

Agenda

Planning Committee Meeting

Wednesday, 20th March 2019

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

John Nevins
Chief Executive Officer
Kingston City Council



**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

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, 20 March 2019.

1. Apologies

2. Confirmation of Minutes of Previous Meetings

Minutes of Planning Committee Meeting 17 October 2018

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

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5.1	Amendment C179 - Ormond Street Mordialloc interim Neighbourhood Character Overlay
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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.

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4. Planning and Development Reports

Planning Committee Meeting

20 March 2019

Agenda Item No: 4.1

TOWN PLANNING APPLICATION DECISIONS - FEBRUARY 2019

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

Town Planning Application Decisions – February 2019

Approved By: Jonathan Guttmann - General Manager, Planning & Development

Author: Ian Nice – Manager, City Development

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

A summary of the decisions is as follows:

Type of Decision	Number of Decisions Made	Percentage (%)
Planning Permits	63	70
Notice of Decision	18	20
Refusal to Grant a Permit	2	2
Other - Withdrawn (5) - Prohibited (0) - Permit not required (1) - Lapsed (1) - Failure to Determine (0)	7	8
Total	90	100

(NB: Percentage figures have been rounded)

OFFICER RECOMMENDATION

That the report be noted.

Appendices

Appendix 1 - Town Planning Application Decisions February 2019 (Ref 19/44185)

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

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

Planning Decisions February 2019							
APPL. No.	PROPERTY ADDRESS	SUBURB	APPL. DATE	DATE DECIDED	PROPOSAL DESCRIPTION	DECISION	VCAT DECISION
KP-2018/175/A	413A Nepean Highway	CHELSEA	19/09/2018	1/02/2019	Use of the land for the sale and consumption of liquor in association with an existing food and drink premise and reduction in the car parking requirement	Permit	No
KP-2019/27	4 Tabbita Street	MOORABBIN	18/01/2019	1/02/2019	Develop the land for building & works	Withdrawn	No
KP-2018/1027	32 McLeod Road	CARRUM	20/12/2018	1/02/2019	Increase height of existing brick rendered fence to 1950mm in height	Withdrawn	No
KP-2018/802	13 Jodi Street	CHELTENHAM	2/10/2018	1/02/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2018/719	9 Bridges Avenue	EDITHVALE	4/09/2018	1/02/2019	Develop the land for the construction of one (1) double storey dwelling to the rear of an existing dwelling, with associated works to the existing dwelling	Permit	No
KP-2018/991	3 27 Swansea Road	CHELSEA	7/12/2018	1/02/2019	Buildings and works to an existing dwelling on land affected by a Design and Development Overlay	Permit	No
KP-2015/537/A	40 Ella Grove	CHELSEA	11/01/2019	1/02/2019	Subdivide the Land into Two (2) Lots and develop the land for buildings and works associated with dwelling one (1)	Permit	No
KP-2019/41	Store 28 13 Levanswell Road	MOORABBIN	25/01/2019	4/02/2019	Building and works for alterations to existing loading bay	Permit	No
KP-2012/754/A	20 Williams Grove	BONBEACH	13/12/2017	4/02/2019	Develop the land for the construction of two (side by side) dwellings	Notice of Decision	No
KP-2018/686	2 49 The Corso	PARKDALE	28/08/2018	4/02/2019	the development of two (2) dwellings and associated works in accordance with the endorsed plans	Notice of Decision	No

KP-2018/647	10 Margaret Street	PARKDALE	10/08/2018	4/02/2019	The development of two (2) dwellings	Permit	No
KP-2018/824	13 Riversdale Avenue	CARRUM	10/10/2018	4/02/2019	The development of two (2) double storey dwellings	Permit	No
KP-2018/669	34 Third Avenue	CHELSEA HEIGHTS	20/08/2018	4/02/2019	The development of one (1) single storey dwelling, and buildings and works associated with the existing dwelling	Permit	No
KP-2018/578	50 Main Road	CLAYTON SOUTH	18/07/2018	4/02/2019	The development of a second dwelling (to the rear of the existing) and associated works	Permit	No
KP-2017/147/A	20 Matilda Road	MOORABBIN	28/11/2018	4/02/2019	Develop the land for the construction of two (2) double storey dwellings	Permit	No
KP-2018/914	510 South Road	MOORABBIN	12/11/2018	5/02/2019	Use of land for a dental clinic with associated buildings and works	Permit Not Required	No
KP-2018/839	238 Old Dandenong Road	HEATHERTON	15/10/2018	5/02/2019	Develop the land to alter access to Road Zone Category 1 and building works in Green Wedge Zone	Permit	No
KP-2018/870	33 Levenswell Road	MOORABBIN	24/10/2018	5/02/2019	Develop the land for the construction of building & works	Permit	No
KP-2018/743	57 Woodbine Grove	CHELSEA	12/09/2018	5/02/2019	The development of three (3) dwellings	Notice of Decision	No
KP-1993/5158/A	19-71 Carroll Road	OAKLEIGH SOUTH	28/09/2017	6/02/2019	Retrospectively to alter the landfill cap height and position of the southern part of the existing solid inert waste landfill No further landfill is proposed.	Refused	No
KP-2018/748	28 Fifth Street	PARKDALE	14/09/2018	6/02/2019	Develop the land for the construction of one (1) dwelling to the rear of an existing, with associated buildings and works to the existing Dwelling, including an upper storey extension	Notice of Decision	No
KP-2018/547	273 Nepean Highway	PARKDALE	9/07/2018	6/02/2019	Upper floor extension to existing residence on lot less than 300m2	Permit	No

