1	03/01/2019	TOWN PLANNING
2	11/01/2019	PRELIMINARY SHADOWS
3	19/10/2019	PRELIMINARY SHADOWS
4	11/01/2019	PRELIMINARY SHADOWS
5	01/02/2019	PRELIMINARY SHADOWS

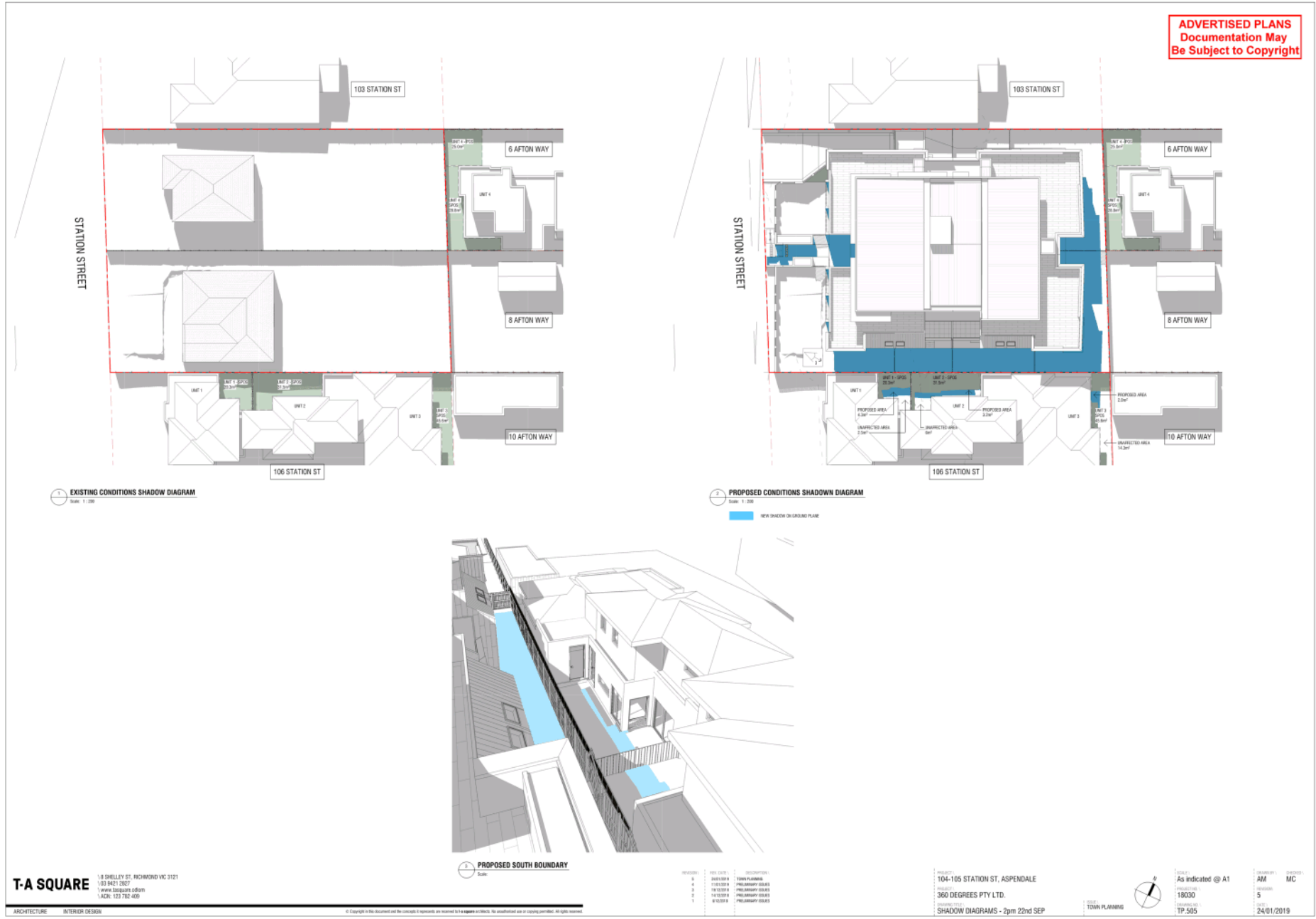
PROJECT:
104-105 STATION ST, ASPENDALE
CLIENT:
360 DEGREES PTY LTD.
DRAWN BY:
SHADOW DIAGRAMS - 1pm 22nd SEP

SCALE:
As indicated @ A1
1:8000
TOWN PLANNING
DATE:
24/01/2019

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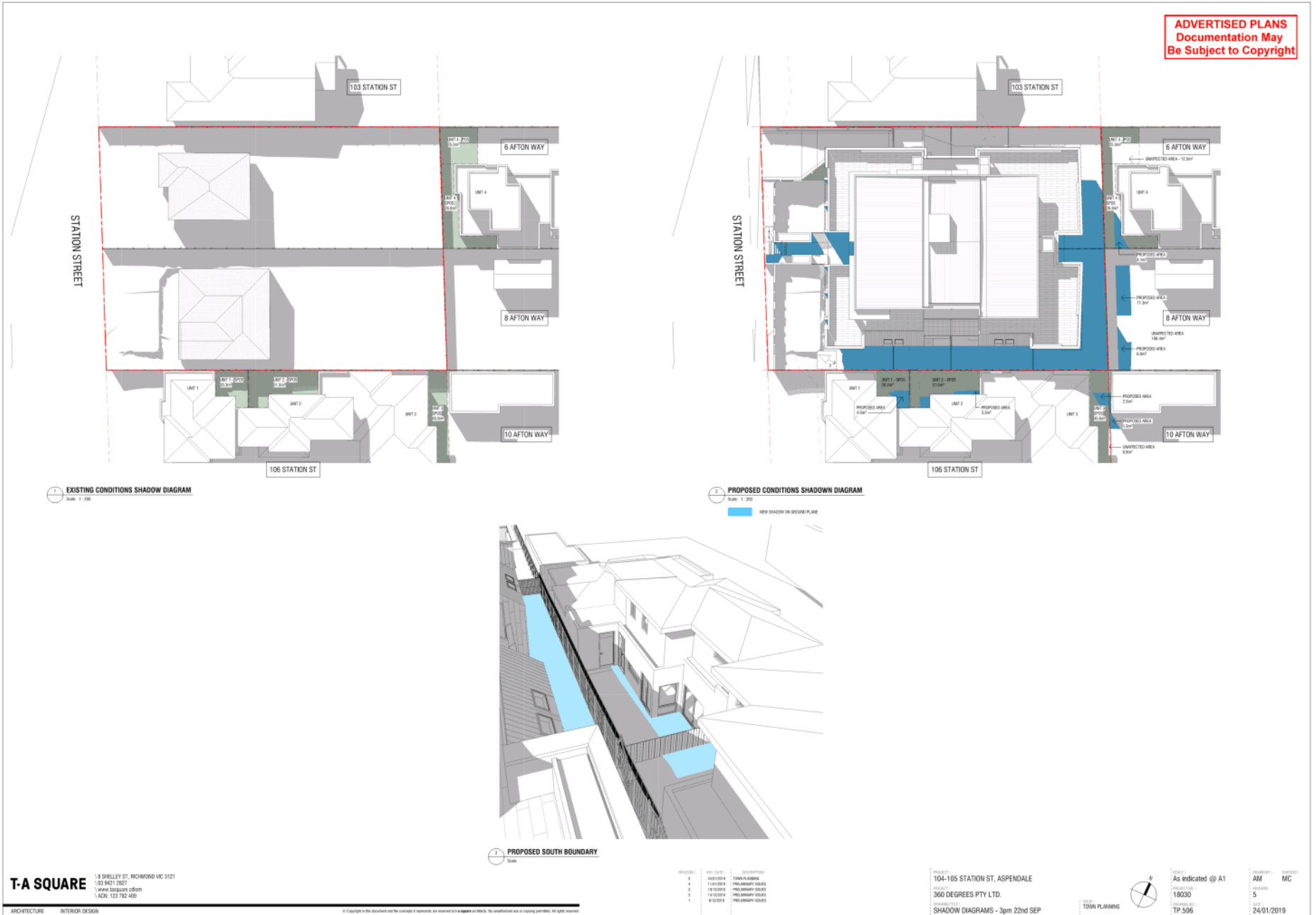


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PROVISION	REV. DATE	DESCRIPTION
1	20/01/19	TOWN PLANNING
2	19/10/19	PRELIMINARY ISSUES
3	19/10/19	PRELIMINARY ISSUES
4	19/10/19	PRELIMINARY ISSUES
5	19/10/19	PRELIMINARY ISSUES
6	19/10/19	PRELIMINARY ISSUES

PROJECT: 104-105 STATION ST, ASCENDALE
CLIENT: 360 DEGREES PTY LTD.
DRAWN BY: SHADOW DIAGRAMS - 3pm 22nd SEP

SCALE: As indicated @ A1
DATE: 19/03/20
DRAWN BY: TP 506
CHECKED BY: MC
DATE: 24/01/2019
TOWN PLANNING

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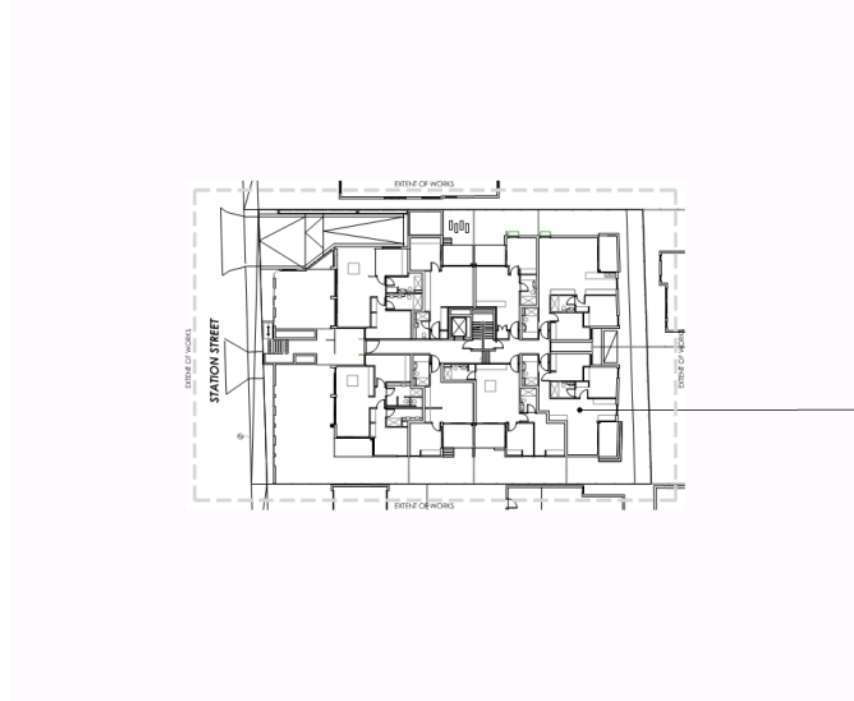
TOWN PLANNING APPLICATION
 PROPOSED DEVELOPMENT

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360 DEGREES
 104 -105 STATION STREET,
 ASPENDALE,
 VICTORIA

DRAWING REGISTER

- L0 CONTEXT PLAN
- L1 SETOUT PLAN
- L2 PLANTING PLAN
- L3 PLANTING PLAN
- L4 LANDSCAPE DETAILS



SCOPE OF WORKS

TITLE
 PROPOSED RESIDENTIAL DEVELOPMENT

CLIENT
 360 DEGREES

ADDRESS
 104 -105 STATION STREET ASPENDALE

T-A SQUARE



ISSUE	DATE	DESCRIPTION
A	20/11/16	TOWN PLANNING APPLICATION
B	01/02/17	LAYOUT PLAN REVISION
C	02/02/17	LAYOUT PLAN REVISION
D	03/02/17	SURFACE FINISHES REVISION
E	10/02/17	ADDITIONAL PLANNING TO BEAR
F	29/11/18	REVISION TO CLIENTS INSTRUCTION
G	24/01/19	DRAWING ADJUSTED TO ARCHITECTS NOTES

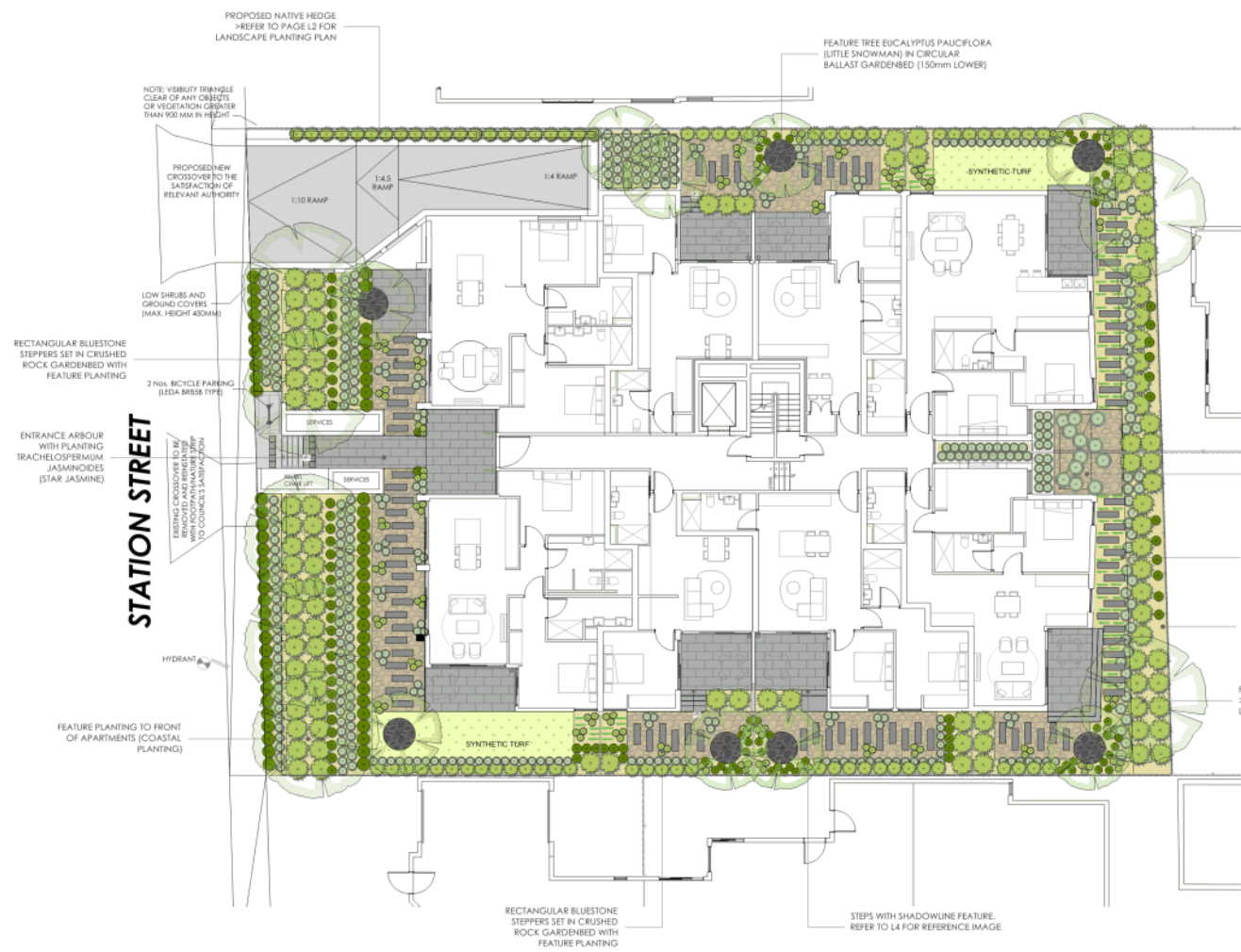
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DRAWN:	REFERENCE:
DH	16-2189
SCALE:	DATE:
1:250	11/2018
SIZE:	ISSUE:
A1	G L0

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NOTES

- EXISTING TREE TO BE REMOVED
- PROPOSED TREE
- PROPOSED SHRUB
- PROPOSED TUFTING SHRUB, CLIMBER OR GROUNDCOVER
- LARGE FORMAT STEPPERS
- PEBBLE MULCH GARDEN BEDS
- BALLAST MULCH GARDEN BEDS
- COLOURED CONCRETE PAVEMENT
- GRANITE PAVERS
- SYNTHETIC TURF
- MULCHED GARDEN BED

1. Contractor to verify location of all underground services prior to commencement of work.
2. Remove weeds from all areas shown on the drawings as garden bed and lawn, outside to be laid grading.
3. Grade site into garden beds, lawn or paved areas. Adjust grading accordingly when water flows or possible in adjacent.
4. Determine pH of soil using pH kit available at most nurseries. The soil should have a pH slightly acidic to neutral (pH 5.5 to 7.0). Availability of this range correctly has local nursery to obtain advice on improving the pH level. Plant tolerance of high or low pH varies.
5. Clay soils should be checked for responsiveness to gypsum which can allow aluminium to penetrate the soil. If required, add gypsum according to manufacturer's directions. Release aluminium of existing soil and improve with gypsum treated such as well-drained moorlands, soil improvers or compost prepared to AS 4454-2003. Top dress existing soil with this mixture and cover with mulch. Top dress topsoil is not available then imported topsoil that complies with AS 4411-2003 should be used.
6. Plant selection shall be as per the attached schedule in locations as shown on the drawings. Plant quantities are to be confirmed by the contractor and any discrepancies between the plant schedule and plan are to be reported to the landscaper and fixed before proceeding. Plans are to show well developed root systems and be free of pest and disease.
7. A drip watering system should be installed to all garden beds and connected to a rainwater tank if available. If unavailable, a rainwater tank should be used and installed as per planning regulations and local guidelines. Refer to confirm location and tank on site. REFER TO LOCAL WATER AUTHORITY DURING PERIOD OF WATER RESTRICTION.
8. Apply organic mulch to all garden bed areas to a depth of 75mm as per planting details. Recommended sources of mulch should be Pine or local commercial Suppliers. Pine mulch such as Red Gum or Jarrah should not be used.
9. Seed & grass seed fertilizer to apply upon initial planting. Seed fertiliser such as granulated healthy & balanced growth. Phosphagen or slow release fertilizer that can be applied to the entire garden every three months. Individual plant species have varying requirements. Consult your local nursery for advice.
10. All timber products to be treated (e.g. recycled or plantation grown, Jarrah, Red Gum or heath (Yellow) Cypress Pine (Callitris columbiana)) should not be used unless demonstrated that they are environmentally sound.
11. Timber posts for one to two years as per detail. Use two or three 30x30x1000mm stakes per tree and stake with 20mm fabric ties.
12. All arbours require wire or trellis climbing frame to be attached to the adjacent surface.
13. Unless otherwise noted on plan use timber edging as per detail between all garden beds, crushed rock paths & lawn areas.
14. Also show on plan or the drawings are to be graded to provide smooth contours and raised to remove soil clods and lumps. It is recommended that lawn areas be seeded with non-invasive grass species such as Queensland Blue Grass (Dichanthum aegyptium), Redding Grass (Boutchouka ramosa), Weeping Grass (Microlaena stipitata), Creeping Bent Grass (Agrostis subulata), Clumped Hair Grass (Dactyloctenium aegyptium), Kentucky Blue Grass (Poa pratensis), Tall Fescue (Festuca arundinacea). Water lawn areas during establishment in accordance with local guidelines as set by the local Water Authority.
15. Follow-up maintenance should be undertaken every 4-6 weeks for 2 years following establishment. Check or disease plants should be reported. Continue to monitor for weed species and remove as required. Irrigate any poor plants or trees. Continue to water other plants according to individual species moisture needs, seasonal conditions and as advised by local Water Authority. All plants and trees to be monitored and pruned as required according to AS 4373 (Pruning of Ornamental Trees, Hedges & Live Fences) in writing.

TITLE: PROPOSED RESIDENTIAL DEVELOPMENT
 CLIENT: 360 DEGREES
 ADDRESS: 104-105 STATION STREET ASPENDALE

T-A SQUARE



SUBJ	DATE	DESCRIPTION
A	30/11/16	TOWN PLANNING APPLICATION
B	01/02/17	LAYOUT PLAN REVISION
C	02/02/17	LAYOUT PLAN REVISION
D	03/02/17	SURFACE FINISHES REVISION
E	10/02/17	ADDITIONAL PLANTING TO BEAR
F	29/11/18	REDESIGN TO CLIENTS INSTRUCTION
G	24/01/19	DRAWING ADJUSTED TO ARCHITECTS NOTES

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DRAWN: DH	REFERENCE: 16-2189
SCALE: 1:100	DATE: 11/2018
SHEET: A1	ISSUE: G
	SHEET: LI

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NOTES

- EXISTING TREE TO BE REMOVED
- PROPOSED TREE
- PROPOSED SHRUB
- PROPOSED TUFTING SHRUB, CLIMBER OR GROUND COVER
- LARGE FORMAT STEPPERS
- PEBBLE MULCH GARDEN BEDS
- BALLAST MULCH GARDEN BEDS
- COLOURED CONCRETE PAVEMENT
- GRANITE PAVERS
- SYNTHETIC TURF
- MULCHED GARDEN BED

1. Contractor to verify location of all underground services prior to commencement of work.
2. Remove weeds from all areas shown on the drawings or garden bed and lawn, herbicide to be used as required.
3. Grade site into garden beds, lawn or gravel areas. Adjust grading accordingly when water flows or possible drainage.
4. Determine per cent of soil using pH at available at most nurseries. The soil should have a pH slightly acidic to neutral (pH 5.5 to 7.0). Availability of this range correctly to local nursery to obtain advice on improving the pH level. Plant tolerance of high or low pH varies.
5. Clay soils should be checked for responsiveness to gypsum which can often improve to penetrate the soil. If required, add gypsum according to manufacturer's directions, release cultural soil and improve with organic material such as well-rotted manures, soil improvers or compost prepared to AS 4454:2003. Top dress existing soil with this mixture and cover with mulch. Top dress topsoil is not available then imported topsoil that complies with AS 4419:2003 should be used.
6. Plant selection shall be as per the schedule in locations as shown on the drawings. Plant quantities are to be confirmed by the contractor and any discrepancies between the plant schedule and plan are to be reported by the landscaper and fixed before proceeding. Plans are to show well developed root systems and be free of pest and disease.
7. A drip watering system should be installed for all garden beds and connected to a rainwater tank if available. If unavailable, a rainwater tank should be sized and installed as per planning regulations and local guidelines. Refer to confirm location and link on site.
8. REFER TO LOCAL WATER AUTHORITY DURING PERIOD OF WATER RESTRICTION
9. Apply organic mulch to all garden bed areas to a depth of 75mm as per planting details. Recommended sources of mulch should be Pine or local commercial Suppliers. Bare fibres such as Bark Chips or Bark should not be used.
10. Soil is to be fertilised to supply optimum plant growth. Liquid fertiliser such as granular healthy & balanced growth. Phosphorus or slow release fertiliser that can be applied to the entire garden every three months. Individual plant species have varying requirements. Consult your local nursery for advice.
11. All timber products to be treated area, recycled or plantation grown. Jarrah, Red Gum or Heath (Yellow Gum) (Eucalyptus) should not be used unless demonstrated that they are uninfested products.
12. Stake trees for one to two years as per detail. Use two or three 30x30x1000mm stakes per tree and stake with 20mm fabric tape.
13. All children require wire or fabric climbing frame to be attached to the adjacent surface.
14. Unless otherwise noted or stated use timber weighing 100 per cent below ground and treated with preservative and 100 per cent above ground.
15. Always show on plan or drawings use to be graded to provide smooth contours and related to remove soil clods and subsoil. It is recommended that lawn areas be seeded with non-invasive grass species such as Queensland Blue Grass (Dichanthum aegyptium), Red Grass (Panicum maximum), Weeping Grass (Microlaena stipoides), Creeping Bent Grass (Agrostis subulata), Clumped Grass (Dianella caerulea), Kentucky Blue Grass (Poa pratensis), Tall Fescue (Festuca arundinacea). Water lawn areas during establishment in accordance with state guidelines or as per the local Water Authority.
16. Follow-up maintenance should be undertaken every 4-6 weeks for 2 years following establishment. Dead or diseased plants should be replaced. Continue to monitor for weed species and remove as required. Irrigate any new plants or trees. Continue to water for seed species according to individual species moisture needs, seasonal conditions and as advised by local Water Authority. All plants and trees to be monitored and pruned as required according to AS 4272 (Pruning of Arnhem trees, which is to be replaced or revised as required).



TITLE: PROPOSED RESIDENTIAL DEVELOPMENT
 CLIENT: 360 DEGREES
 ADDRESS: 104-105 STATION STREET ASCENDALE

T-A SQUARE



ISSUE	DATE	DESCRIPTION
A	30/11/16	TOWN PLANNING APPLICATION
B	01/02/17	LAYOUT PLAN REVISION
C	02/02/17	LAYOUT PLAN REVISION
D	03/02/17	SURFACE FINISHES REVISION
E	10/02/17	ADDITIONAL PLANTING TO BEAR
F	29/11/18	REDESIGN TO CLIENTS INSTRUCTION
G	24/01/19	DRAWING ADJUSTED TO ARCHITECTS NOTES

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DRAWN: DH	REFERENCE: 16-2189
SCALE: 1:100	DATE: 11/2018
SIZ: A1	ISSUE: G
	SHEET: L2

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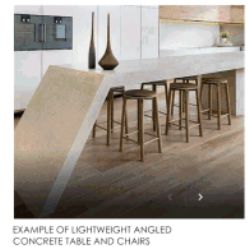
NOTES

-  EXISTING TREE TO BE REMOVED
-  PROPOSED TREE
-  PROPOSED SHRUB
-  PROPOSED TUFTING SHRUB, CLIMBER OR GROUND COVER
-  LARGE FORMAT STEPPERS
-  PEBBLE MULCH GARDEN BEDS
-  BALLAST MULCH GARDEN BEDS
-  TIMBER DECKING
-  MULCHED GARDEN BED

1. Contractor to verify location of all underground services prior to commencement of work.
 2. Remove weeds from all areas shown on the drawings or garden bed and floor, herbicide to be used sparingly.
 3. Grade the site garden beds, lower or general levels. Adjust grading accordingly when water marks or ponding is required.
 4. Determine pit of soil using pit of available of most runnels. The soil should have a pH slight acidic to neutral (pH - 5.5 to 7.0). If outside of this range contractor should notify to adjust advice on improving the pH level. Plant tolerance of high or low pH varies.
 5. Clay soils should be checked for requirements to gypsum which can be applied prior to penetrate the soil. If required, add gypsum according to manufacturer's directions.
 6. Separate cultivation of seeding and mulch improve with organic material such as well rotted manure, soil improver or compost prepared to AS 4584:2003. Top dress seeding soil with this matter and cover with mesh. If seeding is not available then prepared seed that complies with AS 4111:2003 should be used.
 7. Plant selection shall be per the plant schedule in locations as shown on the drawings. Plant quantities are to be confirmed by the contractor and any discrepancies between the plant schedule and plan are to be reported to the landscape architect before proceeding. Plans are to have well developed root systems and be free of pest and disease.
 8. A drip watering system should be installed for all garden beds and connected to a rainwater tank if available. If unavailable, a separate tank should be sized and installed in per planning regulations and local guidelines. Budget to confirm location and flow rate.
- REFER TO LOCAL WATER AUTHORITY DURING PERIOD OF WATER RESTRICTION**
9. Apply organic mulch to all garden bed areas to a depth of 75mm as per planting details. Recommended sources of mulch should be Pine or local common Eucalyptus. Saw timbers such as Red Gum or Jarrah should not be used.
 10. Seaweed is an ideal fertilizer to apply upon initial planting. Seaweed helps root and promotes healthy & robusted growth. Phosphate is an ideal liquid fertilizer that can be applied to the entire garden every three months. Individual plant species have varying requirements. Consult your local nursery for advice.
 11. All flower products to be treated pine, recycled or plantation grown. Jarrah, Red Gum or local Jarrah, Copper Pine (Eucalyptus) columns should not be used unless demonstrated that they are disease free product.
 12. Stake trees for one to two weeks as per detail. Use two or three 38x38x1000 HW stakes per tree and secure with 20mm rope.
 13. All changes require site or walk climbing frame to be attached to the adjacent surface.
 14. Gates otherwise noted or plan, use 150mm edge joist per detail between all garden beds, crushed rock paths & lower areas.
 15. Areas shown in green on the drawings are to be an irrigated possible gravel, crushed and tamped soil (loam and subsoil). If recommended that lawn areas be seeded with non-native grass species such as Queensland Blue Grass (Echinochloa polystachya), Bahia Grass (Brachiaria distachya), weeping Grass (Panicum repens), Creeping Bent Grass (Agrostis subulata), Clumped Weeping Grass (Drosera spicata), Kentucky Blue Grass (Poa pratensis). Full focus (Festuca arvensis), include lawn areas during establishment in accordance with design guidelines or job specific requirements.
 16. Follow-up maintenance should be undertaken on every 4-6 weeks for 2 years following establishment. Dead or diseased plants to be replaced. Continue to monitor for weed species and remove as required. Include any pest control or traps. Continue to monitor plants according to individual species and require needs, and/or conditions unless otherwise stated by local water Authority. All plants and trees to be monitored and pruned as required, according to AS 4375 (Pruning of Artery Trees), which has been referenced in this plan.



EXAMPLE OF SLIM LINE BBQ IN LIGHTWEIGHT CONCRETE BENCH



EXAMPLE OF LIGHTWEIGHT ANGLED CONCRETE TABLE AND CHAIRS



EXAMPLE OF SLATTED TIMBER SEAT WITH PLANTER BEHIND



EXAMPLE OF CLIMBING WIRES ATTACHED TO PERGOLA STRUCTURE

COMMUNAL BBQ AREA WITH SEATING AND LARGE COMMUNAL TABLE

LIGHTWEIGHT PLANTERS AT VARIOUS HEIGHTS FOR ROOFTOP PLANTING

TITLE:
PROPOSED RESIDENTIAL DEVELOPMENT

CLIENT:
360 DEGREES

ADDRESS:
104-105 STATION STREET ASCENDALE

T-A SQUARE



ISSUE	DATE	DESCRIPTION
A	30/11/16	TOWN PLANNING APPLICATION
B	01/02/17	LAYOUT PLAN REVISION
C	02/02/17	LAYOUT PLAN REVISION
D	03/02/17	SURFACE FINISHES REVISION
E	10/02/17	ADDITIONAL PLANTING TO BEAR
F	29/11/18	REDESIGN TO CLIENTS INSTRUCTION
G	24/01/19	DRAWING ADJUSTED TO ARCHITECTS NOTES

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DRAWN:	DH	REFERENCE:	16-2189
SCALE:	1:100	DATE:	11/2018
SHEET:	A1	ISSUE:	G L3

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EXAMPLE OF BALLAST CIRCLE WITH FEATURE TREE
EXAMPLE OF CLIMBER TRAINED TO TENSIONED STAINLESS STEEL CABLES AS FEATURE SCREEN
EXAMPLE OF STEEL ARBOUR WITH VINE CLIMBING OVER
EXAMPLE OF STEP SHADOW LINE

GROUND FLOOR PLANT SCHEDULE

CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
BI	Banksia integrifolia	COAST BANKSIA	12.00	6.00	2.0M PLANTED	7
ELU	Eucalyptus leucocylon	'Starry Dwarf'	6.00	4.00	2.0M PLANTED	4
EPH	Eucalyptus pauciflora	'Little Swainson'	7.00	4.00	2.0M PLANTED	5

CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
LLU	Lomandra longifolia Tanky	DWARF LOMANDRA	0.60	0.90	150 DIA POT	46
Flu	Ficinia nodosa	KNOBBY CLUB SEDGE	1.00	0.90	150 DIA POT	12
PP	Poa palliformis	TUSSOCK GRASS	0.60	0.90	150 DIA POT	223
PPN	Poa palliformis	'Nogahai'	0.45	0.45	150 DIA POT	147

CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
CH	Chrysosplenium apiculatum	COMMON EVERLASTING	0.30	1.00	150 DIA POT	63
TJm	Trachelospermum jasminoides	CHINESE STAR JASMINE	0.50	2.00	150 DIA POT	14
VH	Viola hederacea	NATIVE VIOLET	0.15	0.30	150 DIA POT	129

CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
CA	Correa alba	WHITE CORREA	1.50	1.50	150 DIA POT	56
DEc	Doryanthes aecoides	GYMELLY	2.00	1.50	200 DIA POT	21
LPer	Limonium perazi	SEA LAVENDER	0.60	0.50	150 DIA POT	138
SPa	Stygium axillare	'Phrazer'	4.00	1.50	200 DIA POT	71
WF	Westringia fruticosa	NATIVE ROSEMARY	1.50	1.50	150 DIA POT	23
WFm	Westringia fruticosa Mundi	NATIVE ROSEMARY	0.50	1.50	150 DIA POT	46

ROOF TOP PLANT SCHEDULE

CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
MGa	Magnolia grandiflora	'Little Gem'	4.00	2.00	2.0M TALL	7

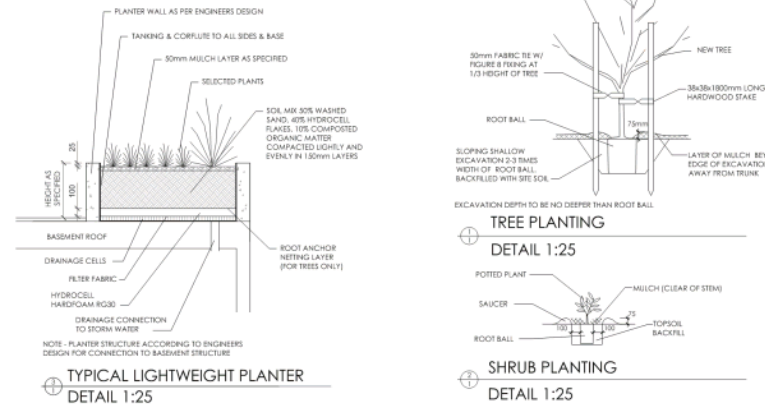
CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
CH	Chrysosplenium apiculatum	COMMON EVERLASTING	0.30	1.00	TUBESTOCK	49
PPN	Poa palliformis	'Nogahai'	0.45	0.45	150 DIA POT	86

CODE	BOTANIC NAME	COMMON NAME	H	W	PLANTED SIZE	QTY
LPer	Limonium perazi	SEA LAVENDER	0.60	0.50	150 DIA POT	32
SPa	Stygium axillare	'Phrazer'	4.00	1.50	200 DIA POT	65
WF	Westringia fruticosa	NATIVE ROSEMARY	1.50	1.50	150 DIA POT	5

NOTES



- Contractor to verify location of all underground services prior to commencement of work.
- Remove weeds from all areas shown on the drawings or garden bed and lawn, herbicide to be used as required.
- Grade site into garden beds, lawn or paved areas. Adjust grading accordingly when water flows or possible in adjacent.
- Determine per cent of soil using per cent available of most nutrients. The soil should have a per cent slight acidic to neutral pH, 0.5 to 2.0, available of this range correct soil food necessary to obtain advice on improving the per cent. Plant tolerance of high or low per cent varies.
- Chloride should be checked by response to gypsum which can cause chlorosis to penetrate the soil. If required, add gypsum according to manufacturer's directions. Release cultural of weeding and improve with organic mulch such as well-rotted manures, soil improver or compost prepared to AS 4454-2003. Top dress existing soil with this mulch and cover with mulch. Top dress topsoil if not available then imported topsoil that complies with AS 4411-2003 should be used.
- Plant selection shall be as per the plant schedule in locations as shown on the drawings. Plant quantities are to be confirmed by the contractor and any discrepancies between the plant schedule and plan are to be reported by the landscaper and fixed before proceeding. Plans are to show well developed root systems and be free of pest and disease.
- A drip watering system should be installed for all garden beds and connected to a rainwater tank if available. If unavailable, a rainwater tank should be sized and installed as per plumbing regulations and local guidelines. Refer to confirm location and look on site.
- REFER TO LOCAL WATER AUTHORITY DURING PERIOD OF WATER RESTRICTION
- Apply organic mulch to all garden bed areas to a depth of 75mm as per planting details. Recommended sources of mulch should be Pine or local commercial. Note: Products such as Red Gum or slash should not be used.
- Soil is an ideal fertilizer to apply upon initial planting. Initial nitrogen such as granulated healthy & balanced growth. Phosphagen or slow release fertilizer that can be applied to the entire garden every three months. Individual plant species have varying requirements. Consult your local nursery for advice.
- All initial products to be treated area, recycled or gardeners' grown. Jarrah, Red Gum or Heath (Yellow) Copse Pine (Carris columbiana) should not be used unless demonstrated that they are uninvolved products.
- Make trees free for one to two years as per detail. Use two or three 30-30x1000mm stakes per tree and stake with 20mm fabric ties.
- All plants require wire or trellis climbing frame to be attached to the adjacent surface.
- Unless otherwise noted on site plan, use timber edging as per detail between all garden beds, created rock paths & lawn areas.
- Also show on plan on the drawings are to be re-graded to provide smooth contours and raised to remove soil clods and debris. It is recommended that lawn areas be seeded with non-invasive grass species such as Queensland Blue Grass (Dichanthum annulatum), Redding Grass (Boutchouka major), Weeping Grass (Panicum repens), Creeping Bent Grass (Agrostis subulata), Curlew (Poa annua), Dwarf Blue Grass (Dactyloctenium aegyptium), Blue Grass (Panicum), Tall Fescue (Festuca arundinacea). Water lawn areas during establishment in accordance with the guidelines as indicated on the local Water Authority.
- Follow-up maintenance should be undertaken every 4-6 weeks for 2 years following establishment. Dead or diseased plants should be replaced. Continue to monitor for weed species and remove as required. Schedule any pest control or insects. Continue to water other plants according to individual species moisture needs, seasonal conditions and as advised by local water authority. All plants and trees to be monitored and pruned as required according to AS 4327 (Pruning of Ornamental Trees), which is to be maintained on an ongoing basis.



TITLE:
PROPOSED RESIDENTIAL DEVELOPMENT

CLIENT:
360 DEGREES

ADDRESS:
104-105 STATION STREET ASCENDALE

T-A SQUARE

CONCEPT PLAN ONLY
NOT TO BE USED AS WORKING DRAWING

ISSUE	DATE	DESCRIPTION
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DRAWN: **DH** REFERENCE: **16-2189**

SCALE: **AS SHOWN** DATE: **11/2018**

ISSUE: **A1** SHEET: **G L4**

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Planning Committee Meeting

19 June 2019

Agenda Item No: 4.4

KP-2018/730 - 29 - 31 PATTY STREET MENTONE

Contact Officer: David Tancheff, Senior Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2018/730 - 29 - 31 Patty Street Mentone VIC 3194.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Notice of Decision to Grant a Permit to develop the land for the construction of four (4) double storey dwellings at 29 - 31 Patty Street Mentone VIC 3194, subject to the conditions contained within this report.

This application requires a decision by the Planning Committee following a call-in by Cr West.

EXECUTIVE SUMMARY			
Address	29 – 31 Patty Street Mentone		
Legal Description	Lot 1 on PS 037041		
Applicant	3rd Dimension Developments Pty Ltd		
Planning Officer	David Tancheff		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential Zone Schedule 3		
Overlays	Clause 44.50 – Special Building Overlay		
Particular Provisions	Clause 55 – Two or more dwellings on a Lot and Residential Buildings Clause 52.06 – Car Parking Clause 53-18 – Stormwater Management in Urban Development		
Permit Trigger/s	Clause 32.08 – 6 – Construct two or more dwellings on a lot Clause 44.05 – Construct or carry out Buildings or Works in a Special Building Overlay		
APPLICATION / PROCESS			
Proposal	Develop the land for the construction of four (4) double storey dwellings		
Reference No.	KP-2018/730	RFI Received	21 January 2019
App. Received	10 September 2018	App. Amended	8 February 2019
Site inspection	Yes		
S.52 Advertising	Commenced: 14 February 2019	Advertising Completed	4 March 2019
S.55 Referrals	No		
Internal referrals	Yes		
Objection(s)	One (TRIM checked on 22 May 2019)		
Mandatory Garden area requirement	Complies	Mandatory Building Height requirement	Complies
LEGISLATIVE			
Covenant/other Restriction	Yes	Complies: Yes	
CHMP	Exempt		
Considered Plans	3 rd Dimension Developments sheets 1 – 7 dated 21/1/2019 revision F job no 29-31Pat		

1.0 RELEVANT LAND HISTORY

1.1 There are no recent planning decisions relevant to the assessment of this application.

2.0 SITE PARTICULARS

Built form	Two single storey dwellings with pitched tiled roofs. The site is now currently under demolition. The dwellings that are currently under demolition were addressed as 29 Patty Street Mentone and 31 Patty Street Mentone. However, the dwellings were on the one land title.
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29 Patty Street Mentone – had a rendered finish, a single width garage accessed via a single crossover on the west side of the property.

31 Patty Street Mentone - had a brick finish, one open car space located at the front eastern side of the property.

Size (m²)

950m² – The subject site is rectangular but wider and shorter than other subdivisions in the area. Measuring 32.79 metres wide and 28.96 metres deep. Creating one lot that is effectively the front half of two typical rectangular lots in the area.

For example, Number 27 Patty Street is a two lot subdivision, which is approximately 16 metres wide by 60 metres deep. Of which the front lot measures 12.25 metres wide by 40 metres deep. Which is deeper than the subject's sites lot.



Topography

The land has a slope of 1 metre that falls from north to south.

**City of Kingston
Planning Committee Meeting**

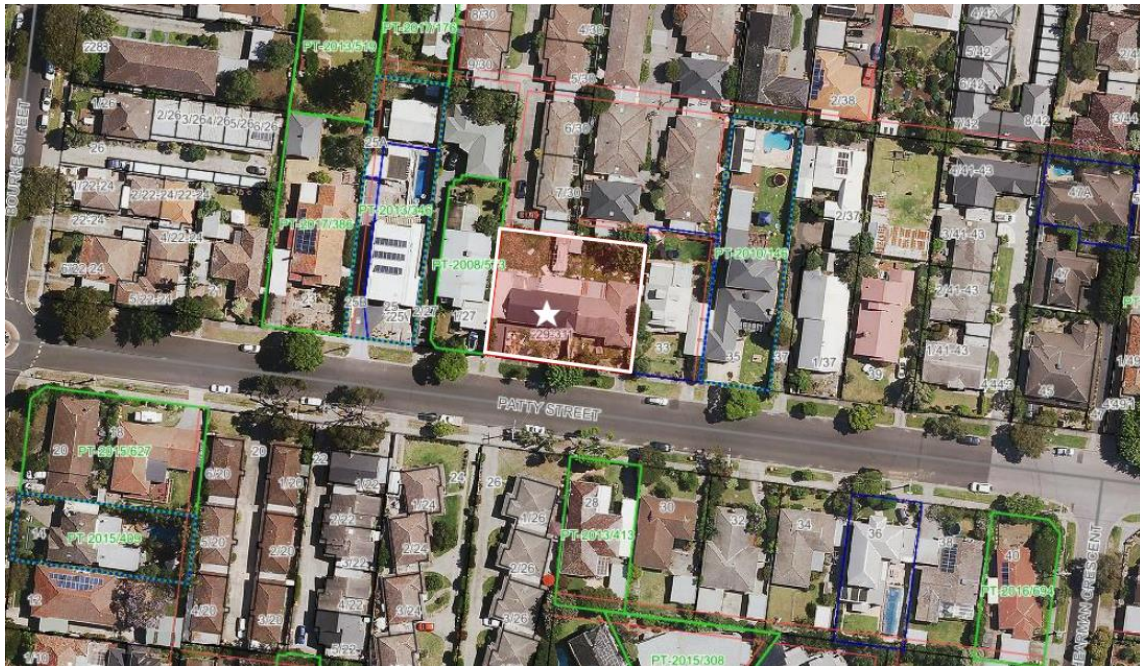
Agenda

19 June 2019

Fencing	A high fence exists at the front of both properties.
Vegetation	<p>There is limited vegetation on the subject site, namely an <i>Acer negundo</i> (Box Elder Maple) in the rear yard and a group of palm trees, and in the front setback there is a <i>Pittosporum eugenioides</i> 'Variegatum' (Variegated Tarata). The Box Elder Maple has been previously lopped and is not worthy of retention. Council's Vegetation Department supports the removal of all vegetation from the subject site, however appropriate replacement landscaping should be condition of any permit issued.</p> <p><u>Neighbouring trees:</u></p> <p>There are several hedged trees (<i>Pittosporum tenuifolium</i> cv.) on the neighbouring property to the east along the shared boundary. Given the existing site conditions adjacent to these trees and their tolerance to root disturbance, these trees are unlikely to be impacted by the proposed development.</p>
Easement(s)	None.
Footpath assets / access	<p>There are two (2) existing crossovers adjacent to the east and west properties boundaries. No power poles, bollards are located along the frontage.</p> <p>There are 3 street trees located in the Patty Street nature strip. The <i>Acer negundo</i> (Box Elder Maple) is proposed to be removed to make way for the double crossover for dwellings 2 and 3. Council's Vegetation Department supports the removal of this tree given its small size and poor condition.</p> <p>The <i>Hakea salicifolia</i> (Willow-leaved Hakea) and <i>Tristaniopsis laurina</i> (Kanooka) are to be retained and protected.</p>
Covenant(s) / Restrictions	There are restrictions listed on the Certificate of Title in the form of a Covenant numbers 1254610 and 1254611. Both covenants refer to a prohibition to remove grave, sand, or clay from the land other than for the purpose of constructing a residence. The proposed development does not result in any breach of restriction

3.0 SURROUNDING ENVIRONS

3.1 The following map illustrates the subject site in its surrounding context.




3.2 Land directly abutting the subject site and opposite is described as follows:

North	<p>Unit 7 30 Flinders Street – Is the southernmost unit forming part of a larger single storey subdivision. The dwelling is single storey with brick walls and a tiled roof, it shares a common boundary with unit 6 to its north. It’s secluded private open space (SPOS) is located to the west of the dwelling but adjoins the subject site. It has a garage located on the south property boundary, no habitable room windows face south towards the subject site.</p> <p>32 Flinders Street – Is a 14 dwelling, single storey, brick and tiled roof unit development. The nearest unit has a garage on the south of the property and SPOS area located on the east side of the property. The SPOS area is located north of subject site.</p>
East	<p>33 Patty Street – Is an attic style double storey dwelling with a tin/Colorbond roof, the walls are constructed of white/cream cladding. The built form of this dwelling extends approximately 27 metres into the subject site and its first floor approximately 20.7 metres into the subject site. The SPOS area is located at the rear of the property. Access is via garage located on the west side of the property. There is some vegetation along the properties boundaries. The vegetation department has indicated that these trees will not be impacted by the development.</p>
South	<p>Is Patty Street and beyond that is predominately small single storey multi-unit post war brick dwellings.</p>
West	<p>Unit 1 27 Patty Street - Single storey rendered dwelling with a tin/Colorbond roof. The built form of the dwelling extends 27 metres into the subject site. The SPOS area is located at the rear of the property access is via a garage located on the west side of the property. There is some vegetation located on the site, the vegetation Team has indicated that this will not be impacted by the development.</p> <p>25 Patty Street is a two-dwelling development approved under Planning Permit KP-2015/19. The dwelling at the front (25A) is a double storey dwelling and the Unit at the rear (25B) is a single storey dwelling.</p> <p>25A Patty Street - Is at lock up stage, meaning that the dwelling has been finished but there is still some work on the landscaping remaining double storey contemporary dwelling with a render finish. Its double storey-built form extends 26 metres into the subject site. The SPOS area contains a pool and is located towards the rear of the site. The access is from the west side of the subdivided block and one small bedroom faces the street at the ground level.</p>

3.3 The surrounding area generally comprises of single storey post war multi-unit dwellings ranging from 4 dwellings to 9 dwellings on large lots of up to 2000m², dual occupancies and single dwellings on 600m² lots.