KP-2018/470	572-574 Heatherton Road	CLAYTON SOUTH	22/06/2018	7/02/2019	Use and develop the land for a dwelling	Lapsed	No
KP-2018/670	13 Kalimna Street	CARRUM	20/08/2018	8/02/2019	Development of two (2) dwellings and associated works in accordance with the endorsed plans	Permit	No
KP-2018/535	40 Nancy Street	CHELTENHAM	5/07/2018	8/02/2019	Develop the land for construction of two (2) dwellings	Permit	No
KP-2019/36	972-988 Nepean Highway	MOORABBIN	23/01/2019	8/02/2019	the development of building and works	Permit	No
KP-2018/890	1 Nepean Highway	MENTONE	1/11/2018	8/02/2019	Use the land for Motor Vehicle Sales	Permit	No
KP-2018/238	21-23 Reeve Court	CHELTENHAM	3/04/2018	8/02/2019	Subdivide the land into thirteen (13) lots	Permit	No
KP-2019/31	102-114 Gladesville Boulevard	PATTERSON LAKES	21/01/2019	8/02/2019	Subdivide the land by removing accessory lots 31, 42, 51, 52 and 53 and consolidate these lots into the common property area associated with SP31534J	Permit	No
KP-2018/180	39 De Havilland Road	MORDIALLOC	14/03/2018	8/02/2019	Use the land for industry (brewery) and tavern, sale and consumption of liquor, display of business identification signage and a reduction to the car parking requirements of Clause 52.06 under the Kingston Planning Scheme	Permit	No
KP-2018/864	Unit 1 536 Clayton Road	CLAYTON SOUTH	23/10/2018	8/02/2019	Use the land as an indoor recreation facility (Swim School)	Permit	No
KP-2019/55	14 Chelsea Street	CHELTENHAM	7/02/2019	11/02/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/678	74 Wilson Street	CHELTENHAM	24/08/2018	11/02/2019	The development of two (2) double storey dwellings (side by side)	Permit	No
KP-2019/42	32 McLeod Road	CARRUM	23/01/2019	12/02/2019	Increase the height of the existing front fence	Permit	No

KP-2018/847	304 Spring Road	DINGLEY VILLAGE	17/10/2018	12/02/2019	The development of two (2) dwellings in accordance with the endorsed plans	Permit	No
KP-2018/204	71-77 Pietro Road	HEATHERTON	20/03/2018	12/02/2019	Use of the land as a Place of Worship and associated works	Notice of Decision	No
KP-2015/340/B	35 Ebdon Street	MOORABBIN	30/10/2018	12/02/2019	Construct building and works associated with a flue and advertising signage, to use the land for a restaurant with associated sale and consumption of liquor, to display advertising signage, a reduction of the car parking requirement and variation to the loading bay requirement of the Kingston Planni	Permit	No
KP-2019/52	7 Gayle Court	CLAYTON SOUTH	6/02/2019	12/02/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/47	2 Eveline Avenue	PARKDALE	1/02/2019	13/02/2019	Subdivision and buildings and works in a Special Building Overlay	Permit	No
KP-2018/704	135 Como Parade East	PARKDALE	31/08/2018	13/02/2019	Develop the Land for the Construction of two (2) Dwellings	Permit	No
KP-2018/183	69 Bernard Street	CHELTENHAM	13/03/2018	13/02/2019	Develop the land for the construction of one (1) double storey Dwelling at the rear of the existing, with associated works to the existing Dwelling	Permit	No
KP-2017/694	510 Station Street	CARRUM	11/09/2017	13/02/2019	Develop the land for a mixed use development; construct a building in a Design and Development Overlay 1, and alter access to a Road Zone Category 1 in accordance with the endorsed plans	Permit	Yes
KP-2017/681	5 Evesham Road	CHELTENHAM	4/09/2017	13/02/2019	Develop the land for the construction of two (2) double storey dwellings	Permit	Yes
KP-2018/179	42 Tennyson Avenue	CLAYTON SOUTH	14/03/2018	13/02/2019	Realign the boundaries of the existing three (3) lots and common	Permit	No

					property and develop the land for the construction of two (2) carports.		
KP-2016/191/A	36-44 Whiteside Road	CLAYTON SOUTH	26/10/2018	14/02/2019	Develop the land for alterations to an existing warehouse (Bus Depot) and reduction of the car parking requirement	Permit	No
KP-2018/298	9 Barkly Street	MORDIALLOC	23/04/2018	14/02/2019	Develop the land for the construction of four (4) double storey dwellings	Notice of Decision	No
KP-2018/209	5 Oakes Avenue	CLAYTON SOUTH	21/03/2018	14/02/2019	Develop the land for the construction of three (3) double storey dwellings	Notice of Decision	No
KP-2018/977	3 Marita Court	CHELTENHAM	6/12/2018	14/02/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2018/636	1 18 Woodbine Grove	CHELSEA	7/08/2018	14/02/2019	Develop the land for the construction of three (3) dwellings	Permit	No
KP-2015/971/A	20 Murdock Street	CLAYTON SOUTH	29/08/2018	15/02/2019	Develop the land for the construction of an office and warehouse and reduction of the car parking requirement	Refused	No
KP-2018/564/A	1228 Nepean Highway	CHELTENHAM	18/12/2018	15/02/2019	Use the land for the sale and consumption of liquor (Restaurant and Cafe licence)	Notice of Decision	No
KP-2018/853	16 Crown Road	BONBEACH	22/10/2018	15/02/2019	Develop the land for the construction of two (2) Dwellings	Permit	No
KP-2019/61	3 Kingston Street	MORDIALLOC	6/02/2019	18/02/2019	Develop the land for the construction of alterations & additions to the existing building	Permit	No
KP-2018/592	10 Kristine Court	CHELTENHAM	19/07/2018	19/02/2019	The development of two (2) attached dwellings	Permit	No
KP-2018/649	38 Vincent Street	EDITHVALE	9/08/2018	20/02/2019	Develop the land for the construction of four (4) dwellings	Permit	No
KP-2018/747	Unit 3 10 Bank Road	EDITHVALE	13/09/2018	20/02/2019	The development of a dwelling extension on a lot less than 300 square metres	Notice of Decision	No