4.0 PROPOSAL

4.1 A summary of the proposal is provided in the table below.

Description	Demolish the existing dwelling and associated outbuildings on the land to develop the land for the construction of four (4) dwellings		
			
Storeys	Double storey		
Maximum building height	7.2m		
Bedrooms (including study)	6 bedrooms per dwelling		
Car parking	8 spaces in total, 2 per dwelling		
Front setback	5.8m		
Private Open Space	Dwelling 1 & 3 Total: 95.5m ² SPOS: 68.5m ²	Dwelling 2 & 4 Total: 92m ² SPOS: 63.5m ²	
Site Coverage	49%	Permeability	40%

Access	Existing crossovers on both property boundaries are to be retained. One double crossover is proposed in the middle of the site.
Vegetation removal/retention	As discussed earlier All vegetation on the subject sites proposed to be removed and one of the three street trees are proposed to be removed. The vegetation on the adjoining properties is considered unlikely to be impacted by the proposed development.
Building materials	A.C.C cladding, timber cladding, foam cladding, Colorbond canopy feature, aluminium window frames and a galvanised roof.

5.0 PLANNING PERMIT PROVISIONS

Zone

- 5.1 General Residential Zone (Schedule 3): Pursuant to Clause 32.08-4 of the Kingston Planning Scheme a planning permit is required to construct two (2) or more dwellings on a lot. A development must meet the requirements of Clause 55 of the Scheme. Schedule 3 to the General Residential Zone includes a variation to a number of standards within Clause 55.

Overlay

- 5.2 Special Building Overlay: Pursuant to Clause 44.04 or 44.05 of the Kingston Planning Scheme, a planning permit is required to construct a building or construct and carry out works.

Particular Provisions

- 5.3 **Clause 52.06 - Car Parking** contains the following residential car parking rates:

1 space to each 1 or 2 bedroom dwelling

2 spaces to each 3 or more bedroom dwelling

1 visitor space for every 5 dwellings

This equates to a parking requirement of 8 spaces for the proposed development.

As the required number of car parking spaces is provided on the site, a planning permit is not required for a reduced car parking rate pursuant to Clause 52.06-3.

Clause 52.06 – 8 Design standards, includes vehicle movements, access, splays, garaging dimensions, tandem space dimensions have been reviewed and are considered compliant.

- 5.4 **Clause 53.18 - Stormwater Management in Urban Development**, seeks to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

- 5.5 Pursuant to Clause 53.18-1 this clause applies to an application for the construction of works. The proposal has been referred to Council's Development Approvals Engineers who provided consent to the proposal subject to conditions relating to the management of stormwater impacts.

- 5.6 **Clause 55** - Two or More Dwellings on a Lot & Residential Buildings – (Refer to Appendix A for the Planning Officer’s full assessment against this report).

General Provisions

- 5.7 The Decision Guidelines of **Clause 65.01** of the Kingston Planning Scheme are relevant to this application and require consideration to be given to a variety of matters including planning scheme policies, the purpose of the zone, orderly planning and the impact on amenity.

6.0 RELEVANT POLICIES

6.1 Planning Policy Framework (PPF)

- Clause 11 Settlement
- Clause 13 Environmental Risks and Amenity
- Clause 15 Built Environment and Heritage
- Clause 16 Housing

6.2 Local Planning Policy Framework (LPP)

- Clause 21.05 Residential Land Use
- Clause 22.11 Residential Development Policy
- Clause 22.19 Public Open Space Contributions
- Clause 22.20 Stormwater Management

6.3 Other

- 6.4 Neighbourhood Character Area Guidelines (Incorporated Document under **Clause 21.05** – Residential Land Use of the LPPF). The land is located within Area 17 of the Neighbourhood Character Guidelines.

- 6.5 Design Contextual Housing Guidelines (April 2003 – reference document within **Clause 22.11** – Residential Development Policy). The Design Contextual Housing Guidelines offer a range of design techniques and suggestions to assist with residential design, which is responsive to local character.

7.0 ADVERTISING

- 7.1 The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. Two letters were received one from a neighbouring property and the other from a solicitor representing this property owner with similar concerns. Therefore, for the purpose of this assessment one (1) objection to the proposal was received. The grounds of objection raised are summarised as follows:

- Loss of privacy/overlooking
- Loss of solar access
- Location of bins
- Potential upgrade and future renovation
- Street parking

- Visual bulk
- Increase In traffic
- Noise

8.0 PLANNING CONSULTATION MEETING

- 8.1 The objectors were contacted by the planning officer to discuss their concerns, with this information then being relayed to the applicant.
- 8.2 In accordance with Council’s Planning Consultation Meeting Policy, no meeting was required as one (1) objection to the application was received. However, as required by the Policy, Council’s planning officer contacted the objector followed by further discussions with the applicant to ascertain if the concerns raised by the objector could be resolved. It should be noted that during the discussion with the objector no request was received by the planning officer for a planning consultation meeting to be held.
- 8.3 The objector concerns were unable to be resolved, and the objections still stand.

9.0 SECTION 50 – AMENDMENT TO PLANS

- 9.1 The Permit Applicant lodged amended plans on 8/2/2018 pursuant to Section 50 of the *Planning and Environment Act 1987*. The amended plans incorporated the following changes:
- Separation between townhouses 2 and 3
 - Staggered front setbacks
 - Deletion of front fences
- 9.2 It is these plans that form the basis of this recommendation and are described at section 4 of this report.

10.0 REFERRALS

- 10.1 The application was referred as set out in the tables below.

Internal Referrals

Department / Area	Comments
Council’s Vegetation Management Officer	No objection raised, subject to conditions included on any permit issued relating to the replacement trees which are proposed to be removed and street tree protection measures.
Council’s Development Engineer	No objection raised, subject to conditions included on any permit issued relating to water sensitive urban design and height of finished floor levels relating to the Special Building Overlay.
Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to the provision of pedestrian refuges and the protection of Council assets.

11.0 PLANNING CONSIDERATIONS:

Planning Policy Framework

11.1 The State Planning Policy Framework sets out the relevant state-wide policies for residential development at **Clause 11** (Settlement), **Clause 15** (Built Environment and Heritage) and **Clause 16** (Housing). Essentially, the provisions within these clauses seek to achieve the fundamental objectives and policy outcomes sought by 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017).

11.2 The settlement policies at **Clause 11** seek to promote sustainable growth and development and deliver choice and opportunity through a network of settlements. Of particular relevance to housing, **Clause 11** promotes housing diversity and urban consolidation objectives in the established urban realm. **Clause 11.02-1S** (Supply of urban land) states that Planning Authorities should plan to accommodate projected population growth over at least a 15 year period, taking account of opportunities for redevelopment and intensification of existing urban areas as well consideration being had for environmental aspects, sustainable development and the costs associated with providing infrastructure. This clause states:

Planning for urban growth should consider:

- *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
- *Neighbourhood character and landscape considerations.*
- *The limits of land capability and natural hazards and environmental quality.*
- *Service limitations and the costs of providing infrastructure.*

11.3 **Clause 11.01-1R1** (Settlement – Metropolitan Melbourne) and **Clause 11.03-1S** (Activity centres) places particular emphasis on providing increased densities of housing in and around activity centres or sites that have good access to a range of services, facilities and transport options.

11.4 **Clause 11.02** (Managing Growth) main directive is to ensure a sufficient supply of land is made available for a variety of purposes, including residential. To achieve this, it takes into account sufficient land availability to meet forecasted demand. **Clause 11.03-1S** places particular emphasis on providing a diversity of housing, including forms of higher density housing, in defined activity centres to cater for different households that are close to jobs and services.

11.5 **Clause 13** (Environmental Risks and Amenity) aims to ensure that planning adopts a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards. Further, planning should identify and manage the potential for the environment, and environmental changes, to impact upon the economic, environmental or social well-being of society.

11.6 **Clause 13.03-1S - Floodplain Management** This section of the Planning Scheme seeks to assist in the protection of:

- *Life, property and community infrastructure from flood hazard.*
- *The natural flood carrying capacity of rivers, streams and floodways.*
- *The flood storage function of floodplains and waterways.*
- *Floodplain areas of environmental significance.*

Under this provision, flood risk is required to be considered in land use planning decisions, in order to avoid intensifying the impacts of flooding through inappropriately located uses and/or developments.

- 11.7 **Clause 15** (Built Environment and Heritage) aims to ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.
- 11.8 Policies pertaining to urban design, built form and heritage outcomes are found at Clause 15 of the Planning Policy Framework. Of particular significance, **Clause 15.01-1S** (Urban design) and **Clause 15.01-1R** (Urban Design – Metropolitan Melbourne) encourages development to achieve high quality architectural and urban design outcomes that contribute positively to neighbourhood character, minimises detrimental amenity impacts and achieves safety for future residents, and the community, through good design. The provisions of **Clause 15.02** (Sustainable Development) promotes energy and resource efficiency through improved building design, urban consolidation and promotion of sustainable transport.
- 11.9 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 11.10 The Subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity; however, the subject site is less than 1.1 hectares and 200 metres from coastal waters and therefore is exempt from requiring a CHMP under the regulation 10 of the *Aboriginal Heritage Regulations 2018* as follows:
- The construction of 3 or more dwellings on a lot or allotment is an exempt activity if the lot or allotment is—*
- (a) not within 200 metres of the coastal waters of Victoria, any sea within the limits of Victoria or the Murray River; and*
- (b) less than 0.11 hectares.*
- 11.11 Housing objectives are further advanced at **Clause 16**. This Clause aims to encourage increased diversity in housing to meet the needs of the community through different life stages and respond to market demand for housing. In much the same vein as **Clause 11**, this Clause advances notions of consolidation of existing urban areas, particularly in and around activity centres and employment corridors that are well served by all infrastructure and services.
- 11.12 The policies contained within **Clause 16.01-3S** (Housing diversity) encourage the provision of range of housing types to meet the increasingly diverse needs of the community. Emphasis is placed on development of well-designed medium density housing with respect to neighbourhood character. Further, this Clause aims to make better use of the existing infrastructure and provide more energy efficient housing. **Clause 16.01-4S** (Housing affordability) raises the objective of delivering more affordable housing closer to jobs, transport and services.

- 11.13 It is submitted that the proposed development satisfies the aforementioned State strategies and policy direction. Specifically, the subject site is located on land earmarked for residential purposes, whereby residential development is an 'as of right' use under the zoning provisions. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable design outcome for the site and its immediate abuttals, whilst enjoying convenient and direct access to community facilities and the like, including public transport nodes.

Local Planning Policy Framework

- 11.14 The City of Kingston's MSS at **Clause 21.05 - Residential Land Use** of the Kingston Planning Scheme, seeks to provide guidance to development in residential zoned land, mixed use zoned lands and land within activity centres. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.

- 11.15 Relevant objectives and strategies in **Clause 21.05-3: Residential Land Use** include:

- *To provide a range of housing types across the municipality to increase housing diversity and cater for the changing housing needs of current and future populations, taking account of the capacity of local areas in Kingston to accommodate different types and rates of housing change. This is to be achieved through encouraging residential development within activity centres via mixed-use development, and on transitional sites at the periphery of activity centres.*
- *To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality. This is to be achieved through promoting new residential development, which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.*
- *To promote more environmentally sustainable forms of residential development. To be achieved through promoting medium density housing development in close proximity to public transport facilities, particularly train stations.*
- *To manage the interface between residential development and adjoining or nearby sensitive/strategic land uses.*
- *To ensure residential development does not exceed known physical infrastructure capacities.*

- 11.16 Council's Local Planning Policy at **Clause 21.05** essentially reinforces State Planning Policy relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases.

- 11.17 The need to provide adequate flood storage and improve stormwater management practices is a key objective in Kingston's land use planning set out under **Clause 21.09 Environment, Wetlands and Waterways**. The limitations of the existing drainage system make it imperative that flood risk is considered in land use planning to avoid intensifying the impacts of flooding through inappropriately located uses and/or development.

11.18 Key issues (objectives) at **Clause 21.09-2** of the MSS include:

- *Need to provide adequate flood storage and improve stormwater management practices.*
- *Rehabilitation of the Mordialloc Creek floodplain and creation of Chain of Wetlands.*
- *Loss of diversity of natural habitats, indigenous plant and animal species and the need to protect remnant vegetation communities.*
- *Degradation of waterways and water quality as a result of past drainage works and upstream pollution.*
- *Need for regional coordination in catchment planning and management between Melbourne Water, DNRE, EPA, Parks Victoria, Catchment Management Authorities and Council, as a result of Kingston's location at the receiving end of a regional catchment system.*
- *Modifications to drainage and land use which alter the natural flood regime.*

Strategies to achieve these objectives include (as relevant to this application):

- *Ensure that all development within and adjacent to existing floodplains is consistent with floodplain management objectives and maximises the potential for creation of public open space, wetlands and recreational and cultural activities.*
- *Ensure that proposals for new development provide appropriate stormwater treatment measures and that construction activities do not have a negative impact on the regional drainage function and performance of waterways, floodplains, drains and other water bodies.*
- *Liaise with Melbourne Water to identify urban and non urban areas affected by flood risk.*
- *Prevent incompatible land use and/or development in areas affected by flood risk to avoid intensifying flooding impacts in urban and non urban areas.*

11.19 **Clause 22.11 - Residential Development Policy** extends upon the provision contained at **Clause 21.05 - Residential Land Use**, relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. It provides design guidance on how new residential development should achieve architectural and urban design outcomes that positively respond to neighbourhood character.

11.20 Relevant objectives in **Clause 22.11-2 Residential Development Policy** include:

- *To promote a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS.*
- *To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having particular regard to that identified in the Kingston Neighbourhood Character Guidelines – August 2007.*
- *To promote on-site car parking which is adequate to meet the anticipated needs of future residents.*
- *To ensure that landscaping and trees remain a major element in the appearance and character of the municipality's residential environments.*
- *To limit the amount and impact of increased stormwater runoff on local drainage systems.*

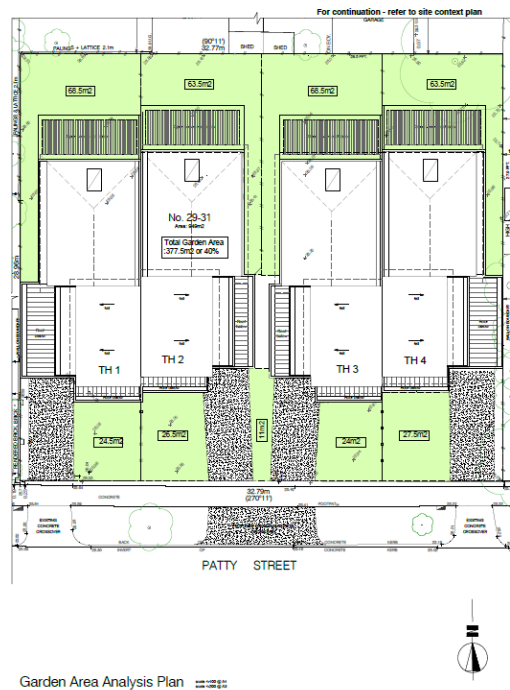
- *To ensure that the siting and design of new residential development takes account of interfaces with sensitive and strategic land uses*
- 11.21 The subject site is identified within the 'Incremental Change Area' where the policy suggests that the type of development anticipated is of dual occupancy on average sized lots.
- *In suburban locations which are not within convenient walking distance of public transport and activity centres, encourage lower density housing forms with a predominance of single dwelling and the equivalent of dual occupancy developments on average sized lots.*
- 11.22 **Clause 22.19 (Public Open Space Contributions)** forms the prevailing policy that guides Council to apply a land or cash public open space contribution, which is applicable to all subdivision applications. This policy identifies the important role that contributions play in funding new open space areas and facilitating capital improvements to existing public open space to meet the needs of the future population growth in Kingston.
- 11.23 Whilst the application at hand does not propose to subdivide the land, it is imperative to identify at this stage of the process whether a public open space contribution requirement is likely to be applied should the site be subdivided at a later date and, if so, whether the land is located in a 'cash' or 'land' preferred area. If in a land preferred area, the proposed design and layout must be considered as it will ultimately shape the subdivision configuration and whether any land is set aside for public open space purposes.
- 11.24 The subject site is located in area 4C/6A, which is a Land Contribution Preferred Area on Map 1 of this clause.
- 11.25 Whilst the subject site is located in an area where the preferred approach would be to require a 'land' contribution over 'cash', this is not deemed a viable or appropriate option as the subject site is one of a 'standard' sized allotment. The ability to set land aside for public open space purposes generally results from larger/consolidated parcels of land, large opportunistic/strategic sites, land that adjoins existing open space areas or the like. Based on the application before Council, it is not feasible to achieve a 'land' contribution in this instance. It is therefore recommended that a 'cash' contribution be considered in lieu of land at the subdivision stage.
- 11.26 **Clause 22.20 – Stormwater Management** is applicable to the consideration of medium and large-scale developments as specified within Table 1 of the policy. This clause seeks to improve the quality and reduce the impact of stormwater run-off, incorporate the use of WSUD principles in development and to ensure that developments are designed to meet best practice performance objectives.
- 11.27 It is considered that the proposed development generally complies and satisfies the State and Local Planning Policy Framework guidelines which aim to encourage well-designed medium density housing in appropriate locations. This is discussed in the Clause 55 assessment, later within this report.

Zoning Provisions

11.28 Pursuant to **Clause 32.08-4**, a lot must provide for the minimum garden area as set out in the following table:

Lot Size	Minimum percentage of a lot set aside as garden area
400-500m ²	25%
501-650 m ²	30%
Above 650 m ²	35%

11.29 It is considered that the proposal in its current format complies with the mandatory garden area requirement. A minimum of 35% of garden area has been provided for each proposed dwelling, resulting in a total of 40% of garden area for the entire lot.



Overlay Provisions

11.30 The subject site is located within a Special Building Overlay.

11.31 The purpose of this Overlay is to among other things to ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

11.32 The proposal complies with the Overlay's relevant Decision Guidelines and is deemed appropriate for the following reasons:

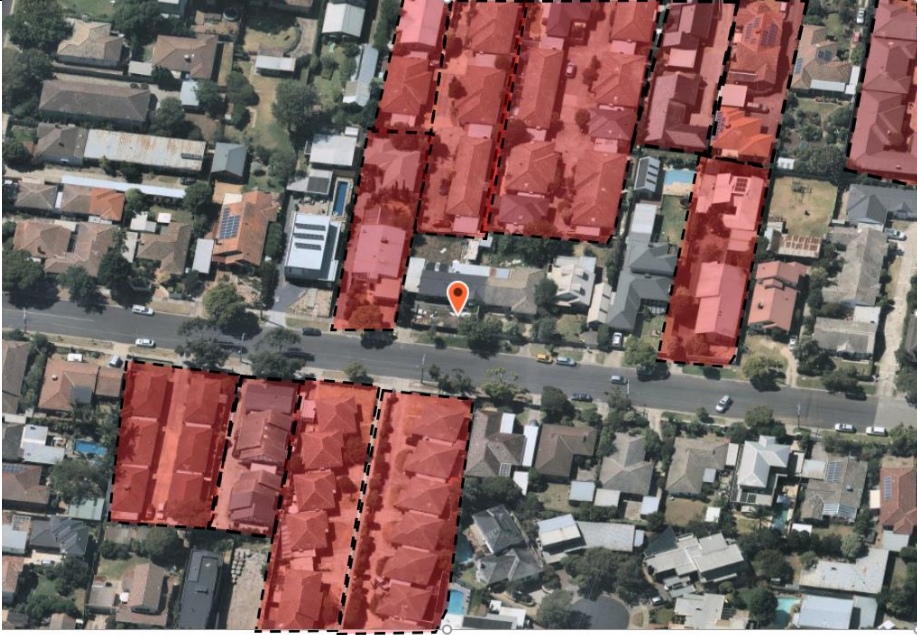
- As the Special Building Overlay is a Kingston City Council overlay it was referred to Council's Development Engineering Department who have no objection to the application subject to conditions relating to floor levels being above the flood level.

12.0 CLAUSE 55 (RESCODE ASSESSMENT)

- 12.1 The proposal has been assessed against the objectives and standards of **Clause 55** (ResCode) of the Kingston Planning Scheme (refer to Appendix A). **Clause 55** requires that a development **must** meet all of the objectives, and all of the standards of this clause **should** be met. Variations to the standards are able to be considered where it is determined that the overall objective is met.
- 12.2 The table below provides a detailed discussion, where relevant, for any standards where concessions are sought. Overall, it is noted that the application achieves a high level of compliance with the ResCode provisions, no variations have been sought.

*Note: Two or more dwellings on a lot and residential buildings in a General Residential Zone – Schedule 3. ****MUST meet the objective, SHOULD meet the standard*****

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.02-1 Neighbourhood Character objectives</p> <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. • To ensure that development responds to the features of the site and the surrounding area. 	<p>Standard B1</p> <ul style="list-style-type: none"> • The design response must be appropriate to the neighbourhood and site. • The proposed design must respect the existing or preferred neighbourhood character and respond to site features. 	Complies
<p>Assessment: The subject site is located within a predominantly residential area where medium density developments are prevalent (as shown on the image below). The existing character is varied ranging from single storey brick housing with pitched roof, to larger double storey dwellings with pitched roofs or flat roofs. In particular, as relevant to the application, number 25A Patty Street Mentone is a large contemporary style dwelling with a flat roof. The proposal is considered to respond well to the existing neighbourhood character of the area, by providing both a pitched roof towards the rear and flat roof at the front. In addition, the choice of materials include timber, render and cladding which combines the materials to reflect both the modern and older-style dwellings within the area.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
		
<p>Clause 55.02-2 Residential Policy objectives</p> <ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the MPS and the PPF. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Standard B2</p> <ul style="list-style-type: none"> ▪ An application must be accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF & MPS 	<p>Complies</p>
<p>Assessment: Section 11.2 of this report outlines the policy foundation of Clause 22.11, which is based on the principles outlined in the <i>Kingston Residential Strategy (September 2000)</i> and <i>Kingston Neighbourhood Character Guidelines (August 2007)</i>. In unity with the policy premise of the <i>Kingston Residential Strategy</i>, Clause 22.11 seeks to provide a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS</p> <p>Clause 22.11 nominates the site and its surrounds in a General Residential Zone Schedule 3 area for Incremental Housing Change Areas, and states:</p> <p style="padding-left: 40px;"><i>In suburban locations which are not within convenient walking distance of public transport and activity centres, encourage lower density housing forms with a predominance of single dwelling and the equivalent of dual occupancy developments on average sized lots. These areas are identified for 'incremental housing change' on the Residential Framework Plan within the MSS. The type of housing change anticipated in these areas will take the form of extensions to existing houses, new single dwellings or the equivalent of new two dwelling developments.</i></p> <p>As the Site is located within a General Residential Zone schedule 3, Clause 22.11 seeks to manage development pressures by instituting a gradual or 'incremental' rate of change, which is generally</p>		

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>commensurate to that envisaged through the Schedule to the zone and with that experienced by the building typography found in the area.</p> <p>Further to this Clause 22.11 encourages double storey dwellings at the front of the site and provides design guidelines if the double storey is located at the rear of the site. The policy also offers design guidelines for double storey dwellings that are proposed at the rear, the policies effectively seek to reduce the impact of the double storey as it presents to sensitive interfaces, those being secluded private open space areas.</p> <p>As discussed in the objector response section, it's put forward to Council that the proposed dwellings are located at the front of the site in the context of the adjoining properties. In addition, the sensitive interfaces adjoining the site are the rear of 33 Patty Street, Unit 1 27 Patty Street, Unit 7 30 Flinders Street and the rear unit of 32-34 Flinders Street.</p> <p>Despite the proposal being considered to be the front of the site, it is considered that the proposed unit responds well to the adjoining sensitive interfaces for the following reasons:</p> <ul style="list-style-type: none"> • The double storey-built form and SPOS areas are in line with the adjoining properties at 33 Patty Street and Unit 1 27 Patty Street. Meaning that there will be minimal impact to the rear SPOS areas of the adjoining properties. • The SPOS areas of Unit 7 30 Flinders and the rear Unit of 32 -34 Flinders are orientated towards one another, east and west. In addition to this the proposed built form of the upper storey is located to the south of the open spaces, has a setback that exceeds ResCode requirements, at 7 metres, and provides a break of 2.7 metres where it aligns with the said Sensitive interfaces. • The upper floor walls provide different colour materials on upper floor compared to the ground floor and where possible is setback from the ground floor footprint, helping to reduce the overall bulk of the proposed dwellings. <p>It is considered that the proposed development generally complies and satisfies the Scheme's Planning Policy Framework guidelines which aim to encourage well-designed medium density housing in appropriate locations.</p>		
<p>Clause 55.02-3 Dwelling Diversity objective To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Standard B3 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	<p>N/A</p>
<p>Assessment: Less than 10 dwellings</p>		
<p>Clause 55.02-4 Infrastructure objectives</p> <ul style="list-style-type: none"> • To ensure development is provided with appropriate utility services and infrastructure. • To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard B4</p> <ul style="list-style-type: none"> • Connection to reticulated services/sewerage, electricity, gas and drainage services • Capacity of infrastructure and utility services should not be exceeded unreasonably • Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists 	<p>Complies</p>
<p>Assessment: It is recommended that suitable condition(s) be included in any permit issued to address infrastructure considerations.</p>		

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Clause 55.02-5 Integration with the street objective <ul style="list-style-type: none"> • To integrate the layout of development with the street. 	Standard B5 <ul style="list-style-type: none"> • Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. 	Complies
	<ul style="list-style-type: none"> • Development oriented to front existing/proposed streets 	
	<ul style="list-style-type: none"> • High fencing in front of dwellings should be avoided if practicable. 	
	<ul style="list-style-type: none"> • Development next to existing public open space should be laid out to complement the open space. 	
Assessment: The development provides for safe and functional connectivity with vehicles access provided exclusive access/egress point(s). In addition, the proposal provides habitable room windows that interface with the street that allows for passive surveillance the street and a 1.2 metre dividing fence is proposed to be located at the front of the proposal between the attached dwellings.		
Clause 55.03-1 Street setback objective <ul style="list-style-type: none"> ▪ To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	Standard B6 Walls of buildings should be set back from streets: <ul style="list-style-type: none"> ▪ If no distance is specified in a schedule to the zone, the distance specified in Table B1 Required: 5.8 metres	Complies
Assessment: The proposal meets the setback distance specified in this Standard at 5.8 metres.		
Clause 55.03-2 Building height objective <ul style="list-style-type: none"> ▪ To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	Standard B7 Maximum: 9 metres	Complies
Assessment: The proposal meets the heights parameters specified in this Standard at 7.2 metres.		
Clause 55.03-3 Site Coverage objective <ul style="list-style-type: none"> ▪ To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Standard B8 Maximum: GRZ3 – 50%	Complies
Assessment: The proposal achieves a site coverage statistic of 49%, which meets this Standard.		
Clause 55.03-4 Permeability objectives <ul style="list-style-type: none"> ▪ To reduce the impact of increased stormwater run-off on the drainage system. ▪ To facilitate on-site stormwater infiltration. 	Standard B9 At least: 20%	Complies
Assessment: The permeability figure proposed (i.e. 40%) exceeds that specified in the Standard.		
Clause 55.03-5 Energy Efficiency objectives	Standard B10	Complies

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<ul style="list-style-type: none"> ▪ To achieve and protect energy efficient dwellings and residential buildings. ▪ To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Orientation, siting & design of buildings should make appropriate use of solar energy. Further, siting & design should ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</p> <p>Living areas & private open space should be located on the north side of the development, if practicable.</p> <p>Solar access to north-facing windows is maximised.</p>	
<p>Assessment: The internal layout of all dwellings has been designed to maximize on energy efficiency principles. In addition, the proposal is exempt from the requirements of Clause 22.21 – Environmentally Sustainable Design as the application was lodged before this was introduced into the Kingston Planning Scheme, gaining benefit from its transitional provisions.</p>		
<p>Clause 55.03-6 Open Space objective</p> <ul style="list-style-type: none"> ▪ To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Standard B11</p> <p>Public or communal open space should:</p> <ul style="list-style-type: none"> ▪ Be substantially fronted by dwellings ▪ Provide outlook for dwellings ▪ Be designed to protect natural features. ▪ Be accessible and useable. 	N/A
<p>Assessment: There is no communal private open space adjoining the site.</p>		
<p>Clause 55.03-7 Safety objectives</p> <ul style="list-style-type: none"> ▪ To ensure the layout of development provides for the safety and security of residents and property. 	<p>Standard B12</p> <p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting should not create unsafe spaces along streets and accessways</p> <p>Good lighting, visibility and surveillance of car parks and internal accessways should be achieved.</p> <p>Private spaces should be protected from inappropriate use as public thoroughfares.</p>	Complies
<p>Assessment: The proposal provides an acceptable level of consideration for safety & security of residents. In part, this is evidenced by the highly visibly, identifiable & attainable dwelling entries.</p>		
<p>Clause 55.03-8 Landscaping objectives</p> <ul style="list-style-type: none"> ▪ To encourage development that respects the landscape character of the neighbourhood. ▪ To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. ▪ To provide appropriate landscaping. ▪ To encourage the retention of mature vegetation on the site. 	<p>Standard B13</p> <p>In summary, landscape layout & design should:</p> <ul style="list-style-type: none"> ▪ Protect predominant landscape features of the neighbourhood. ▪ Take into account the soil type and drainage patterns of the site. ▪ Allow for intended vegetation growth and structural protection of buildings. ▪ Provide a safe, attractive and functional environment for residents. <p>In summary, development should:</p> <ul style="list-style-type: none"> ▪ Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. ▪ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. ▪ Specify landscape themes, vegetation (location and species), paving and lighting. 	Complies
<p>Assessment: The application provides adequate space for the planting of various species, including canopy trees. As a condition of any permit issued, a detailed landscape plan will be required.</p>		

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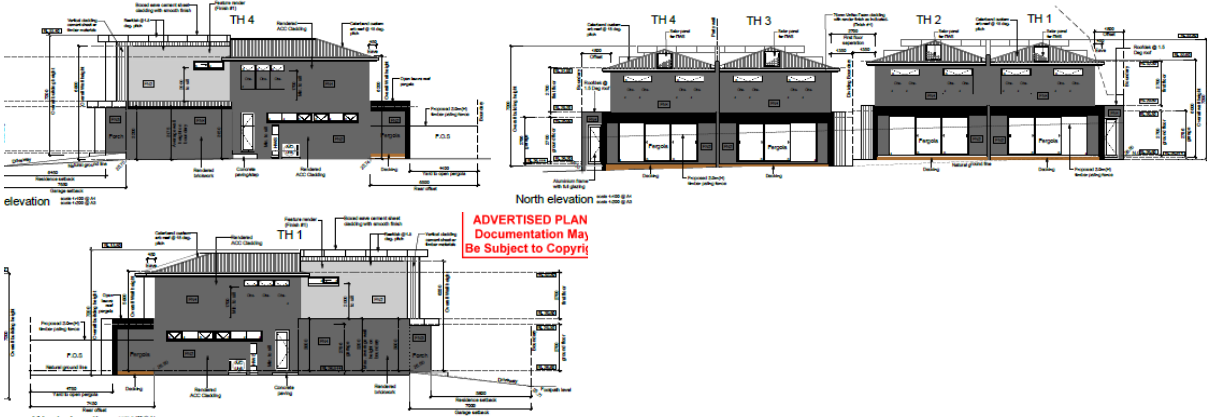
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<p>Clause 55.03-9 Access objective</p> <ul style="list-style-type: none"> ▪ To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard B14</p> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> ▪ 33 per cent of the street frontage, or ▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	<p>Variation required</p>
	No more than one single-width crossover should be provided for each dwelling fronting a street.	
	The location of crossovers should maximise the retention of on-street car parking spaces.	
	The number of access points to a road in a Road Zone should be minimised.	
	Access for service, emergency and delivery vehicles must be provided.	
<p>Assessment: The width of accessway will occupy 39.3% of the frontage which exceeds the minimum of 33%. However, the proposal still allows the retention of car parking within the frontage and raises no concern with respect to traffic or access related matters others than the requirement for a pedestrian refuge to be provided between the proposed double crossover, which will be included in permit conditions.</p>		
<p>Clause 55.03-10 Parking location objectives</p> <ul style="list-style-type: none"> ▪ To provide convenient parking for resident and visitor vehicles. ▪ To protect residents from vehicular noise within developments 	<p>Standard B15</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>Complies</p>
	<p>Assessment: The proposal raises no concern with respect to the layout and design of on-site car parking.</p>	
<p>Clause 55.04-1 Side and rear setbacks objective</p> <ul style="list-style-type: none"> ▪ To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B17</p> <p>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> ▪ 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	<p>Complies</p>
	<p>Assessment: The minimum wall height is 6.8 metres which requires a side setback of 1.96 metres and the minimum proposed setback is 1.8 metres the proposal exceeds the standard.</p>	
<p>Clause 55.04-2 Walls on boundaries objective</p> <ul style="list-style-type: none"> ▪ To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B18</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p>	<p>Complies</p>

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	<ul style="list-style-type: none"> ▪ 10 m plus 25% of the remaining length of the boundary of an adjoining lot, or ▪ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 	
Assessment: The proposal satisfies the requirement of this schedule. The walls on boundary do not exceed an average height of 3.2 metres.		
Clause 55.04-3 Daylight to existing windows objective <ul style="list-style-type: none"> ▪ To allow adequate daylight into existing habitable room windows. 	Standard B19 Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3m ² and minimum dimension of 1m clear to the sky. Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.	Complies
Assessment: Given the axis of the allotment and siting of the dwelling(s), the proposal will not have an unreasonable impact upon daylight to existing habitable room windows.		
Clause 55.04-4 North facing windows objective <ul style="list-style-type: none"> ▪ To allow adequate solar access to existing north-facing habitable room windows. 	Standard B20 Buildings should be setback 1m if an existing HRW is within 3m of the abutting lot boundary (add 0.6m to this setback for every metre of height over 3.6m & add 1m for every metre of height over 6.9m)	Complies
Assessment: There are no north facing windows relative to this Standard.		
Clause 55.04-5 Overshadowing open space objective <ul style="list-style-type: none"> ▪ To ensure buildings do not significantly overshadow existing secluded private open space 	Standard B21 Where sunlight to the SPOS of an existing dwelling is reduced, at least 75%, or 40m ² with min. 3m, whichever is the lesser area, of the SPOS should receive a min of 5hrs of sunlight btw 9am & 3pm on 22 September. If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.	Complies
Assessment: The proposed development does not result in an unreasonable level of overshadowing to any existing SPOS areas.		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Clause 55.04-6 Overlooking objective</p> <ul style="list-style-type: none"> ▪ To limit views into existing secluded private open space and habitable room windows. 	<p>Standard B22 Standard B22</p> <p>A HRW, balcony, terrace, deck or patio should be located & designed to avoid direct views into the SPOS of an existing dwelling within 9m (refer to clause for exact specifications). Where within it should be either:</p> <ul style="list-style-type: none"> ▪ Offset a minimum of 1.5m from the edge of one window to the edge of the other. ▪ Have sill heights of at least 1.7m above floor level. ▪ Have fixed, obscure glazing in any part of the window below 1.7m above floor level. ▪ Have permanently fixed external screens to at least 1.7m above floor level & be no more than 25% transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> ▪ Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. ▪ Permanent, fixed and durable. ▪ Designed and coloured to blend in with the development. 	<p>Complies</p>
<p>Assessment: All first floor windows have been screened in accordance with the Standard B22 of ResCode, through the provision of 1.7 metres high obscure glass with a highlight window provided above that.</p>		
		
<p>In addition, on the ground floor in the SPOS areas of the proposed dwellings are proposed to be encompassed by a 2m metre high fence which will prevent any ground floor overlooking to neighbouring properties. This complies with the ground floor overlooking standard and therefore should be supported.</p>		
<p>Clause 55.04-7 Internal views objective</p> <ul style="list-style-type: none"> ▪ To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard B23</p> <p>Windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Complies</p>

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
Assessment: No unreasonable internal overlooking will occur.		
Clause 55.04-8 Noise impacts objectives <ul style="list-style-type: none"> ▪ To contain noise sources in developments that may affect existing dwellings. ▪ To protect residents from external noise. 	Standard B24 Noise sources should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and SPOS of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	Complies
Assessment: See objector response section of the report.		
Clause 55.05-1 Accessibility objective <ul style="list-style-type: none"> ▪ To encourage the consideration of the needs of people with limited mobility in the design of developments. 	Standard B25 The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Complies
Assessment: It is considered that the proposed layout and design of dwelling entries can accommodate for people of limited mobility.		
Clause 55.05-2 Dwelling entry objective <ul style="list-style-type: none"> ▪ To provide each dwelling or residential building with its own sense of identity. 	Standard B26 Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> ▪ Be visible and easily identifiable from streets and other public areas. ▪ Provide shelter, a sense of personal address and a transitional space around the entry. 	Complies
Assessment: The proposed entries to all dwellings are clearly visible from the public realm.		
Clause 55.05-3 Daylight to new windows objective <ul style="list-style-type: none"> ▪ To allow adequate daylight into new habitable room windows. 	Standard B27 HRW should be located to face: <ul style="list-style-type: none"> ▪ Outdoor space clear to the sky or a light court with a minimum area of 3m² and min. dimension of 1m clear to the sky or ▪ Verandah provided it is open for at least 1/3 of its perimeter, or ▪ A carport provided it has 2 or more open sides and is open for at least 1/3 of its perimeter. 	Complies
Assessment: It is considered that all proposed windows all for adequate solar access and natural daylight into primary and secondary living areas.		
Clause 55.05-4 Private open space objective <ul style="list-style-type: none"> ▪ To provide adequate private open space for the reasonable recreation and service needs of residents. 	Standard B28 GRZ3 – A dwelling or residential building should have POS consisting of: <ul style="list-style-type: none"> ▪ An area of 40m², with one part of the POS to consist of SPOS at the side or rear of the dwelling or residential building with a min. 40m², a min. dimension of 5m and convenient access from a living room. If a dwelling has more than 2 bedrooms an additional ground level POS area of 20m² with a minimum width of 3m is required to be provided for each additional bedroom, with a max. of 80m² of POS required for the dwelling. 	Complies
Assessment: Each dwelling has been provided with adequate POS that meets the area and dimension requirements specified above and will service the social, recreational and passive needs of future residents.		
	Standard B29	Complies

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
Clause 55.05-5 Solar Access to Open Space <ul style="list-style-type: none"> ▪ To allow solar access into the secluded private open space of new dwellings and residential buildings. 	The private open space should be located on the north side of the dwelling or residential building, if appropriate.	
	The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.	
Assessment: No south facing POS is proposed as part of this development.		
Clause 55.05-6 Storage objective <ul style="list-style-type: none"> ▪ To provide adequate storage facilities for each dwelling. 	Standard B30 Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	Complies
Assessment: Secure storage areas have been provided for each dwelling within their respective POS areas.		
Clause 55.06-1 Design Detail objective <ul style="list-style-type: none"> ▪ To encourage design detail that respects the existing or preferred neighbourhood character 	Standard B31 The design of buildings, including: <ul style="list-style-type: none"> ▪ Facade articulation and detailing ▪ Window and door proportions, ▪ Roof form, and ▪ Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	Complies
Assessment: The proposed design and use of materials is reasonable given the neighbourhood character of the area.		
Clause 55.06-2 Front fences objective <ul style="list-style-type: none"> ▪ To encourage front fence design that respects the existing or preferred neighbourhood character. 	Standard B32 The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. Schedule to GRZ3: A front fence within 3m of a street should not exceed:2m for streets in a RDZ1 or 1.2m for other streets	Complies
Assessment: No front fencing is proposed as part of this development application.		
Clause 55.06-3 Common property objectives <ul style="list-style-type: none"> ▪ To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. ▪ To avoid future management difficulties in areas of common ownership. 	Standard B33 Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	Complies
Assessment: No common property is proposed as part of this development.		
Clause 55.06-4 Site services objectives <ul style="list-style-type: none"> ▪ To ensure that site services can be installed and easily maintained. ▪ To ensure that site facilities are accessible, adequate and attractive. 	Standard B34 Dwelling layout and design should provide sufficient space and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	Complies subject to conditions

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE
<p>Assessment: It is understood that all the facilities required for the development can be accommodated within the development. Site services such as mailboxes have been nominated on the respective plans and located appropriately.</p> <p>As discussed earlier in the objector response section the bin location will be required to be moved via permit condition.</p>		

13.0 RESPONSE TO GROUNDS OF OBJECTIONS

13.1 The objector concerns have largely been addressed in the body of this report.

13.2 The following objector concerns, however, remain outstanding:

Ground(s)	Response
Loss of privacy/overlooking	<p>All first floor windows have been screened in accordance with the Standard B22 of ResCode, through the provision of 1.7 metres high obscure glass with a highlight window provided above that.</p> <p>In addition, on the ground floor in the SPOS areas of the proposed dwellings are proposed to be encompassed by a 2m metre high fence which will prevent any ground floor overlooking to neighbouring properties. This complies with the ground floor overlooking standard and therefore should be supported.</p>
Increase In traffic	<p>The proposal for four dwellings on lot that is 950m² is an expected outcome of the planning controls that apply to the subject site. The subject is zoned General Residential Zone Schedule 3 and as such identified in Clause 21.05 – Residential Land Use of the Kingston Planning Scheme as an area for Incremental Housing Change, where this density of development is expected.</p> <p>In addition, the proposed development meets the car parking requirements of Clause 52.06, with the provision of 8 spaces for four (4) dwellings.</p> <p>Given the planning scheme policies and controls applicable to the site it's considered that the increase to traffic as a result of the proposed development would be reasonable.</p>
Noise	<p>The proposal does not include unreasonable noise sources unusual to a dwelling. Conditions will ensure noise sources, such as air condition units, exhaust fans and the like are not proposed to be located near bedrooms or immediately adjacent to existing dwellings.</p>
Location of bins	<p>It is proposed that a condition be included on permit to move the bins from away from the adjoining property at 33 Patty Street Mentone.</p>
Potential upgrade and future renovation	<p>The possibility of a future renovation cannot form part of a decision to be made on a planning permit application unless works there is an approved planning or building permit and works have commenced.</p> <p>In addition, as there is no clear direction of what the applicant could do in response to their proposed build no resolution could be sort between the two parties.</p>

Ground(s)	Response
Loss of solar access	There will be no reasonable overshadowing cast by the development. The proposal complies with setback and overshadowing standards, Standard B17 and B21.
Street parking	The proposal has room for two 5.4m wide on street parking spaces which is consistent with planning permit approvals across Kingston.
Visual bulk	<p>Clause 22.11 encourages double storey-built form to be at the front of the site. Given the shape of the site relative to adjoining properties all four proposed dwellings are considered to be at the front of the site.</p> <p>The proposed massing as it presents to the objectors property at 33 patty street is not considered unreasonable as setbacks comply with Standard B17 of ResCode and the SPOS are proposed to be located adjacent to each other.</p>

14.0 CONCLUSION:

- 14.1 On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.
- 14.2 As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of the Act have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.
- 14.3 The proposed development is considered appropriate for the Site, subject to conditions, as evidenced by:
- The compatibility of the design and siting with the surrounding area
 - The mitigation of off-site amenity impacts
 - A suitable level of compliance with all relevant policies, including **Clause 55** of the Kingston Planning Scheme

15.0 RECOMMENDATION

- 15.1 That the Planning Committee determine to **support** the proposal and issue a **Notice of Decision to Grant a Permit** to Develop the land for the construction of four (4) dwellings at No. 29 – 31 Patty Street Mentone 3194, 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the amended plans prepared by 3rd Dimension Developments sheets 1 – 7 dated 21/1/2019 revision F job no 29-31Pat, submitted to Council on 7 February 2019, but modified to show:
 - a. the bins to be relocated away from the habitable room windows of 33 Patty Street;
 - b. the provision of minimum 2000 litre rainwater tank clearly nominated for each dwelling with water re-used for toilet flushing;

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- c. the minimum finished floor level of the proposed buildings (habitable areas) at 26.24m to Australian Height Datum and the finished floor level of the proposed garages at a minimum 26.09m to AHD;
- d. a notation stating "Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Patty Street and all internal driveways must align with the existing / proposed vehicle crossing";
- e. the internal driveways to be at least 500mm from the side boundary at the front boundary;
- f. the proposed double vehicle crossing with a common layback with a triangle of grass between the infill sections of the vehicle crossings to create a pedestrian refuge of no less than 1 metre;
- g. a standard on street parking bay at least 5.4m between vehicle crossings and;
- h. the provision of a landscape plan in accordance with the submitted development plan, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
 - i) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - ii) A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009;
 - iii) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site;
 - iv) The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - v) A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart);
 - vi) One (1) native canopy tree capable of growing to minimum mature dimensions of 10 metres in height and 6 metres in width to be planted in the front setback of each dwelling;
 - vii) One (1) canopy tree capable of growing to minimum mature dimensions of 8 metres in height and 5 metres in width to be planted in the secluded private open space of each dwelling;
 - viii) All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm;
 - ix) Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements; and
 - x) Tree protection measures for street trees accurately drawn to scale and labelled.