KP-2019/74	1 23 Randall Avenue	EDITHVALE	13/02/2019	20/02/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/71	585 Clayton Road	CLARINDA	12/02/2019	21/02/2019	Develop the land for the construction of one (1) dwelling on land within a Special Building Overlay	Permit	No
KP-2014/870/A	27 Clarevale Street	CLAYTON SOUTH	14/11/2018	21/02/2019	Develop the Land for the Construction of Two (2) Dwellings	Withdrawn	No
KP-2019/87	36 Troy Street	BONBEACH	19/02/2019	22/02/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2017/920/A	69 Mulkarra Drive	CHELSEA	18/10/2018	22/02/2019	Develop the land for the construction of two (2) double storey dwellings	Notice of Decision	No
KP-2018/587	418 Nepean Highway	PARKDALE	18/07/2018	22/02/2019	Use and develop the land for a Child care centre, reduction of the parking requirement, alter access to a Road Zone Category 1	Permit	No
KP-2018/767	10 Village Drive	DINGLEY VILLAGE	20/09/2018	22/02/2019	Develop the Land for the Construction of Two (2) Dwellings	Notice of Decision	No
KP-2000/640/A	126 Wilson Street	CHELTENHAM	15/01/2019	22/02/2019	MD2 MULTI UNIT DWL - 2	Permit	No
KP-2018/673	41 Royal Road	BONBEACH	22/08/2018	25/02/2019	Develop the land for three (3) dwellings and removal of an easement	Permit	No
KP-2018/360	6 Sydney Street	CLAYTON SOUTH	14/05/2018	25/02/2019	The development of two (2) double storey dwellings (side by side)	Notice of Decision	No
KA-324/2012/A	31 Garfield Street	CHELTENHAM	22/02/2019	25/02/2019	error, disregard	Withdrawn	No
KP-2018/384	1 508-509 Nepean Highway	BONBEACH	22/05/2018	25/02/2019	Develop the land for the construction of seven (7) dwellings and basement parking	Notice of Decision	No
KP-2018/837	88 Centre Dandenong Road	CHELTENHAM	12/10/2018	25/02/2019	Develop a second dwelling to the rear of the existing dwelling in accordance with the endorsed plans	Permit	No
KP-2018/493	142 Lower Dandenong Road	PARKDALE	26/06/2018	25/02/2019	Subdivide the Land into Three (3) Lots	Permit	No

KP-2018/422	414-416 Nepean Highway	PARKDALE	31/05/2018	25/02/2019	To subdivide the land to create Lot A and balance of common property as show on plan.	Permit	No
KP-2017/589	1 Langrigg Avenue	EDITHVALE	2/08/2017	26/02/2019	Develop the land for the construction of four (4) double storey dwellings	Permit	Yes
KP-2018/640	14 Argyle Avenue	CHELSEA	7/08/2018	26/02/2019	The development of three (3) double storey dwellings	Notice of Decision	No
KP-2017/750/A	6 Derby Parade	BONBEACH	9/01/2019	26/02/2019	Develop the land for the construction of two (2) double storey dwellings	Notice of Decision	No
KP-2018/563	60 Ella Grove	CHELSEA	12/07/2018	26/02/2019	The development of two (2) double storey dwellings and one (1) single storey dwelling	Notice of Decision	No
KP-2017/1018	1 Gwenda Avenue	MOORABBIN	27/12/2017	27/02/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2018/840	12 188 Chesterville Road	MOORABBIN	12/10/2018	27/02/2019	Use of land as a personal training studio	Notice of Decision	No
KP-2019/94	69 Broadway	BONBEACH	21/02/2019	27/02/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2019/22	11 Graham Road	CARRUM	17/01/2019	27/02/2019	The subdivision of land into four (4) lots	Permit	No
KP-2019/57	1 Hazel Avenue	EDITHVALE	7/02/2019	27/02/2019	Subdivide the Land into Two (2) Lots	Permit	No
KP-2018/761	486A South Road	MOORABBIN	18/09/2018	27/02/2019	Develop the land for the construction of two (2) dwellings	Permit	No
KP-2018/989	1 268 Nepean Highway	PARKDALE	11/12/2018	28/02/2019	The construction of a front fence with a height greater than 1.2 metres	Permit	No
KP-2012/476/B	8-12 Lochiel Avenue	EDITHVALE	14/02/2019	28/02/2019	Develop the land for the construction of eight (8) dwellings, partial demolition of a building, pruning of a significant tree, and construct a building or construct or carry out works within the specified Tree Protection Zone of the	Permit	No

					significant tree at No. 8-12 Lochiel Avenue, Edithvale		
KP-2018/438	25 Shearman Crescent	MENTONE	1/06/2018	28/02/2019	Develop the land for two (2) dwellings	Permit	No
KP-2017/809	6 Jirrah Court	ASPENDALE	20/10/2017	28/02/2019	Develop the land for the construction of Two (2) double storey Dwellings on Lot 7 and alterations to existing building (garage) on Lot 6	Withdrawn	No
KP-2015/868/A	41 Downard Street	BRAESIDE	19/09/2018	28/02/2019	Develop the land for the construction of buildings and works and to use the land for a brothel	Permit	No
KP-2018/534	1 High Street	MORDIALLOC	6/07/2018	28/02/2019	Develop the land for three (3) dwellings in accordance with the endorsed plans	Permit	No
KP-2018/1005	217-227 Kingston Road	HEATHERTON	14/12/2018	28/02/2019	The use of the land for leisure and recreation (private dog park) and construct and display business identification signage in accordance with the endorsed plans	Permit	No
KP-2017/91	18 French Avenue	EDITHVALE	10/02/2017	28/02/2019	The development of a second dwelling and buildings and works to the existing dwelling in accordance with the endorsed plans	Notice of Decision	No
KP-2016/859	30 Lanark Street	CLAYTON SOUTH	13/10/2016	28/02/2019	Develop the land for the construction of three (3) dwellings	Permit	No

Planning Committee Meeting

20 March 2019

Agenda Item No: 4.2

KP-2018/583 - 99 CAVANAGH STREET CHELTENHAM

Contact Officer: Rochelle Reinhardt, Statutory Planner

Purpose of Report

This report is for the Planning Committee to consider Planning Permit Application No. KP-2018/583 - 99 Cavanagh Street Cheltenham.

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 construction of an extension to the existing building, a reduction of the car parking requirement (to zero) and the sale and consumption of liquor associated with a food and drink premises (Section 1 Use) in accordance with the endorsed plans at 99 Cavanagh Street Cheltenham, subject to the conditions contained within this report.

This application requires a decision by the Planning Committee, as it is considered to be a high-profile application.