Endorsed Plans

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

Street Trees

3. Tree Protection Fencing is to be established around the *Hakea salicifolia* (Willow-leaved Hakea) and *Tristanopsis laurina* (Kanooka) street trees located in the Patty Street nature strip, prior to demolition and maintained until all works on site are complete.
 - a) The fencing is to be a 1.8-metre-high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting
 - b) The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree.
4. Prior to the construction of any crossovers as shown on the endorsed development plans, the *Acer negundo* (Box Elder Maple) street tree located in the Patty Street nature strip must be removed by Council at the expense of the Developer/Owner. Payment of the removal and replacement fee for this tree/s must be made to Kingston City Council's customer service in accordance with Council's Tree Management Policy at least 2 weeks prior to its required removal date.

Drainage and Water Sensitive Urban Design

5. Unless with the prior written consent of the Responsible Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority.
 - a) Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
 - b) The Stormwater Management (drainage) Plan must address the requirements specified within Council's "Civil Design requirements for Developers – Part A: Integrated Stormwater Management".
 - c) A STORM modelling report with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives with a minimum 100% rating must be provided as part of the Stormwater Management (drainage) Plan to the satisfaction of the Responsible Authority. These may include the use of an infiltration or bio-retention system, rainwater tanks connected for reuse, or other treatments to the satisfaction of the Responsible Authority.
 - d) The water sensitive urban design treatments as per conditions 5a, 5b & 5c above must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution is reached with the Responsible Authority.
6. Stormwater/drainage works must be implemented in accordance with the approved stormwater management/drainage plan(s) and to the satisfaction of the Responsible Authority including the following:
 - a) All stormwater/drainage works must be provided on the site so as to prevent overflows onto adjacent properties.
 - b) The implementation of stormwater/drainage detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 8.5L/s.
 - c) All stormwater/drainage works must be maintained to the satisfaction of the Responsible Authority.

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Infrastructure and Road Works

7. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
8. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
9. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
10. All redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
11. All front and side fences must be contained wholly within the title property boundaries of the subject land.

General amenity conditions

12. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
13. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
14. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

Completion of Works

15. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
16. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.

Time Limits

17. In accordance with section 68 of the *Planning and Environment Act 1987* (the Act), this permit will expire if one of the following circumstances applies:
 - The development is not started within two (2) years from the date of permit issue.
 - The development is not completed within four (4) years from the date of permit issue.

In accordance with section 69 of the Act, the responsible authority may extend the periods referred to if a request is made in writing.

Note: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

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Note: The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

Note: Any landscape plan prepared in accordance with conditions must comply with Council's Landscape Checklist.

Note: The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).

Note: The fee for removal of the street tree(s) from the nature strip is \$1507.54 (including GST), payable to Kingston City Council's Customer Service Department - refer to cashier code "STRE". Customer Service will confirm payment to the Parks Department. The removal of the tree requires a minimum of 2 weeks' notice from the Developer/Owner.

Note: The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

Note: All buildings and works must be carried out in accordance with the approved Cultural Heritage Management Plan as required by the *Aboriginal Heritage Act 2006*. A copy of the approved CHMP must be held on site during the construction activity.

Note: The property is subject to Kingston Flood SBO. The applicable flood level for the subject site for 1 in 100-year ARI is 25.94m to Australian Height Datum (AHD).

OR

In the event that the Planning Committee wishes to oppose the Officer's recommendation and instead seeks to refuse the application, it can do so on the following grounds:

1. The proposal is not consistent the General Residential Zone Schedule 3 at Clause 32.08 of the Kingston Planning Scheme as the proposal does not provide a design outcome that is respectful of the prevailing and preferred neighbourhood character.
2. The proposed extent of massing is visually intrusive and unresponsive to the context of the site and would result in unreasonable amenity impacts on adjoining properties.
3. The proposal fails to provide an acceptable built form outcome having regard to the physical and policy context.
4. The proposal represents an overdevelopment of the subject site providing an inappropriate response to local policy expectations and the character of the area.

Appendices

Appendix 1 - KP-2018/730 - 29 - 31 Patty Street MENTONE VIC 3194 - Considered Plans (Ref 19/101222)  [↓](#)

Author/s: David Tancheff, Senior Statutory Planner
Reviewed and Approved By: Guillermo Henning, Principal Planner
Ilan Nice, Manager City Development

4.4

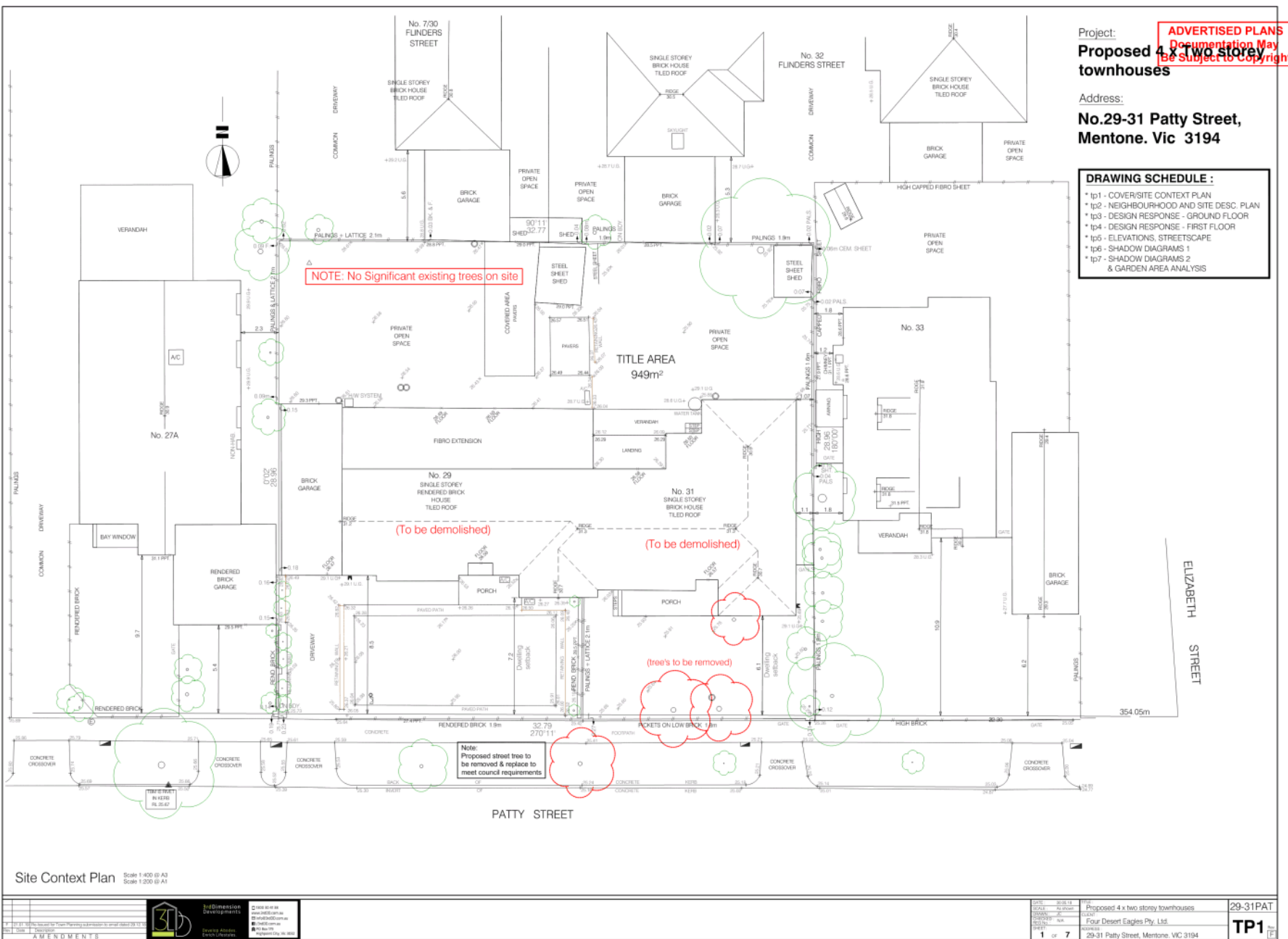
KP-2018/730 - 29 - 31 PATTY STREET MENTONE

1	KP-2018/730 - 29 - 31 Patty Street MENTONE VIC 3194 - Considered Plans	175
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LEGEND

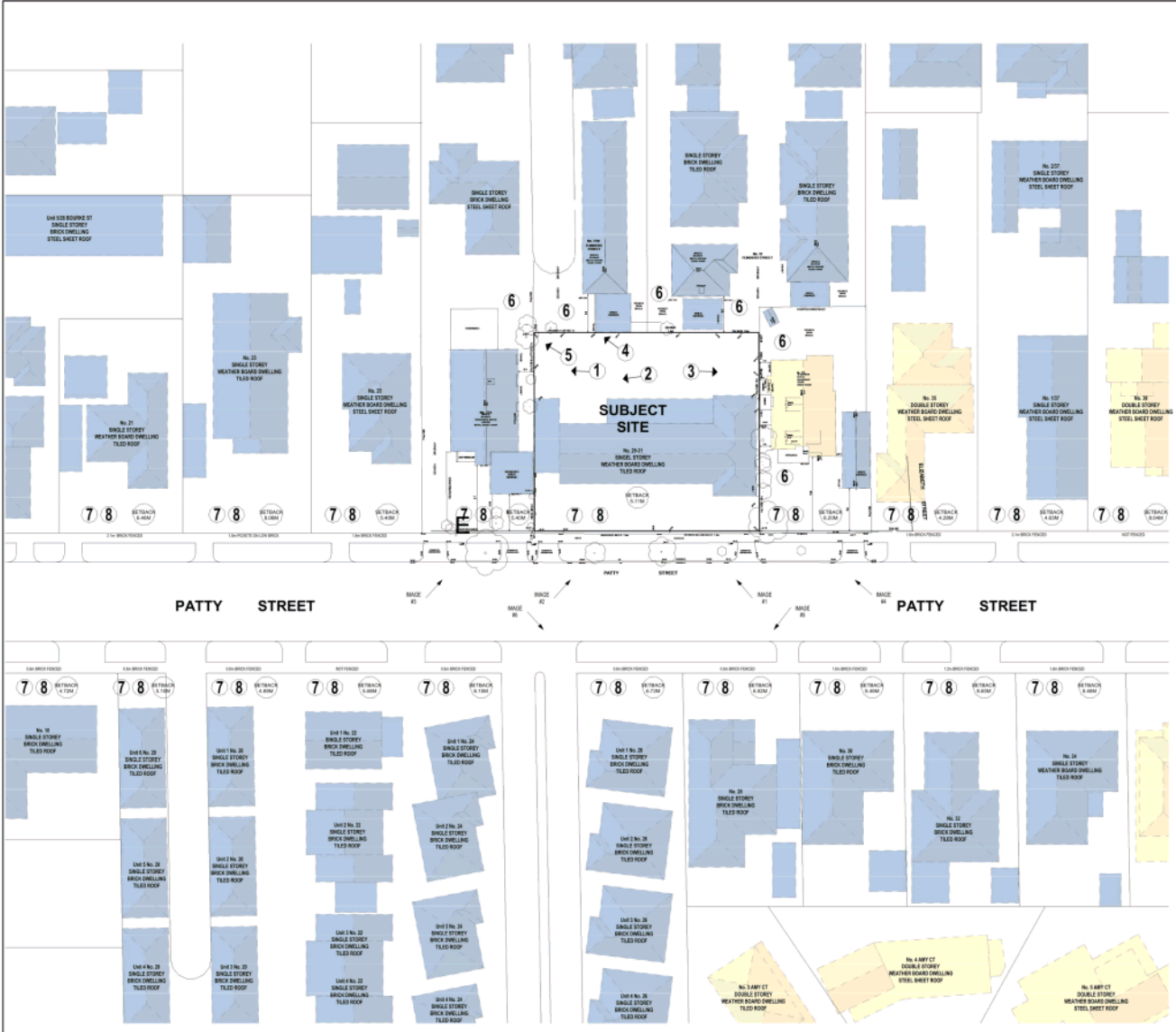
1. ACCESS TO BUS SERVICE RUNS ALONG CHARMARIE APPROX 400M
2. ACCESS TO BEAUMARIS APPROX. 2.0KM
3. PROXIMITY TO PHILLIP ST RESERVE 500M
4. LOCATION TO CBD APPROX. 21.5KM
5. ACCESS TO GORDON ST PRE-SCHOOL APPROX 0.9KM
6. ADJACENT OPEN SPACES TO BE PROTECTED FROM OVERVIEWING
7. PROPERTIES HAVE SET BACK BETWEEN 4.28M TO 8.65M
8. MOST PROPERTIES HAVE 0.6M TO 2.1M

LEGEND

- DOUBLE STOREY DWELLINGS
- SINGLE STOREY DWELLINGS



Satellite map



Neighbourhood and Site description Scale 1:400 @ A3
Scale 1:200 @ A1

		29-31 PAT Proposed 4 x two storey townhouses Four Desert Eagles Pty. Ltd. 29-31 Patty Street, Mentone, VIC 3194
2 of 7		29-31 PAT

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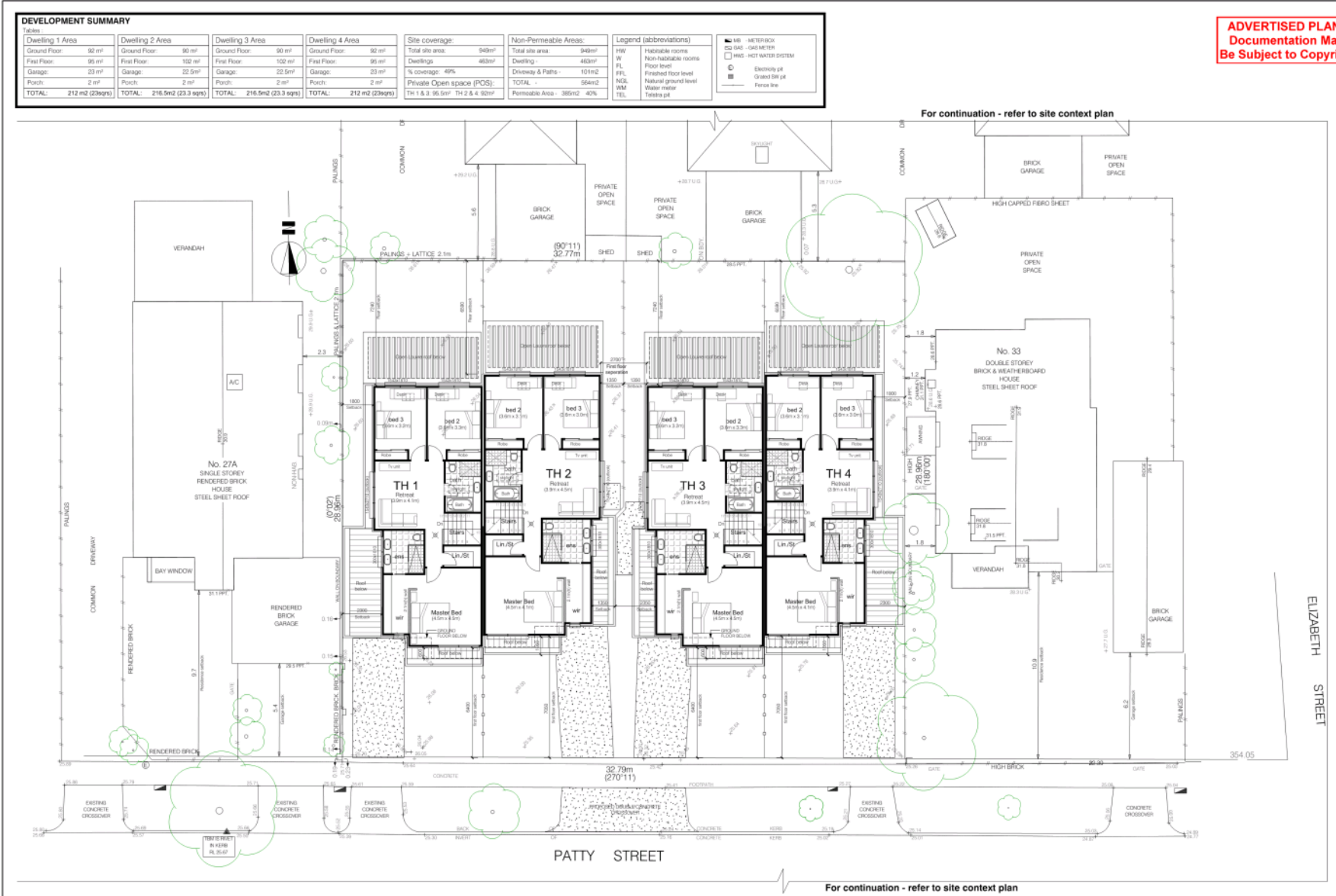
3D Dimension Developments

3000 00 00 00
 www.3ddimension.com.au
 180 00 00 00 00
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 100 00 00 00 00

Proposed 4 x two storey townhouses
 Four Desert Eagles Pty. Ltd.
 29-31 Patty Street, Mentone, VIC 3194

29-31PAT
tp3

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DEVELOPMENT SUMMARY				Site coverage:		Non-Permeable Areas:		Legend (abbreviations)	
Dwelling 1 Area	Dwelling 2 Area	Dwelling 3 Area	Dwelling 4 Area	Total site area:	949m ²	Total site area:	949m ²	HW	habitable rooms
Ground Floor: 92 m ²	Ground Floor: 90 m ²	Ground Floor: 90 m ²	Ground Floor: 92 m ²	Dwellings:	463m ²	Dwelling:	463m ²	W	non-habitable rooms
First Floor: 95 m ²	First Floor: 102 m ²	First Floor: 102 m ²	First Floor: 95 m ²	% coverage:	49%	Driveway & Paths:	101m ²	FL	floor level
Garage: 23 m ²	Garage: 22.5m ²	Garage: 22.5m ²	Garage: 23 m ²	Private Open space (POS):		TOTAL:	564m ²	FFL	finished floor level
Porch: 2 m ²	Porch: 2 m ²	Porch: 2 m ²	Porch: 2 m ²	TH 1 & 3:	95.9m ²	TH 2 & 4:	90m ²	NGL	natural ground level
TOTAL: 212 m² (239sqm)	TOTAL: 216.5m² (23.3 sqm)	TOTAL: 216.5m² (23.3 sqm)	TOTAL: 212 m² (239sqm)	Permeable Area:	365m ²	40%		WM	water meter
								TEL	Telstra pit

Design Response Plan - First floor Scale 1:100

	3D Dimension Developments 22 Merton Rd, Mentone VIC 3194 Tel: 03 9594 1111 Email: info@3ddimensions.com.au	DATE: 28/01/18 DRAWN: P. HARRIS CHECKED: M. HARRIS PROJECT: 29-31 Patty Street, Mentone, VIC 3194	PROPOSED: 4 x two storey townhouses CLIENT: Four Desert Eagles Pty. Ltd. ARCHITECT: tp4
		SHEET: 4 OF 7 PROJECT: 29-31 Patty Street, Mentone, VIC 3194	29-31PAT tp4

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IMPORTANT NOTE:
 ALL GLAZING TO FIRST FLOOR WINDOWS TO BE MANUFACTURED ORIGIN GLASS. THE USE OF ORIGINALLY SUPPLIED GLASS TO CLEAR GLAZING WILL BE ACCEPTED.

PROPOSED MATERIAL & COLOURS SCHEDULE:

ITEM	STYLE	COLOR
Roof Cladding	Custom On	Charcoal or Similar
Guttering & Fascia	GUARD Profile	Charcoal or Similar
Overhead Powering	Square Profile	Charcoal or Similar
A.C.C cladding (TH1)	Line Cladding	Dark - Slate Grey or Similar
A.C.C cladding (TH2)	Line Cladding	Dark - Ribbed or Similar
Frame cladding (TH2)	Material	Dark - Slate Grey or Similar
Frame cladding (TH3)	Material	Dark - Ribbed or Similar
Front Fence	Slat - 50mm	Timber (Slate Ribbed or Similar)
Canopy Feature	All Specified	Charcoal or Similar
Window Frame	Aluminium	Practicalised white or Similar
Exposed Aggregate	Exposed Aggregate	Charcoal mix with white stones

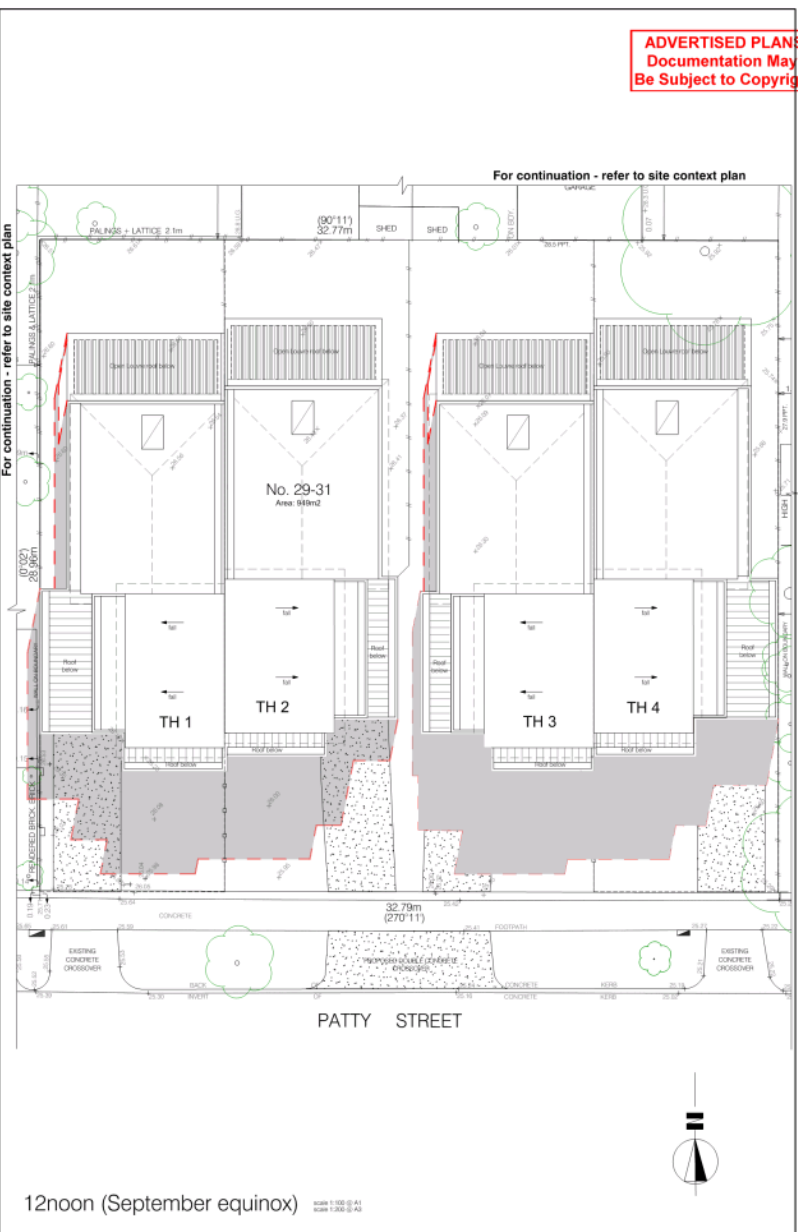
SAMPLE PALETTE:

White One	Charcoal Slate/Slip
Charcoal - Slate Grey or Similar	Charcoal - Dark Grey or Similar
Charcoal Ribbed Finish	Dark Ribbed or Similar
Timber Cladding - Ribbed Close or Similar	Charcoal - Black or Similar

PROPOSED 4 x two storey townhouses
 Four Desert Eagles Pty. Ltd.
 29-31 Patty Street, Mentone, VIC 3194

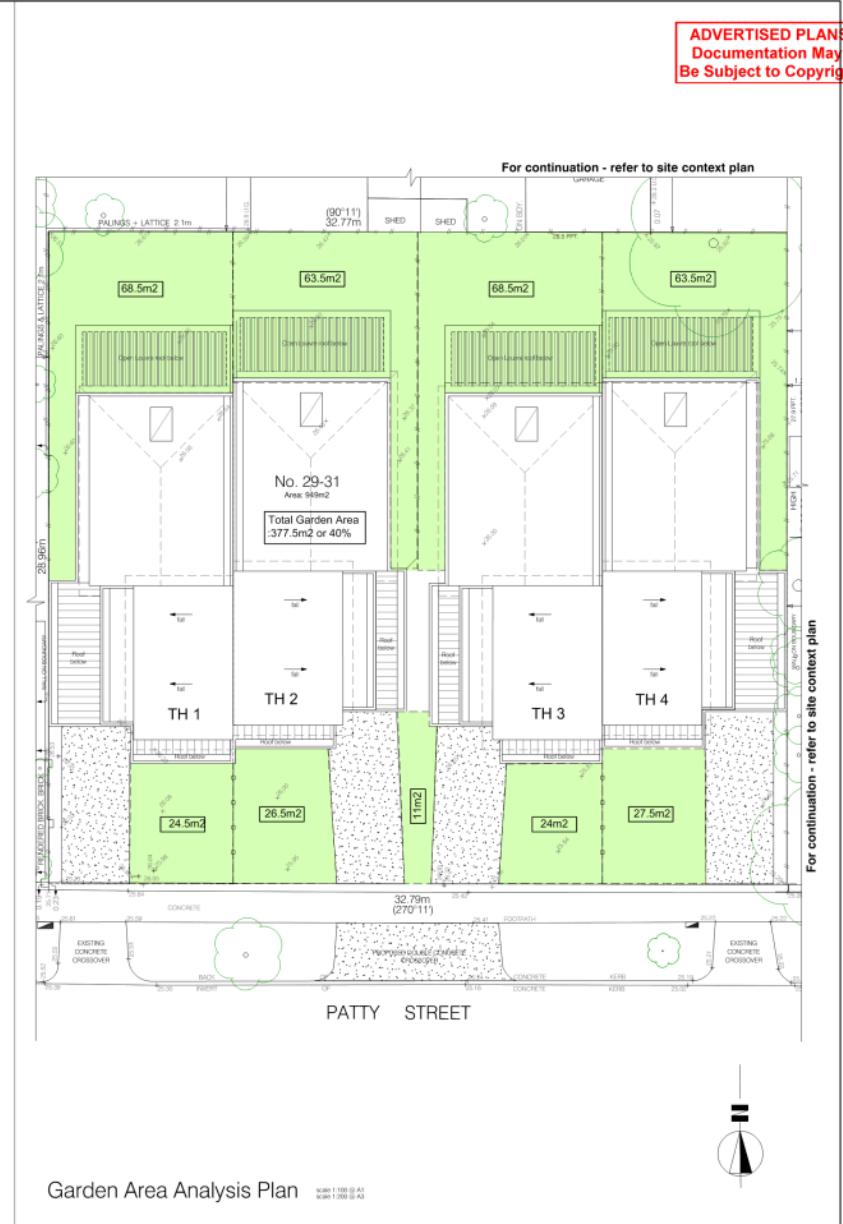
29-31PAT
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		3D Dimension Developments 220-222 St Albans Rd St Albans, VIC 3023 Tel: 03 9450 1111 Email: info@3dd.com.au		Proposed 4 x two storey townhouses Four Desert Eagles Pty. Ltd. 29-31 Patty Street, Mentone, VIC 3194	29-31PAT tp6
SHEET: 6 OF: 7	DATE: 2018/07/30	DRAWN BY: [Name] CHECKED BY: [Name]	SCALE: 1:100 @ A1 1:200 @ A2	PROJECT: KP-2018/730 - 29 - 31 Patty Street Mentone	DRAWING NO: 29-31PAT-TP6

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<p>3D Dimension Developments 10/100 St Albans Rd St Albans, VIC 3023 Tel: 03 9487 1000 www.3d-dimensions.com.au</p>	<p>Client: 29-31 PAT Project: Proposed 4 x two storey townhouses Drawn: [Name] Checked: [Name] Date: 07/07/2018</p>	<p>29-31PAT Four Desert Eagles Pty. Ltd. 29-31 Patty Street, Mentone, VIC 3194</p>	<p>tp7</p>

Planning Committee Meeting

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Agenda Item No: 4.5

KP-2019/236 - 32-36 LINTON STREET, MOORABBIN

Contact Officer: Andrew Stubbings, Senior Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2019/236 - 32-36 Linton Street, Moorabbin.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Notice of Decision to develop the land for a grandstand, pool complex, scoreboard and associated car parking at 32-36 Linton Street, Moorabbin, subject to the conditions contained within this report.

PLANNING OFFICER REPORT	
APPLICANT	David Lock Associates
ADDRESS OF LAND	32 – 64 Linton Street, Moorabbin
PLAN OF SUBDIVISION REFERENCE	Lot 1 on TP409682D
PROPOSAL	Buildings and works in a Special Building Overlay, in association with a minor sports and recreation facility and restricted place of assembly and to provide car parking to the satisfaction of the responsible authority.
PLANNING OFFICER	Andrew Stubbings
REFERENCE NO.	KP-2019/236
ZONE	Clause 32.02: Public Park and Recreation Zone
OVERLAYS	Clause 44.05 - Special Building Overlay
OBJECTIONS	One (1) objections and one (1) letter of support.
CONSIDERED PLAN REFERENCES/DATE RECEIVED	Development Plans dated 15 April 2019, issue F, prepared by City Collective Plan Tp01 – TP11.
ABORIGINAL CULTURAL HERITAGE SENSITIVITY	No

1.0 KEY ISSUES

1.1. The main issues arising from this proposal relate to:

- Public Open Space
- Vegetation
- ESD Initiatives
- Access to facilities
- Car Parking
- Pedestrian Safety

Planning Permit No. KP-465/2016 was issued on 23 December 2016 and provided for the redevelopment of the existing facilities and grounds at Moorabbin Reserve.

The ‘Stage 1’ redevelopment is complete. The facilities include the training and administrative headquarters for the Saint Kilda Football Club (STKFC), which was reinstated at Moorabbin Reserve in the first quarter of 2018. The ‘Stage 1’ redevelopment works are foreshadowed to provide accommodation and facilities for community sporting clubs, including the Southern Football and Netball League, the South Metro Junior Football League, local Auskick programs and the Sandringham Dragons, as well as social and recreational opportunities for the broader community.

The 'Stage 2' redevelopment – Planning permit KP-2018/523 '*Buildings and works in a Special Building Overlay, in association with a minor sports and recreation facility and restricted place of assembly and to provide car parking to the satisfaction of the Responsible Authority*'. Plans have been endorsed for the first stage of that permit to enable the AFLW facilities to commence construction and be available for the 2020 season only.

The 'Stage 3' redevelopment is what is to be assessed within this planning application, primarily relocation of the hydro pool, swimming pool, gymnasium and associated officers within the stadium.

2.0 SITE & SURROUNDS

- 2.1. The Moorabbin Reserve is located on the east side of Linton Street, to the south of South Road and the Bowling Club. It comprises approximately 10.6ha of crown land, of which the STKFC lease part.
- 2.2. For the purpose of the planning application, the area of the reserve comprising the 'subject site' is described on the development plans and comprises an area of approximately 5 ha.
- 2.3. The Reserve gains access to the surrounding road network via three double-width vehicle crossovers off Linton Street and two gated accessways off Doonga Avenue. It has a supply of approximately 122 publicly available on-site parking spaces.
- 2.4. As detailed in the image below, the subject site has frontage to Linton Street (west) and Doonga Avenue (south) and incorporates the existing oval, stadium facilities and social club building, the alternative training area to the north and associated car parking.
- 2.5. The following map illustrates the subject site in its surrounding context.



2.6. More immediate to the site, the surrounds are described as follows:

North

2.7. The Moorabbin Reserve Bowls Club occupies the land at 426 South Road, at the northern end of the Moorabbin Reserve. The bowls club comprises playing greens and a clubhouse and car park facility adjacent to the site. Vegetation is established around the edges of the car park and scattered within the site frontage alongside signage within the South Road frontage.

East

2.8. The rear (or side) of residential properties fronting Sheppard Street, Margaret Street and Clay Street abut eastern parts of the site and/or the reserve. Restricted vehicular access is available to the site from the western end of Margaret Street.

2.9. No. 1 Sheppard Street is located at the northwest corner of Sheppard Street and Margaret Street and is an example of recent infill development, having been recently subdivided and developed with a second dwelling toward the rear of the site. The newly completed dwelling comprises two storeys and benefits from a level of amenity enhanced by an immediate abuttal, access and aspect to the subject site.

South

2.10. Residential properties in Doonga Avenue currently benefit from a relatively unobscured view and access to the southern end of the site and training and clubhouse facilities. In addition, Doonga Avenue provides direct access to the pedestrian network and 'off leash' dog walking areas in the southeast part of the site.

2.11. The experience of residential properties in Doonga Avenue is currently influenced by the presence of existing overhead sports lighting facilities, which are positioned at intervals around the main oval.

West

2.12. Linton Street defines the site's west boundary connecting with South Road at its northern end.

2.13. West of Linton Street residential, public open space and industrial and commercial uses interface with the site, including Harvey Norman and Clarke Rubber. These sites are earmarked for a primarily residential redevelopment and complementary commercial uses with an application recently lodged.

2.14. Horscroft Place is a cul-de-sac and accommodates a range of light industrial uses.

2.15. Horscroft Place also accommodates a key pedestrian link with Central Avenue (to the west), which is a connection between the Moorabbin Activity Centre, the Principal Public Transport Network and Holmesglen TAFE, via the Moorabbin Reserve.

3.0 TITLE DETAILS

- 3.1. There are no restrictions listed on the Certificate of Title.
- 3.2. A 3 metre wide easement extends along the northern edge of the park at the rear of the Margaret Street properties, angling north as it extends into Linton Street.
- 3.3. Council has agreed to the granting of a new lease for the site to STKFC.

4.0 PROPOSAL

- 4.1 The development plans illustrate the rearrangement and reconfiguration of approved 'Stage 2' uses on the site, including provision for:
 - a 25m, 4-lane lap pool;
 - a hydrotherapy pool;
 - male and female change rooms / amenities;
 - a gym;
 - plant / storage areas; and
 - integrated classroom / suite spaces (at first floor level), to be located to the rear of the grandstand / rear of the approved car park to be developed along Linton Street.
- 4.2 The proposed additions and alterations necessitate some reconfiguration of the previously approved building footprint, but will importantly be accommodated within:
 - the approved building footprint; and
 - the underutilised space, beneath the approved grandstand, in the former design.
- 4.3 The form and building design, including varied first floor-built form outcome and detail, is illustrated in the development plans.
 - The architecture and use of form, material and finishes of the proposal will integrate with RSEA Park and the approved 'Stage 2' works.
 - In so far as the proposal seeks to consolidate the layout of approved uses and development on the Site, the proposal would generally reduce the perception of overall building footprint and increase the setback of buildings from Linton Street¹.
 - To accommodate the facilities and provide for the landscaping along the Linton Street frontage as sought in the Stage 2 permit, some of the previously approved car parking, adjacent to the grandstand need to be reconfigured. This is to be achieved by providing 10 spaces along the southern access drive
- 4.4 The scoreboard would be positioned as shown in the development plans. It would be a structure that stands 9.2 metres high with the face of the scoreboard having a surface area of 55.8 square metres. The scores would be displayed by an LED screen.
- 4.5 Car parking for 42 vehicles is proposed between the grandstand and Linton Street, with 10 spaces located adjacent to the southern driveway.

¹ Notwithstanding the modest southward building extension generally opposite the neighbouring public open space

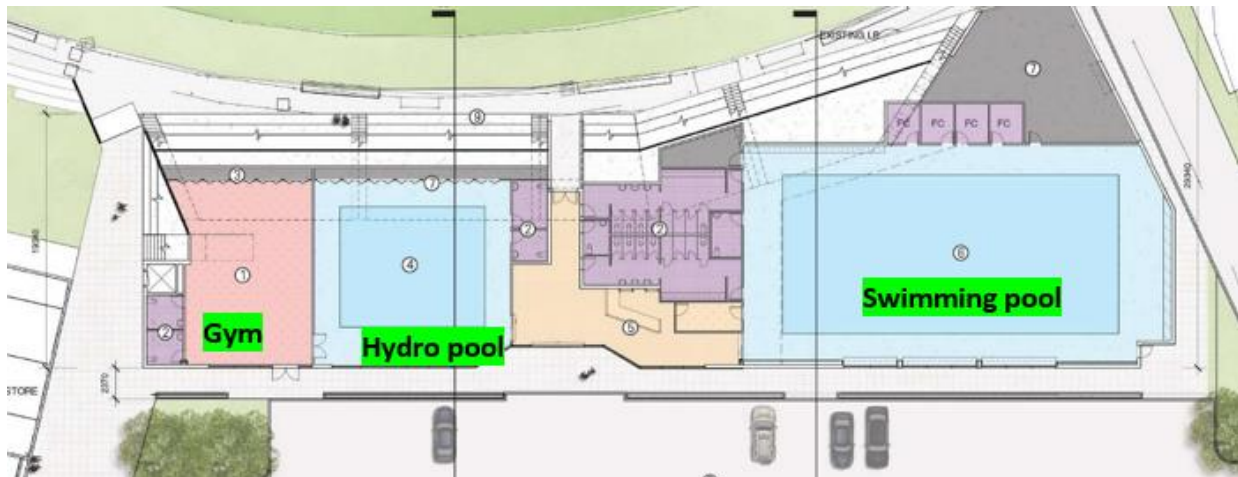


Figure 1: Marked ground floor plan of proposed facilities onsite.



Figure 2: Marked elevation plan of proposed facilities onsite.

5.0 PLANNING PERMIT REQUIREMENTS

5.1 The proposed uses are consistent with previous acceptance of the use of the Moorabbin Reserve for a *minor sports and recreation facility and place of assembly*.

The proposal is confined to a building and works approval for a range of uses previously included in the 2nd stage permit.

The permit triggers are

- Buildings and works for a grandstand, integrated pool complex, scoreboard and car parking
 - o Construction of buildings or works in PPR Zone (Clause 36.02-2)
- Provision of car parking to the satisfaction of the Responsible Authority (Clause 52.06)

The uses proposed in this application are all ancillary to minor sports and recreation facility and place of assembly, and are listed below;

- Grandstand (seating for 1000 people)
- Gym
- Washrooms
- Undercroft storage
- Pool
- Hydrotherapy pool
- Changing rooms

- Classrooms/Suites
- Shared circulation and foyer

6.0 AMENDMENT TO THE APPLICATION BEFORE NOTIFICATION

6.1. No amendments made.

7.0 ADVERTISING

7.1. The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. One (1) objection to the proposal were received. The valid grounds of objection raised are summarised as follows:

- Access to the pool.
- Car Park
- Environmental concerns
- Scoreboard
- Signage

8.0 PLANNING CONSULTATION MEETING

8.1. The objectors were contacted by the planning officer to discuss their concerns, with this information then being relayed to the applicant.

8.2. In accordance with Council's Planning Consultation Meeting Policy, no meeting was required as one (1) objections to the application were received. However, as required by the Policy, Council's planning officer contacted the objector followed by further discussions with the applicant to ascertain if the concerns raised by the objectors could be resolved.

9.0 REFERRALS

9.1. **No external referrals were required in respect of this application.**

1.1 The application was referred to the following external referral authorities

- VicRoads; and
- Melbourne Water.

9.2. The above-mentioned referral authorities had no objection to the proposal, subject to conditions being included on any permit issued.

9.3. The application was referred to the following internal departments within Council (where appropriate amended applications have been re-referred):

- Council's Development Engineer who advised of no objection, subject to the inclusion of a number of conditions on any permit issued;
- Council's Infrastructure Department (WSUD) who advised of no objection, subject to the inclusion of a number of conditions on any permit issued;
- Council's Traffic Engineer who advised of no objection, subject to the inclusion of a number of conditions on any permit issued;

- Council's Roads and Drains Department who advised of no objection, subject to the inclusion of a number of conditions on any permit issued; and
- Council's Parks Department Officer who advised of no objection, subject to the inclusion of a number of conditions on any permit issued.

10.0 RELEVANT POLICIES

10.1. Planning Policy Framework (SPPF)

- Clause 11.04-2 Open Space Management
- Clause 15.01-1 Urban Design
- Clause 17 – Economic Development

10.2. Local Planning Policy Framework (LPPF)

- Clause 21.03 Land Use Challenges for the New Millennium
- Clause 21.04 Vision
- Clause 21.11 Open Space
- Clause 21.12 Transport, Movement and Access
- Clause 22.20 Stormwater Management

10.3. Zoning

The site is located in the following Zone:

- Clause 32.06 – Public Park and Recreation Zone

10.4. Overlays

The following Overlay Controls apply to this site:

- Clause 44.05 – Special Building Overlay

10.5. Particular Provisions

The following Clauses are applicable to this application:

- Clause 52.06 – Car Parking
- Clause 52.34 – Bicycle Facilities

10.6. General Provisions

Clause 65: Decision Guidelines

11.0 PLANNING CONSIDERATIONS:

11.1. Planning Policy Framework

The application has been assessed against the Planning Policy Framework and it is considered that the proposed use and/or development is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

11.2. Local Planning Policy Framework

The application has been assessed against the Local Planning Policy Framework and it is considered that the proposed development is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

11.3. Zoning Provisions

The zone recognises areas for open space and recreation and provide for commercial uses where appropriate. The design and location of use and development is guided by relevant planning policy, comments of the public land manager and any relevant guidelines.

11.4. Special Building Overlay

Clause 44.05 seeks to manage the impact of and impact upon floodwater flows including levels and velocity. Melbourne Water as the Responsible Flood Authority consent to the proposed building and works onsite.

11.5. Particular Provisions

The application has been assessed against the relevant particular provisions and it is considered that the proposed use and/or development meets the requirements contained within this section of the Kingston Planning Scheme.