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

EXECUTIVE SUMMARY			
Address	99 Cavanagh Street, Cheltenham		
Legal Description	Lot 2 on PS 044526		
Applicant	Ewert Leaf Pty Ltd		
Planning Officer	Rochelle Reinhardt		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 34.01 – Commercial 1 Zone		
Overlays	None		
Particular Provisions	Clause 52.06 – Car Parking Clause 52.27 – Licenced Premises Clause 52.34 – Bicycle Facilities		
Permit Trigger/s	Clause 34.01 – 4 – Construct a building or construct or carry out works Clause 52.06 – To reduce (including reduce to zero) the number of car parking spaces required Clause 52.06-5 Clause 52.27 – Use land to sell or consume liquor		
APPLICATION / PROCESS			
Proposal	The construction of an extension to the existing building, a reduction of the car parking requirement (to zero) and the sale and consumption of liquor associated with a food and drink premises (Section 1 Use) in accordance with the endorsed plans		
Reference No.	KP-2018/583	RFI Received	9 November 2018
App. Received	19 July 2018	App. Amended	N/A
Site inspection	Yes		
S.52 Advertising	Commenced: 29 November 2018	Advertising Completed	Yes – 17 December 2018
S.55 Referrals	None		
Internal referrals	Yes		
Objection(s)	Forty-five (45) (TRIM checked on 13/02/2019)		
LEGISLATIVE			
Covenant/other Restriction	Yes – Covenant B562138	Complies: YES	
CHMP	Yes, however exempt from providing a CHMP		
Considered Plans	Ewert Leaf, Project No. 1805, Drawing No's. TP-000 – TP-600 inclusive, Revision B, dated and submitted on 9 November 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

Built form	A single storey, face brickwork commercial building with a skillion roof and double garage/loading bay occupies the land. The existing building has a site coverage of approximately 90% and is built to the south, east and west boundaries of the site. The central portion of the northern wall is setback approximately 1.5 metres from the side boundary. The building was previously used for a Milk Bar but is now vacant.
Size (m²)	Approximately 180m ²
Topography	The land has a slight slope of approximately 1.5 metres that falls from the north east to south west.
Vegetation	Void of any vegetation.
Easement(s)	None.
Footpath assets / access	Access to the site is achieved via a pedestrian entrance in the centre of the front façade providing access from Cavanagh Street. Access is also achieved via a roller door at the rear providing vehicle/loading bay access from Fairview Lane. A third access point exists in the form a pedestrian door on the northern side of the building providing access to Cavanagh Lane. A power pole, Telstra phone box, Australia post box, public bench and bin are situated on the footpath at the front of the site.
Covenant(s) / Restrictions	Covenant B562138, listed on the Certificate of Title, restricts the use of the land at Lots 3 to 11 (both inclusive) of Plan of Subdivision 044526. The proposed development is situated on land at Lot 2 of PS 04456, therefore, it does not breach the requirements of the Covenant.

3.0 SURROUNDING ENVIRONS

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

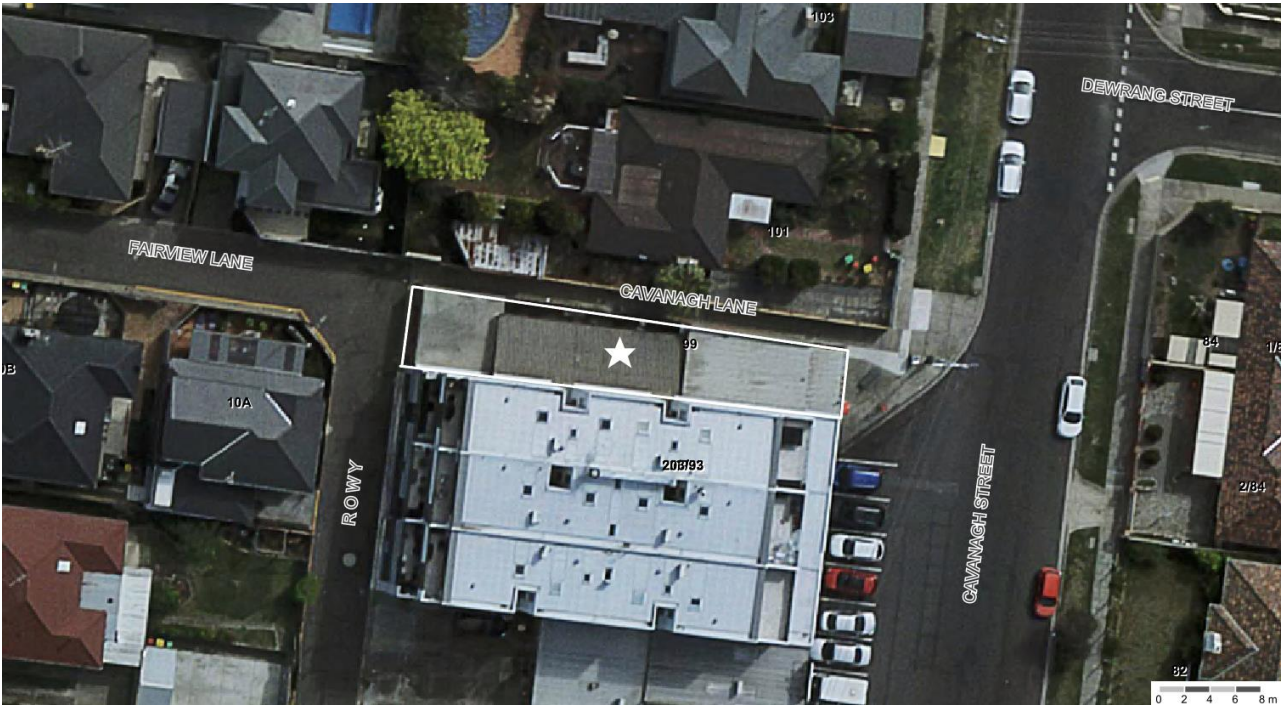


Figure 1: Aerial image of the subject site and surrounds



Figure 2: View of the front of the subject site



Figure 3: View of the rear of the subject site

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

<p>North (side)</p>	<p>Opposite Cavanagh Lane, No. 101 Cavanagh Street is occupied by a single storey detached weatherboard dwelling with a pitched tile roof, associated outbuildings and a 1.7 metre high timber picket front fence. The dwelling is setback 3.5 metres from the southern (side) boundary to accommodate the driveway and garage which are situated along the southern boundary of the site.</p>
<p>East (front)</p>	<p>Opposite Cavanagh Street, Unit 1 and 2 of No. 84 Cavanagh Street form part of a five (5) unit development. The units are attached single storey face brickwork dwellings with pitched tile roofing. Both units are setback approximately 7 metres from the western boundary to accommodate areas of secluded private open space, which are surrounded by high side fencing. Unit 1 is accessed via Dewrang Street and Unit 2 is accessed via Cavanagh Street.</p>
<p>South (side)</p>	<p>No. 93-97 Cavanagh Street is occupied by a three (3) storey mixed use building which includes three (3) commercial tenancies and residential/retail car parking at the ground floor. The ground floor tenancies are currently used for a Café and a Hairdresser. The first and second floors are developed for</p>