Clause 52.06 –Car Parking:

Proposed Use	No.	Statutory Car Parking Rate	Parking Requirement ⁽¹⁾	Parking Provision	Shortfall
Office	425m ²	3.5 spaces to each 100m ² of net floor area	14	47	0
Swimming pool	1,191m ²	5.6 spaces per 100m ² of the site	66		
TOTAL			80	47	-33

The development has a statutory parking requirement under Clause 52.06-5 of 80 car spaces, including 14 office spaces and 66 swimming pool spaces. The provision of 57 additional car spaces results in a shortfall of 33 car spaces. Accordingly, a car parking reduction is required under Clause 52.06-7.

Clause 52.34 Bicycle Facilities:

**City of Kingston
Planning Committee Meeting**

Agenda

19 June 2019

Proposed Use	Size/ No.	Bicycle Parking Rate		No. of Bicycle Spaces Required
		Resident/Employee	Visitor/Customer	
Office	425m ²	1 to each 300m ² of NFA if NFA exceeds 1,000m ²	1 to each 1,000m ² of NFA if NFA exceeds 1,000m ²	None
Minor Sports and Recreation Facility (Swimming Pool)	2 employees 1,191m ²	1 per 4 employees	1 to each 200m ² NFA	1 employee 6 customer
Total				7 spaces

The proposal has a statutory bicycle requirement of 7 bicycle spaces. No bicycle spaces are specifically shown on the Masterplan drawings. A permit condition will require the provision of 7 bicycle spaces are provided on the site.

Council's Traffic Department agree with the findings within the traffic report provide with this application:

Having undertaken a detailed traffic engineering assessment of the proposed Stage 2 redevelopment of Moorabbin Reserve, Moorabbin, we are of the opinion that:

- a) The development has a statutory parking requirement under Clause 52.06-5 of 80 car spaces, including 16 office spaces 66 swimming pool spaces.
- b) The provision of 47 car spaces results in a shortfall of 33 spaces.
- c) The car parking demand assessment concludes that the expected shortfall will be less than that under the approved Stage 2.
- d) Bicycle parking in accordance with Clause 52.34 should be required as a condition of any permit issued.
- e) The proposed parking layout and vehicle access arrangements accord with the requirements of the Planning Scheme and AS2890.6-2009 (where relevant) and current practice.
- f) Loading and waste collection will be undertaken on-site using the existing loading facilities.
- g) The level of traffic generated as a result of this proposal will be less than previously approved under Stage 2 and will not have an unreasonable impact on the surrounding road network, including nearby intersections.
- h) There are no traffic engineering reasons why a planning permit for the proposed Stage 3 redevelopment of Moorabbin Reserve, Moorabbin should be refused, subject to appropriate conditions.

Aboriginal Cultural Heritage

It is important to note that the Subject Land is not identified in an area of Aboriginal Cultural Heritage Sensitivity.

12.0 GENERAL COMMENT

The proposed works primarily involve relocating the uses associated with stage 2 within the previously approved grandstand. This redesign allows for additional landscaping opportunities within the front setback of the main building and Linton Street, a 'Green Space' provided with the development. The redesign also aligns with the Moorabbin Reserve Park Plan.

The grandstand is to capture storm water run off through the installation of a 25,000 litre rainwater tank connected to all ground floor toilets and the irrigation of landscaped areas. Water collected from the car park area will be redirected to the rain gardens.

13.0 RESPONSE AGAINST GROUNDS OF OBJECTIONS

13.1. The objector's concerns have largely been addressed within section 13 of this report. The following objector concerns remain outstanding as they are deemed to be outside of the scope of planning considerations:

- Access to the pool.
- Car Park
- Environmental concerns
- Scoreboard
- Signage

13.2. The applicant has provided the following response;

Access to the pool

The pool and hydrotherapy facility have not been advanced as a general municipal pool in which the public has unhindered access to part of the facility during all opening hours.

The Club's commitment to public access and use is to enable opportunities for supervised programs to use the facility when not in use by the club.

Thus, the pool will be made available to the public for 'learn to swim programs' and school swimming programs that are conducted with qualified and appointed teachers and supervisors.

Similarly, the hydrotherapy pool will be made available to the public under the supervision of therapists funded by those seeking the rehabilitation.

Once the facility is established and operational a process of review will be undertaken to consider if further public use and access might be enabled.

Car parking

The proposed car park includes pedestrian connections around the periphery of the car park which connect into the Moorabbin Reserve pathways that have been recently improved by Council.

This new car park is separate from the existing car park and offers opportunities to access the oval independently via a main pedestrian thoroughfare.

The new car park is only 70 metres long, essentially preventing vehicles from achieving considerable speeds as such it has been deemed that speed bumps are unnecessary in this location.

The Club relies upon the submitted landscape plan developed in consultation with Council and believe that this appropriately addresses the adequacy of planting and screening. Bicycle parking has not been resolved in the concept plan but the Club would accept a condition requiring the provision of sufficient bicycle stands.

Environmental concerns

A requirement for a sustainable management plan is expected as a condition of approval and will include the required assessment to satisfy STORM requirements. The preliminary design provides for the installation of a 25,000 litre rainwater tank connected to all ground floor toilets and the irrigation of landscaped areas. Water collected from the car park area will be redirected to the rain gardens.

In addition, the Club is exploring the feasibility of installing solar panels over the grandstand which are likely to be delivered after the completion of the facility, similar to the process that was undertaken on the Stage 1 building.

A requirement for a waste management plan will address the concerns regarding the accumulation and processing of waste.

The chemical content of pool water prevents its recyclability.

Scoreboard.

The history of St Kilda's presence at the Moorabbin Reserve has included a large scoreboard generally in the location proposed, opposite the grandstand and facing the majority of persons who will be spectators.

For functional and operational reasons this aspect of the proposal does not lend itself to the re-siting that is sought.

While the scoreboard will be an LED technology it will not be used except in conjunction with events and training at the ground.

During the day time it will have no material impact. There will be no need to use the scoreboard at night unless in conjunction with a night activity at which time it would integrate with the overall lighting of the ground

Signage

Approval has been sought separately, by a planning scheme amendment (C166) for signage on the ground. That amendment is currently with the Minister awaiting approval. It had been anticipated that the approval of the amendment would have occurred prior to Council's decision on this matter.

In the circumstance we would accept that the permit does not cover signage and a separate application will be made for that upon approval of the planning scheme amendment.

14.0 CONCLUSION:

- 14.1 On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.
- 14.2 As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of The Act have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.
- 14.3 The proposed use and / or development is considered appropriate for the site as evidenced by:
- The design and siting of the proposed development to be compatible with the surrounding area;
 - The proposal should not have a detrimental impact on surrounding properties (subject to appropriate conditions); and,
 - The proposal satisfies the requirements of the Kingston Planning Scheme, including the PPF, MSS, Zoning / Overlay controls and Particular Provisions.

15.0 RECOMMENDATION

- 15.1 That the Planning Committee determine to support the proposal and issue a Notice of Decision to Grant a Permit for buildings and works in a Special Building Overlay, in association with a minor sports and recreation facility and restricted place of assembly and to provide car parking to the satisfaction of the Responsible Authority at Part 32-64 Linton Street, Moorabbin, 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 15 April 2019, but modified to show:
 - a. a note on the plans to state '*No permanent fencing shall be erected on the land to preclude public access to the Moorabbin Reserve unless other wise agreed in writing by the Responsible Authority*'.
 - b. all works must be located within the lease agreement area;
 - c. a monetary contribution to the exercise station (outdoor exercise equipment) to the Satisfaction of Council's Parks and Recreation Department;
 - d. plans to nominate the location of all bicycle parking spaces in accordance with the Traffic Report;
 - e. all business identification signage to be removed which triggers a planning permit under Clause 52.05 Signs;
 - f. location of lighting within the proposed car park;
 - g. speed humps and traffic signs, limiting speed to 5km per hour, shall be designed and installed to the satisfaction of the Responsible Authority at each vehicle entry / exit from car parking egressing to Linton Street;
 - h. the vegetation is to reduce light spill from the car park to the residential interface along the western side of Linton Street to the Satisfaction of Council's Parks and Recreation Department;

- i. a note on the plans to read '*The south west corner of the park is to be designated to Water Sensitive Urban Design (WSUD) and no future works are to impact on this section of Moorabbin Reserve*';
- j. the provision of a detailed landscape plan incorporating:
 - i. associated planting schedule showing location, species type, mature height and width, pot sizes, densities and number of species.
 - ii. tree species in accordance with recommendations of Council's Parks and Recreation Team.
 - iii. street tree plantings to be in accordance with Council's Street Tree Planting Guidelines.
 - iv. trees to be purchased in 40cm/45L containers
 - v. ground cover densities to be four plants per square metre
 - vi. details of the proposed bio swale adjacent to the car park
- k. a staging plan including, but not limited to, the following information:
 - i. staging of demolition and construction, and
- l. the Sustainable Management Plan (SMP), Built Environment Sustainability Scorecard (BESS) assessment and plans amended to assess Stage 3 development;
- m. the acoustic report amended to also include assess Stage 3 development recommendations to provide noise attenuation to the sports court in accordance with the relevant legislation and / or guidelines; and
- n. requirements of VicRoads at conditions 3 and 4 of this planning permit.

Endorsed Plans

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

VicRoads Conditions

- 3. Before the development starts, a Functional Layout Plan (FLP) must be submitted to and approved by the Roads Corporation (VicRoads). When approved by the Roads Corporation, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must show appropriate signage to be installed at South Road and Linton Street intersection to ban the right-hand movements out of Linton Street in PM Peak (4:00 to 6:30) period.
- 4. Prior to the commencement of the use of the development hereby approved, the following must be completed to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads:
 - a. Undertake community consultation prior to implementing right turn bans as per approved Functional Layout Plan;
 - b. all works must be completed generally in accordance with approved Functional Layout Plan (Drawing No. G24802-01-01 dated 31 October 2018 prepared by Traffix Group).
- 5. Unless otherwise agreed in writing by VicRoads, the applicant must implement appropriate traffic management during larger football matches (AFL pre-season, AFL Women, etc.).

Fencing

- 6. No permanent fencing shall be erected on the land to preclude public access to the Moorabbin Reserve unless other wise agreed in writing by the responsible authority.

7. Any temporary fencing required for the management and safety of public at major events shall be detailed, to the satisfaction of the Responsible Authority, in an Events Management Plan.

Hours of Operation

8. Any changes required to the hours of operation detailed in Planning permit KP465/2016 as a result of the building works approved shall be amended prior to the occupancy and use of the development permitted by this permit.

Stormwater Management Conditions

9. Unless with the prior written consent of the Responsible Drainage Authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the Responsible Authority:
- a. Stormwater Management/drainage (drainage) Plan(s) must be prepared, with supporting computations. Showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have an impact on the stormwater (drainage) works, including landscaping details.
 - b. The Stormwater Management (drainage) Plan(s) must address the requirements specified within Council's "Civil Design Requirements for Developers – Part A – Integrated Stormwater Management" to the satisfaction of the Council.
 - c. The Stormwater Management/drainage (drainage) Plan(s) must incorporate an appropriate management of 1 in 100 year flow paths from/through the subject site to Council's satisfaction.
 - d. The Stormwater Management/drainage (drainage) Plan(s) must include details of how the existing stormwater drainage system will be relocated clear of the proposed building, or an alternative acceptable solution, to Council's satisfaction.
 - e. The overall outflow of the development to Council drainage system must be limited to a discharge rate calculated as per Council's "Civil Design Requirements for Developers – Part A - Integrated Stormwater Management" and acceptable to Council.
 - f. A MUSIC modelling report must be prepared with results demonstrating water sensitive urban design treatments that achieve Victorian best practice objectives, such as rainwater tanks connected for reuse and based on a utilization level of water demand approved by Council, and bio-retention systems.
10. The approved water sensitive urban design treatments must be implemented on-site, unless an alternative agreement for stormwater quality in-lieu contribution, or partial treatment/contribution combination, is agreed to the satisfaction of Council.
11. All stormwater/drainage works must be implementing and maintained in accordance with the approved stormwater management/drainage (drainage) Plan(s) to the satisfaction of the Responsible Authority at the developer's cost

Road Infrastructure Conditions

12. Prior to the commencement of works detailed engineering design drawings must be submitted to the satisfaction of and approved by the Responsible Authority showing all levels and storm water flows for the proposed carpark, paths and all civil infrastructure.
13. Vehicle crossings must be constructed at a 90 degree alignment with the kerb on Linton Street and all internal driveways must align with the existing / proposed vehicle crossing.
14. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
15. All reinstatements and vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
16. Vehicle crossings and other reinstatements must be constructed to Council's industrial strength specifications.
17. All redundant vehicle crossings not in accordance with the endorsed plan must be removed (including redundant portions of vehicle crossings) and kerb reinstated to the satisfaction of the Responsible Authority.
18. Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

Traffic and Event Management Conditions

19. Any changes required to the Traffic and Event Management plan detailed in Planning permit KP465/2016 as a result of the building works approved shall be amended prior to the occupancy and use of the development permitted by this permit.

Construction Management Conditions

20. Prior to the commencement of any buildings and works on the land (including demolition), a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. The CMP must be prepared in accordance with the City of Kingston Construction Management Policy, July 2015 and Construction Management Guidelines, 1 November 2015 (and any superseding versions and / or documents). The CMP must specify and deal with, but is not limited to, the following elements:
 - a. Public Safety, Amenity and Site Security
 - b. Traffic Management
 - c. Stakeholder Management
 - d. Operating Hours, Noise and Vibration Controls
 - e. Air Quality and Dust Management
 - f. Stormwater and Sediment Control
 - g. Waste and Materials Re-use
21. When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with during the undertaking of all works.

Ecologically Sustainable Development

22. Prior to the occupation of any building approved under this permit, a report from the author of the SMP report, approved pursuant to this permit, or similarly qualified person or company. This report must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures specified in the SMP have been implemented in accordance with the approved Plan.

Amenity Conditions

23. The amenity of the area must not be detrimentally affected by the development and/or use, through the:
- a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam
 - d. soot, ash, dust, waste water, waste products, grit or oil
 - e. presence of vermin, or
 - f. any other way
24. The loading and unloading of goods to and from vehicles must only be carried out on the land.
25. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
26. Any noise emitted from the site must comply with State Environment Protection Policy N-1 (Control of noise from commerce industry and trade) and State Environment Protection Policy N-2 (Control of music noise from public premises).

Completion of the Development

27. All external surfaces of the building elevations must be finished in accordance with the schedule on the endorsed plans and maintained in good condition to the Responsible Authority's satisfaction.
28. Before occupation of the development hereby permitted, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must then be maintained to the satisfaction of the Responsible Authority.
29. Before occupation of the development hereby permitted, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
- a. Constructed to the satisfaction of the Responsible Authority.
 - b. Properly formed to such levels that they can be used in accordance with the plans.
 - c. Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority.
 - d. Drained to the satisfaction of the Responsible Authority.
 - e. Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
 - f. In accordance with any Council adopted guidelines for the construction of car parks.
30. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Permit Expiry

31. In accordance with Section 68 of the Planning and Environment Act 1987 (The Act), this permit will expire if one of the following circumstances applies:
- The use and development is not started before two (2) years from date of this permit.
 - The development is not completed before four (4) years from the date of this permit.
 - The use is discontinued for a period of two (2) years.

In accordance with Section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:

- before the permit expires; or
- within six (6) months after the permit expiry date, where the use or development allowed by the permit has not yet started; or
- within twelve (12) months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Note: If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 255903.

Note: It is noted the development includes part of the proposed building to be built over the easement. Separate consent from Council and the relevant service authority is required to build over the easement and will need to be obtained prior to the issue of a Building Permit.

Note: Prior to the commencement of the development or use you are required to obtain the necessary Building Permit.

Note: Areas relating to food handling, storage and sales must be designed as per Australian Standard for the Design, Construction and Fit-out of Food Premises. By providing detailed plans for these areas to Councils Health Department for approval prior to construction and fit out, it will ensure the areas are compliant with the Food Act.

Note: All food premises must be registered with Council prior to the commencement of the use.

Note: The fee for the implementation of the Residential Parking Scheme \$10,000 plus GST.

Note: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.


Note: The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

VicRoads Note: No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

In the event Council wishes to oppose the Officer Recommendation to support the application, it can do so on the following grounds:

1. The proposal would have an adverse effect on the amenity of the established surrounding neighbourhood.
2. The proposal would generate unreasonable off-site amenity impacts.
3. The proposal would cause traffic congestion to Linton Street.
4. The increased vehicular movements generated by the proposal will cause traffic congestion to the surrounding road network.
5. The proposal will result in traffic access and safety concerns.

Appendices

Appendix 1 - KP-2019/236 - Moorabbin Reserve 32 - 64 Linton Street Moorabbin - Copy of Plans (Ref 19/77593) 

Author/s: Andrew Stubbings, Senior Planner

Reviewed and Approved By: Ian Nice, Manager City Development

4.5

KP-2019/236 - 32-36 LINTON STREET, MOORABBIN

1	KP-2019/236 - Moorabbin Reserve 32 - 64 Linton Street Moorabbin - Copy of Plans	207
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St Kilda RSEA Park

Stage 3 Planning Permit Package

April 2019

Rev F

City
Collective



01 Site Plan



Site Plan

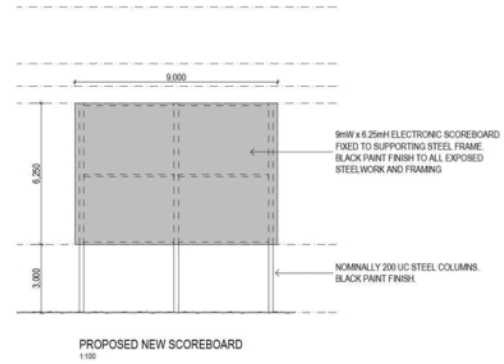
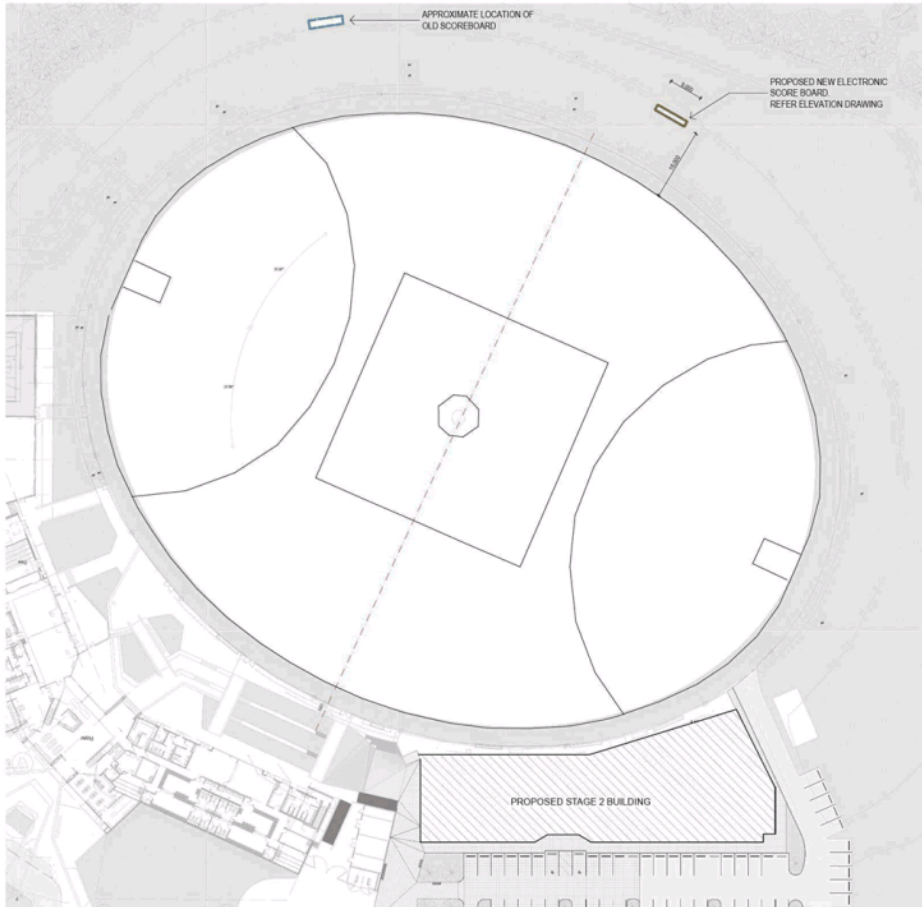
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Key Current Plan Footprint 1680m²



Project:	Stage 3 RSEA Park	Date:	15/04/19
Client:	St Kilda	Sheet No:	P2
Status:	Planning Application	Revision:	F

01 Optional : Proposed Electronic Scoreboard

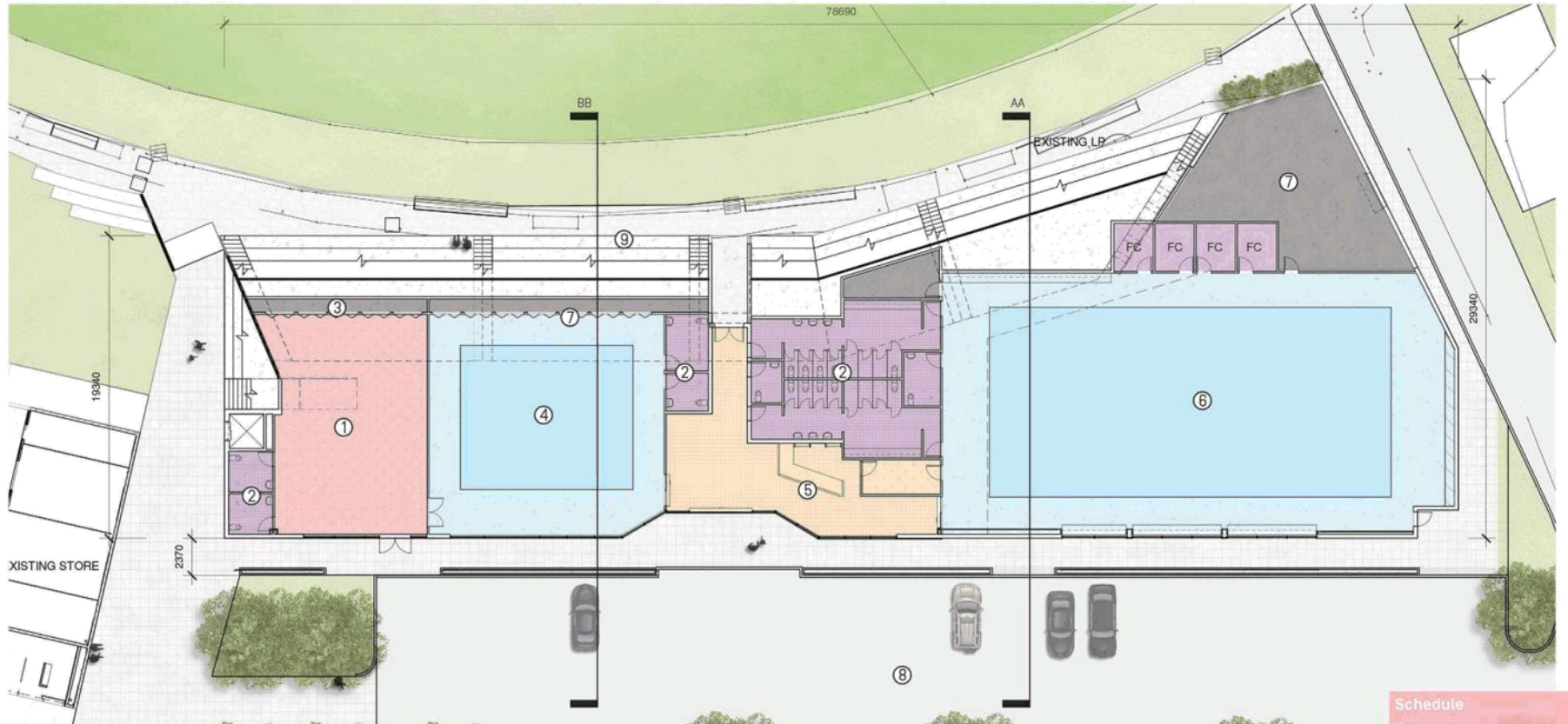


HISTORIC PHOTOS OF OLD SCOREBOARD



02 Plan

Ground Floor



Schedule	
Name	Code
1. Gym	
2. Washrooms	
3. Undercroft Storage	
4. Warm Water Pool	
5. Reception/ Foyer	
6. 25m Aquatic	
7. Plant/ Storage	
8. Carparks (42 Parks)	
9. Grandstand (1000 Seat)	

Ground Plan
Scale: 1:250@ A3

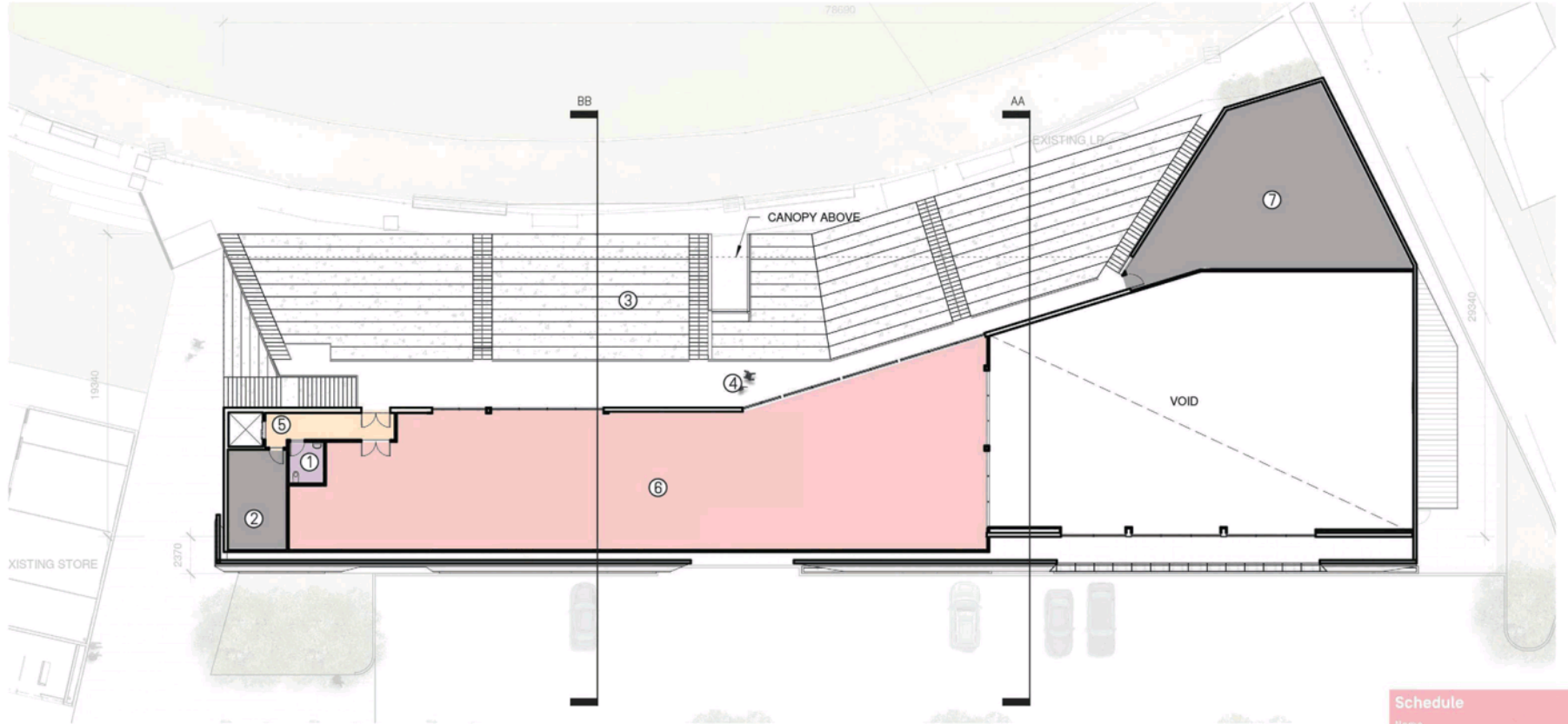


Project: Stage 3 RSEA Park
Client: St Kilda
Status: Planning Application

Date: 15/04/19
Sheet No: P4
Revision: F

02 Plan

First Floor



First Floor Plan
Scale: 1:250 @ A3

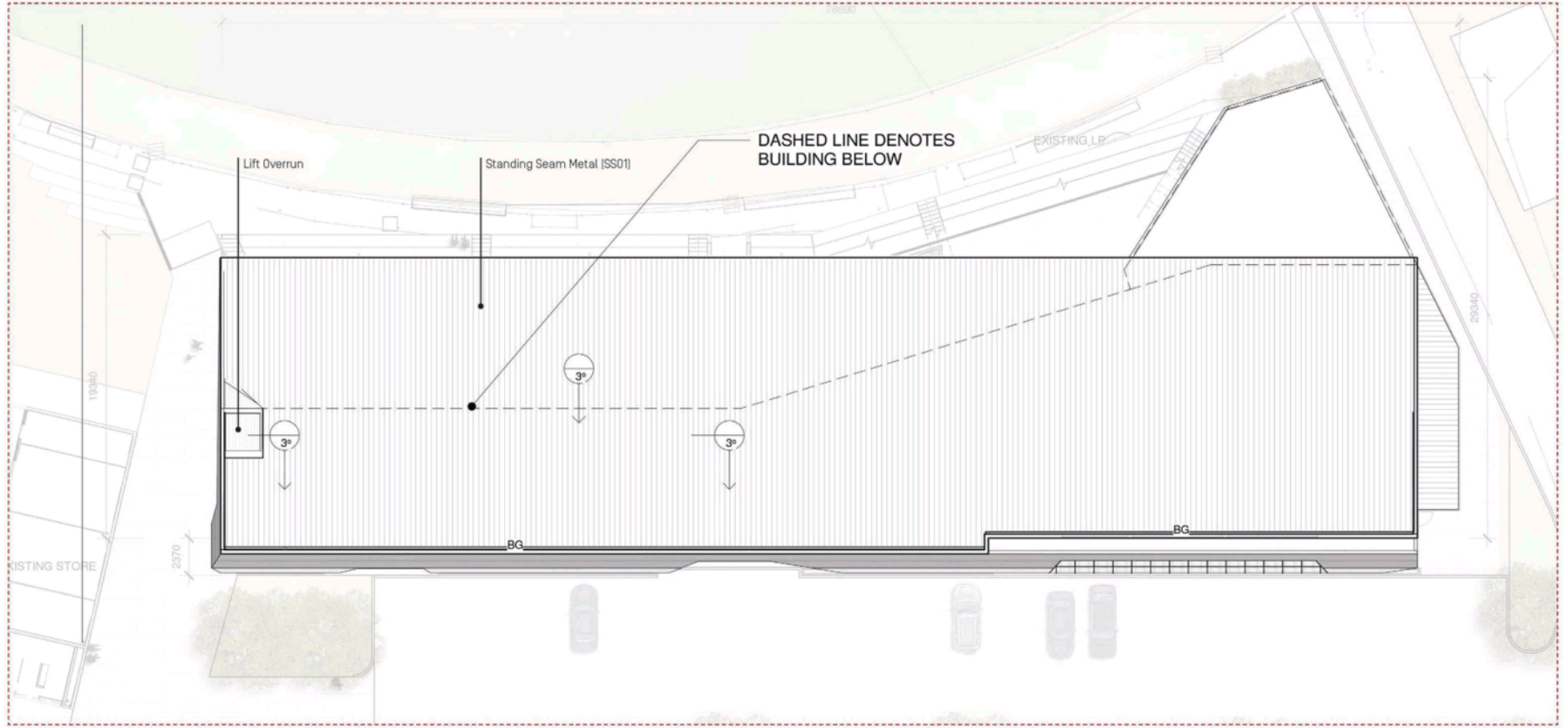
Schedule	
Name	
1. Washrooms	
2. Plant	
3. Grandstand	
4. Deck	
5. Circulation	
6. Classrooms/ Suites	
7. Open Air Mechanical Plant	
7. Plant/ Storage	



Project: Stage 3 RSEA Park
Client: St Kilda
Status: Planning Application

Date: 15/04/19
Sheet No: P5
Revision: F

02 Plan Optional Roof



Roof Plan

Scale: 1:250 @ A3

City
Collective

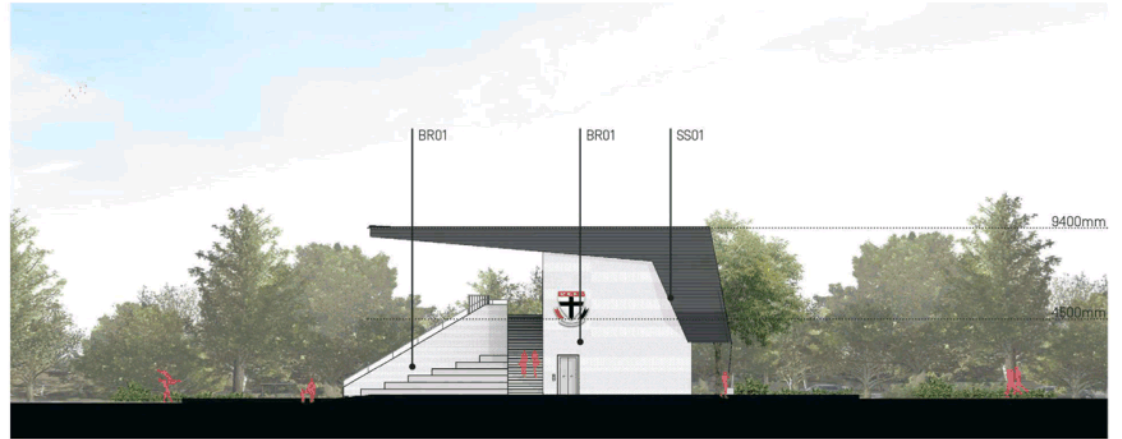


Project: Stage 3 RSEA Park
 Client: St Kilda
 Status: Planning Application

Date: 15/04/19
 Sheet No: P6
 Revision: F

03 Elevations

Elevation - North
Scale: 1:250 @ A3

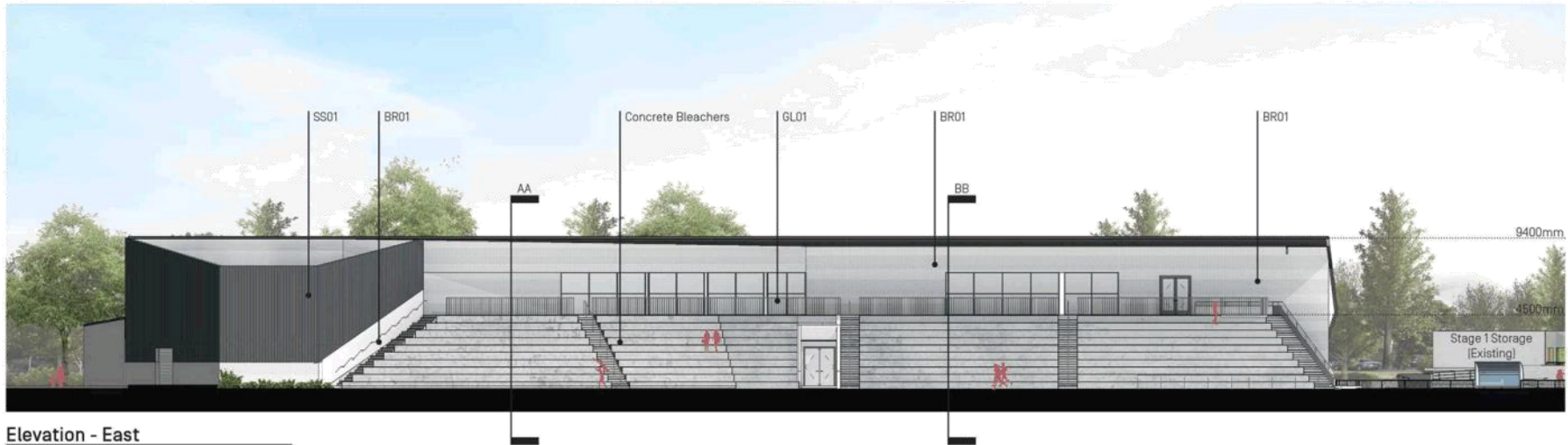


Elevation - West
Scale: 1:250 @ A3

03 Elevations



Elevation - South
Scale: 1:250 @ A3

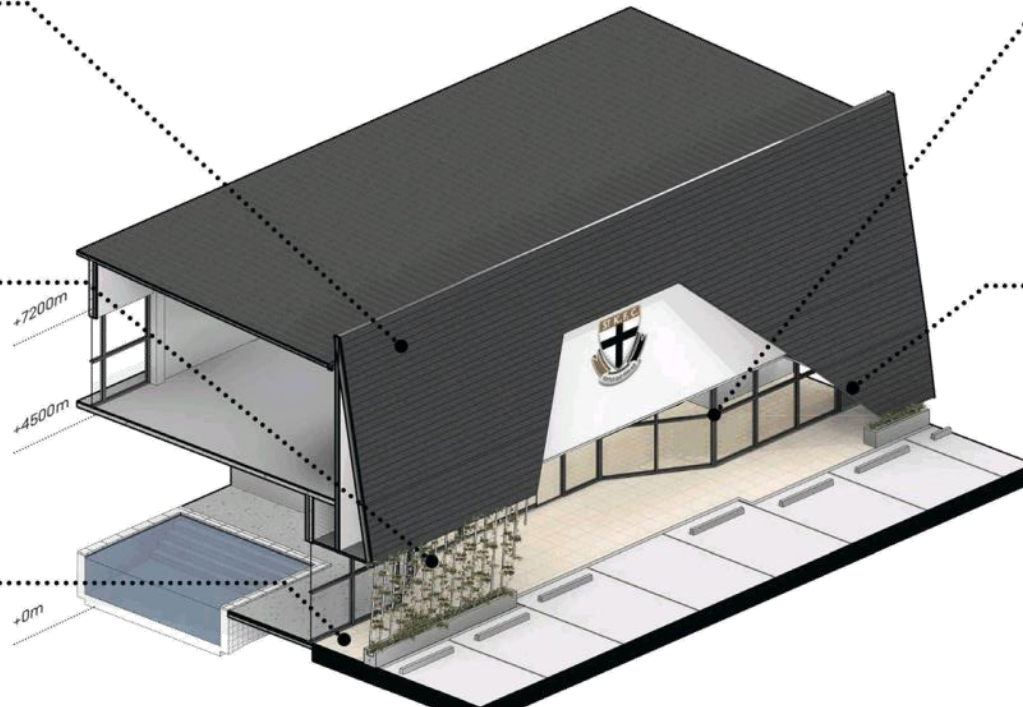
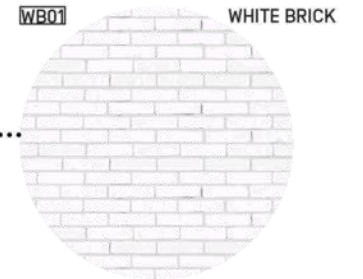
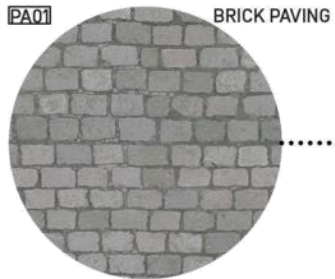
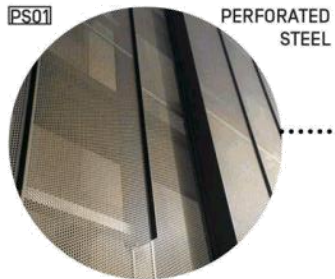
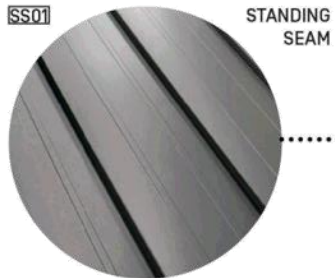


Elevation - East
Scale: 1:250 @ A3

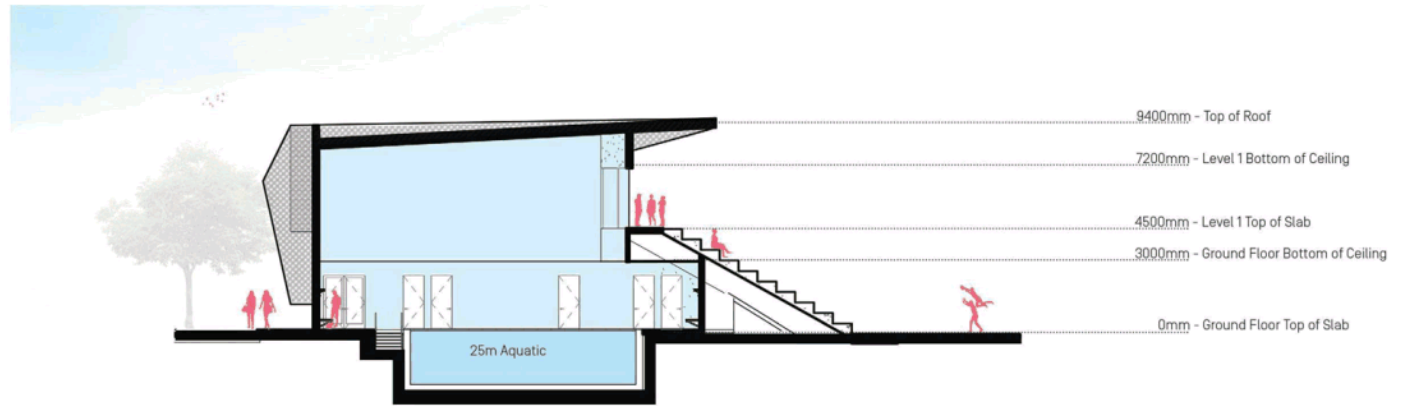


Project:	Stage 3 RSEA Park	Date:	14/04/19
Client:	St Kilda	Sheet No:	P8
Status:	Planning Application	Revision:	F

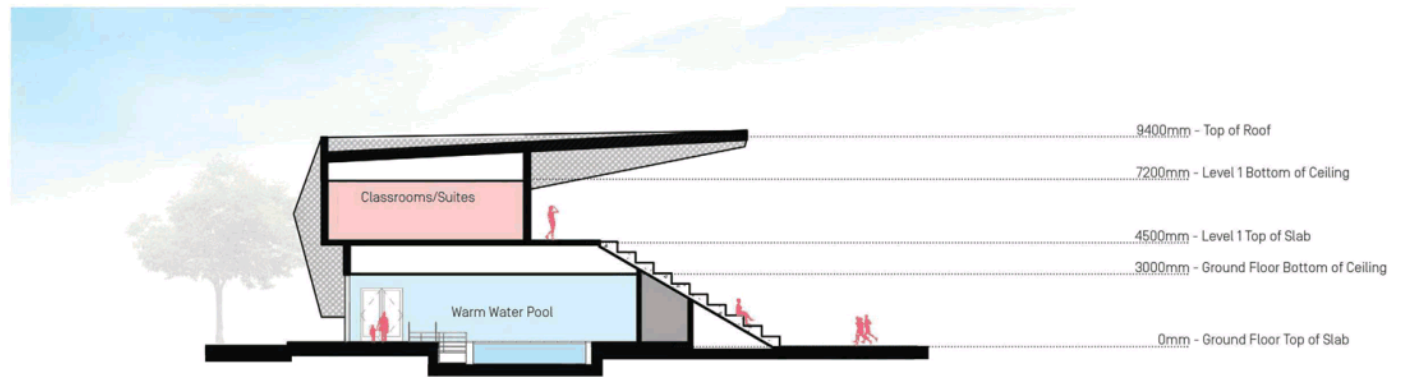
04 Materials



05 Sections



Section - AA
Scale: 1:200 @ A3



Section - BB
Scale: 1:200 @ A3



Project:	Stage 3 RSEA Park	Date:	14/04/19
Client:	St Kilda	Sheet No:	P10
Status:	Planning Application	Revision:	F

06 West Elevation
Artist Impression



City
Collective



Project: Stage 3 RSEA Park
Client: St Kilda
Status: Planning Application

Date: 14/04/19
Sheet No: P11
Revision: F

Planning Committee Meeting

19 June 2019

Agenda Item No: 4.6

KP-2018/455 - 37 ROBERT STREET, PARKDALE

Contact Officer: Todd Cracknell, Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2018/455 - 37 Robert Street, Parkdale.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Planning Committee determine to support the proposal and issue a Notice of Decision to Grant the Permit to Develop the land for the construction of two (2) dwellings on a lot at 37 Robert Street, Parkdale, subject to the conditions contained within this report.

This application requires a decision by the Planning Committee, following a call in by Councillor West, stating the following reason:

- Wishing to discuss the application with the objector

**City of Kingston
Planning Committee Meeting**

Agenda

19 June 2019

EXECUTIVE SUMMARY			
Address	37 Robert Street, Parkdale		
Legal Description	Lot 42 on PS 044131		
Applicant	Ae Cross Design		
Planning Officer	Todd Cracknell		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential Zone Schedule 3		
Overlays	None		
Particular Provisions	Clause 55 – Two or more dwellings on a Lot and Residential Buildings		
Permit Trigger/s	Clause 32.08 – 6 – Construct two or more dwellings on a lot		
APPLICATION / PROCESS			
Proposal	Develop the land for the construction of two (2) dwellings on a lot		
Reference No.	KP-2018/455	RFI Received	4 December 2018
App. Received	06-Jun-2018	App. Amended	N/A
Site inspection	Yes - 10/08/2018		
S.52 Advertising	Commenced: 19 December 2018	Advertising Completed	Yes
S.55 Referrals	None		
Internal referrals	Yes		
Objection(s)	One (1) (TRIM checked on 20/05/2019)		
Lot Size	596m ²	Mandatory Building Height requirement	Complies
Mandatory Garden area requirement	Complies or N/A – 30% (38% provided)		
LEGISLATIVE			
Covenant/other Restriction	No		
Aboriginal Cultural Sensitivity Area	No		
CHMP	No		
Considered Plans	Prepared by A.E Cross, Proposed Duplex Double Storey Development, comprising sheets TP-03 to TP-05, submitted to Council on 4 December 2018		

1.0 RELEVANT LAND HISTORY

1.1 There are no recent planning decisions relevant to the assessment of this application.

2.0 SITE PARTICULARS

2.1 The photograph below illustrates the subject site from a streetscape perspective.



Source: Todd Cracknell, photo 2018

Built form	A single storey, weatherboard, dwelling and associated buildings occupies the land. The existing dwelling is set back 10.6m from its respective front property boundary.
Lot Size (m²)	596m ²
Topography	The land has a slight slope of 0.7 metres that falls from the rear to front of the site. There is also a slight slope falling from the west side to the east side of the property which results in dwelling 1 being set slightly higher than dwelling 2.
Fencing	Timber paling fence from 1m to 2.5m around common boundaries. The front fence is currently 1.6m.
Vegetation	There are no trees located on the subject site.

Easement(s)	A 2.43m wide E-1 easement is located along the site's north (rear) property boundary.
Footpath assets / access	One (1) existing crossover adjacent to the east (side) common boundary. A street tree is located along the frontage.
Built form	A single storey, weatherboard, dwelling and associated buildings occupies the land. The existing dwelling is set back 10.6m from its respective front property boundary.

3.0 SURROUNDING ENVIRONS

3.1 The following map illustrates the subject site in its surrounding context.



Source: NearMap 2019, image taken [12/04/2019]

3.2 The surrounding area generally comprises of detached dwellings of varying style, age and design. Many of these detached dwellings are single storey, however there are examples of double storey houses throughout the surrounding area. The diversity of housing extends to multiple dwellings on a lot in this area of Parkdale, nominated as character profile 29. Dwellings of this type are typically designed in both tandem and side by side arrangements.

4.0 PROPOSAL

4.1 A summary of the proposal is provided in the table below.

Description	Demolish the existing dwelling and associated outbuildings on the land to develop the land for the construction of two (2) dwellings		
Storeys	Double storey	Maximum building height	7.25m
Bedrooms (including study)	3 bedrooms per dwelling	Car parking	4 spaces in total, 2 per dwelling
Site Coverage	48.9%	Permeability	38%
Private Space	Open Dwelling 1 SPOS: 58.4m ² Total POS: 90.5m ²	Dwelling 2 SPOS: 58.4m ² Total POS: 88.8m ²	Front setback 7.3m
Access	Existing crossover and a new crossover proposed towards the site's west (side) property boundary.		
Vegetation removal/retention	No significant vegetation located on subject site or on neighbouring properties within close proximity to common boundaries		
Building materials	Brick, weatherboard, metal and timber		

5.0 PLANNING PERMIT PROVISIONS

Zone

5.1 General Residential Zone (Schedule 3): Pursuant to Clause 32.08-4 of the Kingston Planning Scheme a planning permit is required to construct two (2) or more dwellings on a lot. A development must meet the requirements of Clause 55 of the Scheme. Schedule 3 to the General Residential Zone includes a variation to a number of standards within Clause 55.

Particular Provisions

5.2 **Clause 52.06 - Car Parking** contains the following residential car parking rates:

1 space to each 1 or 2 bedroom dwelling

2 spaces to each 3 or more bedroom dwelling

1 visitor space for every 5 dwellings

This equates to a parking requirement of **four (4)** spaces for the proposed development.

As the required number of car parking spaces is provided on the site, no additional planning permit requirements apply to the site in regard to Clause 52.06 Car Parking.

However, the pursuant to **Clause 52.06–8 Design standards**, the following design requirements must be applied as there is an increase to the dwelling use car parking requirement. The design standards include vehicle movements, access, splays, garaging dimensions, tandem space dimensions. These have all been reviewed and are determined as compliant subject to conditions.

The following design changes in relation to car parking are proposed:

- Notate corner splays along the edge of exit lanes on plans as per Clause 52.06-9.
- Reduce the new/proposed driveway width to 3m.

5.3 **Clause 55** - Two or More Dwellings on a Lot & Residential Buildings – (Refer to section 15 of this report for the Planning Officer’s full assessment against this report).

General Provisions

5.4 The Decision Guidelines of **Clause 65.01** of the Kingston Planning Scheme are relevant to this application and require consideration to be given to a variety of matters including planning scheme policies, the purpose of the zone, orderly planning and the impact on amenity.

6.0 RELEVANT POLICIES

6.1 Planning Policy Framework (PPF)

- Clause 11 Settlement
- Clause 15 Built Environment and Heritage
- Clause 16 Housing

6.2 Local Planning Policy Framework (LPP)

- Clause 21.05 Residential Land Use
- Clause 22.11 Residential Development Policy
- Clause 22.20 Stormwater Management

6.3 Particular Provision

- Clause 52.06 – Car Parking
- Clause 55 – Two or more dwellings on a lot

6.4 Neighbourhood Character Area Guidelines (Incorporated Document under **Clause 21.05** – Residential Land Use of the LPPF). The land is located within Area 29 of the Neighbourhood Character Guidelines.

6.5 Design Contextual Housing Guidelines (April 2003 – reference document within **Clause 22.11** – Residential Development Policy). The Design Contextual Housing Guidelines offer a range of design techniques and suggestions to assist with residential design, which is responsive to local character.

7.0 ADVERTISING

7.1 The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. One (1) objection to the proposal was received. The ground of objection raised is summarised as follows:

- Overlooking

8.0 PLANNING CONSULTATION MEETING

8.1 The objector did not provide Council with contact details beyond a home address. The objector was subsequently sent a letter in the mail by the planning officer on 27 February 2019 to respond to their concerns. Council has not received any subsequent contact from the objector.

8.2 In accordance with Council's Planning Consultation Meeting Policy, no meeting was required as one objection to the application was received which is below the numbers required for a meeting. However, as required by the Policy, Council's planning officer contacted the objector (via post on 27 February 2019) followed by further discussions with the applicant to ascertain if the concerns raised by the objector could be resolved. It should be noted that the objector made no request for a planning consultation meeting to be held.

8.3 The objector concerns were unable to be resolved, and the objection still stands.

9.0 SECTION 50 / 50A / 57A – AMENDMENT TO PLANS

9.1 There were no formal amendments made by the permit applicant post the advertising period.

10.0 REFERRALS

10.1 The application was referred as set out in the tables below.

Internal Referrals

Department / Area	Comments
Council's Vegetation Management Officer	No objection raised, subject to conditions included on any permit issued relating to provision of a landscape plan and protection of the street tree with an increased setback of 3.3m.
Council's Development Engineer	No objection raised, subject to conditions included on any permit issued relating to stormwater management and water sensitive urban design.
Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to the crossover/footpath design and the council road network.

External Referrals

10.2 No external referrals were required.

PLANNING CONSIDERATIONS:

Planning Policy Framework

- 10.3 The State Planning Policy Framework sets out the relevant state-wide policies for residential development at **Clause 11** (Settlement), **Clause 15** (Built Environment and Heritage) and **Clause 16** (Housing). Essentially, the provisions within these clauses seek to achieve the fundamental objectives and policy outcomes sought by 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017).
- 10.4 The settlement policies at **Clause 11** seek to promote sustainable growth and development and deliver choice and opportunity through a network of settlements. Of particular relevance to housing, **Clause 11** promotes housing diversity and urban consolidation objectives in the established urban realm. **Clause 11.02-1S** (Supply of urban land) states that Planning Authorities should plan to accommodate projected population growth over at least a 15 year period, taking account of opportunities for redevelopment and intensification of existing urban areas as well consideration being had for environmental aspects, sustainable development and the costs associated with providing infrastructure. This clause states:
- Planning for urban growth should consider:*
- *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
 - *Neighbourhood character and landscape considerations.*
 - *The limits of land capability and natural hazards and environmental quality.*
 - *Service limitations and the costs of providing infrastructure.*
- 10.5 **Clause 11.01-1R1** (Settlement – Metropolitan Melbourne) and **Clause 11.03-1S** (Activity centres) places particular emphasis on providing increased densities of housing in and around activity centres or sites that have good access to a range of services, facilities and transport options.
- 10.6 **Clause 11.02** (Managing Growth) main directive is to ensure a sufficient supply of land is made available for a variety of purposes, including residential. To achieve this, it takes into account sufficient land availability to meet forecasted demand. **Clause 11.03-1S** places particular emphasis on providing a diversity of housing, including forms of higher density housing, in defined activity centres to cater for different households that are close to jobs and services.
- 10.7 **Clause 15** (Built Environment and Heritage) aims to ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.
- 10.8 Policies pertaining to urban design, built form and heritage outcomes are found at Clause 15 of the Planning Policy Framework. Of particular significance, **Clause 15.01-1S** (Urban design) and **Clause 15.01-1R** (Urban Design – Metropolitan Melbourne) encourages development to achieve high quality architectural and urban design outcomes that contribute positively to neighbourhood character, minimises detrimental amenity impacts and achieves safety for future residents, and the community, through good design. The provisions of **Clause 15.02** (Sustainable Development) promotes energy and resource efficiency through improved building design, urban consolidation and promotion of sustainable transport.

- 10.9 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 10.10 The Subject Land **is not** identified in an area of Aboriginal Cultural Heritage Sensitivity.
- 10.11 Housing objectives are further advanced at **Clause 16**. This Clause aims to encourage increased diversity in housing to meet the needs of the community through different life stages and respond to market demand for housing. In much the same vein as **Clause 11**, this Clause advances notions of consolidation of existing urban areas, particularly in and around activity centres and employment corridors that are well served by all infrastructure and services.
- 10.12 The policies contained within **Clause 16.01-3S** (Housing diversity) encourage the provision of range of housing types to meet the increasingly diverse needs of the community. Emphasis is placed on development of well-designed medium density housing with respect to neighbourhood character. Further, this Clause aims to make better use of the existing infrastructure and provide more energy efficient housing. **Clause 16.01-4S** (Housing affordability) raises the objective of delivering more affordable housing closer to jobs, transport and services.
- 10.13 It is submitted that the proposed development satisfies the aforementioned State strategies and policy direction. Specifically, the subject site is located on land earmarked for residential purposes, whereby residential development is an 'as of right' use under the zoning provisions. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable design outcome for the site and its immediate abuttals, whilst enjoying convenient and direct access to community facilities and the like, including public transport nodes.

Local Planning Policy Framework

- 10.14 The City of Kingston's MSS at **Clause 21.05 - Residential Land Use** of the Kingston Planning Scheme, seeks to provide guidance to development in residential zoned land, mixed use zoned lands and land within activity centres. The Residential Land Use Framework Plan illustrates the range of housing outcomes sought across the City of Kingston.
- 10.15 Relevant objectives and strategies in **Clause 21.05-3: Residential Land Use** include:
- To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality. This is to be achieved through promoting new residential development, which is of a high standard, responds to the local context and positively contributes to the character and identity of the local neighbourhood.
 - To ensure residential development does not exceed known physical infrastructure capacities.
- 10.16 Council's Local Planning Policy at **Clause 21.05** essentially reinforces State Planning Policy relevant to housing, stressing the need to encourage urban consolidation in appropriate locations and to accommodate projected population increases.

- 10.17 **Clause 22.11 - Residential Development Policy** extends upon the provision contained at **Clause 21.05 - Residential Land Use**, relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. It provides design guidance on how new residential development should achieve architectural and urban design outcomes that positively respond to neighbourhood character.
- 10.18 Relevant objectives in **Clause 22.11-2 Residential Development Policy** include:
- To promote a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS.
 - To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having particular regard to that identified in the Kingston Neighbourhood Character Guidelines – August 2007.
 - To promote on-site car parking which is adequate to meet the anticipated needs of future residents.
 - To ensure that landscaping and trees remain a major element in the appearance and character of the municipality's residential environments.
 - To limit the amount and impact of increased stormwater runoff on local drainage systems.
 - To ensure that the siting and design of new residential development takes account of interfaces with sensitive and strategic land uses.
- 10.19 **Clause 22.19 (Public Open Space Contributions)** forms the prevailing policy that guides Council to apply a land or cash public open space contribution, which is applicable to all subdivision applications. This policy identifies the important role that contributions play in funding new open space areas and facilitating capital improvements to existing public open space to meet the needs of the future population growth in Kingston.
- 10.20 Whilst the application at hand does not propose to subdivide the land, it is imperative to identify at this stage of the process whether a public open space contribution requirement is likely to be applied should the site be subdivided at a later date and, if so, whether the land is located in a 'cash' or 'land' preferred area. If in a land preferred area, the proposed design and layout must be considered as it will ultimately shape the subdivision configuration and whether any land is set aside for public open space purposes.
- 10.21 As two (2) dwellings are proposed, any future subdivision is likely to result in two (2) allotments. An application to subdivide land into two (2) lots where Council considers it unlikely that each lot will be further subdivided is exempt from a public open space contribution, pursuant to **clause 52.01** – Public Open Space Contribution and Subdivision. As such, there is no need to consider this matter further.
- 10.22 **Clause 22.20 – Stormwater Management** is not applicable as per table 1 as the proposed development is not considered 'medium scale' within Clause 22.20.
- 10.23 **Clause 22.21 Environmentally Sustainable Development (ESD)** is not applicable as per table 1 of Clause 22.21.

- 10.24 It is considered that the proposed development generally complies and satisfies with the State and Local Planning Policy Framework guidelines which aims to encourage well-designed medium density housing in appropriate locations. This is discussed in the Clause 55 assessment, later within this report.

Zoning Provisions

- 10.25 Pursuant to **Clause 32.08-4**, a lot must provide for the minimum garden area as set out in the following table:

Lot Size	Minimum percentage of a lot set aside as garden area
400-500m ²	25%
501-650 m ²	30%
Above 650 m ²	35%

- 10.26 It is considered that the proposal in its current format complies with the mandatory garden area requirement. A minimum of 38% of garden area for the entire lot is provided which meets the minimum garden area requirement.

Overlay Provisions

- 10.27 The subject site is not located within an overlay.

Particular Provisions

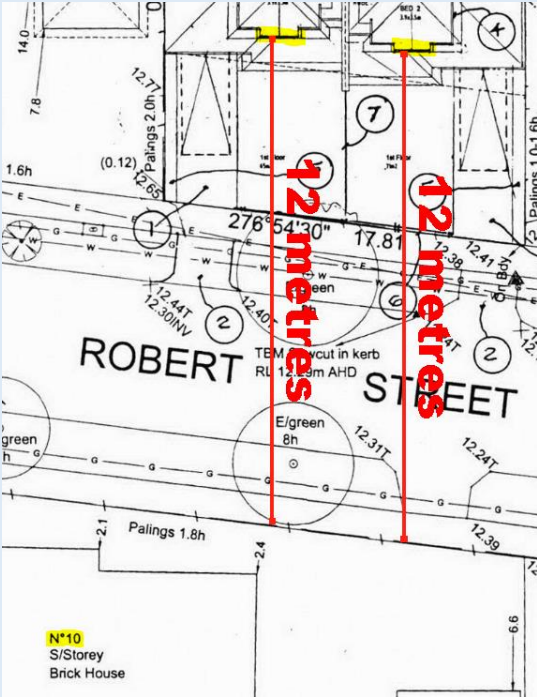
- 10.28 Refer to Clause 55 assessment at the end of this report [section 15].

11.0 CLAUSE 55 (RESCODE ASSESSMENT)

- 11.1 The proposal has been assessed against the objectives and standards of **Clause 55** (ResCode) of the Kingston Planning Scheme (refer to section 15). **Clause 55** requires that a development **must** meet all of the objectives, and all of the standards of this clause **should** be met. Variations to the standards are able to be considered where it is determined that the overall objective is met.
- 11.2 The table found at section 15 provides a detailed discussion, where relevant, for any standards where concessions are sought. Overall, it is noted that the application achieves a high level of compliance with the ResCode provisions, with only minor variations sought, specifically two (2) of the thirty-three (33) ResCode standards relating to the front setback (Standard B6) and front fence height (Standard B32).

12.0 RESPONSE TO GROUNDS OF OBJECTIONS

12.1 The objector concerns have largely been addressed in the body of this report.

Ground of Objection	Response
Overlooking	<p>The nearest boundary of No. 10 Ivy Street is more than 12m (across the road) from any proposed first-floor habitable room windows. This distance exceeds the 9m distance required for open habitable room windows from SPOS areas, such as no. 10 Ivy St's backyard as specified within Standard B22 <i>Overlooking</i>. Hence, the proposed first-floor windows do not pose any unreasonable overlooking concern to nearby properties. See the below image which shows the distance from the first-floor windows to no. 10 Ivy St's backyard.</p>  <p>The diagram is a technical site plan showing the layout of Robert Street and No. 10 Ivy Street. Two vertical red lines are drawn from the first-floor window levels of the proposed building to the boundary of No. 10 Ivy Street's backyard. Each line is labeled '12 metres' in red. The plan includes various annotations such as 'Palings 2.0h', 'Palings 1.8h', 'E/green 8h', and 'N°10 S/Storey Brick House'. A yellow box in the bottom left corner identifies the subject property as 'N°10 S/Storey Brick House'.</p>

13.0 CONCLUSION:

- 13.1 On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.
- 13.2 As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of the Act have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.
- 13.3 The proposed development is considered appropriate for the Site, subject to conditions, as evidenced by:
- The compatibility of the design and siting with the surrounding area
 - The mitigation of off-site amenity impacts
 - A suitable level of compliance with all relevant policies, including **Clause 55** of the Kingston Planning Scheme

14.0 CLAUSE 55 ASSESSMENT

14.1 Two or more dwellings on a lot and residential buildings in a General Residential Zone – Schedule 3.

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Clause 55.02-1 Neighbourhood Character objectives</p> <ul style="list-style-type: none"> ▪ To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. ▪ To ensure that development responds to the features of the site and the surrounding area. 	<p>Standard B1</p> <ul style="list-style-type: none"> ▪ The design response must be appropriate to the neighbourhood and site. ▪ The proposed design must respect the existing or preferred neighbourhood character and respond to site features. 	<p>Complies with standard & meets objective</p>
<p>Assessment: The subject site is located in an existing residential area. This part of Parkdale has undergone significant changes from the post WWII single dwelling detached character with examples of mid to late 20th Century unit developments. There have also been recent townhouse developments that are emerging as a housing type along Robert Street and other surrounding streets within the character area. The site is located within an ‘incremental housing change’ area and character profile 29. Having considered the site’s context and design response, it is considered that the development has appropriately responded to the character by:</p> <ul style="list-style-type: none"> • Providing a side by side development, which is indicative of the emerging housing type in the area. • Providing a front setback of 7.3m which is between the identified front setback of 7-10m in the area. • Setting the garages behind the front wall of each townhouses facing the street. • Utilising front porches to each dwelling which is a major contributor to neighbourhood character. • Pitched roof and walls with bricks. <p>The proposed dwellings incorporate the design features noted above with the layout and scale of buildings appropriately designed for the sites locality.</p>		
<p>Clause 55.02-2 Residential Policy objectives</p>	<p>Standard B2</p> <ul style="list-style-type: none"> ▪ An application must be accompanied by a written statement that describes how the development is consistent with relevant housing policy in the PPF & MPS 	<p>Complies with standard & meets objective</p>

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the MPS and the PPF. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 		
<p>Assessment: The application provided a written assessment and statement which describes how the development is consistent with the Planning Policy Framework and the Municipal Strategic Statement is satisfactory in this instance. The proposed dwellings are responsive to the planning context and reflective of the 'incremental change' occurring within the Parkdale area.</p>		
<p>Clause 55.02-3 Dwelling Diversity objective To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Standard B3 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> ▪ Dwellings with a different number of bedrooms. ▪ At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	N/A
<p>Assessment: The proposal is for less than 10 dwellings; hence this objective and standard are not applicable.</p>		
<p>Clause 55.02-4 Infrastructure objectives</p> <ul style="list-style-type: none"> ▪ To ensure development is provided with appropriate utility services and infrastructure. ▪ To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard B4</p> <ul style="list-style-type: none"> ▪ Connection to reticulated services/sewerage, electricity, gas and drainage services ▪ Capacity of infrastructure and utility services should not be exceeded unreasonably ▪ Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists 	Complies with standard & meets objective (subject to conditions on any permit issued)
<p>Assessment: The site is in an established area that is well serviced by existing infrastructure. Additionally, it is recommended that suitable condition(s) be included on any permit issued to address infrastructure considerations. Relevant internal Council departments provided referral comments to no objection noting that the proposed development would not exceed infrastructure capacities.</p>		
<p>Clause 55.02-5 Integration with the street objective</p>	<p>Standard B5</p> <ul style="list-style-type: none"> ▪ Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. 	Complies

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> ▪ To integrate the layout of development with the street. 	<ul style="list-style-type: none"> • Development oriented to front existing/proposed streets 	Complies
	<ul style="list-style-type: none"> • High fencing in front of dwellings should be avoided if practicable. 	Complies
	<ul style="list-style-type: none"> • Development next to existing public open space should be laid out to complement the open space. 	N/A
<p>Assessment: The development provides for safe and functional connectivity with vehicles access provided exclusive access to each dwelling through separate driveways. Porches of each dwelling face Robert Street which integrates the layout of the development with the street. The front fence has been designed to be 1400mm in height and is a medium sized fence which allows the integration of the development with the street.</p>		
<p>Clause 55.03-1 Street setback objective</p> <ul style="list-style-type: none"> ▪ To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Standard B6</p> <p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> ▪ If no distance is specified in a schedule to the zone, the distance specified in Table B1 <p>Required: 7.8 metres</p>	Variation sought to standard & meets objective
<p>Assessment: The proposal does not meet the setback distance specified in this Standard. However, the proposed street setback of 7.3m is reflective of the identified street setback prevalent in the surrounding area, notably within the distance of 7-10m. Townhouse style dwellings tend to be closer to the street than detached single dwellings and given the incremental change occurring in the area, the proposed street setback and variation of 0.5 metres, is deemed appropriate, in this instance.</p>		
<p>Clause 55.03-2 Building height objective</p> <ul style="list-style-type: none"> ▪ To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Standard B7</p> <p>Maximum: 9 metres (9 metres and no more than 3 storeys under GRZ3)</p>	Complies with standard & meets objective
<p>Assessment: The maximum building height proposed is 7.25m. As such, the proposal meets the height parameters specified in this Standard and is within an area that has similar two storey building heights.</p>		
<p>Clause 55.03-3 Site Coverage objective</p> <ul style="list-style-type: none"> ▪ To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Standard B8</p> <p>Maximum: GRZ3 – 50%</p>	Complies with standard & meets objective
<p>Assessment: The proposal achieves a site coverage statistic of 48.9%, which meets this Standard. The buildings site coverage respects similar layouts and buildings sizes throughout the Parkdale area.</p>		
<p>Clause 55.03-4 Permeability & stormwater management objectives</p>	<p>Standard B9</p> <p>At least: 20%</p>	Complies with standard & meets objective (subject to conditions)

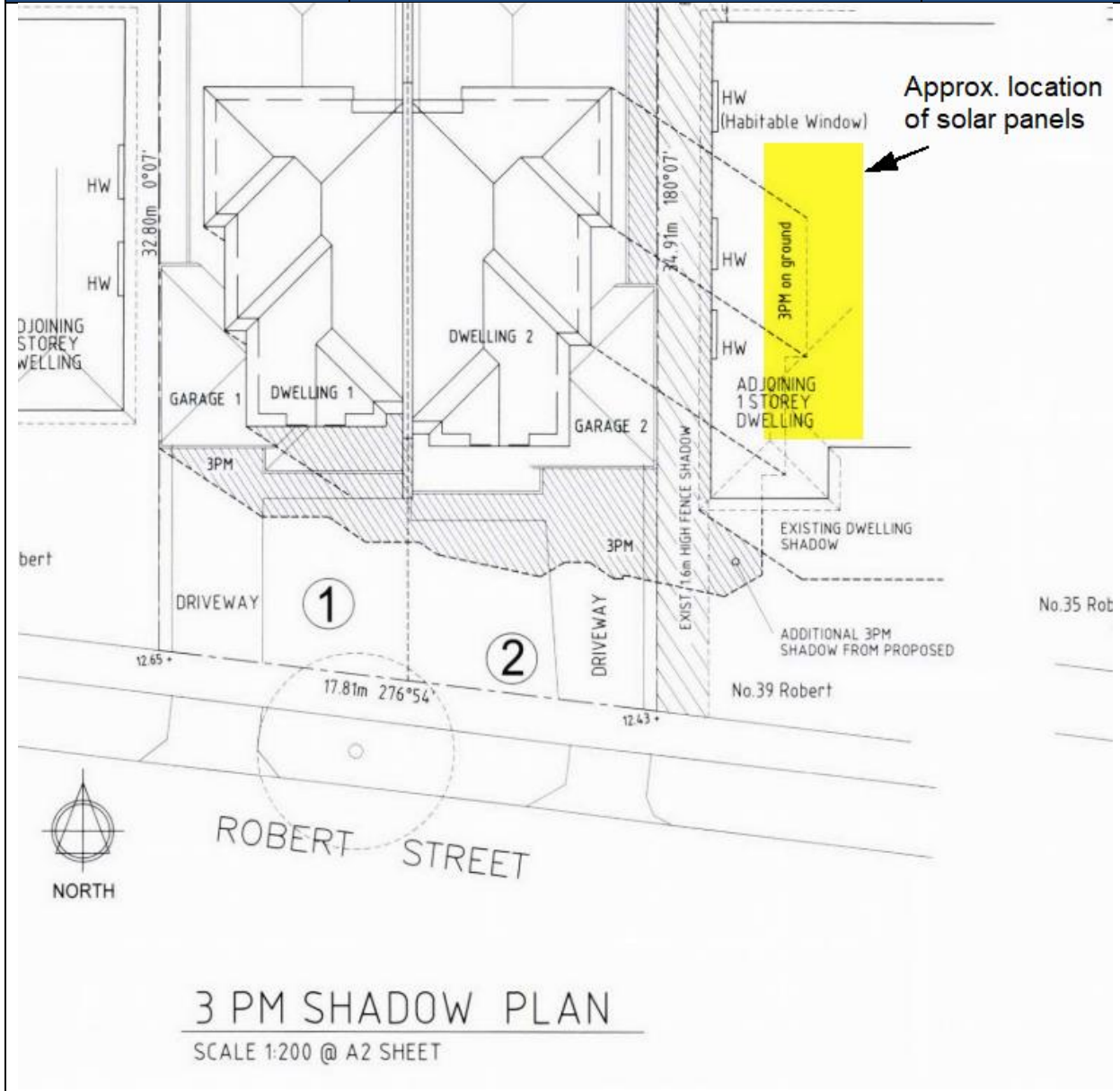
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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> ▪ To reduce the impact of increased stormwater run-off on the drainage system. ▪ To facilitate on-site stormwater infiltration. ▪ To encourage stormwater management that maximises the retention & reuse of stormwater 		
<p>Assessment: The permeability figure proposed (i.e. 38%) exceeds that specified in the Standard. Council's internal Drainage and Engineering Department raised no objection to the proposed dwellings subject to conditions to appropriately manage stormwater on site.</p>		
<p>Clause 55.03-5 Energy Efficiency objectives</p> <ul style="list-style-type: none"> ▪ To achieve and protect energy efficient dwellings and residential buildings. ▪ To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Standard B10</p> <p>Orientation, siting & design of buildings should make appropriate use of solar energy. Further, siting & design should ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Siting & design should also ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in GRZ, NRZ or TZ are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.</p> <p>Living areas & private open space should be located on the north side of the development, if practicable.</p> <p>Solar access to north-facing windows is maximised.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The internal layout of both dwellings has been designed to maximise on energy efficiency principles. SPOS of each dwelling is set to the rear and maximises the northern orientation. Living areas open out to each respective SPOS and are afforded similar daylight opportunities. No. 39 Robert St and 1 Gilbert Crt have existing rooftop solar energy facilities. These solar facilities are not unreasonably shadowed as a result of this proposal. No. 1 Gilbert Crt will not have unreasonable shadowing from the proposed dwelling in part by the orientation, being north of the subject site. No. 39 Robert St is not unreasonably overshadowed by the proposed development with the proposal setting back the first floor from the eastern common boundary to avoid blocking daylight to solar panels (refer to shadow diagram below).</p>		

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It is noted that as per the above diagram, shadows are shown where they reach the ground. As shadows work on an angle, the upper reaches of the shadows are unlikely to shadow the solar panels at any time on 22 September.

<p>Clause 55.03-6 Open Space objective</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Standard B11 Public or communal open space should:</p> <ul style="list-style-type: none"> Be substantially fronted by dwellings Provide outlook for dwellings Be designed to protect natural features. Be accessible and useable. 	<p>N/A</p>
<p>Assessment: There is no communal open space adjoining the site.</p>		
<p>Clause 55.03-7 Safety objectives</p>	<p>Standard B12</p>	

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> ▪ To ensure the layout of development provides for the safety and security of residents and property. 	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting should not create unsafe spaces along streets and accessways</p> <p>Good lighting, visibility and surveillance of car parks and internal accessways should be achieved.</p> <p>Private spaces should be protected from inappropriate use as public thoroughfares.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The proposal provides an acceptable level of consideration for safety & security of residents. In part, this is evidenced by the highly visible, identifiable & attainable dwelling entries to each dwelling.</p>		
<p>Clause 55.03-8 Landscaping objectives</p> <ul style="list-style-type: none"> ▪ To encourage development that respects the landscape character of the neighbourhood. ▪ To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. ▪ To provide appropriate landscaping. ▪ To encourage the retention of mature vegetation on the site. 	<p>Standard B13</p> <p>In summary, landscape layout & design should:</p> <ul style="list-style-type: none"> ▪ Protect predominant landscape features of the neighbourhood. ▪ Take into account the soil type and drainage patterns of the site. ▪ Allow for intended vegetation growth and structural protection of buildings. ▪ Provide a safe, attractive and functional environment for residents. <p>In summary, development should:</p> <ul style="list-style-type: none"> ▪ Provide for the retention or planting of trees, where these are part of the character of the neighbourhood. ▪ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. ▪ Specify landscape themes, vegetation (location and species), paving and lighting. 	<p>Complies with standard & meets objective (subject to conditions on any permit issued)</p>
<p>Assessment: The application provides adequate space for the planting of various species, including canopy trees. As a condition of any permit issued, a detailed landscape plan will be required. Conditions are informed by the referral received by Council's Vegetation Department.</p>		
<p>Clause 55.03-9 Access objective</p>	<p>Standard B14</p> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> ▪ 33 per cent of the street frontage, or ▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	<p>Complies with standard & meets objective</p>

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<ul style="list-style-type: none"> ▪ To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	No more than one single-width crossover should be provided for each dwelling fronting a street.	Complies
	The location of crossovers should maximise the retention of on-street car parking spaces.	Complies
	The number of access points to a road in a Road Zone should be minimised.	N/A
	Access for service, emergency and delivery vehicles must be provided.	Complies
<p>Assessment: The proposal raises no concern with respect to access related matters. One new crossover is proposed, including the retention of the existing access point. The crossovers result in a calculation as per standard requirements of 34.8% of the frontage used for the access of vehicles. This meets the standard requirement of 40% and is appropriate given similar layouts also use two crossovers along Robert St and Parkdale generally.</p>		
<p>Clause 55.03-10 Parking location objectives</p> <ul style="list-style-type: none"> ▪ To provide convenient parking for resident and visitor vehicles. ▪ To protect residents from vehicular noise within developments 	<p>Standard B15 Car parking facilities should:</p> <ul style="list-style-type: none"> ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	Complies with standard & meets objective
<p>Assessment: The proposal raises no concern with respect to the layout and design of on-site car parking. Each dwelling has a garage with direct access to their respective dwelling.</p>		
<p>Clause 55.04-1 Side and rear setbacks objective</p> <ul style="list-style-type: none"> ▪ To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B17 A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> ▪ 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	Complies with standard & meets objective

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<p>Assessment: East: Dwelling 2, setback complies; <u>Ground floor:</u> wall on boundary <u>First floor:</u> required 1.75m setback, 2.04m setback provided.</p> <p>North: Dwelling 1, setback complies; <u>Ground floor:</u> required 1m, 6.6m provided. <u>First floor:</u> required 1.73m, 13.05m provided.</p> <p>Dwelling 2, setback complies; <u>Ground floor:</u> required 1m, 6.57m provided. <u>First floor:</u> required 1.73m, 13.05m provided.</p> <p>West: Dwelling 1, setback complies; <u>Ground floor:</u> wall on boundary <u>First floor:</u> required 1.75m, 2.04m provided.</p> <p>The proposal satisfies and in some cases exceeds the formula to Standard B17. The setbacks proposed respect the existing neighbourhood character as similar recent townhouse style developments have setbacks that are comparable.</p>		
<p>Clause 55.04-2 Walls on boundaries objective</p> <ul style="list-style-type: none"> ▪ To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Standard B18</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> ▪ 10 m plus 25% of the remaining length of the boundary of an adjoining lot, or ▪ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. 	<p>Complies with standard & meets objective (subject to conditions)</p>
<p>Assessment: The two proposed dwellings with walls on boundary comply in length and height to the standard requirement, see below:</p> <p>Dwelling 1: Length: 10m (+25% of the remaining boundary length) required, 6m provided, complies. Height: 3.2m average max required, 3.2m max height provided, complies.</p> <p>Dwelling 2: Length: 10m (+25% of the remaining boundary length) required, 6.32m provided, complies. Height: 3.2m average max required, 3.11m max height provided, complies.</p> <p>The proposed walls on boundary are respective of their surrounds and comply to the standard requirements.</p>		

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However, considering amenity impact to adjoining properties, the walls will be subject to conditions to reduce their height. This is to allow daylight into existing habitable room windows, see Standard B19 for further discussion.		
Clause 55.04-3 Daylight to existing windows objective <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	Standard B19 Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3m ² and minimum dimension of 1m clear to the sky.	Variation to standard & meets objective (subject to conditions)
	Walls or carports more than 3m in height opposite an existing habitable room window should be set back from the window at least 50% of the height of the new wall if the wall is within a 55-degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.	Variation to standard & meets objective (subject to conditions)
Assessment: The proposed dwellings have been sighted and set back to avoid restricting daylight into existing habitable room windows. However, the proposed walls on boundary do restrict daylight into existing windows as seen below:		
<p>Dwelling 1:</p> <p>The required setback from this habitable room window is 1.6m (proposed 0.8m approx taken from edge of eave), based on the height of the garage wall. Alternatively, the height of the wall on boundary could be reduced to 3 metres or less (by way of condition of any permit issued). Whilst, this would not meet the standard requirement, the variation sought would be negligible. Given that the location of the garage wall is not entirely adjacent to the subject window, this point coupled with the reduced height of the wall, would ensure that adequate daylight is provided to this existing window.</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Dwelling 2:</p>		
<p>The required setback from this habitable room window is 1.55m (proposed 1.5m). Alternatively, the height of the wall on boundary could be reduced to 3m max so as to comply with the standard. This change would result in adequate daylight access to the existing window.</p>		
<p>Daylight to existing windows objective given the proposals design in ensuring that adequate daylight into existing habitable windows is retained.</p>		
<p>Clause 55.04-4 North facing windows objective</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Standard B20 Buildings should be setback 1m if an existing HRW is within 3m of the abutting lot boundary (add 0.6m to this setback for every metre of height over 3.6m & add 1m for every metre of height over 6.9m)</p>	<p>N/A</p>
<p>Assessment: No north facing windows within 3m of the subject site.</p>		
<p>Clause 55.04-5 Overshadowing open space objective</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space 	<p>Standard B21 Where sunlight to the SPOS of an existing dwelling is reduced, at least 75%, or 40m² with min. 3m, whichever is the lesser area, of the SPOS should receive a min of 5hrs of sunlight btw 9am & 3pm on 22 September. If existing sunlight to the SPOS of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: Shadowing to adjoining properties has been considered in the design response, with the proposed dwellings sited and designed to avoid unreasonable overshadowing. Notably, the adjoining</p>		

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properties have large rear SPOS areas which are not unreasonably shadowed and have access to direct sunlight in line with standard B21.		
Clause 55.04-6 Overlooking objective <ul style="list-style-type: none"> ▪ To limit views into existing secluded private open space and habitable room windows. 	Standard B22 A HRW, balcony, terrace, deck or patio should be located & designed to avoid direct views into the SPOS of an existing dwelling within 9m (refer to clause for exact specifications). Where within it should be either: <ul style="list-style-type: none"> ▪ Offset a minimum of 1.5m from the edge of one window to the edge of the other. ▪ Have sill heights of at least 1.7m above floor level. ▪ Have fixed, obscure glazing in any part of the window below 1.7m above floor level. ▪ Have permanently fixed external screens to at least 1.7m above floor level & be no more than 25% transparent. 	Complies with standard & meets objective
	Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.	Complies with standard & meets objective
	Screens used to obscure a view should be: <ul style="list-style-type: none"> ▪ Perforated panels or trellis with a maximum of 25% openings or solid translucent panels. ▪ Permanent, fixed and durable. ▪ Designed and coloured to blend in with the development. 	Complies with standard & meets objective
Assessment: Habitable windows and living areas where potential overlooking could occur have been designed to meet standard B22. Notably, windows at the first floor are set above 1.7m from floor to sill and ground floor living areas and windows have views screened by minimum 2m high boundary fencing.		
Clause 55.04-7 Internal views objective <ul style="list-style-type: none"> ▪ To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	Standard B23 Windows and balconies should be designed to prevent overlooking of more than 50% of the SPOS of a lower-level dwelling or residential building directly below and within the same development.	Complies with standard & meets objective
Assessment: No unreasonable internal overlooking will occur. The proposed dwellings have been designed to not look internally upon SPOS or any habitable rooms within the development. Further, internal fencing is nominated as 1.8m in height to avoid overlooking between SPOS areas. Hence, no unreasonable internal overlooking will occur, subject to conditions.		
Clause 55.04-8 Noise impacts objectives <ul style="list-style-type: none"> ▪ To contain noise sources in developments that may affect existing dwellings. ▪ To protect residents from external noise. 	Standard B24 Noise sources should not be located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and SPOS of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.	Complies with standard & meets objective

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	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	
Assessment: The proposal has taken into account any relevant surrounding noise sources and that proposed. The continuation of the residential use is considered to likely emit the same noise to surrounding properties and this is considered appropriate within the residential context.		
Clause 55.05-1 Accessibility objective <ul style="list-style-type: none"> ▪ To encourage the consideration of the needs of people with limited mobility in the design of developments. 	Standard B25 The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Complies with standard & meets objective
Assessment: It is considered that the proposed layout and design of dwelling entries can accommodate for people of limited mobility. Each dwelling has the primary living at the ground floor and toilets which provide accessibility for people with limited mobility.		
Clause 55.05-2 Dwelling entry objective <ul style="list-style-type: none"> ▪ To provide each dwelling or residential building with its own sense of identity. 	Standard B26 Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> ▪ Be visible and easily identifiable from streets and other public areas. ▪ Provide shelter, a sense of personal address and a transitional space around the entry. 	Complies with standard & meets objective
Assessment: The proposed entries to all dwellings are clearly visible from the public realm. A porch is provided to each dwelling and provides a sense of address and transition from the public to the private realm.		
Clause 55.05-3 Daylight to new windows objective <ul style="list-style-type: none"> ▪ To allow adequate daylight into new habitable room windows. 	Standard B27 HRW should be located to face: <ul style="list-style-type: none"> ▪ Outdoor space clear to the sky or a light court with a minimum area of 3m² and min. dimension of 1m clear to the sky or ▪ Verandah provided it is open for at least 1/3 of its perimeter, or ▪ A carport provided it has 2 or more open sides and is open for at least 1/3 of its perimeter. 	Complies with standard & meets objective
Assessment: It is considered that all proposed windows allow for adequate solar access and natural daylight into primary and secondary living areas. Each proposed habitable room window is provided a 3m ² area and 1m clear to the sky light court.		
Clause 55.05-4 Private open space objective <ul style="list-style-type: none"> ▪ To provide adequate private open space for the reasonable recreation and service needs of residents. 	Standard B28 A dwelling or residential building should have POS consisting of: <ul style="list-style-type: none"> ▪ An area of 40m², with one part of the POS to consist of SPOS at the side or rear of the dwelling or residential building with a min. 40m², a min. dimension of 5m and convenient access from a living room. If a dwelling has more than 2 bedrooms an additional ground level POS area of 20m² with a minimum width of 3m is required to be provided for each additional bedroom, with a max. of 80m² of POS required for the dwelling. 	Complies with standard & meets objective

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<p>Assessment: Each dwelling has been provided with adequate SPOS that meets the area and dimension requirements specified above. The proposed SPOS/POS will service the social, recreational and passive needs of future residents. See section 4 of this report for SPOS and POS calculations which are all consistent with minimum dimensions set out in Schedule 3 of the General Residential Zone.</p>		
<p>Clause 55.05-5 Solar Access to Open Space</p> <ul style="list-style-type: none"> ▪ To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Standard B29 The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	Complies with standard & meets objective
	<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.</p>	N/A
<p>Assessment: No south facing POS is proposed as part of this development. The proposed SPOS has been orientated to face north to maximise solar access.</p>		
<p>Clause 55.05-6 Storage objective</p> <ul style="list-style-type: none"> ▪ To provide adequate storage facilities for each dwelling. 	<p>Standard B30 Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	Complies with standard & meets objective
<p>Assessment: Secure storage areas have been provided for each dwelling within their respective garage/POS areas.</p>		
<p>Clause 55.06-1 Design Detail objective</p> <ul style="list-style-type: none"> ▪ To encourage design detail that respects the existing or preferred neighbourhood character 	<p>Standard B31 The design of buildings, including:</p> <ul style="list-style-type: none"> ▪ Facade articulation and detailing ▪ Window and door proportions, ▪ Roof form, and ▪ Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	Complies with standard & meets objective
<p>Assessment: The proposed design detail respects the existing neighbourhood character and is reflective of the incremental change occurring in the area with modern touches such as the proposed flat roof.</p>		
<p>Clause 55.06-2 Front fences objective</p> <ul style="list-style-type: none"> ▪ To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Standard B32 The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p>	Complies with standard & meets objective
	<p>Schedule to GRZ3: A front fence within 3m of a street should not exceed:2m for streets in a RDZ1 or 1.2m for other streets</p>	Variation sought to standard & meets objective
<p>Assessment: A 1.4m front timber picket fence is proposed. The standard height is 1.2m and hence the standard is not met. However, the minor variation is supported as the surrounding streets have similar height and style of front fences. The character area is identified as having a varied front boundary presentation of landscaping, built form and fencing. The proposed front fence is consistent with this character statement and of the objective of Clause 55.06-2.</p>		
<p>Clause 55.06-3 Common property objectives</p>	<p>Standard B33 Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	N/A – no common property proposed.