	<p>twelve (12) apartments and include areas of secluded private open space in the form of balconies facing either Cavanagh Street or Fairview Lane.</p> <p>The site includes residential pedestrian access at the south east corner providing access to Cavanagh Street. Vehicle access is provided at the rear via Fairview Lane.</p>
West (rear)	<p>Opposite Fairview Lane, No. 10A and 10B Fairview Avenue are occupied by two (2) detached dwellings. The original dwelling (No. 10B), which is orientated to face Fairview Avenue, is constructed of render and pitched tile roofing and includes vehicle access to Fairview Lane on the northern boundary. The dwelling at No. 10A was developed recently and is constructed of face brickwork, weatherboard and a pitched tile roof. Pedestrian access to No. 10A is achieved via a walkway from Fairview Avenue on the south side of the site and vehicle access is provided on the eastern boundary to Fairview Lane.</p>

- 3.3 The subject site is located on the northern edge of a commercial strip at the interface with the surrounding residential land. The Commercial 1 Zoned land includes the properties from No. 69 to 99 Cavanagh Street comprising of approximately seven (7) commercial properties with apartments above No. 93-97 and a two (2) storey apartment building located at the southern edge of commercial strip. The current commercial uses include a hairdresser, a café, a graphic design and publishing office, a building design and drafting office, a laundromat and an electrical services office. Twenty-six (26) public car parking spaces exist in front of the commercial strip in the form of 90 degree car parking.
- 3.4 The residential area which surrounds the commercial strip generally comprises of dwellings in the form of detached houses, older style semidetached units and contemporary attached townhouses and unit developments.

4.0 PROPOSAL

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

Description	<p>The proposal for buildings and works associated with the use of a food and drink premises (Section 1 'as of right' use) and the sale and consumption of liquor is detailed as follows:</p> <ul style="list-style-type: none"> • Demolish the existing internal walls, the front façade, the central portion of the northern wall and the roof. • Construction of a new ground floor front and side façade, ground floor internal fit out to include a kitchen, bar, seating area, three (3) toilets, a cool room and a loading area at the rear. The proposal also includes the construction of an internal staircase, a first floor office with a toilet and balcony at the rear and a new roof with seven (7) sky lights on the northern side. • The proposed building alterations would have an overall height of 4.75 metres at the front of the site and 6.1 metres at the rear due to the slope in the land. • The premises is proposed to operate from 7am to 12am (liquor service from 11am to 12am) and a maximum of 74 patrons would be permitted inside the premises.
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	<ul style="list-style-type: none"> The applicant seeks to obtain a General Licence to allow the sale of liquor on and off the premises (takeaway).
Access and car parking	<p>The proposal includes a reduction in the size of loading bay area at the rear, whilst maintaining the rear loading roller door access. No car parking is proposed as part of the development.</p> <p>The alterations to the front façade would result in the pedestrian entrance to be recessed 1 metre from the front boundary and shifted slightly north along the frontage.</p>
Building materials	<p>Red brick, charcoal timber cladding, charcoal metal sheeting and white render.</p>

5.0 PLANNING PERMIT PROVISIONS

Zone

- 5.1 Commercial 1 Zone: Pursuant to **Clause 34.01-1** of the Kingston Planning Scheme, a planning permit **is not required** for the use of a Food and Drink Premises, as it is nested under Retail Premise pursuant to Clause 73.03, which is a Section 1 Use in the Commercial 1 Zone.
- 5.2 Pursuant to **Clause 34.01-4** of the Kingston Planning Scheme, a planning permit **is required** to construct a building or construct and carry out works.

Overlay

- 5.3 No overlays effect the land.

Particular Provisions

- 5.4 **Clause 52.06 - Car Parking** contains the following food and drink premises car parking rate:

4 spaces to each 100sq. metre of leasable floor area

The proposal increases the leasable floor area to approximately 233 sq. metres which equates to a parking requirement of **eight (8)** spaces for the proposed use and development.

As no car parking spaces are proposed, a planning permit is required pursuant to Clause 52.06-3 to reduce the car parking requirement.

- 5.5 **Clause 52.27** (Liquor premises) – A planning permit is required to use land to sell or consume liquor.
- 5.6 **Bicycle Facilities:** A specific bicycle parking requirement for a food and drink premises is not provided within **Clause 52.34**, therefore, for the purposes of assessing bicycle parking requirements, the proposal will be classified as a retail premise. A retail premise requires the following bicycle parking rate:

1 space to each 300sq. metre of leasable floor area for employees

1 space to each 500sq. metre of leasable floor area for patrons

- 5.7 Given that the proposed premise is less than 300 and 500 sq. metres, the proposal is not required to provide bicycle parking and does not trigger a planning permit under **Clause 52.34**.

General Provisions

- 5.8 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, loading and unloaded facilities 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 17 Economic Development
- Clause 18 Transport

6.2 Local Planning Policy Framework (LPP)

- Clause 21.06 Retail and Commercial Land Use

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. Forty-five (45) objections to the proposal and eighteen (18) letters of support were received, as well as petition of support with twenty eight (28) signatures. The grounds of objection raised are summarised as follows:

- Location of subject site and proximity to residential land
- Amenity impacts
- Proximity to retirement homes and schools
- Consumption of alcohol
- Hours of operation
- Noise
- Smells/fumes
- Anti-social behaviour
- Car parking and traffic
- Lack of public transport
- Restrictive covenant

The aspects included in the letters of support are summarised as follows:

- Enhancing the sense of community
- Assessible for people with a disability
- Walkable location

- Improve the existing building

8.0 PLANNING CONSULTATION MEETING

- 8.1 A planning consultation meeting was held on 7 February 2019 with the relevant Planning Officer, the Permit Applicant and twenty (21) objectors/supporters in attendance. The above-mentioned issues were discussed at length.
- 8.2 The above concerns were unable to be resolved at the meeting, and the objections still stand.

9.0 REFERRALS

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

Internal Referrals

Department / Area	Comments
Traffic Engineer	No objection raised, subject to conditions included on any permit issued limiting the number of patrons permitted on site and requiring the provision of a construction management plan. The referral response is discussed in detail under section 10 of this report.
Building Department	No objection raised. The referral comments highlighted that the sanitary facilities and floor area are sufficient for in accordance with the Building Code of Australia. Furthermore, the proposed building and associated mechanical ventilation will be required to be assessed by the building surveyor who will issue the building permit to ascertain if it complies.

External Referrals

Department	Section 52/55	Determining / Recommending	Objection	Comments
Victoria Police	52	Recommending	No objection	No adverse finding were found in the area surrounding the subject site.

10.0 PLANNING CONSIDERATIONS:

Planning Policy Framework

- 10.1 The Planning Policy Framework sets out the relevant state-wide policies for commercial use and development at **Clause 11** (Settlement), **Clause 13** (Environmental Risks and Amenity), **Clause 15** (Built Environment and Heritage) 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).
- 10.2 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 the use of urban land, **Clause 11** promotes the creation of a consolidated sustainable city by providing better access to services and facilities.
- 10.3 **Clause 13** (Environmental Risks and Amenity), in particular, **Clause 13.05-1S** relates to the control of noise impacts on sensitive land uses.

- 10.4 **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.
- 10.5 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 10.6 The Subject Land **is** identified in an area of Aboriginal Cultural Heritage Sensitivity, however the Planning Officer has completed the Aboriginal Heritage Planning Tool on the Department of Planning and Community Development (DPCD) website and established that the proposed activity is **exempt** from requiring a Cultural Heritage Management Plan. A copy of the planning questionnaire tool is attached for reference purposes.
- 10.7 **Clause 17** (Economic development) further advances on the strategies of Clause 11 by encouraging development that meets the community's needs for entertainment and this is implemented to through the following relevant strategies:
- *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*
 - *Locate commercial facilities in existing or planned activity centres.*
 - *Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.*
- 10.8 The planning for an integrated and sustainable transport system is directed under **Clause 18** (Transport). This policy aims to improve accessibility and promote the use of alternative modes of transport whilst also managing car parking demand and protecting residential amenity.
- 10.9 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 commercial purposes, whereby the use of food and drink premises is an 'as of right' use under the zoning provisions and is assessible for the surrounding community. The proposal will contribute to enhancing the existing small local centre by providing a different type of venue and service than what currently exists in this commercially zoned land. This is consistent with numerous policies which seek to encourage a mix of complimentary commercial uses and services for local residents.

Local Planning Policy Framework

- 10.10 The City of Kingston's MSS at **Clause 21.06 – Retail and Commercial Land Use** of the Kingston Planning Scheme, seeks to provide guidance on the use and hierarchy of commercial zoned land and highlighting that a one of the key issues for the traditional strip centres is the sometime *'poor physical image, lack of cohesiveness and poor accessibility'*.
- 10.11 Objective 6 within **Clause 21.06** is particularly relevant and states *'to encourage smaller local centres which are not identified in the Kingston Activity Centre Hierarchy to provide for a limited mix of uses which are complementary to local function of that centre'*. The strategies included to achieve this objective are as follows:
- *Promote the retention of local centres by providing for a limited mix of uses and limited development where it can be demonstrated that the additional development will not impact on the surrounding residential amenity.*
 - *Encourage activities (eg café) which provide for community interaction at a local level.*

- *Providing opportunities when appropriate to facilitate home office activities to foster greater land use mix and sustain the small local centres.*

10.12 Council's Local Planning Policy at **Clause 21.06** essentially reinforces State Planning Policy relevant to providing community facilities, stressing the need for facilities to be within convenient walking distance and to provide local employment and support local economies.

10.13 The proposed development of the existing commercial building would enhance the appearance of the Cavanagh Street commercial strip and provide a local food and drink premises which is accessible for the surrounding residents. Therefore, the proposal is considered appropriate when assessed against the objectives of Clause 21.06.

Zoning Provisions

10.14 **Commercial 1 Zone - Clause 34.01-8** provides decision guidelines which provide a basis for Council to consider if the proposed buildings and works are considered appropriate for the site. The decision guidelines relevant to the proposal are listed as follows:

- *The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.*
- *The provision of car parking.*
- *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.*
- *The storage of rubbish and materials for recycling.*
- *Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *The availability of and connection to services.*
- *The design of buildings to provide for solar access*

10.15 It is considered that the proposed buildings and works associated with the 'as of right' food and drink are appropriate for the subject site. The buildings and works to the existing building would enhance the overall external appearance of the building and improve the solar access within the building. Furthermore, the proposal seeks to maintain the existing rear access and provides a large area at the rear to ensure that waste removal and deliveries are managed appropriately and do not block the laneway at the rear.

10.16 The increased proposed building height, which ranges from 4.75 to 6.1 metres, would not result in significant over shadowing impacts to the neighbouring dwelling to the west (No. 10A Fairview Avenue) during the morning hours due to the width of the laneway at the rear. Whilst no significant overshadowing impacts would occur, the proposal includes the construction of a first floor balcony at the rear, within 9 metres of the secluded private open space associated with this dwelling. The proposed balcony includes a 1.1 metre glass balustrade above the finished floor level, which would result in overlooking impacts on the neighbouring dwelling. Therefore, it is recommended a condition be included on any permit issued which states 'the provision of a balustrade to a height of 1.7 metres above finished floor level, which is no more than 25% transparent, to the first floor balcony'.