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OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> ▪ To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. ▪ To avoid future management difficulties in areas of common ownership. 		
<p>Assessment: No common property is proposed as part of this development. Where common property is proposed, it is functional, well-designed and capable of efficient management through an owner's corporation arrangement.</p>		
<p>Clause 55.06-4 Site services objectives</p> <ul style="list-style-type: none"> ▪ To ensure that site services can be installed and easily maintained. ▪ To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard B34 Dwelling layout and design should provide sufficient space and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: It is understood that all the facilities required for the development can be accommodated within the development. Site services such as mailboxes and bin/recycling enclosures have been nominated on the respective plans and located appropriately.</p>		

15.0 RECOMMENDATION

- 15.1 That Planning Committee determine to **support** the proposal and issue a **Notice of Decision to Grant a Permit to develop the land for the construction of two (2) dwellings** at No.37 Robert Street, Parkdale, 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the advertised plans prepared by A.E Cross, Proposed Duplex Double Storey Development, comprising sheets TP-03 to TP-05, submitted to Council on 4 December 2018, but modified to show:
 - a. the maximum height of all walls on boundaries to 3 metres or less
 - b. the setback of the proposed crossover to be no less than 3.3m from the existing street tree, including a reduction of the width of this crossover to 3m
 - c. the provision of a corner splays (where practical) at the exit lane (driveway) of each dwelling in accordance with the design standards of Clause 52.06-9 of the Kingston Planning Scheme
 - d. provision of a minimum 2000L rainwater tank clearly nominated for each new dwelling and collected to toilets for flushing

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- e. separation of the proposed crossover from the neighbouring crossover to achieve a pedestrian splay of 1 metre between
- f. the internal driveways set back at least 500mm from their respective common side boundary
- g. the finished floor level nominated for all deck areas
- h. the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar
- i. the provision of a landscape plan in accordance with the submitted development plan, with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and incorporating:
 - i) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
 - ii) A survey, including, botanical names of all existing trees to be retained or removed on the site including Tree Protection Zones for trees to be retained calculated in accordance with AS4970-2009
 - iii) A survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
 - iv) The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works
 - v) A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities (e.g. plants 1 metre width at maturity planted 1 metre apart)
 - vi) Two (2) native canopy trees capable of growing to minimum mature dimensions of 12 metres in height and 8 metres in width to be planted in the front setback of the property
 - vii) One (1) canopy tree capable of growing to minimum mature dimensions of 8 metres in height and 5 metres in width to be planted in the secluded private open space of each dwelling
 - viii) All trees provided at a minimum of 2 metres in height at time of planting, medium to large shrubs to be provided at a minimum pot size of 200mm
 - ix) Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements; and
 - x) Tree protection measures including for street trees accurately drawn to scale and labelled.

Endorsed Plans

- 2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Street Trees

4. Tree Protection Fencing is to be established around the *Lophostemon confertus* (Brush Box) street tree located in the Robert Street road reserve, prior to demolition and maintained until all works on site are complete.
 - a) The fencing is to be a 1.8 metre high temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's side panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting
 - b) The fencing is to encompass the entire nature strip with each end 3 metres from the base of the tree

Drainage and Water Sensitive Urban Design

5. Unless with the prior written consent of the responsible authority, before the development commences, the following Integrated Stormwater Management documents must be prepared, by a suitably qualified person, to the satisfaction of the responsible authority:
 - a) Stormwater management (drainage) plan(s) must be prepared as per Council's "Civil Design Requirements for Developers- Part A – Integrated Stormwater Management", with supporting computations, showing the stormwater (drainage) works to the nominated point of discharge. The plan(s) must show all details of the proposed stormwater (drainage) works including all existing and proposed features that may have impact on the stormwater (drainage) works, including landscaping details.
6. Stormwater (drainage) works must be implemented in accordance with the approved stormwater management (drainage) plan(s) and to the satisfaction of the responsible authority including the following:
 - a) All stormwater (drainage) works must be provided on the site so as to prevent overflows onto adjacent properties.
 - b) The implementation of stormwater (drainage) detention system(s) which restricts stormwater discharge to the maximum allowable flowrate of 5.2L/s.
 - c) All stormwater (drainage) works must be maintained to the satisfaction of the Responsible Authority.

Infrastructure and Road Works

7. Any relocation of pits/power poles or other services affected by this development must be relocated to the satisfaction of the relevant servicing authority and the Responsible Authority, at the cost of the owner/developer.
8. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
9. Any reinstatements and new/modified vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
10. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
11. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.

General amenity conditions

12. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that is well presented to neighbouring properties in a manner to the satisfaction of the Responsible Authority.
13. All externally-located heating and cooling units, exhaust fans and the like must not be located adjacent to bedroom windows on adjoining properties and must not be located where they will be highly visible from any public area to the satisfaction of the Responsible Authority.
14. All piping, ducting above the ground floor storey of the development (other than rainwater, guttering and downpipes) must be concealed to the satisfaction of the Responsible Authority.

Completion of Works

15. Prior to the occupation of the dwellings hereby permitted, all buildings and works and the conditions of this permit must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
16. Prior to the occupation of the dwellings hereby permitted, the landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping shall be maintained to the satisfaction of the Responsible Authority.

Expiry

17. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
 - a) The development is not started within two (2) years of the issue date of this permit.
 - b) The development is not completed within four (4) years of the issue date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Note: Environment Protection Authority (EPA) Victoria set out the requirements pertaining to site construction hours and permissible noise levels.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.

Note: The applicant/owner must provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with the planning permit.

Note: The applicant/owner must provide a copy of this planning permit and any endorsed plans to any external contractor to ensure that all trees to be retained on site are protected during any works.

Note: The allocation of street numbering and addressing of properties is vested in Council. Any reference to addressing or dwelling/unit/apartment and street numbers or street names on any endorsed plan is indicative only. The onus is on the Permit Applicant/Land Owner to contact Council's Property Data Department to determine the official dwelling/unit/apartment street numbers, street name details and the like for the approved development.

If the Permit Applicant/Land Owner adopts the street numbering or addressing from the endorsed plans, or where advertising and/or sales transact (off the plan) prior to Council's official allocation of the street numbering and addressing, it will be viewed to be non-

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compliant with the guideline and standard applied (Australian/New Zealand Standard for Rural & Urban Addressing / AS/NZS 4819:2011).


Note: The owner(s), occupiers and visitors of the development allowed by this permit may not be eligible for Council resident or visitor parking permits.

OR

In the event that the Planning Committee wishes to oppose the Officer's recommendation and instead seeks to refuse the application, it can do so on the following grounds:

1. The proposal is inconsistent with the prevailing and preferred neighbourhood character of the area.
2. The proposal fails to satisfy the objectives and standards of Clause 55 of the Kingston Planning Scheme.
3. The proposal fails to provide an acceptable built form having regard to the physical and policy context.

Appendices

Appendix 1 - KP-2018/455 - 37 Robert Street, Parkdale - Considered Plans (Ref 19/63832) 

Author/s: Todd Cracknell, Statutory Planner
Reviewed and Approved By: Jennifer Pippo, Team Leader Statutory Planning
Ilan Nice, Manager City Development

4.6

KP-2018/455 - 37 ROBERT STREET, PARKDALE

1 KP-2018/455 - 37 Robert Street, Parkdale - Considered Plans 251

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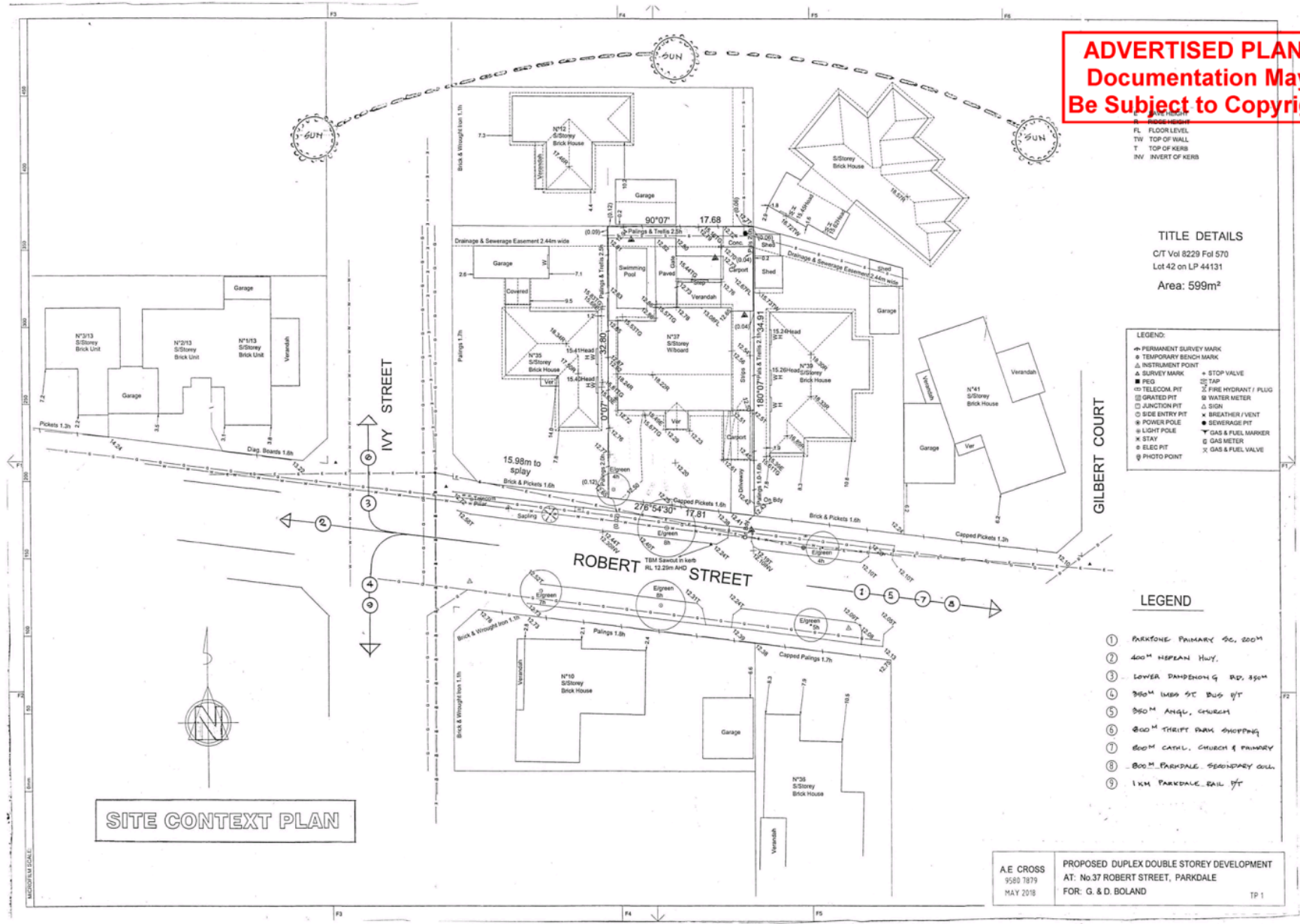


STREETSCAPE

PHOTO MONTAGE

PROPOSED DUPLEX DOUBLE STOREY DEVELOPMENT
 AT: No.37 ROBERT STREET, PARKDALE
 FOR: Mr G. & D. BOLAND TP- 2.A

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- FL FLOOR LEVEL
- TW TOP OF WALL
- T TOP OF KERB
- INV INVERT OF KERB

TITLE DETAILS
 C/T Vol 8229 Fol 570
 Lot 42 on LP 44131
 Area: 599m²

- LEGEND:**
- ▲ PERMANENT SURVEY MARK
 - TEMPORARY BENCH MARK
 - △ INSTRUMENT POINT
 - ▲ SURVEY MARK
 - PEG
 - ⊙ TELECOM PIT
 - ⊞ GRATED PIT
 - ⊠ JUNCTION PIT
 - ⊞ SIDE ENTRY PIT
 - POWER POLE
 - ⊙ LIGHT POLE
 - ⊙ ELEG PIT
 - ⊙ PHOTO POINT
 - STOP VALVE
 - ⊞ TAP
 - ⊞ FIRE HYDRANT / PLUG
 - ⊞ WATER METER
 - ⊞ SIGN
 - BREATHER / VENT
 - SEWERAGE PIT
 - ⊞ GAS & FUEL MARKER
 - ⊞ GAS METER
 - ⊞ GAS & FUEL VALVE

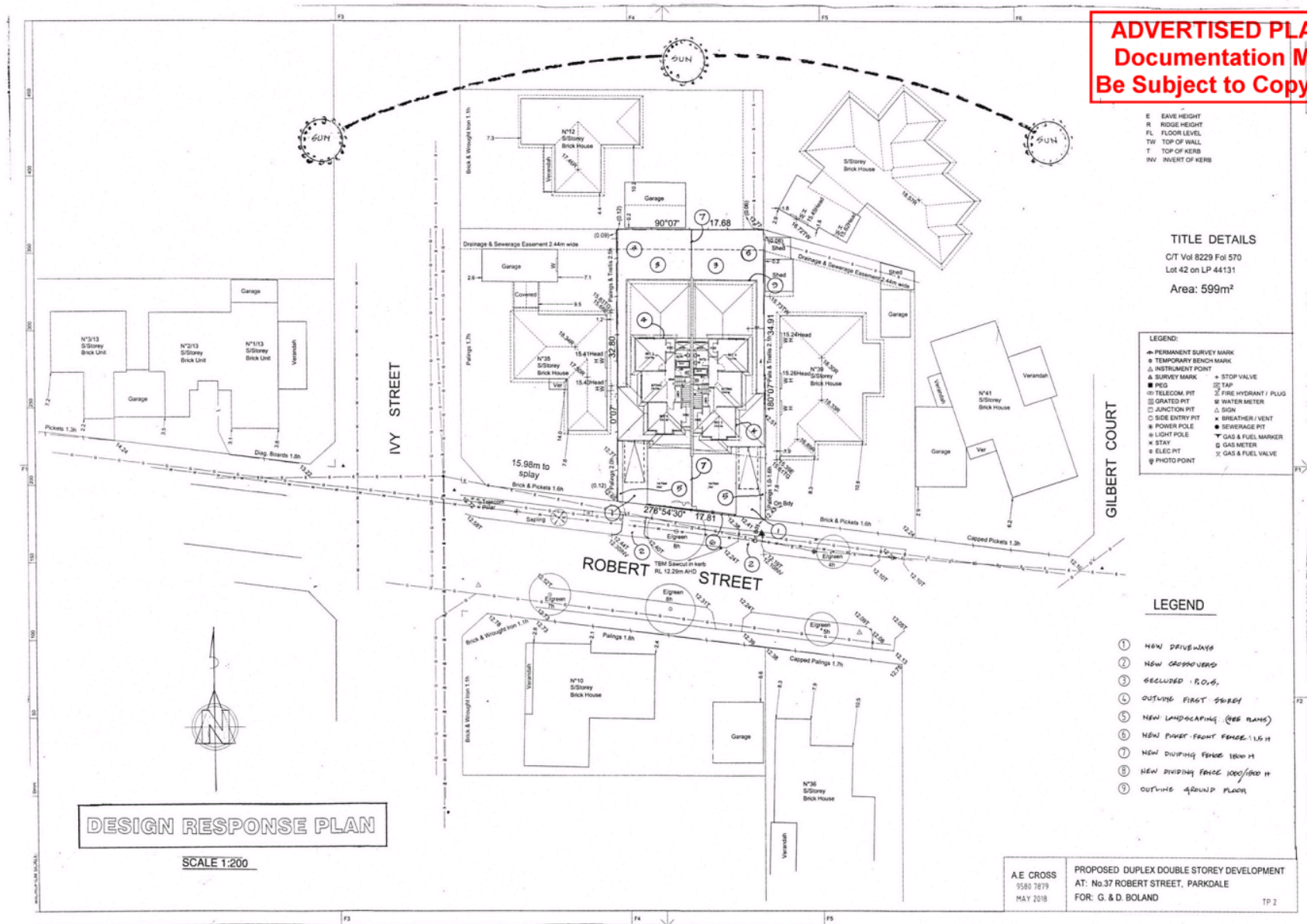
- LEGEND**
- ① PARKTONE PRIMARY SC. 200M
 - ② 400M HEFEAN HWY.
 - ③ LOWER PANDENON G RD. 250M
 - ④ 350M WBS SC BUS HT
 - ⑤ 350M ANGL. CHURCH
 - ⑥ 300M THRIFT MARK SHOPPING
 - ⑦ 300M CATHL. CHURCH & PRIMARY
 - ⑧ 300M PARKDALE SECONDARY COLL.
 - ⑨ 1 KM PARKDALE RAIL HT

SITE CONTEXT PLAN

A.E. CROSS
 9580 7879
 MAY 2018

PROPOSED DUPLEX DOUBLE STOREY DEVELOPMENT
 AT: No.37 ROBERT STREET, PARKDALE
 FOR: G. & D. BOLAND

TP 1



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E EAVE HEIGHT
 R RIDGE HEIGHT
 FL FLOOR LEVEL
 TW TOP OF WALL
 T TOP OF KERB
 INV INVERT OF KERB

TITLE DETAILS
 CT Vol 8229 Fol 570
 Lot 42 on LP 44131
 Area: 599m²

LEGEND:
 ▲ PERMANENT SURVEY MARK
 ● TEMPORARY BENCH MARK
 ▲ SURVEY BENCH MARK
 ▲ SURVEY MARK
 ■ PEG
 ○ TELECOM PIT
 □ GRATED PIT
 ○ JUNCTION PIT
 ○ SIDE ENTRY PIT
 * POWER POLE
 * LIGHT POLE
 * ELEC PIT
 □ PHOTO POINT
 + STOP VALVE
 ○ TAP
 ○ FIRE HYDRANT / PLUG
 ○ WATER METER
 ○ SIGN
 * BREATHER / VENT
 * SEWERAGE PIT
 * GAS & FUEL MARKER
 * GAS METER
 * GAS & FUEL VALVE

IVY STREET
 GILBERT COURT

LEGEND

- ① NEW DRIVEWAYS
- ② NEW CROSSOVERS
- ③ EXCLUDED ROVS
- ④ OUTLINE FIRST STOREY
- ⑤ NEW LANDSCAPING (SEE PLANS)
- ⑥ NEW POWER FRONT FENCE 1.15 M
- ⑦ NEW DIVIDING FENCE 1800 M
- ⑧ NEW DIVIDING FENCE 1000/1800 M
- ⑨ OUTLINE GROUND FLOOR

DESIGN RESPONSE PLAN

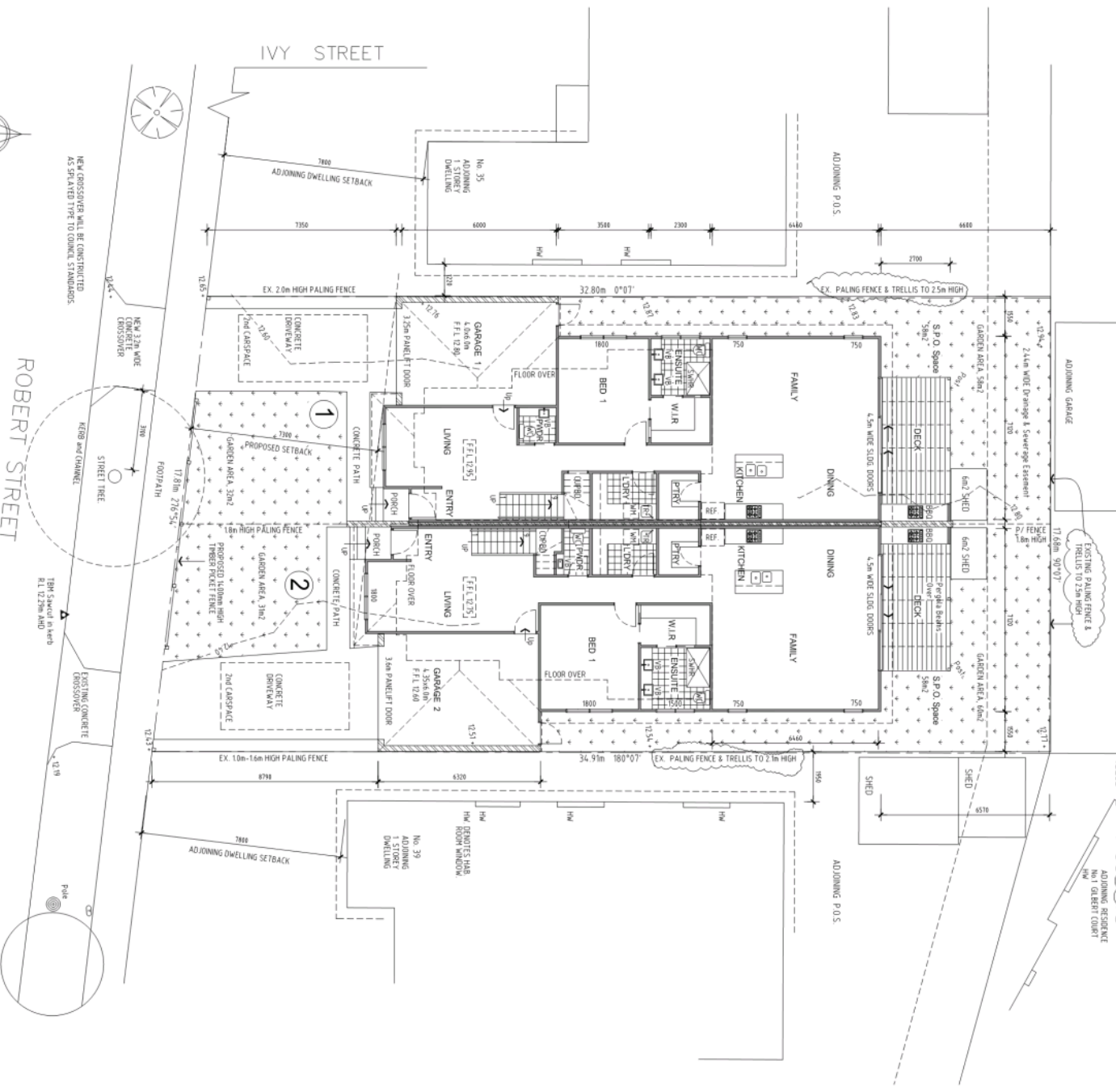
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A.E. CROSS
 9580 7879
 MAY 2018
 PROPOSED DUPLEX DOUBLE STOREY DEVELOPMENT
 AT: No 37 ROBERT STREET, PARKDALE
 FOR: G. & D. BOLAND
 TP 2

ADJOINING RESIDENCE
NO. 27 IVY STREET

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AREA ANALYSIS			
SITE AREA 59m ²	SITE COVERED 1725m ²	SITE AREA 1784m ²	SITE COVERED 1784m ²
DWELLING 1			
GROUND FLOOR	1215m ²	GROUND FLOOR	1244m ²
FIRST FLOOR	65m ²	FIRST FLOOR	17m ²
GARAGE 1	2m ²	GARAGE 2	2m ²
TOTAL	1222m²	TOTAL	1264m²
DWELLING 2			
GROUND FLOOR	1215m ²	GROUND FLOOR	1244m ²
FIRST FLOOR	65m ²	FIRST FLOOR	17m ²
GARAGE 1	2m ²	GARAGE 2	2m ²
TOTAL	1222m²	TOTAL	1264m²
S.P.O. 58m² & P.O.S. 32m²			
S.P.O. 58m ² & P.O.S. 32m ²		S.P.O. 58m ² & P.O.S. 32m ²	
TOTAL	190m²	TOTAL	190m²
30% (MIN) OF SITE AREA (1080.215) TO REMAIN GARDEN AREA			
TOTAL GARDEN AREA PROPOSED: 181m² (19.2% PROVIDED)			



**PROPOSED SITE /
GROUND FLOOR PLAN**

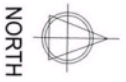
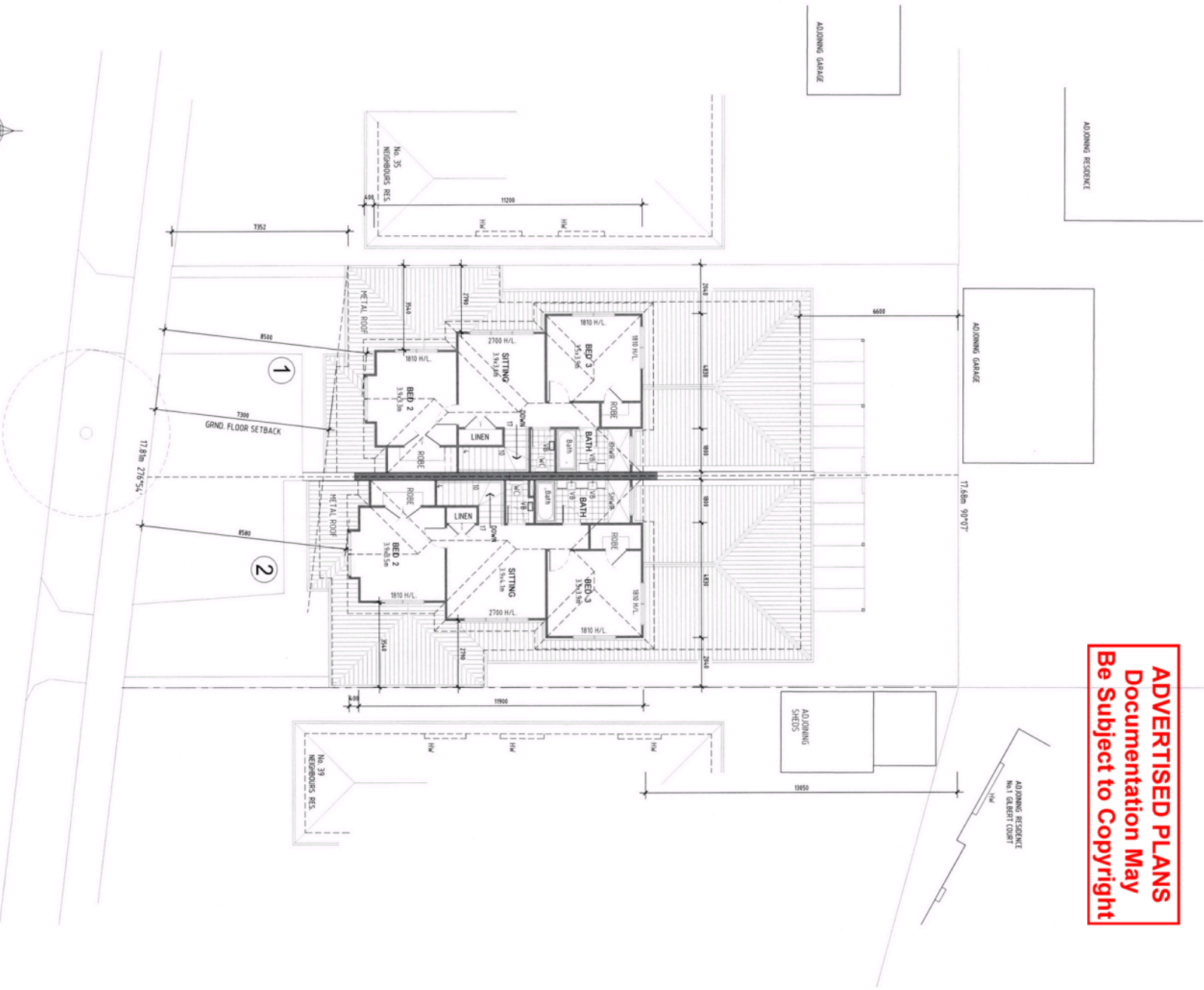
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SCALE 1:100 @ A2 SHEET

AE CROSS
9580 7879
MAY 2018

PROPOSED DUPLEX DOUBLE STOREY DEVELOPMENT
AT: NO. 37 ROBERT STREET, PARKDALE
FOR: MR G. & D. BOLAND

TP-03 B

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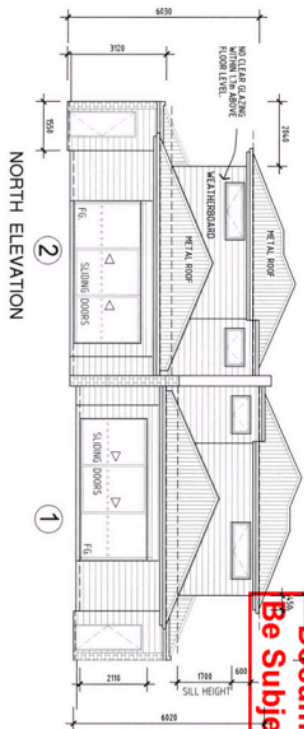


**PROPOSED FIRST
FLOOR PLAN**

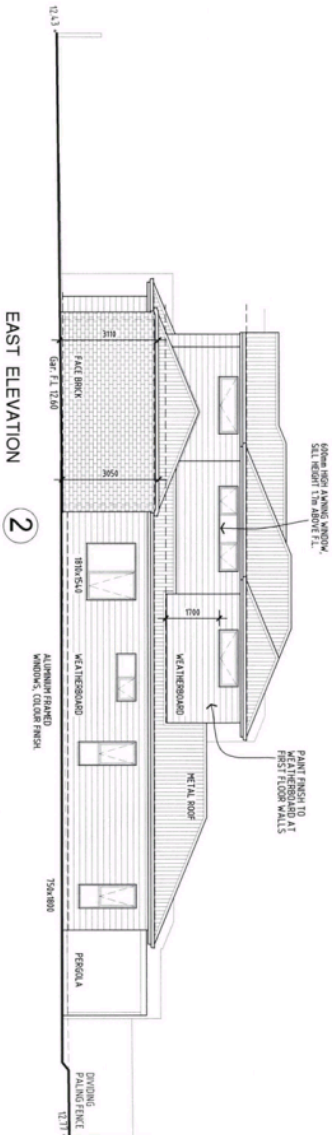
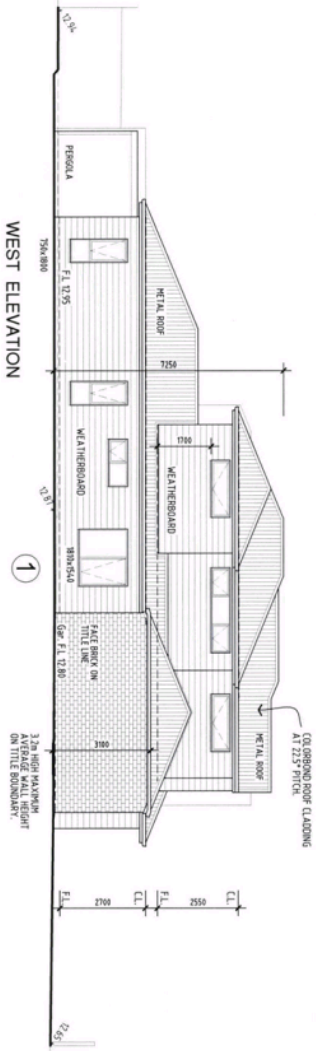
SCALE 1:100 @ A2 SHEET

A. CROSS PRL 25-10-2018

A.E. CROSS 9580 7879 MAY 2018	PROPOSED DUPLEX DOUBLE STOREY DEVELOPMENT AT: No.37 ROBERT STREET, PARKDALE FOR: M. G. & D. BOLAND	TP-04 A
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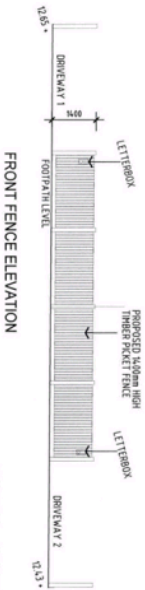
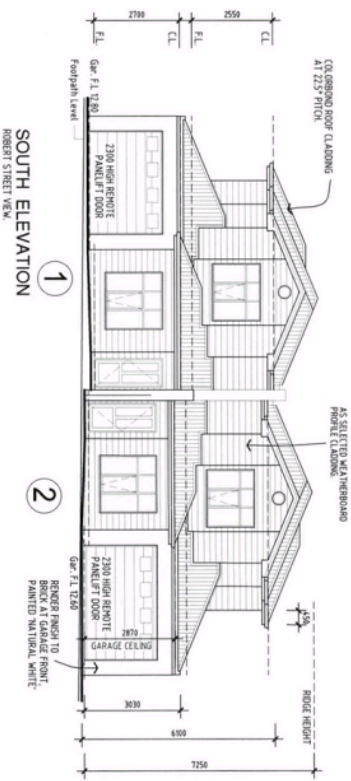


ADVERTISED PLANS
 Documentation May
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FINISHES SCHEDULE

Component	Material	Colour/Type
External Walls	Bricks	Austral 'Grey'
Weatherboard	Dulux	Natural White
Roofing	Metal	Colorbond 'Shale Grey'
Fascia	Metal	Colorbond 'Shale Grey'
Guttering	Metal	Colorbond 'Shale Grey'
Downpipes	Metal	Colorbond 'Shale Grey'
Windows	Aluminum	Natural White
Garage Door	Metal Panel	Natural White
Front Door	Timber	Monument

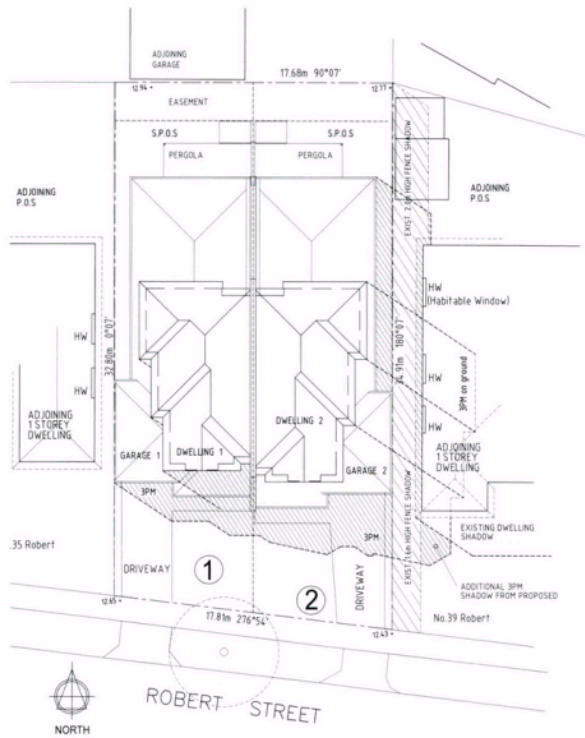


A. CONCKL BRL 29-10-2018

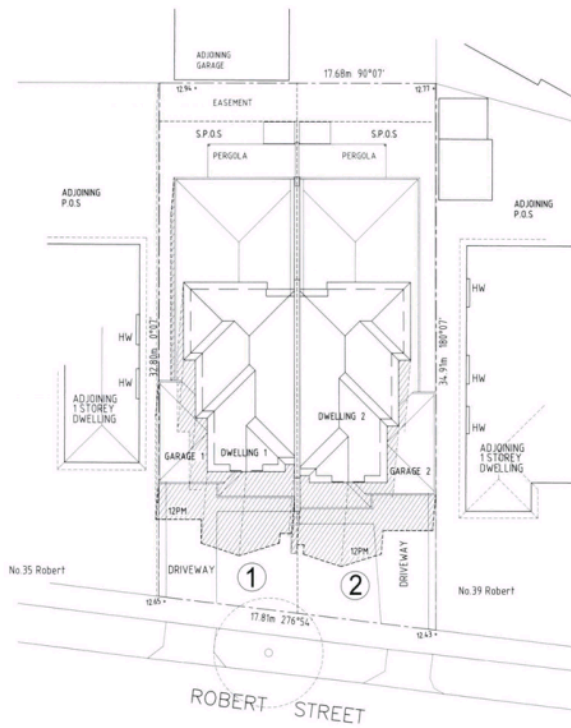
A E CROSS
 9580 7879
 MAY 2018

PROPOSED DUPLEX DOUBLE STOREY DEVELOPMENT
 AT: NO.37 ROBERT STREET, PARKDALE
 FOR: MR G. & D. BOLAND

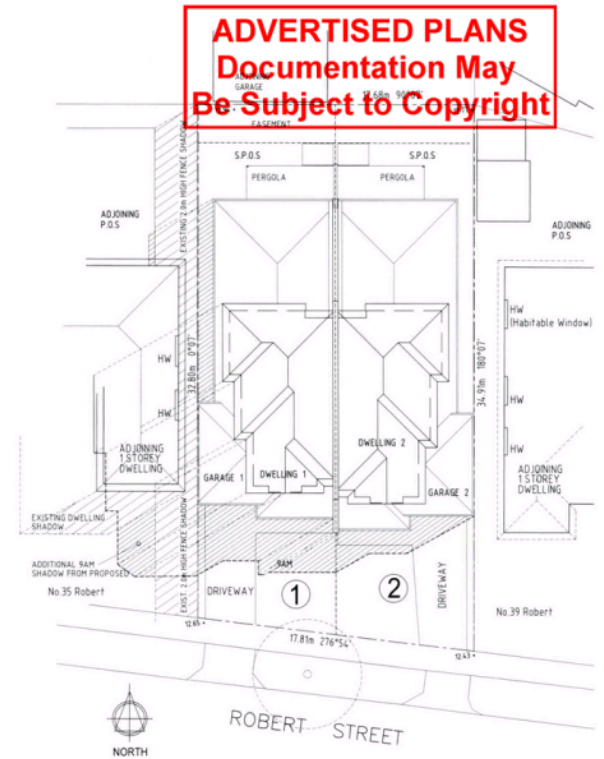
TP-05 A



3 PM SHADOW PLAN
SCALE 1:200 @ A2 SHEET



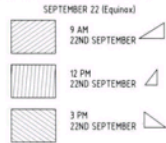
12 PM SHADOW PLAN



9 AM SHADOW PLAN
SCALE 1:200 @ A2 SHEET

ALL SHADOWS SHOWN AS ON THE 22nd SEPTEMBER EQUINOX TIME

LENGTH OF SHADOW CAST ON THE 22 SEPTEMBER		
TIME	SHADOW LENGTH of 10m HIGH POST	SUN ALTITUDE
9 AM	1.60 m	32 DEG
12 PM	0.78 m	52 DEG
3 PM	1.37 m	36 DEG



A.E CROSS 9580 7879 October 2018	PROPOSED DUPLEX DOUBLE STOREY DEVELOPMENT AT: No.37 ROBERT STREET, PARKDALE FOR: G. & D. BOLAND	TP 6
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Planning Committee Meeting

19 June 2019

Agenda Item No: 4.7

KP-2018/353 - 50-76 AND 101 DEALS ROAD, CLAYTON SOUTH

Contact Officer: Todd Cracknell, Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2018/353 - 50-76 and 101 Deals Road, Clayton South.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Planning Permit to Construct an extension to the existing motor racing track at 50-76 and 101 Deals Road, Clayton South, subject to the conditions contained within this report.

This application requires a decision by the Planning Committee, as per the Planning Delegation Policy:

- Applications located in the Green Wedge and the cost of the development exceeds \$20,000.

**City of Kingston
Planning Committee Meeting**

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19 June 2019

EXECUTIVE SUMMARY			
Address	50-76 and 101 Deals Road, Clayton South		
Legal Description	Lot 1 on TP513251 (northern lot) Lot 1 on TP530157 (southern lot)		
Applicant	Foresite Planning & Bushfire Consultants		
Planning Officer	Todd Cracknell		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 35.05 – Green Wedge A Zone (101 Deals Road) Clause 36.02 – Public Park and Recreation Zone (50-76 Deals Road)		
Overlays	Clause 42.01 – Environmental Significance Overlay Schedule 4 Clause 45.01 – Public Acquisition Overlay Schedule 2 Clause 45.03 – Environmental Audit Overlay		
Particular Provisions	Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions		
General Provisions	Clause 52.06 – Car Parking Clause 63.01 – Extent of Existing Use Rights Clause 63.02 – Characterisation of Use Clause 63.05 – Sections 2 and 3 Uses Clause 63.06 – Expiration of Existing Use Rights Clause 63.11 – Proof of Continuous Use		
Permit Trigger/s	Clause 65 – Decision Guidelines Clause 35.05 (Green Wedge A Zone) - construct a building or construct and carry out works. (northern lot) Clause 36.02 (Public Park and Recreation Zone) - construct a building or construct and carry out works. (southern lot) Clause 45.01 (Public Acquisition Overlay) - construct a building or construct and carry out works.		
APPLICATION / PROCESS			
Proposal	Construct an extension to the existing motor racing track		
Reference No.	KP-2018/353	RFI Received	Insert date
App. Received	11 May 2019	App. Amended	4 April 2019
Site inspection	No		
S.52 Advertising	Commenced: 9 April 2019	Advertising Completed	29 April 2019
S.55 Referrals	Parks Victoria		
Internal referrals	None		
Objection(s)	Nil (TRIM checked on 27 May 2019)		
LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
Area of Aboriginal Cultural Heritage Significance	Yes	CHMP: EXEMPT pursuant to Regulation 41 (2)	
Considered Plans	Plans prepared by Lewis Building Design, Alterations and Additions at Oakleigh Go-Kart Track, dated 6/04/2018, sheet 2, issue A, job no. 18-12, submitted to Council on 11 May 2018		

1.0 KEY ISSUES

1.1. The main issues arising from this proposal relate to:

- Compatibility of proposal (to extend the motor racing track) with Green Wedge strategic vision
- Compliance with Scheme for all relevant buildings and work requirements
- Existing use rights

2.0 SITE & SURROUNDS

2.1. The subject site is located on the east side of Deals Road, Clayton South and comprises of two parcels of land. Each lot is irregular in shape with a combined frontage length of approx. 390 metres to Deals Road, a maximum depth of 150 metres, resulting in an overall area of approximately 48,593.66m² (approx. 4.85 ha). The site has a fall of approximately 5 metres from Ryans Rd (north) to the southern boundary along Simpson Rd. There are no easements on the site. Vehicle access to the site is via a 7m wide crossover located on Deals Road with an informal access arrangement from the north boundary along Ryans Road.

2.2. The following map illustrates the subject site (both allotments) in its surrounding context.



Source Nearmap 2019 [image taken 12 April 2019] – annotations by Planning Officer

2.3. The site is currently split into two allotments (as seen above) with the narrow northern portion referred to as Lot 1 on TP513251 and the wider southern lot referred to as Lot 1 on

TP530157. The Oakleigh Go Kart Racing Club uses both lots to conduct and run its activities, however the racing track itself only runs through the southern lot.

- 2.4. There are a number of associated buildings on the site that offer amenities and facilities for the operation of the Oakleigh Go Kart Racing Club. Lot 1 on TP553514 houses some of these buildings, however, there are no proposed buildings and works for this portion of the land.
- 2.5. The surrounding area is part of the Green Wedge and is predominantly home to former landfills, recreation uses and industrial uses. Immediately south and to the west of the subject site is the former Clayton Regional Landfill which is currently undergoing rehabilitation to form part of the Chain of Parks earmarked for much of the Green Wedge.

3.0 TITLE DETAILS

- 3.1. There are no relevant restrictions listed on the Certificate of Title.

4.0 PROPOSAL

- 4.1. It is proposed to construct an extension to the existing motor racing track.
- 4.2. The existing Motor Racing Track use (Oakleigh Go Kart Racing Club) proposes to continue to operate from the site with the extension to the track offering a larger and greater racing experience.
- 4.3. Further details of the proposal include:
- the existing use is not proposing to change
 - the works will consist of a racing track extension and reconfiguration of the existing car parking area
 - no change to access arrangements
 - no signage proposed
 - the track will extend from the southern lot with the majority of the track extension within the northern lot
 - no vegetation to be removed
- 4.4. Importantly, this application is limited to the proposed works to extend the race track only and not the use. Please refer to the discussion and analysis provided at section 13.6 and 13.8 of this report, which extends on existing use rights being established for the use (motor racing track).

5.0 PLANNING CONTROLS

- 5.1. The subject site is located within two zones, the **Public Park and Recreation Zone** (southern lot) and the **Green Wedge A Zone** (northern lot).
- 5.2. The northern allotment is also encumbered by the following overlays:
Clause 42.01 – **Environmental Significance Overlay Schedule 4**
Clause 45.01 – **Public Acquisition Overlay Schedule 2**
Clause 45.03 – **Environmental Audit Overlay**

6.0 PLANNING PERMIT REQUIREMENTS

- 6.1. Pursuant to Clause 35.05 – Green Wedge A Zone, a Planning Permit is required to construct a building or construct and carry out works.
- 6.2. Pursuant to Clause 36.02 – Public Park and Recreation Zone, a Planning Permit is required to construct a building or construct and carry out works.
- 6.3. **Pursuant to Clause 42.01 – Environmental Significance Overlay, a Planning Permit is required to construct a building or construct or carry out works.**
- 6.4. Pursuant to Clause 45.01 – Public Acquisition Overlay, a Planning Permit is required to construct a building or construct and carry out works.
- 6.5. Pursuant to Clause 63.05 – Sections 2 and 3 Uses, a permit must not be granted unless the building or works complies with any other building or works requirement in this scheme

7.0 RELEVANT HISTORY

- 7.1. Council records indicate the following Planning Permit has been issued for the neighbouring site:
 - Planning Permit No. KP-2017/452 issued on 6 December 2017 to develop the land for buildings and works (upgrade of shooting bays / shooting ranges) – it is noted that this planning permit relates to the Oakleigh Pistol Club, adjoining the motor racing track (see image below) but not forming part of this planning permit. However, this planning permit is relevant to mention given its recent approval with the decision made at Council.



Source: Nearmaps 2019 [image taken 12 April 2019] – annotations by Planning Officer

- 7.2. Council records indicate that there are no relevant planning permits for the lots relating to the Oakleigh Go Kart Racing Club.
- 7.3. It is important to note that Council is the Public Land Manager for the site with a lease arrangement in place between Council and Oakleigh Go Kart Racing Club Inc.