Particular Provisions

- 10.17 As identified earlier in Section 5.6 of this report, a planning permit is triggered for a reduction in the car parking requirement as **Clause 52.06** requires the provision eight (8) on-site car parking spaces and the proposed development does not incorporate any onsite car parking spaces.
- 10.18 The applicant provided a car parking demand assessment, prepared by MGA Traffic Pty Ltd (completed July 2018), which assessed the car parking demand in the surrounding area at 11am, 1pm, 3pm, 5pm, 7pm and 9pm on a typical Friday and Saturday. The car parking surveys found that, of the 95 public car parking spaces that exist within 200 metres of the subject site, over 45 car parking spaces were available at all survey times. An assessment of this car parking demand survey by Council's Traffic and Transport Engineer deemed the waiver acceptable, given the availability of on street car parking within the area.
- 10.19 Whilst this assessment of the surrounding on street car parking availability was considered appropriate by Council's Traffic Engineer, concern was raised by objectors to the application about existing traffic congestion and car parking issues, with people parking illegally and blocking driveways/not obeying the road rules, within Cavanagh street and the lack of public transport around the venue. It is noted that these concerns are not considered to be concerns which can be dealt with through the current planning permit application process but are Local Law and traffic management issues. After the planning consultation meeting, these concerns were passed onto to Council's Traffic Engineers.
- 10.20 Any concerns about potential increases in traffic as a result of the proposed venue are deemed appropriate due to the sufficient evidence submitted that there is substantial on street car parking available.
- 10.21 It is noted that **Clause 52.06-3** states '*a permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:*
- *The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.*
 - *The gross floor area of the building is not increased.*
 - *The reduction does not exceed 10 car parking spaces.*
 - *The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.*
- Whilst the proposal does not qualify for this exception (due to the proposed first floor office addition), it is possible for many of the commercial properties within Cavanagh Street to be used for food and drink premises' (an 'as of right' use) without triggering the need for a planning permit for a reduction in car parking requirement.
- 10.22 The proposed waiver in the car parking requirement and reliance on on-street parking, when required by patrons and staff, is considered appropriate for the following reasons:
- The car parking demand generated by the proposed use could to be accommodated in the surrounding streets.
 - The proposal is supported by Council's Traffic Engineer.
 - The subject site is located in close proximity to residential land, therefore, it is likely that most patrons will reside in the local area and choose to walk.

- 10.23 **Clause 52.27** (Licensed Premises) - The purpose of the Licensed Premises provision is to ensure that licensed premises are situated in appropriate locations and that the impact licensed premises may have on the amenity of the surrounding area is considered.
- 10.24 Clause 52.27 requires that before deciding on an application under this provision, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- *The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.*
 - *The impact of the hours of operation on the amenity of the surrounding area.*
 - *The impact of the number of patrons on the amenity of the surrounding area.*
 - *The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.*
- 10.25 The proposed sale and consumption of liquor is assessed against the abovementioned decision guidelines as follows:

The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.

Whilst broadly the sale and consumption of liquor may result in increased occurrences of nuisance such as noise and antisocial behaviour from intoxicated persons, this is considered to be a generalisation and not representative of all businesses which offer the sale of liquor from their venues. Concurrently, the sale and consumption of liquor and a licensed premise can enhance the vitality of an area and provide direct and indirect economic benefits to the local community.

Given the residential nature of the surrounding environs, it is considered that the key matters requiring amenity consideration is the potential for the licensed premises to generate noise and antisocial behaviour in the area.

In this instance, the licenced area and associated facilities are proposed to be accommodated within the building. This would ensure that there would be no instances where people would be consuming alcohol outside of the subject site as part of the planning application. Should the applicant wish to have table and chairs within the footpath area and have patrons consume alcohol in that area, any future proposals to utilise the footpath trading area would be subject to separate Council approval.

Whilst the applicant does seek to obtain a General Liquor Licence, which may result in patrons purchasing packaged liquor and consuming it outside of the premises, this aspect of the proposal can be likened to the use of a bottle shop, which is common use situated small commercial shopping strips. Furthermore, it is noted that it is currently legal for members of the public to consume alcohol in public areas surrounding the subject site.

To ensure that noise associated with the sale and consumption of liquor does not cause amenity issues, it is recommended that typical conditions associated with the protection of amenity and limitation of noise emissions be included on the permit.

Furthermore, it should be noted that this site is located in the Commercial Zone, therefore, it is not anticipated that noise generated by deliveries or waste collection associated with the consumption of liquor would be unreasonable or beyond normal expectations within the Commercial 1 Zone.

The impact of the hours of operation on the amenity of the surrounding area.

Generally, the proposed hours of operation on a Friday or Saturday are considered appropriate for the commercial land, noting that the intended business model is for quiet high-end wine bar type premises and does not include the use of amplified music, as opposed to a pub or club which generally attract large crowds and have amplified music.

Whilst the proposed weekend operating hours are considered appropriate, it is considered that the proposed closing time during week nights, being 12am, is unreasonable for the location of the site, being in close proximity to residential land. Given the sites residential interface, it is recommended that the closing time be reduced to 10pm from Sunday to Thursday to respect the amenity of the area. It is therefore recommended that the service of alcohol be restricted as follows:

- Friday and Saturday: 11am to 12am (last drinks sold at 11:30pm)
- Sunday to Thursday: 11am to 10pm (last drinks sold at 9:30pm)

The impact of the number of patrons on the amenity of the surrounding area.

In relation to patron numbers, the proposal seeks permission for a maximum of 74 patrons within the premises, including 42 internal seats. The applicant has noted that the maximum of 74 patrons is only likely occur when the tables and chairs are removed, and the venue is used for an event where patrons would stand rather than sit. Whilst events at the premises is typical of this type of venue and is an appropriate use of the premises, given the residential nature of the surrounding area, it is considered that the proposal for 74 patrons is excessive, particularly when having regard for the use as put forward by the permit applicant of a high-end wine bar and the small size of the premises. Therefore, it is recommended that the number of patrons consuming alcohol on the premises be limited to 50 patrons by way of condition on the permit. This would result in over 80% of patrons being provided with a seat within the venue on a typical night, which would ensure the venue operates within the proposed scope of a quiet high-end wine bar environment without adversely impacting the amenity of the surrounding area.

Furthermore, the applicant has submitted a licenced premises management plan which provides venue management policies and details how the applicant/manager of the premises would manage the patrons and staff. The plan is considered appropriate and should be endorsed to form part of any permit which will ensure the applicant adheres to the polices within the plan if the amenity of the area is adversely impacted.

The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

In the absence of any benchmarks within the Kingston Planning Scheme to measure cumulative impact, Council relies on the assessment methodology for cumulative impact in the VCAT decision *Swancom Pty Ltd v Yarra CC* (Red Dot) [2009] VCAT 923 as an appropriate methodology for the assessment of this proposal.

The assessment methodology has three key considerations:

- What is the density of licensed premises in the area?
- What is the mix and type of licensed premises in the area?
- What are the existing amenity levels of the area?