8.0 AMENDMENT TO THE APPLICATION BEFORE NOTIFICATION

- 8.1. Amendments to the application were made by the applicant on 4 April 2019 pursuant to Section of the Planning and Environment Act 1987. The amendments were largely made in response to Council’s Planning Officer’s email on 3 April 2019 noting that the address on the form needed to be filled in correctly to refer to both parcels of land.
- 8.2. The amendments made to the application were considered satisfactory and Council, therefore, directed that the application proceed to advertising.

9.0 ADVERTISING

- 9.1. The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. See below for the properties advertised and notice board locations:



Source: Intramaps 2019 – annotated by Planning Officer

The red lines indicate the lots where letters were sent and the red stars are where the standard notice boards were placed.

10.0 PLANNING CONSULTATION MEETING

10.1. As no objections to this application were received, no planning consultation meeting was required.

11.0 REFERRALS

11.1. The application was referred to the following external referral authorities:

1.

- Parks Victoria (Determining); and
- Environment Protection Authority Victoria (Recommending).

11.2. The above-mentioned referral authorities had no objection to the proposal, subject to conditions being included on any permit issued.

11.3. No internal department was referred the application.

12.0 RELEVANT POLICIES

12.1. Planning Policy Framework (SPPF)

- Clause 11.01-1R – Green Wedges
- Clause 13 – Environmental Risks and Amenity
- Clause 17 – Economic Development

12.2. Local Planning Policy Framework (LPPF)

- Clause 21.02 – Municipal Profile
- Clause 21.03 – Land Use Challenges for the New Millennium
- Clause 21.04 – Vision
- Clause 21.10 – Green Wedge
- Clause 22.03 – Sandbelt Open Space Project
- Clause 22.04 – South East Non-Urban Area

12.3. Zoning

The site is located in the following Zone:

- Clause 35.05 – Green Wedge A Zone
- Clause 36.02 – Public Park and Recreation Zone

12.4. Overlays

The following Overlay Controls apply to this site:

- Clause 42.01 – Environmentally Significance Overlay Schedule 4
- Clause 45.01 – Public Acquisition Overlay Schedule 2
- Clause 45.03 – Environmental Audit Overlay

12.5. Particular Provisions

The following Clauses are applicable to this application:

- Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions
- Clause 52.06 – Car Parking

12.6. General Provisions

- Clause 63.01 – Extent of Existing Use Rights
- Clause 63.02 – Characterisation of Use
- Clause 63.05 – Section 2 and 3 Uses
- Clause 63.06 – Expiration of Existing Use Rights
- Clause 63.11 – Proof of Continuous Use
- Clause 65 – Decision Guidelines

13.0 PLANNING CONSIDERATIONS:

13.1. Planning Policy Framework

The application has been assessed against the Planning Policy Framework and it is considered that the proposed development is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

The proposal seeks an extension to an existing Motor Racing Track in an area designated as part of the Green Wedge. It supports **Clause 11.01-1R** Green Wedges as the extension is considerate in its design as it maintains the features of the existing track and proposes a relatively minor increase to its length.

Clause 13 Environmental Risks and Amenity, sets out that any proposal should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach. Given the site's proximity to former landfills and history as a quarry site with some landfill occurring in the northern lot, a Landfill Gas Risk Assessment was supplied by the applicant including comments from the Environment Protection Authority of Victoria. Subject to conditions for any permit issued, a requirement to monitor any gas risk before and during works will be imposed. Accordingly, the proposal is appropriate and adopts best practice environmental management and a risk management approach.

The proposal supports **Clause 17** Economic Development, which are closely aligned with the objectives and policy outcomes sought by the Metropolitan Strategy – '2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017), through the further development of a community need for entertainment. The proposal will provide an extended motor racing track on the site, which assists and reinforces the economic nature of the existing business on the land.

The proposal seeks a development in the way of improving and extending on the existing motor racing track. It supports **Clause 11** Settlement, **Clause 13** Environmental Risks and Amenity, and **Clause 17** Economic Development, which are closely aligned with the objectives and policy outcomes sought by the Metropolitan Strategy – 'Plan Melbourne 2017-2050: Metropolitan Planning Strategy' (Department of Environment, Land, Water and Planning, 2017), through supporting the development and management of green wedge land that is currently used for community recreation benefit.

13.2. **Local Planning Policy Framework**

The application has been assessed against the Local Planning Policy Framework and it is considered that the proposed development is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

Clause 21.02 Municipal Profile and **Clause 21.03 Land Uses Challenges for the New Millennium** state the important role of non-urban areas for the municipality and recognises that these areas should be developed sensitively within the open nature of Kingston's Green Wedge with the proposal limiting built form that would result in open landscaped views to be affected.

The strategic framework plan at **Clause 21.04 Vision** identifies the site as being situated within the designated non-urban area. The site is located in an area serviced with existing infrastructure and has good access to Deals Road allowing for ease of entry and exit to major nearby roads such as Heatherton Road, Clayton Road and Dingley Bypass.

Clause 21.10 Green Wedge of the Scheme seeks to manage Kingston's Green Wedge by ensuring any development is designed to minimise impact to the current and future landscape objective. The proposal is considered to support the relevant strategies to Clause 21.10 of the Scheme by:

- Ensuring that new development does not compromise metropolitan urban growth strategies;
- Maintains the hard edge of facilities appropriate for non-urban areas; and
- Not encouraging any further subdivision on the land.

The regional strategy **Clause 22.03 Sandbelt Open Space Project** of the Scheme highlights the role of this area of Kingston's Green Wedge to develop a series of linked parks extending across the Heatherton and Dingley areas. The proposed extension to the motor racing track does not alter the topography of the land and is responsive to the policy in this manner.

Clause 22.04 South East Non-Urban Area of the Scheme supports sustainable development outcomes within the non-urban area. The proposal for an extension to the motor racing track is in accordance with the policy as it does not compromise metropolitan urban growth strategies. Further, the proposal for an extended race track is of a low visual impact maintaining the open views of the green wedge.

13.3. **Zoning Provisions**

The application has been assessed against the relevant zoning (Green Wedge A Zone and Public Park and Recreation Zone) and it is considered that the proposed development is consistent with the purpose of the zoning controls contained within the Kingston Planning Scheme.

13.4. **Overlay Provisions**

The application has been assessed against the relevant overlays (Environmental Significance Overlay Schedule 4, Public Acquisition Overlay Schedule 2 and Environmental Audit Overlay) and it is considered that the proposed development is consistent with the purpose of the overlay controls contained within the Kingston Planning Scheme.

13.5. Particular Provisions

The application has been assessed against the relevant particular provisions and it is considered that the proposed development meets the requirements contained within this section of the Kingston Planning Scheme.

Clause 51.02 - Metropolitan Green Wedge Land: Core Planning Provisions: The proposal provides for a development that protects the landscape value of the area by limiting the built form to a motor racing track.

It is noted that the motor racing track is a prohibited use, as specified in the table found at Clause 51.02-2. However, Clause 51.02-4 (Existing uses) nominates that Clauses 63.05 and 63.08 apply where an existing use right is established. Given no alternative use is proposed to the existing use, only Clause 63.05 applies in this instance.

An assessment and response with respect to Clause 63.05 (Sections 2 and 3 Uses) is provided below. As explored below, pursuant to Clause 63 Existing Use Rights, the use may continue as it has been established that existing use rights apply to the motor racing track.

Clause 52.06 Car Parking: The proposal provides thirty-two (32) formal car parking spaces which is satisfactory in meeting car parking demand. It is noted that there is a significant amount of the site that is available for informal car parking arrangements. Pursuant to Clause 52.06-6, car parking must be provided to the satisfaction of the responsible authority.

13.6 General Provisions

Pursuant to **Clause 63.01 – Extent of Existing Uses Rights** the use of the land for a motor racing track is ongoing and has been operating continuously since April 2003 (refer to section 13.8 of this report for an extensive analysis).

Pursuant to **Clause 63.05 Sections 2 and 3 Uses**, as the use is a section 3 use (prohibited), no building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any building or works requirements within the Kingston Planning Scheme.

Clause 63.06 Expiration of Existing Use Rights, sets out when an existing use right expires. The existing use right of the motor racing track has continuously operated on both allotments and has not stopped with racing events occurring every year.

Pursuant to **Clause 63.11 Proof of Continuous Use**, the existing use right must be established as continuous and to have also not been subject to any clear direction from Council noting that they must cease to operate due to non-compliance with the Kingston Planning Scheme. The motor racing track use has not been subject to any compliance action and has been operating on a lease arrangement with Council since April 2003.

Based on the above information and analysis, an existing use right for the motor racing track has been established. Accordingly, the consideration of this application is limited to the proposed works to extend the race track only and not the use itself.

13.7 Aboriginal Cultural Heritage

It is important to note that the Subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity.

'The *Aboriginal Heritage Act 2006* (the Act) and *Aboriginal Heritage Regulations 2018* provides for the protection and management of Victoria's Aboriginal heritage with streamlined processes linked to the Victorian planning system. The Act also provides clear guidance to planners and developers about when, and how, Aboriginal cultural heritage needs to be considered, and in some situations work cannot proceed until compliance is met. Large developments and other high impact activities in culturally sensitive landscapes can cause significant harm to Aboriginal cultural heritage'. [Source: DCPD website]

In this instance, as the proposed activity is not exempt under the Regulations of the *Aboriginal Heritage Act 2006*, the Permit Applicant has demonstrated that significant ground disturbance has occurred and that no Cultural Heritage Management Plan (CHMP) is required. Significant ground disturbance has occurred as a result of quarrying and landfill activities on both allotments and within the area of the proposed activity. Significant disturbance is defined as per the *Aboriginal Heritage Regulations 2018*:

Means disturbance of –

(a) The topsoil or surface rock layer of the ground; or

(b) A waterway –

By machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.

The ground has been significantly disturbed as the surface of the ground has been removed for quarrying pits and later filled with refuse as per the information provided within the Prensa Report provided by the applicant as part of this application. Hence, given significant ground disturbance has occurred, the two allotments are not within an area of cultural heritage sensitivity and therefore no CHMP is required.

13.8 **Existing Use Rights**

The use of the land for a motor racing track is a prohibited use under Clause 35.05 - Green Wedge A Zone and Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions. The lot where this zone applies is where the go kart track is proposed to be extended (i.e. northern lot).

Notwithstanding the above, existing use rights have been established for a motor racing track, as the applicant has provided evidence to confirm that the motor racing track has operated continuously for at least fifteen (15) years upon both allotments. Whilst, the racing track itself is restricted to the southern lot, the use and general operational aspects of the motor racing business are not limited to the track alone and include the buildings, car parking area and associated facilities, which extend to both the southern and northern allotments.

Pursuant to **Clause 63.11 Proof of Continuous Use** existing use rights must be established and proven for a period in excess of fifteen (15) years and run continuously throughout this period. The motor racing track is visible on aerial imagery in 1982 (refer to Prensa Report p. 7) and Karting Victoria have provided a letter noting that Track/Circuit Licenses have been issued annually since 1990 to 2019. Council has also been issuing

leases to Oakleigh Go Kart Racing Club Inc. since 2003 for both allotments. There have also been four (4) Statutory Declarations completed by former members and presidents of the Oakleigh Go Kart Racing Club Inc, noting that the northern lot was used for pits and associated car parking of the motor racing track.

These records and documents provide sufficient evidence to confirm that existing use rights have been established for the motor race track for both allotments.

Pursuant to **Clause 63.05 Sections 2 and 3 Uses** any proposed buildings and works must comply with the scheme. As the use is a section 3 use (prohibited) and section 2 use (permit required) on the northern and southern lot respectively, the existing use may continue provided:

- A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.

Given the use is not proposing to change beyond the extension of go karts racing along a new stretch of track, no restriction implied or otherwise is contravened as a result of this planning permit being issued for the construction of the extension to the racing track.

The amenity of the area is also not further damaged as no change to the activities on the land is proposed i.e. go karts continue to race and no change to events on the land is proposed.

In summary, existing use rights have been established for the motor racing track use on both the southern and northern lots. Further, the proposed buildings and works (extension of the go kart racing track) complies with the Kingston Planning Scheme.

13.9 Decision Guidelines

Clause 65 Decision Guidelines sets out what the responsible authority (Council) must consider before making a decision. It is considered that most matters are responded to above and within the conditions to be placed on any permit issued.

14.0 GENERAL COMMENT

- 14.1. The proposed extension to the motor racing track is responsive to the objectives and policy of the non-urban and green wedge area.
- 14.2. The proposed works are deemed appropriate in respect to all relevant Scheme controls.
- 14.3. Existing use rights have been established for a motor racing track on the subject land (i.e. for both allotments).
- 14.4. The proposal is consistent with the strategic vision for the Green Wedge and non-urban areas of Kingston.

- 14.5. Subject to the inclusion of suitable conditions, the proposal is considered reasonable and warrants support.

15.0 CONCLUSION:

- 15.1. On balance, the proposal is considered to comply with the relevant planning policy and therefore should be supported.
- 15.2. As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of The Act have been considered. Further to this, the proposal does/does not give rise to any significant social and economic effects.
- 15.3. The proposed development is considered appropriate for the site as evidenced by:
- The design and siting of the proposed works to be compatible with the subject land and surrounding area;
 - The proposal should not have a detrimental impact on surrounding properties (subject to appropriate conditions); and,
 - The proposal satisfies the requirements of the Kingston Planning Scheme, including the PPF, MSS, Zoning and Overlay controls and Particular Provisions.

17.0 RECOMMENDATION

- 17.1 That Planning Committee determine to support the proposal and issue a Planning Permit to **construct an extension to the existing motor racing track** at No. 50-76 and 101 Deals Road, Clayton South, subject to the following conditions:
1. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
 2. Nuisance dust and/or nuisance airborne particles must not be discharged or emitted beyond the boundaries of the premises.
 3. All development of the premises involving the emission of dust and other air quality indicators must comply with the *State Environment Protection Policy (Air Quality Management)*.
 4. No litter originating from the premises is to be present beyond the boundaries of the premises.
 5. Prior to the commencement of works, surface emissions monitoring be undertaken on the area where the track is to be extended.
 6. In the presence of significant methane surface emissions, landfill gas must be removed unless unviable due to gas volumes and concentration. If unviable suitable measures must be taken, for example appropriate venting infrastructure incorporated into the track design.
 7. The depth of the landfill cap depth must be confirmed, with the relevant person(s) notified prior to commencement of works.
 8. The amenity of the area must not be detrimentally affected by the development, through the:
 - i. Transport of materials, goods or commodities to or from the land.
 - ii. Appearance of any building, works or materials.
 - iii. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - iv. Presence of vermin.

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- v. Any other way.
9. Before the development (extension to the motor racing track) is operational, areas set aside for parking vehicles, access lanes and paths as shown on the endorsed plans must be:
- i. Constructed to the satisfaction of the Responsible Authority.
 - ii. Properly formed to such levels that they can be used in accordance with the plans.
 - iii. Surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority.
 - iv. Drained to the satisfaction of the Responsible Authority.
 - v. Line-marked to indicate each car space, all access lanes and, if necessary, the direction in which vehicles are to travel to the satisfaction of the Responsible Authority.
 - vi. In accordance with any Council adopted guidelines for the construction of car parks.

Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

10. Any existing vehicular crossing not in accordance with the endorsed plan must be removed and the kerb reinstated in a manner satisfactory to the Responsible Authority and any proposed vehicular crossing must be fully constructed to the Responsible Authority's standard specification.
11. No signs or other advertising or identification may be erected or displayed on the site without written Council consent.
12. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
13. In accordance with Section 68 of the Planning and Environment Act 1987 (The Act), this permit will expire if one of the following circumstances applies:
- The development is not started before two (2) years from date of this permit.
 - The development is not completed before four (4) years from the date of permit issue.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Note: Prior to the commencement of the development you are required to obtain the necessary Building Permit.


Note: Environment Protection Authority Victoria (EPA) recommends that the Permit Applicant/Land Owner consults with Cleanaway to ensure landfill gas and leachate infrastructure located on site can be avoided for the proposed development.

OR

In the event that the Planning Committee wishes to oppose the Officer's recommendation and instead seeks to refuse the application, it can do so on the following grounds:

1. The proposal does not accord with the purpose of the Green Wedge A Zone.
2. The proposal is inconsistent with the objectives of the Green Wedge.
3. The proposed built form is not appropriate within the physical and policy context of the Green Wedge.

Appendices

Appendix 1 - Appendix 1 - Plans for consideration for Planning Committee Agenda
Review (Trim No. 19/95237) (Ref 19/95237) 

Author/s: Todd Cracknell, Statutory Planner
Reviewed and Approved By: Jennifer Pippo, Team Leader Statutory Planning
Ian Nice, Manager City Development

4.7

KP-2018/353 - 50-76 AND 101 DEALS ROAD, CLAYTON SOUTH

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Agenda Item No: 4.8

KP-2019/190 - 43 GARDEN BOULEVARD, DINGLEY VILLAGE

Contact Officer: Amy Lin, Statutory Planning

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2019/190 - 43 Garden Boulevard, Dingley Village.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That the Planning Committee determine to support the proposal and issue a Planning Permit for a change of use to a council depot (innominate) at 43 Garden Boulevard, Dingley Village, subject to the conditions contained within this report.

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PLANNING OFFICER REPORT	
APPLICANT	Kingston City Council (Community Buildings)
ADDRESS OF LAND	43 Garden Boulevard Dingley Village
PLAN OF SUBDIVISION REFERENCE	Lot 2 on PS 625926H
PROPOSAL	Change of use to a council depot (innominate)
PLANNING OFFICER	Amy Lin
REFERENCE NO.	KP-2019/190
ZONE	Clause 33.01: Industrial 1 Zone
OVERLAYS	None
OBJECTIONS	None
CONSIDERED PLAN REFERENCES/DATE RECEIVED	Job No. 2706, Date Feb'19, Drawing No. 2706.TP.A000, 2706.TP.A001, 2706.TP.A002, 2706.TP.A003, 2706.TP.A004, 2706.TP.A005, 2706.TP.A101, 2706.TP.A102, 2706.TP.A110, 2706.TP.A201 and 2706.TP.A202 Issue A by The Ellis Group Architects Received 29 March 2019
ABORIGINAL CULTURAL HERITAGE SENSITIVITY	Yes - Exempt

1.0 KEY ISSUES

- 1.1. The main issues arising from this proposal relate to:
- Characterisation of use;
 - Car Parking and Traffic considerations; and
 - Ancillary uses.

2.0 SITE & SURROUNDS

- 2.1. The subject site is located on the north east side of Garden Boulevard approximately 80m west of the intersection with Boundary Road. It is irregular in shape with a frontage of 73m and a length of 134m, resulting in an overall area of approximately 7484sqm. The site is relatively flat.
- 2.2. The site is encumbered by a drainage, sewerage and pipeline easements known as E-1, E-2 and E-3. Vehicle access to the site is via two 8.0m wide double width crossover located to the north side of the site via the Garden Boulevard property frontage. The rear of the site also contains a large concrete stand providing a secondary entrance and additional car parking accessed from Conifer Crescent.
- 2.3. The following map illustrates the subject site in its surrounding context.



- 2.4. The site is currently occupied by a double storey warehouse and associated car park. The existing building contains a 2000sqm warehouse and 700sqm amenities/workshop at ground floor and 700sqm office at first floor. The site has an overall area of 7471sqm with 1510sqm used as concrete hardstand and 1700sqm as existing asphalt car parking, which generates 71 on site car spaces.
- 2.5. Land to the north, south, east (past the drainage corridor) and west of the subject site is mainly used and developed for commercial and industrial purposes. It is noted a 30 to 40m wide Melbourne Water drainage corridor is located to the east of the site which is mainly is predominantly covered in grass with some scattered trees.

3.0 TITLE DETAILS

- 3.1. There are no restrictions listed on the Certificate of Title. It is noted a caveat applies to the land.

4.0 PROPOSAL

- 4.1. The proposal seeks to change the use of the land to a council depot (innominate).
- 4.2. The application seeks to re-purpose the existing warehouse and office building on the site for the co-location of two existing council depots. The proposal seeks to combine the following departments
- Parks Department;
 - Infrastructure Department;
 - Access Care Department; and
 - Community Buildings Department.
- 4.3. The proposed uses and activities to be carried out on site includes:
- Offices;
 - Storage areas;
 - Workshops;
 - Vehicle housing; and
 - Ancillary facilities including toilets, lockers, kitchen areas and shower facilities.

- 4.4. The core hours of operation are expected between 8:30pm to 5:00pm on Monday to Friday. The site will also contain Council's emergency management services and therefore 24/7 hour access to the site is sought to allow for access to the required equipment and vehicles.
- 4.5. The proposed number of staff is as follows 30 permanent on-site work stations, with 45-46 staff to undertake off-site work.
- 4.6. The site is provided with 71 existing car parking spaces with 45 parking spaces accessed from Garden Boulevard and 26 parking spaces from Conifer Crescent.

5.0 PLANNING CONTROLS

- 5.1. The subject site is located within an Industrial 1 Zone.
- 5.2. The subject not affected by any overlays.

6.0 PLANNING PERMIT REQUIREMENTS

- 6.1. Pursuant to Clause 33.01 – Industrial 1 Zone, a Planning Permit is required to use the land as innominate.
- 6.2. Pursuant to Clause 33.01- 4 a permit is required for buildings and works. As the proposed external works will be under 1 million and carried out by Council, the works are exempt from requiring a permit pursuant to Clause 62.02.
- 6.6 Pursuant to Clause 52.06 – Car Parking, the land use of innominate is not defined with the Planning Scheme. Clause 52.06-6 of the Planning Scheme states *where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority.*

7.0 RELEVANT HISTORY

- 7.1. Council records indicate that there is no relevant planning history relating to this site.

8.0 AMENDMENT TO THE APPLICATION BEFORE NOTIFICATION

- 8.1. No amendments made to the current application.

9.0 ADVERTISING

- 9.1. The proposal was advertised by sending notices to adjoining and opposite property owners and occupiers and by maintaining a notice on site for fourteen (14) days. No representations for or against this application have been received.

10.0 PLANNING CONSULTATION MEETING

- 10.1. As no objections to this application were received, no planning consultation meeting was required.

11.0 REFERRALS

- 11.1. No external referrals were required in respect of this application.
- 11.2. The application was referred to the following internal departments within Council:
- Council's Traffic Engineer who advised of no objection to the provision of car parking and access arrangements. The department did recommend the use of internal traffic signage and line markings in accordance with OHS requirements. It is noted that no application for signage has been made and a number of exemptions are applicable under signage provisions. Council's Traffic Engineer has also recommended the provision of a Waste Management Plan. This will form a condition of permit.

12.0 RELEVANT POLICIES

12.1. State Planning Policy Framework (SPPF)

- Clause 11 – Settlement
- Clause 17.03 – Industry
- Clause 18.02-4S – Car Parking
- Clause 18.04-1S – Planning for Airports and Airfields

12.2. Local Planning Policy Framework (LPPF)

- Clause 21.02 – Municipal Profiles
- Clause 21.03 – Land Use Challenges for the New Millennium
- Clause 21.07 – Industrial Land Use
- Clause 22.02 – Springvale Industrial Park Area Policy
- Clause 22.05 – Moorabbin Airport Environs Policy

12.3. Zoning

The site is located in the following Zone:

- Clause 33.01 – Industrial 1 Zone

12.4. Overlays

The following Overlay Controls apply to this site:

- There are no overlay controls that apply to this site.

12.5. Particular Provisions

The following Clauses are applicable to this application:

- Clause 52.06 – Car Parking

12.6. General Provisions

Clause 65: Decision Guidelines

13.0 PLANNING CONSIDERATIONS:

13.1. State Planning Policy Framework

The application has been assessed against the State Planning Policy Framework and the proposed land use is considered to be consistent with relevant policies contained within this section of the Kingston Planning Scheme.

The proposed land use is considered to be consistent with the designated industrial development land use. It supports Clause 11 Settlement and Clause 17.03-1S Industrial land supply, which are closely aligned with the objectives and policy outcomes sought by the Metropolitan Strategy – ‘Plan Melbourne: Metropolitan Planning Strategy’ (Department of Transport, Planning and Local Infrastructure, 2014), through the location of industrial development within a designated industrial area, together with strengthening the competitiveness of Melbourne’s employment land, and providing jobs closer to where people live.

13.2. Local Planning Policy Framework

The application has been assessed against the Local Planning Policy Framework and is considered that the proposed land use is consistent with relevant policies contained within this section of the Kingston Planning Scheme.

Clause 21.02 Municipal Profiles and Clause 21.03 Land Uses Challenges for the New Millennium state the important role of manufacturing industry for the municipality and recognize that some of the older industrial areas in the municipality are in need of significant revitalisation.

The proposed development will enhance the attractiveness of the municipality as a destination for industrial headquarters. In addition, the existing building is well separated from adjoining buildings and the proposed land use is compatible to adjoining industrial and commercial land uses, avoiding any adverse amenity or safety impacts. This is considered to support the objectives of Clause 21.07 Industrial Land Use.

The site is also located in within close proximity to Moorabbin Airport, and is sited within the Moorabbin Airport Environs as defined by Clause 22.05. This policy seeks to ensure that the potential noise impacts from aircraft is considered in relation to a range of proposed uses within the environs including offices. This is also outlined under Clause 18.04-1S which also to ensure that airports are protected from incompatible land uses. It is noted the building will be re-fitted, however buildings and works does not form part of the current planning application.

The subject site is also located within the Springvale Industrial Park Area under Clause 22.02. The land use is considered to be consistent with this policy which states:

- *A mix of larger occupancy sites be provided which suit the needs of medium to larger sized firms;*
- *On land with frontage or sideage to a Category 1 or 2 road zone, buildings contain an occupancy greater than 1400m².*
- *To provide sites suitable for high-technological industrial and research enterprises and medium to larger size firms wishing to consolidate manufacturing and warehousing with management and administration functions.*

The proposal seeks to retain and repurpose the existing building on site for the consolidation of various council departments onto one site. The proposed land use will retain the existing large occupancy site and facilitate various uses including office, vehicle store and workshop. These uses are considered to accord with a warehouse with on site management and administration as encouraged by the policy.

The proposal will also utilise the overall site area of 7471sqm, maintaining the existing 1510sqm used as concrete hardstand and 1700sqm as existing asphalt car parking. It is considered that if the proposed depot land use were to cease, the subject site could be used for other industrial land uses.

13.3. Zoning Provisions

The application has been assessed against the relevant zoning (Industrial 1 Zone) and it is considered that the proposed use is consistent with the purpose of the zoning controls and the proposed land use will also include forms of storage and distribution of good (materials, vehicles and machinery for off site use) and workshops on site. The land use is also limited to typical business hours and is not considered to negatively affect the safety and amenity of the local community.

13.4. Overlay Provisions

No overlays are applicable to the site.

13.5. Particular Provisions

The application has been assessed against the relevant particular provisions and it is considered that the proposed use meets the requirements contained within this section of the Kingston Planning Scheme.

Clause 52.06 – Car Parking

The proposal provides 71 on site car parking space over 1510sqm of concrete hardstand used for vehicle movement and 1700 sqm used as asphalt car parking. As the proposed land use is defined as innominate and not a land use specified under Table 1 of Clause 52.06, car parking is required to be provided to the satisfaction of the responsible authority.

The proposal including the submitted traffic report has been reviewed by Council's Traffic Engineering Department who are satisfied with the car park access, arrangements and provision.

Council's Traffic Engineer has also recommended the submission of a waste management plan. This is recommended to form a condition of permit as uses from the Infrastructure and Parks Department may generate additional waste on site. It is recommended for details in relation to the storage and collection of waste to be clarified through the submission of a separate waste management plan which will be required to be endorsed and will form part of the planning permit.

13.6. Land Use Characterisation

The permit applicant has sought an application for the change of use of the land to innominate. The main land use is for a council depot. A depot is not specifically defined under the Kingston Planning Scheme, however it has been defined in previous VCAT decisions.

In *Andsand Pty Ltd v Kingston CC* [2008] VCAT 1804 the characterisation of use of a depot was discussed, with the member stating:

14. *The characterisation of this part of the permit application is relatively straightforward. There is no planning scheme definition for depot and I consider that the defined land use terms in the scheme are not sufficiently specific to reflect this aspect of the proposal.*
15. *The Tribunal has in the past described the innominate land use of a **depot** as meaning land serving as a base where staff come to work or pick up vehicles and machinery, where administrative functions are carried out, where vehicles are parked and kept, where equipment and materials are kept and other ancillary functions occur, such as the repair and maintenance of vehicles and equipment.*

In this instance, that the permit applicant has defined the proposal as being an innominate land use. As described above, the site is proposed to contain Council's Parks, Infrastructure, Access Care and Community Buildings Departments. These departments all have various vehicles and machinery stored on site for use off site in other parts of the municipality.

The core hours of operation are expected between 8:30pm to 5:00pm on Monday to Friday. However, the site will also contain Council's emergency management services and therefore 24/7 hour access to the site is sought to allow for access to required equipment and vehicles. This is considered to be appropriate as the site is located within an Industrial 1 Zone and located in excess of 250m from the nearest General Residential Zone. Subject to conditions, protecting adjoining amenity, the proposed 24/7 hour access to the site is supported.

A depot definition also allows for administrative functions to be carried out where vehicles are parked and stored. In this instance, the administrative tasks are directly linked to the organisation which manages the use of these vehicles and machinery through individual municipal departments. The definition of a depot is therefore considered to be accurate. The proposed land use also includes aspects of workshops on site and the storage of storing vehicles and machinery on site. This is considered to be consistent with the underlying industrial zoning and applicable state and local planning policies which encourages warehouse and industrial land uses.

The proposal for an innominate land use is therefore supported subject to conditions.

13.7. **Aboriginal Cultural Heritage**

The Subject Land is identified in an area of Aboriginal Cultural Heritage Sensitivity. It is noted the proposed planning permit triggers is for the change of use only.

14.0 **GENERAL COMMENT**

- 14.1. The land use characterisation is supported and considered to be consistent with the underlying industrial land use zone. The use of the existing industrial building, will help retain the large parcel of land and allows for a land use that is consistent with the applicable state and local planning policy.
- 14.2. All buildings and works are considered to be exempt from a planning scheme.
- 14.3. Subject to the inclusion of suitable conditions, the proposal is considered reasonable and warrants support.

15.0 RESPONSE AGAINST GROUNDS OF OBJECTIONS

15.1. No objections have been received to the application.

16.0 CONCLUSION:

16.1. On balance, the proposal is considered to substantially comply with the relevant planning policy and therefore should be supported.

16.2. As outlined above, it has been determined that prior to deciding on this application all factors pursuant to section 60(1) of The Act have been considered. Further to this, the proposal does not give rise to any significant social and economic effects.

16.3. The proposed use is considered appropriate for the site as evidenced by:

- The land use is considered to be compatible with the surrounding area;
- The proposal should not have a detrimental impact on surrounding properties (subject to appropriate conditions); and,
- The proposal satisfies the requirements of the Kingston Planning Scheme, including the SPPF, MSS, Zoning and Particular Provisions.

17.0 RECOMMENDATION

17.1 That the Planning Committee determine to support the proposal and issue a Planning Permit for change of use to innominate (council depot) at No. 43 Garden Boulevard Dingley Village 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted to Council on 29 March 2019, but modified to show:
 - a) A clear site plan showing of the proposed ground, first floor, car park and all vehicle crossings.
 - b) The submission of a Waste Management Plan in accordance with condition 3 of this planning permit.
2. The use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Prior to the commencement of the Development, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must include but is not limited to all to the satisfaction of the Responsible Authority:
 - a) The manner in which waste will be stored and collected including: type, size and number of containers.
 - b) Details whether waste collection is to be performed by Council's services or privately contracted.

- c) The size of the collection vehicle and the frequency, time and point of collection.

The waste management plan must be implemented to the satisfaction of the Responsible Authority. The waste management plan must not be modified unless without the written consent of the Responsible Authority.

4. A minimum of 71 car parking spaces to be provided on site at all times.
5. Parking areas and access lanes must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.
6. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
7. No more than 76 staff to work on site at any one time, unless with the written consent of the Responsible Authority.
8. The amenity of the area must not be detrimentally affected by the development through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - c) Presence of vermin.
 - d) Any other way.
9. The use of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard any nuisance shall be assessed in accordance with the Australian Standards AS1055 and AS2107 relating to the measurement of Environmental Noise and recommended sound levels.
10. Concrete kerbs or other barriers must be provided to the satisfaction of the Responsible Authority to prevent direct vehicle access to an adjoining road other than by a vehicle crossing.
11. The loading and unloading of goods to and from vehicles must only be carried out on the land.
12. No goods or packaging materials shall be stored or left exposed outside the building so as to be visible to the public from a road or other public place.
13. In accordance with Section 68 of the Planning and Environment Act 1987 (The Act), this permit will expire if one of the following circumstances applies:
 - The use is not started before two (2) years from date of this permit.
 - The use is discontinued for a period of two (2) years.In accordance with Section 69 of The Act, the responsible authority may extend the periods referred to if a request is made in writing:
 - before the permit expires; or
 - within six (6) months after the permit expiry date, where the use allowed by the permit has not yet started.

**City of Kingston
Planning Committee Meeting**

Agenda

19 June 2019

Note: Prior to the commencement of the development or use you are required to obtain the necessary Building Permit.

Or in the event that Planning Committee determines to refuse the application, it could do so on the following grounds:

1. The proposal fails to adequately respond to the State Planning Policy Framework and Local Planning Policy Framework.
2. The proposal would be detrimental to the amenity of the area.

Appendices

Appendix 1 - KP-2019/190 - 43 Garden Boulevard, DINGLEY VILLAGE VIC 3172 -
COUNCIL REPORT ATTACHMENT (Ref 19/97802) 

Author/s: Amy Lin, Statutory Planning

Reviewed and Approved By: Nicole Bartley, Team Leader Statutory Planning

4.8

KP-2019/190 - 43 GARDEN BOULEVARD, DINGLEY VILLAGE

1	KP-2019/190 - 43 Garden Boulevard, DINGLEY VILLAGE VIC 3172 - COUNCIL REPORT ATTACHMENT	293
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1 SITE LOCATION

PROPOSED BUILDING ALTERATIONS
 AT 43 GARDEN BLVD, DINGLEY VILLAGE,
 VICTORIA. 3172
 Lot 2, Plan No. PS-825926
 Melway Map: 88 A4
 Council Property Number: 450352

ARCHITECTURAL DRAWINGS.

2706.WD.A000 SITE LOCATION PLAN AND COVER SHEET.

EXISTING CONDITIONS / DEMOLITION

- 2706.EX.001 EXISTING SITE & DEMOLITION PLAN
- 2706.EX.002 GROUND & FIRST FLOOR DEMOLITION PLANS
- 2706.EX.003 GROUND & FIRST FLOOR REFLECTED CEILING PLANS
- 2706.EX.004 EXISTING ELEVATIONS
- 2706.EX.005 EXISTING ELEVATIONS

PROPOSED WORKS

- 2706.TP.A101 PROPOSED SITE PLAN
- 2706.TP.A102 PROPOSED GROUND & FIRST FLOOR PLAN
- 2706.TP.A110 ROOF PLAN
- 2706.TP.A201 PROPOSED ELEVATIONS
- 2706.TP.A202 PROPOSED ELEVATIONS

These drawings are prepared by and to the satisfaction of the Engineer in accordance with the provisions of the Building Code of Australia. The Engineer is not responsible for the accuracy of the information provided to the Engineer. The Engineer is not responsible for the accuracy of the information provided to the Engineer. The Engineer is not responsible for the accuracy of the information provided to the Engineer.

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GENERAL NOTES:

- * All work has been done in accordance with the provisions of the Building Code of Australia.
- * Confirm all existing site conditions, site levels and all building dimensions.
- * Confirm all building and site set-out dimensions.
- * Confirm to dimensions on these drawings to be used. (See figure dimensions only.)
- * In the event of any discrepancies, Appointed dimensions take precedence over measurements taken from the drawings, and large scale drawings over small scale drawings. Do not scale drawings. Should a discrepancy occur, the more appropriate alternative shall be deemed to be used.
- * Confirm all existing and locate all existing services both above and below ground.
- * Allow for any matter not specifically shown on the drawings, but which may affect content or execution of the works.
- * Determine all matters relating to Occupational Health and Safety which may affect the execution or scope of works. This shall include the removal of or working with hazardous or contaminated materials.
- * All structural, civil and services requirements have been shown on these architectural drawings for information purposes only and do not accept any responsibility for any of these disciplines. The Ellis Group Architects shall not be liable in respect of any act, omission or negligence of any other appointed consultants, contractors, suppliers, subcontractors or other third party involved in the project.
- * No claim for a variation will be accepted for services not located correctly on these drawings.
- * No claim for a variation shall be accepted for removal and replacement of suitable fill for soft earth and other soil areas unless otherwise indicated.
- * All works must be undertaken in accordance with all SAA Codes, Standards, requirements, all Australian requirements, regulations and By-Laws and the Building Code of Australia including all the latest amendments.

Date	Description	Issue
23.03.19	PLANNING ISSUE	1

The Ellis Group Architects
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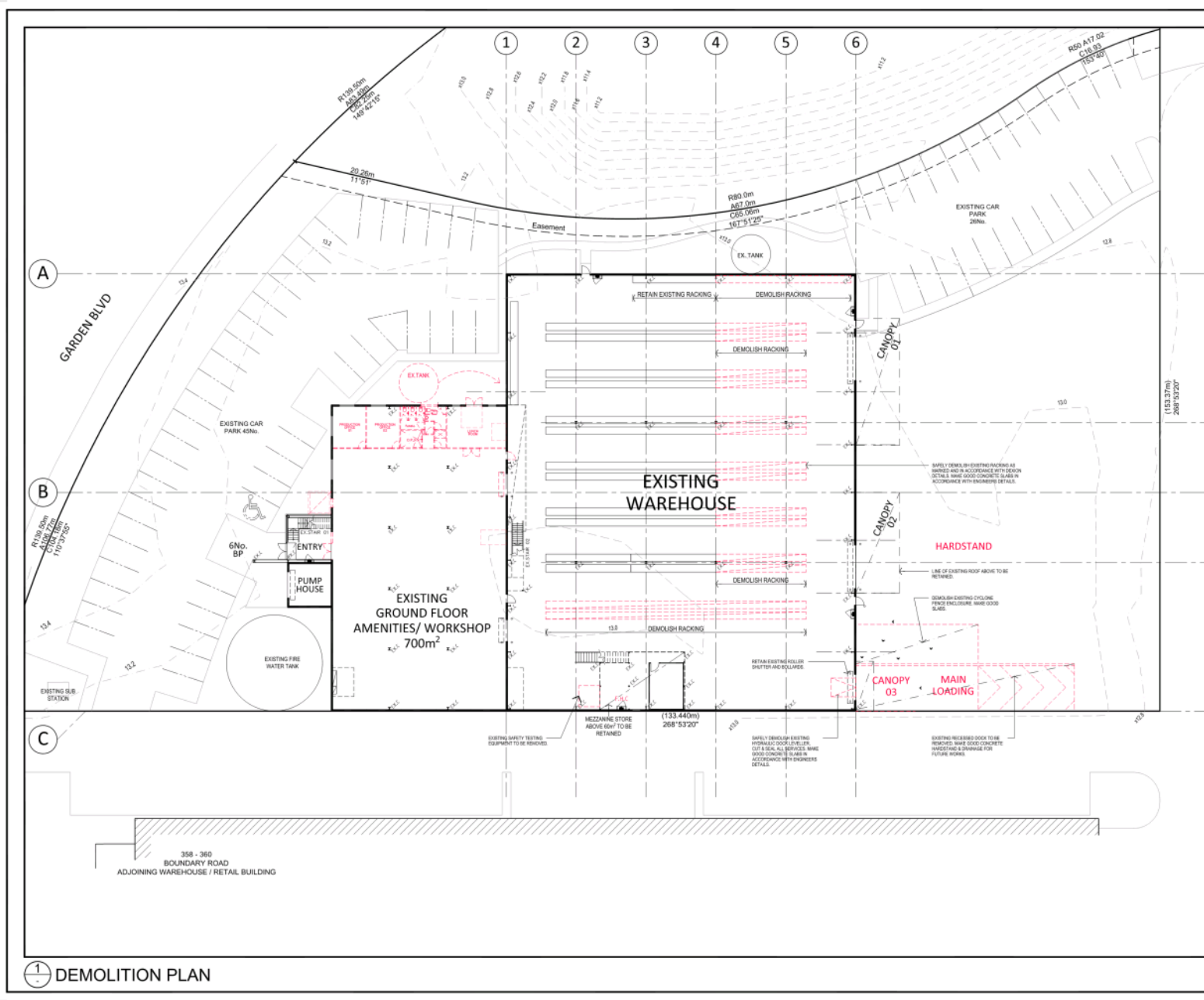
Project: PROPOSED WAREHOUSE & OFFICE ALTERATIONS, 43 GARDEN BLD, DINGLEY VILLAGE FOR FOR CITY OF KINGSTON

Site: SITE LOCATION & COVER SHEET

Job No.	By	Date Issd	Rev
2706		1200	1.1
Date	By	Date	Rev
M.S		FEB'19	21.03.19

Client/Title: a:2709-Plan
 Sheet: **2706.TP.A000** A

DRAWING FOR PERMIT



1 DEMOLITION PLAN

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GENERAL NOTES:

- All work has been done in accordance with these documents however it is the builder's responsibility prior to the commencement of any site fabrication or on-site works to:
 - Confirm all existing site conditions, site levels and all building dimensions.
 - Confirm all building and site set out dimensions.
 - Confirm all circumstances are those shown in the plans. (See figure dimensions only.)
- In the event of any discrepancies, Appral dimensions take precedence over measurements taken from the drawings, and large scale drawings over small scale drawings. Do not scale drawings. Should a discrepancy occur, the more expensive alternative shall be deemed to be used.
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- No claim for a variation shall be accepted for removal and replacement of suitable fill for soft work and voids not shown unless otherwise advised.
- All works must be undertaken in accordance with all SAA Codes, Standards, requirements, all Authorities requirements, regulations and By Laws and the Building Code of Australia including all the listed attachments.

Date	Description	Issue
A	PLANNING ISSUE	23.03.19

The Ellis Group Architects
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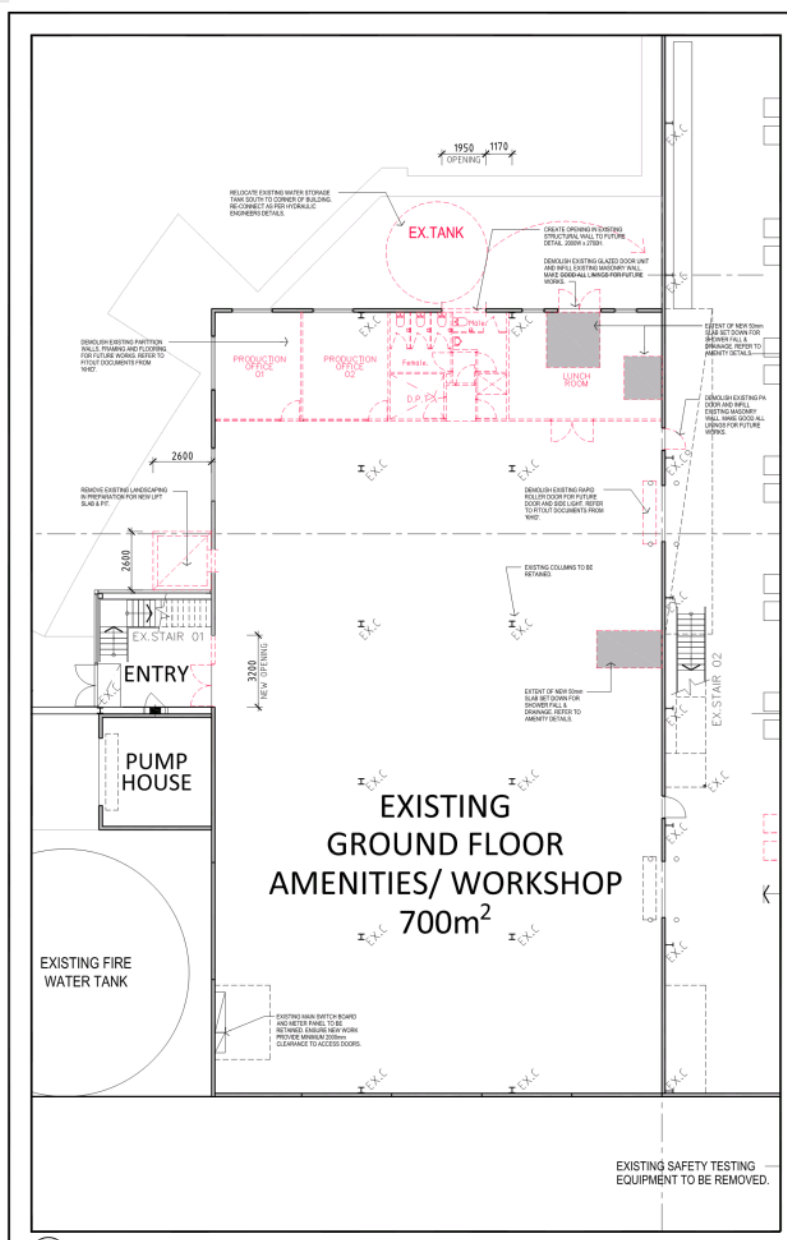
PROPOSED WAREHOUSE & OFFICE ALTERATIONS,
 43 GARDEN BLD, DINGLEY VILLAGE
 FOR FOR CITY OF KINGSTON

DEMOLITION SITE PLAN

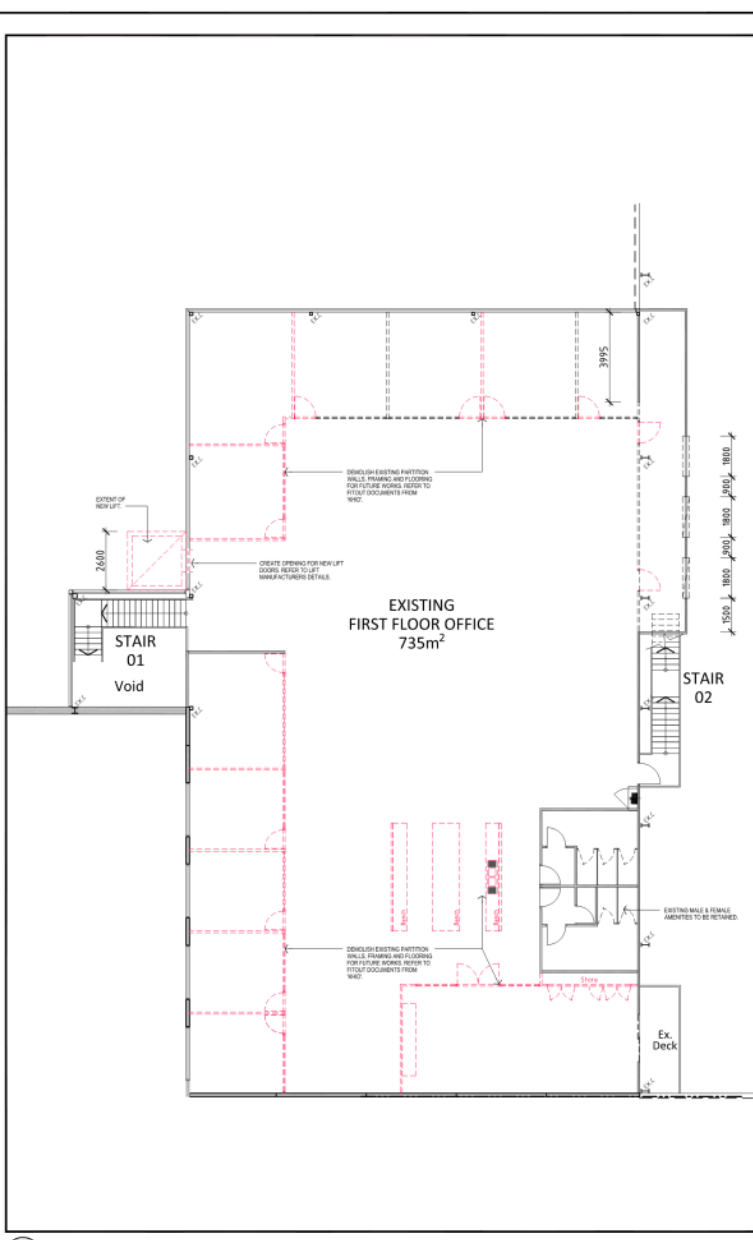
Job No.	Site Area (sqm)	Plot Area
2706	1200	1.1
Date	Date	Date
M.S	FEB'19	21.03.19

Scale: x2709-Plan.
2706.EX.A001
 A

SIGNING PLAN FOR DEMOS



1 DEMOLITION PLAN - GROUND FLOOR OFFICE



2 DEMOLITION PLAN - FIRST FLOOR OFFICE

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- Confirm all building and site set out dimensions.
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Rev	Description	Date
A	FLAMING ISSUE	23.03.19

The Ellis Group Architects
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PROPOSED WAREHOUSE & OFFICE ALTERATIONS,
 43 GARDEN BLD, DINGLEY VILLAGE FOR FOR CITY OF KINGSTON

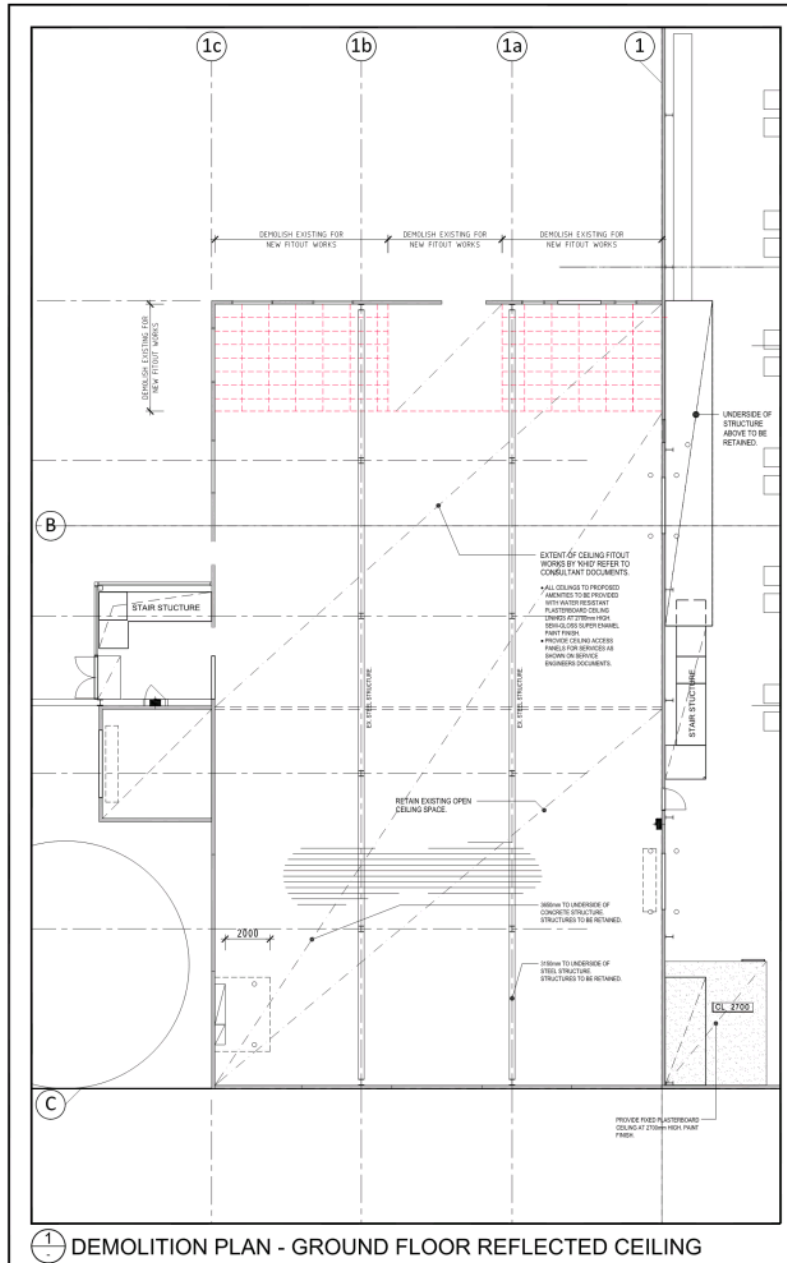
DEMOLITION PLAN
 GROUND & FIRST FLOOR OFFICES

Job No.	Proj. No. (if diff.)	Proj. Date
2706	1100	1.1
Date	Date	Proj. Date
M.S	FEB'19	21.03.19

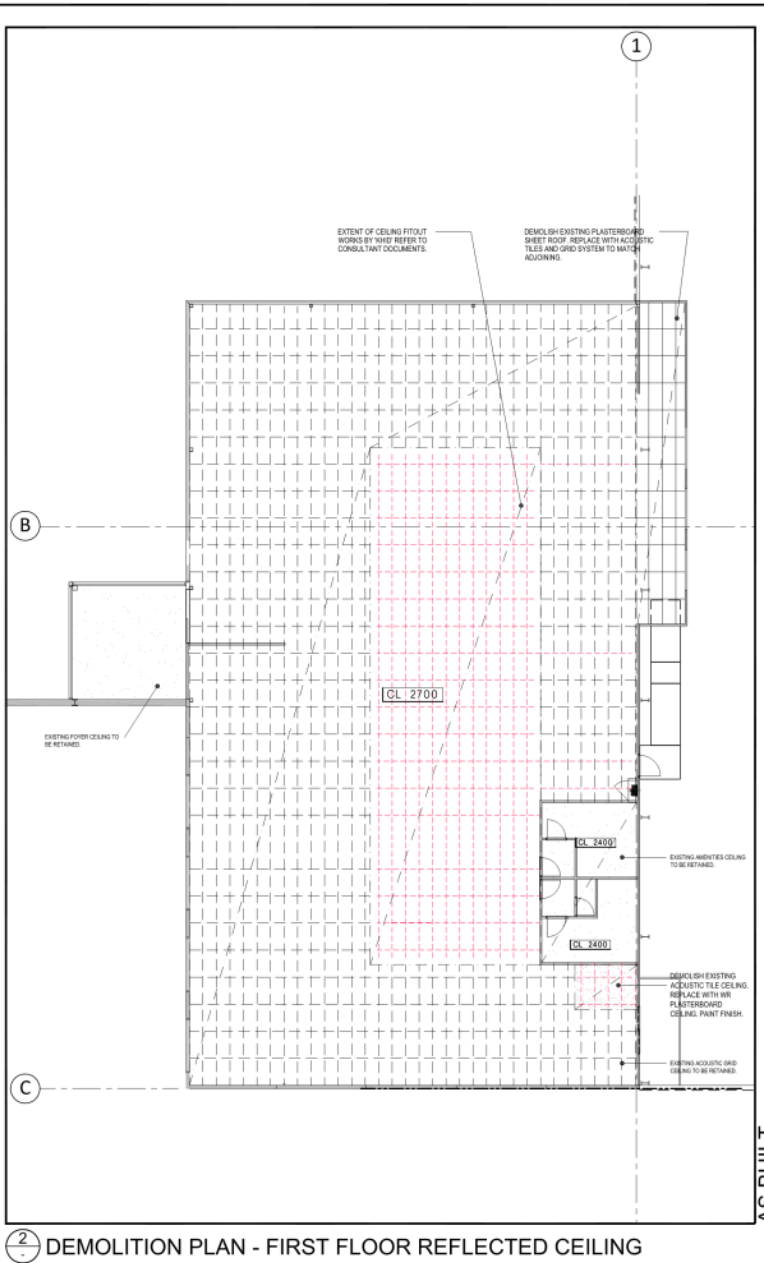
Scale: x2709-Plan.

2706.EX.A002 A

SIGNING PLAT FOR DEPOSIT



1 DEMOLITION PLAN - GROUND FLOOR REFLECTED CEILING



2 DEMOLITION PLAN - FIRST FLOOR REFLECTED CEILING

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A	PLANNING ISSUE	23.03.19

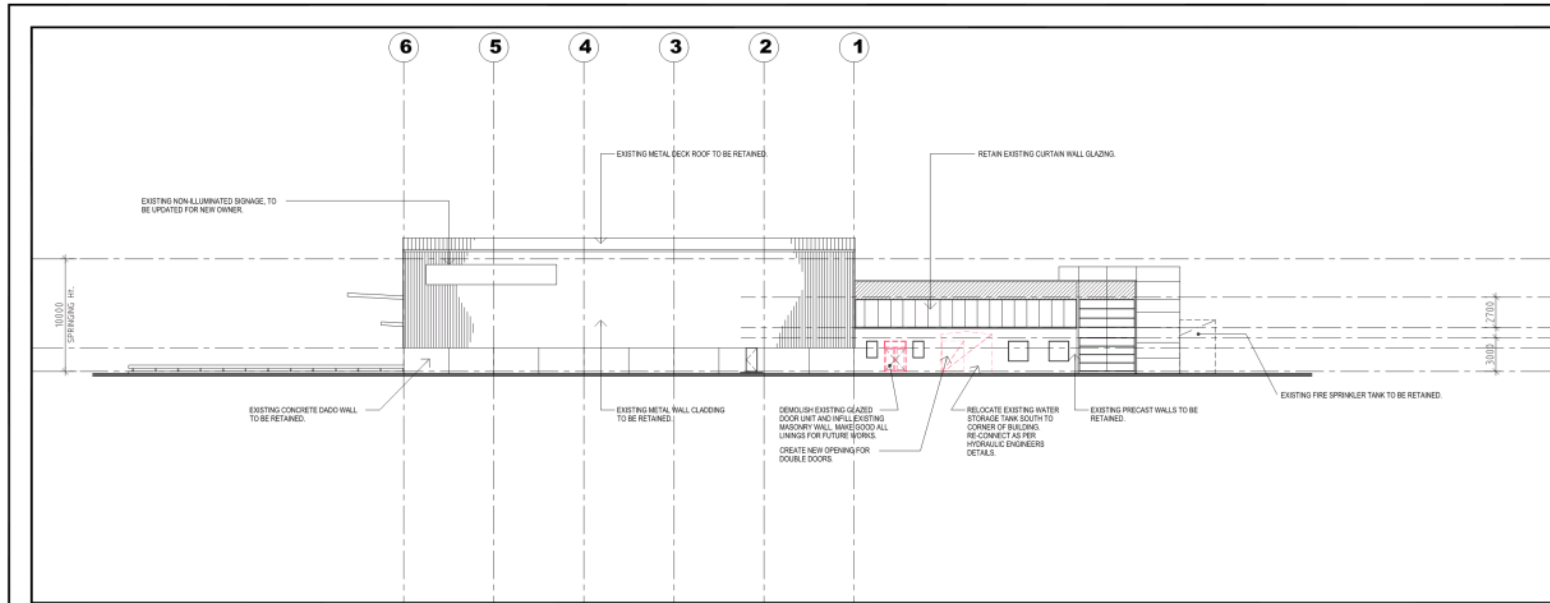
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PROPOSED WAREHOUSE & OFFICE ALTERATIONS, 43 GARDEN BLD, DINGLEY VILLAGE FOR FOR CITY OF KINGSTON

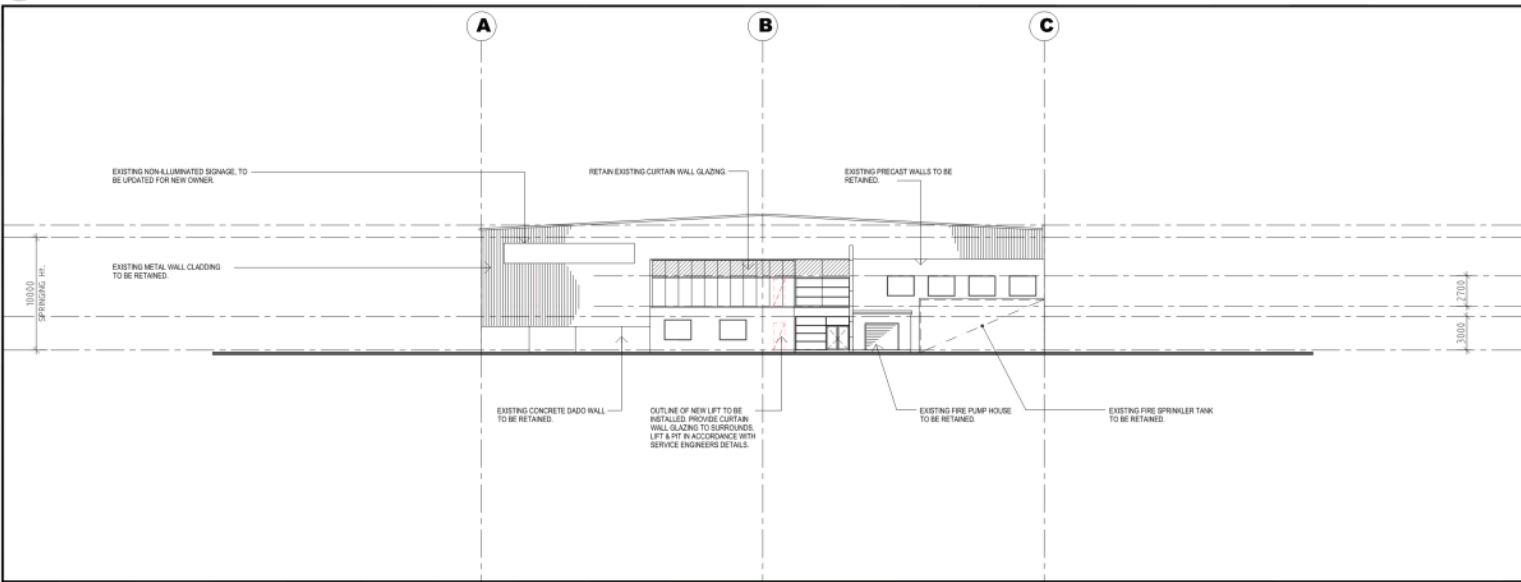
DEMOLITION PLAN GROUND & FIRST FLOOR REFLECTED CEILING PLANS

Job No.	Scale	Plot Date
2706	1:100	1:1
Date	Date	Date
M.S	FEB'19	21.03.19

Client: x2709-Plan
 Sheet: 2706.EX.A003
 Scale: A



2 EXISTING - EAST ELEVATION



1 EXISTING - NORTH ELEVATION

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Item	Description	Date
A	PLANNING ISSUE	23.03.19

The Ellis Group Architects
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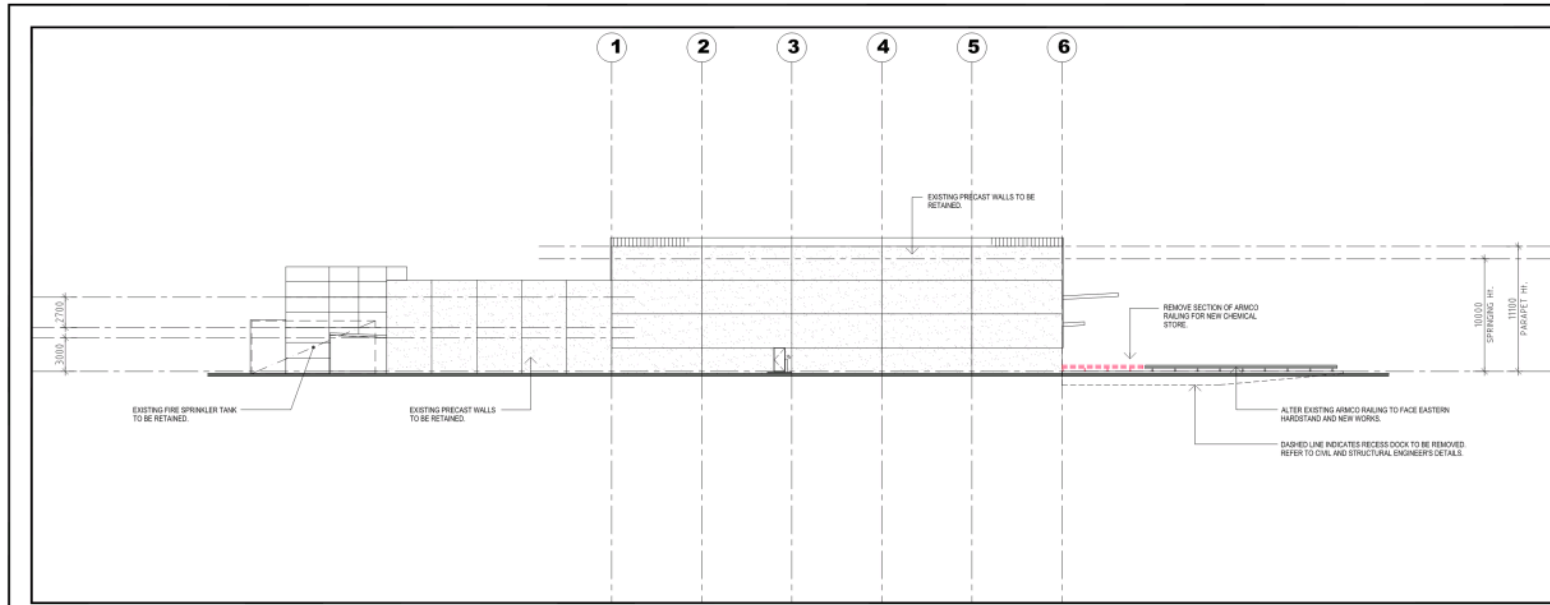
Prop: PROPOSED WAREHOUSE & OFFICE ALTERATIONS, 43 GARDEN BLD, DINGLEY VILLAGE FOR FOR CITY OF KINGSTON

Re: EXISTING ELEVATIONS

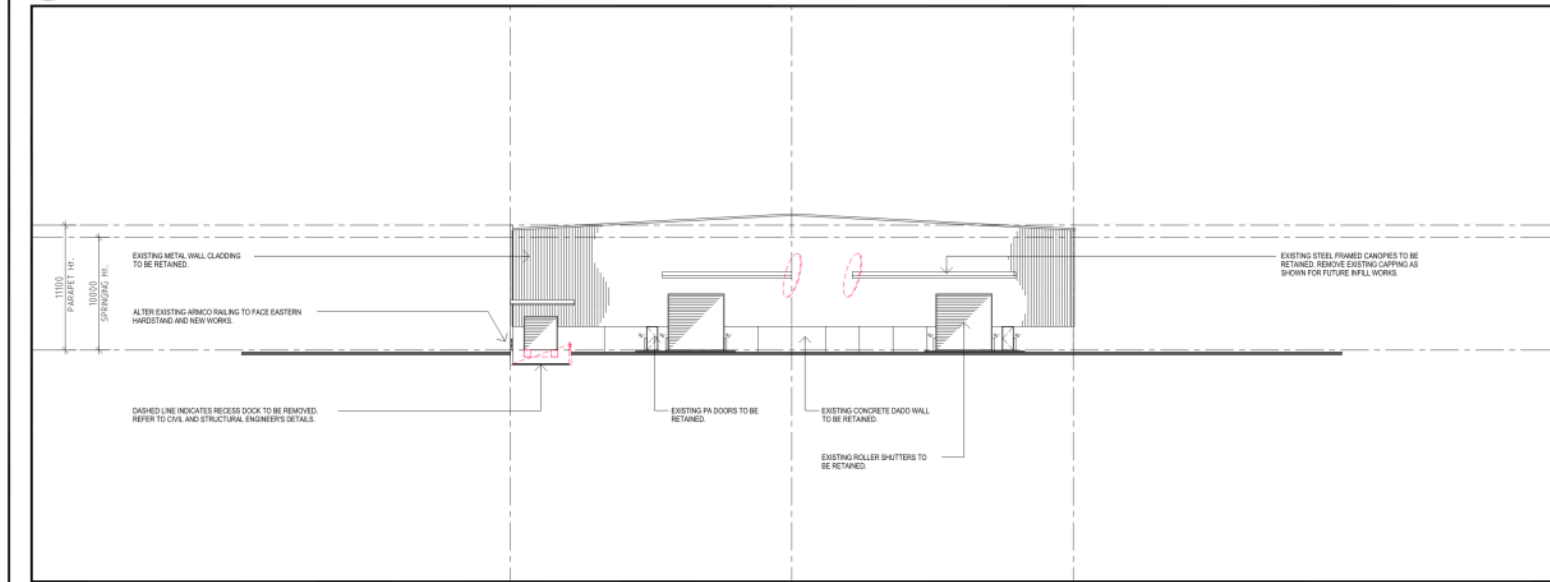
Job No.	Est. Issue (M)	Plot Date
2706	1200	1.1
Drawn	Date	Plot Date
M.S	FEB '19	21.03.19

Client Ref: a:2706-Ex:Elev.
2706.EX.A004

DRAWING FOR PERMITS



2 EXISTING - WEST ELEVATION



1 EXISTING - SOUTH ELEVATION

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Item	Description	Date

The Ellis Group Architects
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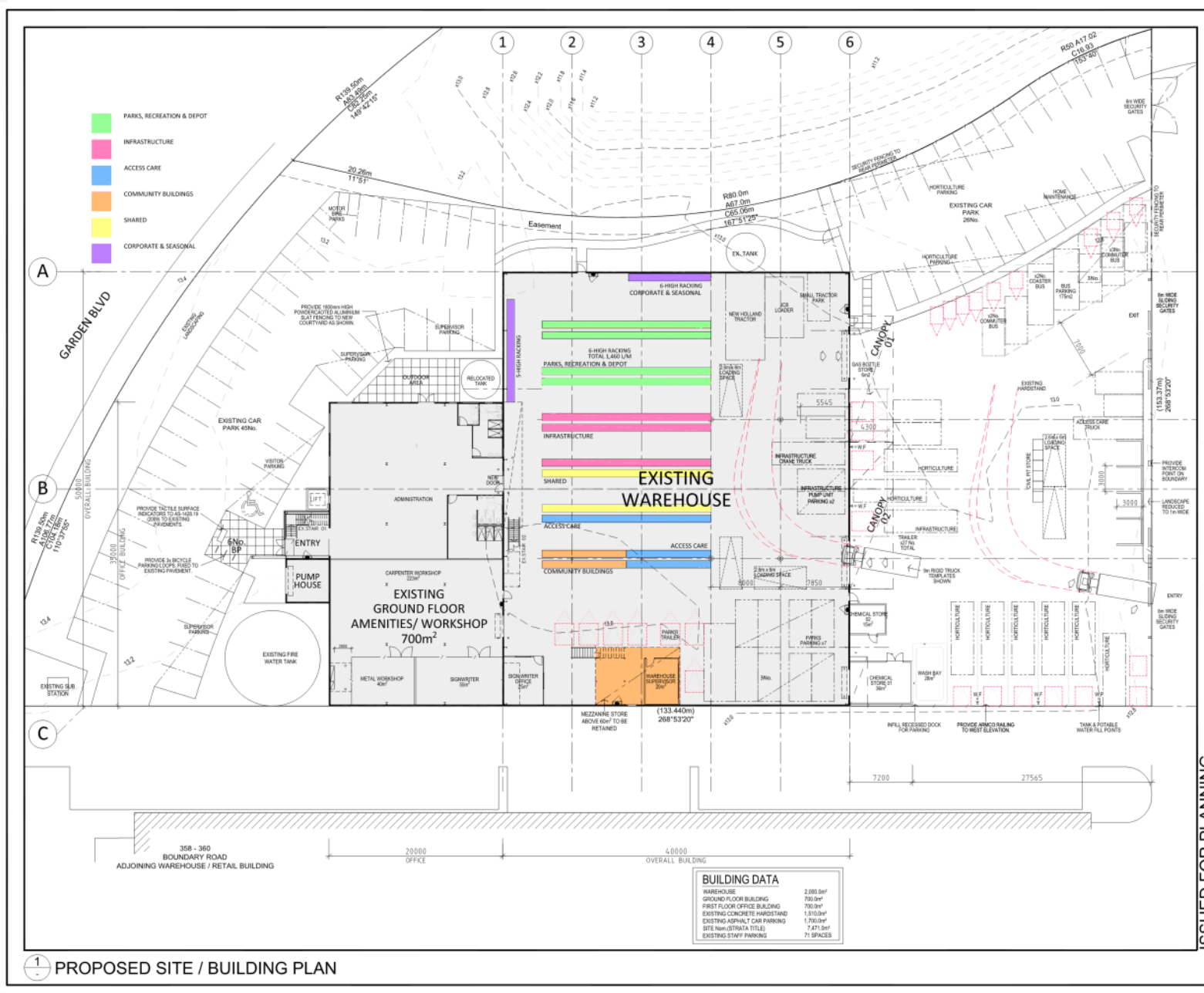
Project: PROPOSED WAREHOUSE & OFFICE ALTERATIONS, 43 GARDEN BLD, DINGLEY VILLAGE FOR FOR CITY OF KINGSTON

the EXISTING ELEVATIONS

Job No.	Est. Issue #/1	Plot Date
2706	1200	11
Drawn	Date	Plot Date
M.S	FEB '19	21.03.19

Client/Ref: a2706-ExElev.
Sheet: 2706.EX.A005 A

DRAWING FOR PERMITS



- PARKS, RECREATION & DEPOT
- INFRASTRUCTURE
- ACCESS CARE
- COMMUNITY BUILDINGS
- SHARED
- CORPORATE & SEASONAL

BUILDING DATA	
WAREHOUSE	2,000.0m²
GROUND FLOOR BUILDING	700.0m²
FIRST FLOOR OFFICE BUILDING	700.0m²
EXISTING CONCRETE HARDSTAND	1,510.0m²
EXISTING ASPHALT CAR PARKING	1,700.0m²
SITE NAME (STRATA TITLE)	7,471.0m²
EXISTING STAFF PARKING	71 SPACES

1 PROPOSED SITE / BUILDING PLAN

ADVERTISED PLANS
Documentation May
Be Subject to Copyright

GENERAL NOTES:

- All work has been done in accordance with these documents however it is the builder's responsibility prior to the commencement of any off-site fabrication or on-site works to:
 - Confirm all existing site conditions, site levels and all building dimensions.
 - Confirm all building and site set out dimensions.
 - To the extent of any discrepancies, Appointed dimensions take precedence over measurements taken from the drawings, and Appointed dimensions over on-site measurements. Do not assume drawings. Should a discrepancy occur, the more expensive alternative shall be deemed to be the need.
- Confirm all existing and locate all existing services both above and below ground.
- Allow for any matter not specifically shown on the drawings, but which may affect content or execution of the works.
- Determine all matters relating to Occupational Health and Safety which may affect the execution or scope of works. This shall include the removal of or existing work hazardous or contaminated materials.
- All structural, civil and services requirements have been shown on these architectural drawings for information purposes only and do not accept any responsibility for any of these disciplines. The Ellis Group Architects shall not be liable in respect of any act, omission or negligence of any other appointed consultant, contractor, engineer, supplier or fabricator or other third party involved in the project.
- No claim for a variation will be accepted for services not located correctly on these documents.
- No claim for a variation shall be accepted for removal and replacement of suitable fill for work and/or other work areas unless otherwise indicated.
- All works must be undertaken in accordance with all SAA Codes, Standards, requirements, Authoritative requirements, regulations and By-Laws and the Building Code of Australia including all the latest amendments.

Rev	Description	Date
A	FLAMING ISSUE	23.03.19

The Ellis Group Architects
 A.C.N. 123 443 888
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 Telephone (03) 9329 0806
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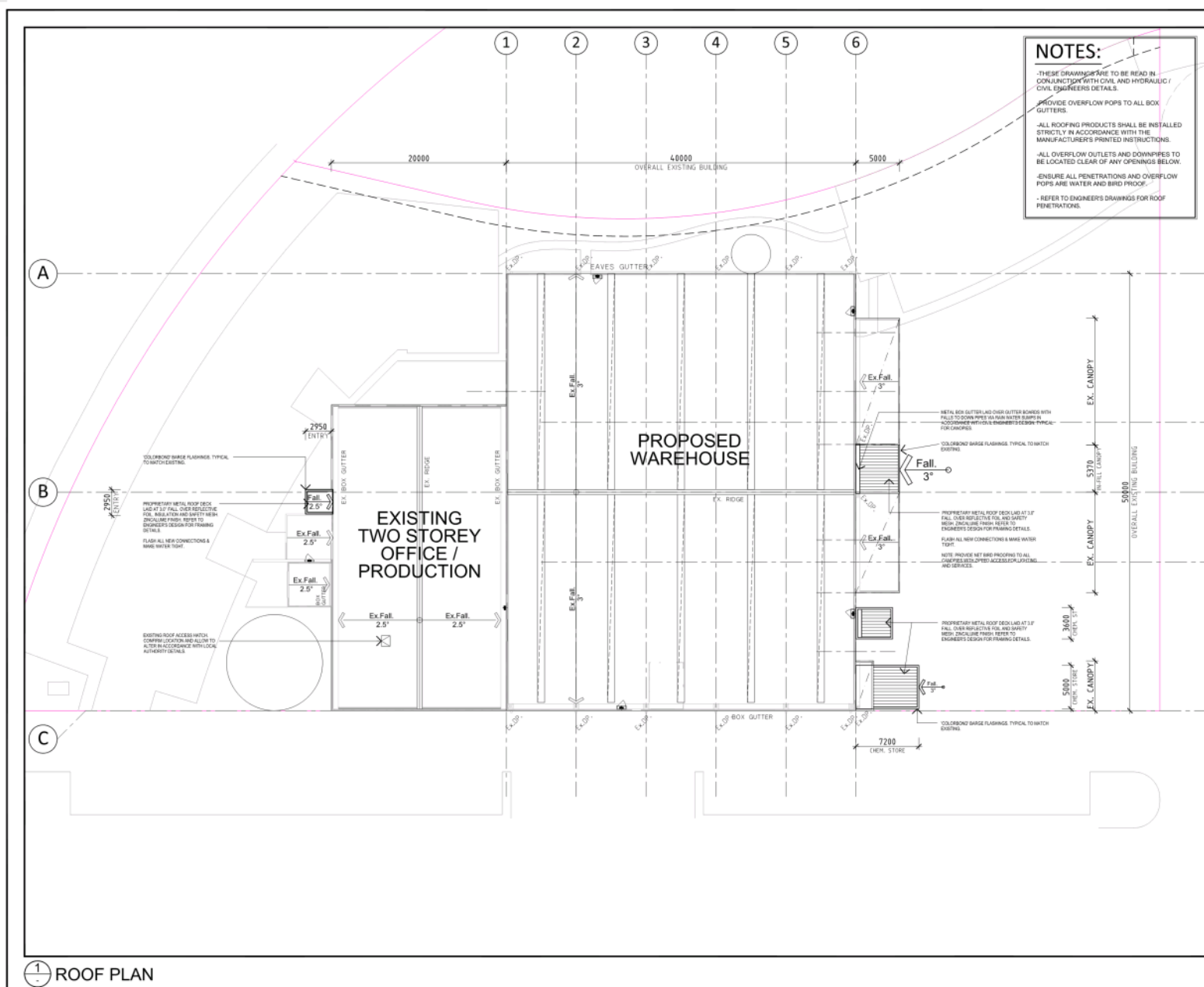
Proposed Warehouse & Office Alterations
 43 Garden Bld, Dingley Village
 For For City of Kingston

PROPOSED SITE / BUILDING PLAN

Job No.	Rev. Issue No.	Date
2706	1200	11

Date	Date	Date
M.S	FEB '19	21.03.19

Scale: 1:2709 - Plan
 Sheet: 2706.TP.A101
 Title: A



NOTES:

- THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH CIVIL AND HYDRAULIC CIVIL ENGINEERS DETAILS.
- PROVIDE OVERFLOW POPS TO ALL BOX GUTTERS.
- ALL ROOFING PRODUCTS SHALL BE INSTALLED STRICTLY IN ACCORDANCE WITH THE MANUFACTURERS PRINTED INSTRUCTIONS.
- ALL OVERFLOW OUTLETS AND DOWNPIPES TO BE LOCATED CLEAR OF ANY OPENINGS BELOW.
- ENSURE ALL PENETRATIONS AND OVERFLOW POPS ARE WATER AND BIRD PROOF.
- REFER TO ENGINEERS DRAWINGS FOR ROOF PENETRATIONS.

ADVERTISED PLANS
Documentation May Be Subject to Copyright

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- Confirm all existing site conditions, site levels and all building dimensions.
- Confirm all building and site set out dimensions.
- Confirm all dimensions are those shown on these drawings (Use figure dimension only).
- In the event of any discrepancies, Appral dimensions take precedence over measurements taken from the drawings, and appropriate changes over unmarked drawings. Do not make drawings. Should a discrepancy occur, the more expensive alternative shall be deemed to be used.
- Confirm all existing and details of existing services both above and below ground.
- Allow for any matter not specifically shown on the drawings, but which may affect content or execution of the works.
- Determine all matters relating to Occupational Health and Safety which may affect the execution or scope of works. This shall include the removal of all existing work hazardous or contaminated materials.
- All structural, civil and services requirements have been shown on these architectural drawings for information purposes only and do not accept any responsibility for any of these disciplines. The Ellis Group Architects shall not be liable in respect of any act, omission or negligence of any other appointed contractor, contractor, workman, supplier or fabricator or other third party involved in the project.
- No claim for a variation will be accepted for services not located correctly on these documents.
- No claim for a variation shall be accepted for removal and replacement of suitable fit for work and material not shown otherwise indicated.
- All works must be undertaken in accordance with all SAA Codes, Standards, requirements, all Authorities requirements, regulations and By Laws and the Building Code of Australia including all the latest amendments.

Issue	Description	Date
A	FLAMMING ISSUE	23.03.19

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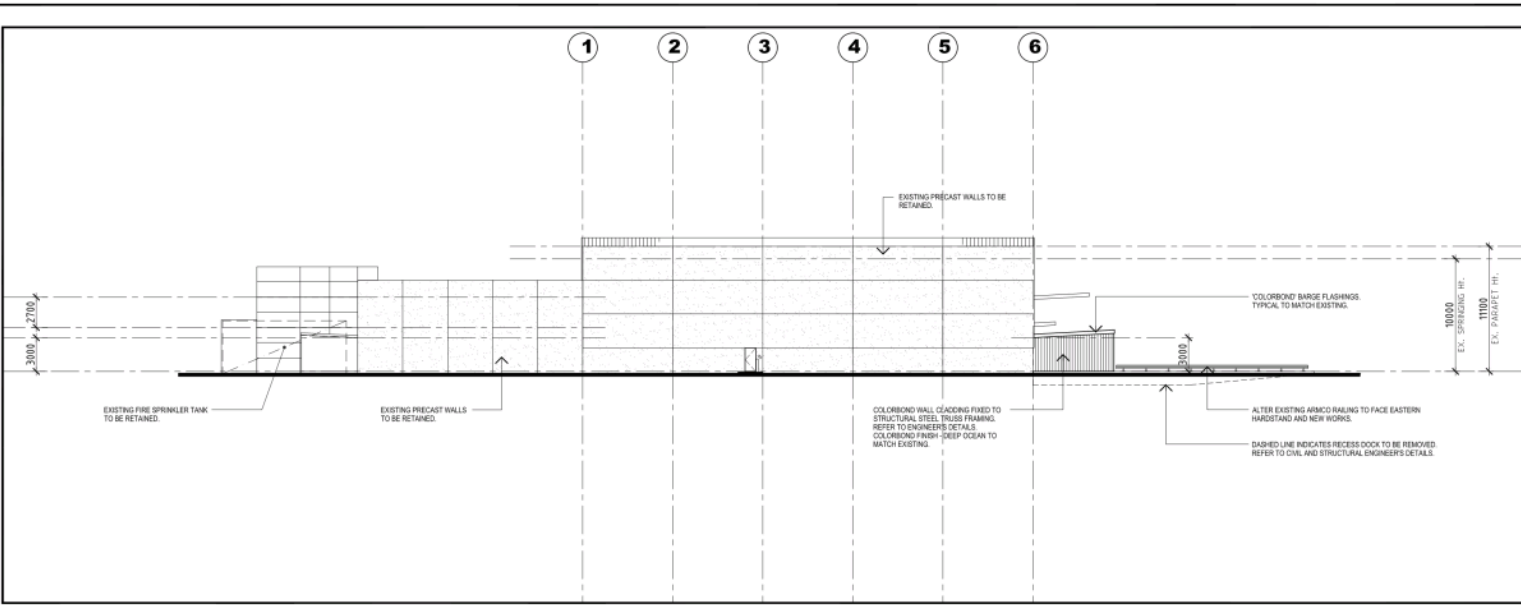
PROPOSED WAREHOUSE & OFFICE ALTERATIONS
 43 GARDEN BLD, DINGLEY VILLAGE FOR FOR CITY OF KINGSTON

the
PROPOSED ROOF PLAN

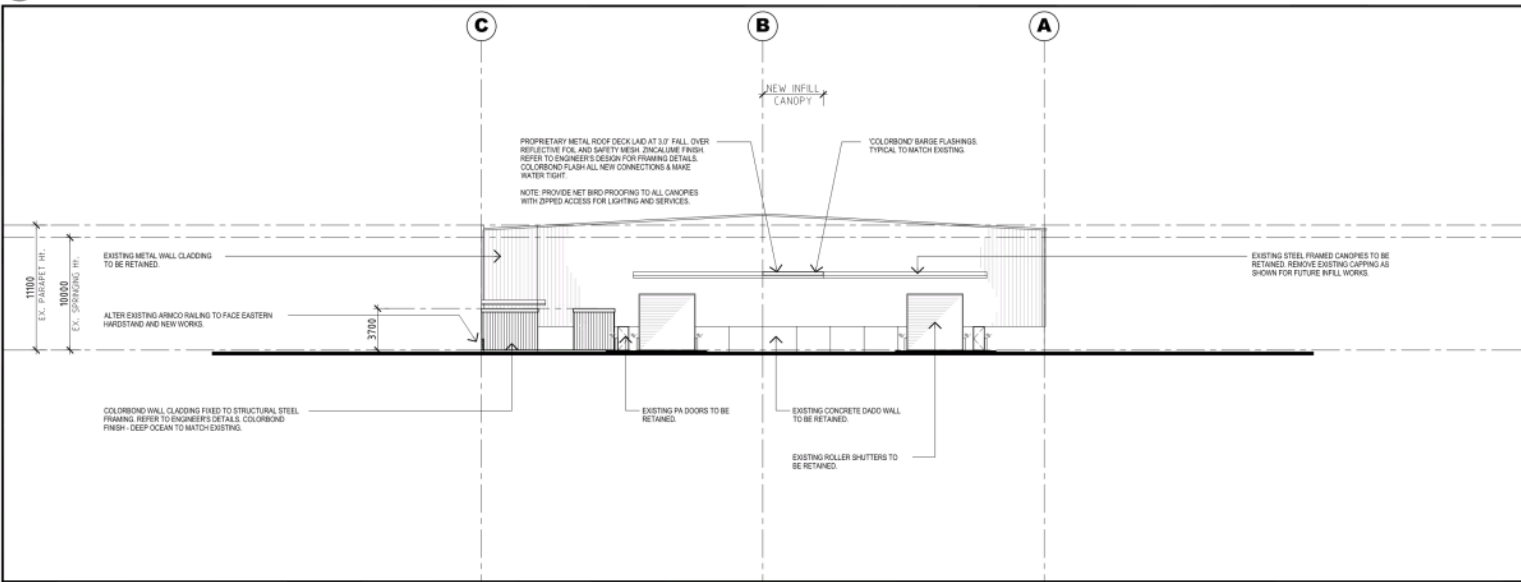
Job No.	Rev. Issue (if)	Date
2706	1200	1.1

Date	Date	Date
M.S	FEB'19	21.03.19

Client: **x2709-Roof.**
 Drawing: **2706.TP.A.110**
 Scale: **A**



2 PROPOSED - WEST ELEVATION



1 PROPOSED - SOUTH ELEVATION

These drawings are published and advertised in accordance with the provisions of the Building Act 2010.
ADVERTISED PLANS
Documentation May Be Subject to Copyright

GENERAL NOTES:

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- Confirm all existing site conditions, site levels and all building dimensions.
- Confirm all building and site set out dimensions.
- Confirm no dimensions are shown these drawings to be called (Use figure dimensions only).
- In the event of any discrepancies, Appointed dimensions take precedence over measurements taken from the drawings, and Appointed changes over unauthorised drawings. Do not issue drawings. Should a discrepancy occur, the more expensive alternative shall be deemed to be used.
- Confirm all existing and locate all existing services both above and below ground.
- Allow for any matter not specifically shown on the drawings, but which may affect content or execution of the works.
- Determine all matters relating to Occupational Health and Safety which may affect the execution or scope of works. This shall include the removal of or working with hazardous or contaminated materials.
- All structural, civil and services requirements have been shown on these architectural drawings for information purposes only and do not accept any responsibility for any of these disciplines. The Ellis Group Architects shall not be liable in respect of any act, omission or negligence of any other appointed consultant, contractor, supplier or fabricator or other third party involved in the project.
- No claim for a variation will be accepted for services not located correctly on these documents.
- No claim for a variation shall be accepted for removal and replacement of suitable fill for soil work and similar work unless otherwise indicated.
- All works must be undertaken in accordance with all SAA Codes, Standards, requirements, all Authorities requirements, regulations and By Laws and the Building Code of Australia including all the latest amendments.

Rev	Description	Date
A	PLANNING ISSUE	23.03.19

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PROPOSED WAREHOUSE & OFFICE ALTERATIONS,
 43 GARDEN BLD, DINGLEY VILLAGE FOR FOR CITY OF KINGSTON
 the
 PROPOSED ELEVATIONS

Job No.	Proj. No. (if any)	Plot Ratio
2706	1200	1:1
Date	Date	Plot Ratio
M.S	FEB'19	21.03.19

Client Ref: x2706-ExElev.
 Drawing: **2706.TP.A202** Rev: A

DRAWING FOR PERMITS