A review of Liquor Licences, undertaken by Council’s Planning Officer confirms that there is three (3) licenced premises within 500m of the site which are associated with Le Page Cricket Club, Bernard Street Cellars and IGA on Bernard Street. Consequently, there is considered to be no cumulative impact associated with this proposal and should the proposal result in any amenity impacts, it will be clear which venue the impacts are associated with and relevant action can be taken, as the venues within 500 metres of the subject site consist of bottle shops and a club venue.

Overall, the proposed sale and consumption of liquor, subject to the conditions reducing the hours of operation and maximum number of patrons, is considered appropriate for the site when assessed against the decision guidelines.

11.0 RESPONSE TO GROUNDS OF OBJECTIONS

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

11.2 The following objector concerns, however, remain outstanding:

Ground(s)	Response
Health concerns including smell/fumes	Pursuant to the <i>Planning and Environment Act 1987</i> and Kingston Planning Scheme, this concern falls outside of the scope of planning considerations. Furthermore, these concerns predominantly relate to the existing café next door and impact on the apartments above, therefore, do not relate to the assessment of this application. As noted in section 9.1 of this report, the proposed building and works will require additional building and health permits prior to beginning use ‘as of right’ use.
Close proximity to schools and a retirement home	It is likely that patrons would typically visit the venue outside the typical operating hours of the surrounding schools. Furthermore, as per the submitted venue management plan, the staff will be appropriately trained with Responsible Serving of Alcohol Certificates which ensures that persons under the age of 18 will not be served alcohol. It is also noted that a petition from a surrounding retirement facility in support of the application.

12.0 CONCLUSION:

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

12.2 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.

15.0 RECOMMENDATION

15.1 That Planning Committee determine to **support** the proposal and issue a **Notice of Decision to Grant a Permit for the construction of an extension to the existing building, a reduction of the car parking requirement (to zero) and the sale and consumption of liquor associated with a food and drink premises in accordance with the endorsed plans** at No. 99 Cavanaugh Street Cheltenham, 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. The plans must be substantially in accordance with the advertised plans prepared by Ewert Leaf, Project No. 1805, comprising Drawing No's. TP-000 – TP-600 inclusive, Revision B, dated and submitted on 9 November 2018, but modified to show:

- a. balustrading to a height of 1.7 metres above the finished floor level of the first-floor balcony, which must also be noted as no more than 25% transparent; and
- b. an updated patron management plan which reflects the conditions of this permit as it relates to patron numbers and hours of operation.

Endorsed Plans

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

Construction Management

3. 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:
 - 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
 - h. 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.

Sale and Consumption of Liquor

4. Except with the further consent of the Responsible Authority the use may operate only between the following hours:

Friday and Saturday: 11am to 12am

Sunday to Thursday: 11am to 10pm

Serving of liquor must cease at least 30 minutes before the above-mentioned times.

5. No more than **fifty (50) patrons** are to be permitted on the premises at any one time during the licensed hours.
6. The sale and consumption of liquor must only occur from the red line area, to the satisfaction of the Responsible Authority.

Amenity

7. The endorsed patron management plan must be implemented and continue to be maintained, to the satisfaction of the Responsible Authority.
8. The amenity of the area must not be detrimentally affected by the use, including through the:
 - i) Transport of materials, goods or commodities to or from the land.

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- ii) Appearance of any building, works or materials.
 - iii) Artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - iv) Presence of vermin.
 - v) Any other way.
9. The licensing of the venue must not cause any nuisance or annoyance to persons beyond the land because of the emission of noise, or otherwise, to the satisfaction of the Responsible Authority.
10. Noise levels emanating from the premises must not exceed those required to be met under the relevant State Environment Protection Policy (SEPP) to the satisfaction of the Responsible Authority.

General amenity conditions

11. 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.
12. 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.
13. 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

14. Prior to the occupation of development 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.

Time Limits

15. 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 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.
 - The use is discontinued for a period of two (2) years.

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

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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.

OR

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

1. The proposal is contrary to the strategies and objectives of Clause 21.06 (Retail and Commercial Land Use) of the Kingston Planning Scheme.
2. The proposal does not meet the requirements of Clause 52.06 (Car Parking) of the Kingston Planning Scheme.
3. The proposal does not align with the purposes of Clause 52.27 (Licensed Premises) of the Kingston Planning Scheme.

Appendices

Appendix 1 - KP-2018/583 - 99 Cavanagh Street Cheltenham - Considered plans (Ref 19/34969)

Appendix 2 - KP-2018/583 - 99 Cavanagh Street Cheltenham - CHMP questionnaire (Ref 19/35734)

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DRAWING LIST	
TP-000	COVER PAGE
TP-001	EXISTING SITE PLAN / SITE ANALYSIS
TP-002	EXISTING EXTERIOR FLOOR PLAN
TP-003	EXISTING ROOF PLAN
TP-004	EXISTING SCREENING
TP-005	DEMOLITION EXTERIOR FLOOR PLAN
TP-006	DEMOLITION ROOF PLAN
TP-007	DEMOLITION SCREENING
TP-008	PROPOSED SITE PLAN / DESIGN RESPONSE
TP-009	PROPOSED EXTERIOR FLOOR PLAN
TP-010	PROPOSED ROOF FLOOR PLAN
TP-011	PROPOSED SCREENING
TP-012	PROPOSED EXTERIOR FLOOR PLAN
TP-013	PROPOSED ROOF PLAN
TP-014	PROPOSED SCREENING
TP-015	PROPOSED EXTERIOR FLOOR PLAN
TP-016	PROPOSED ROOF PLAN
TP-017	PROPOSED SCREENING
TP-018	LEGEND / INDEX



AERIAL IMAGE
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REV	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY
1	2018/06/05	FOR TOWN PLANNING						
2	2018/06/05	FOR TOWN PLANNING						

PROJECT
JOANS
99 CAVANAGH STREET
CHELTENHAM 3192
VIC 3192

TOWN PLANNING DRAWINGS
DRAWING FILED
COVER PAGE
SCALE: A3
PROJECT NO: 1805
DRAWN BY: [Name]
DATE: JUNE 05 18



AERIAL VIEW



VIEW OF SUBJECT SITE FROM CAVANAGH STREET



VIEW OF SUBJECT SITE FROM FAIRVIEW LANE



VIEW OF ADJOINING RESTAURANT FRANK'S

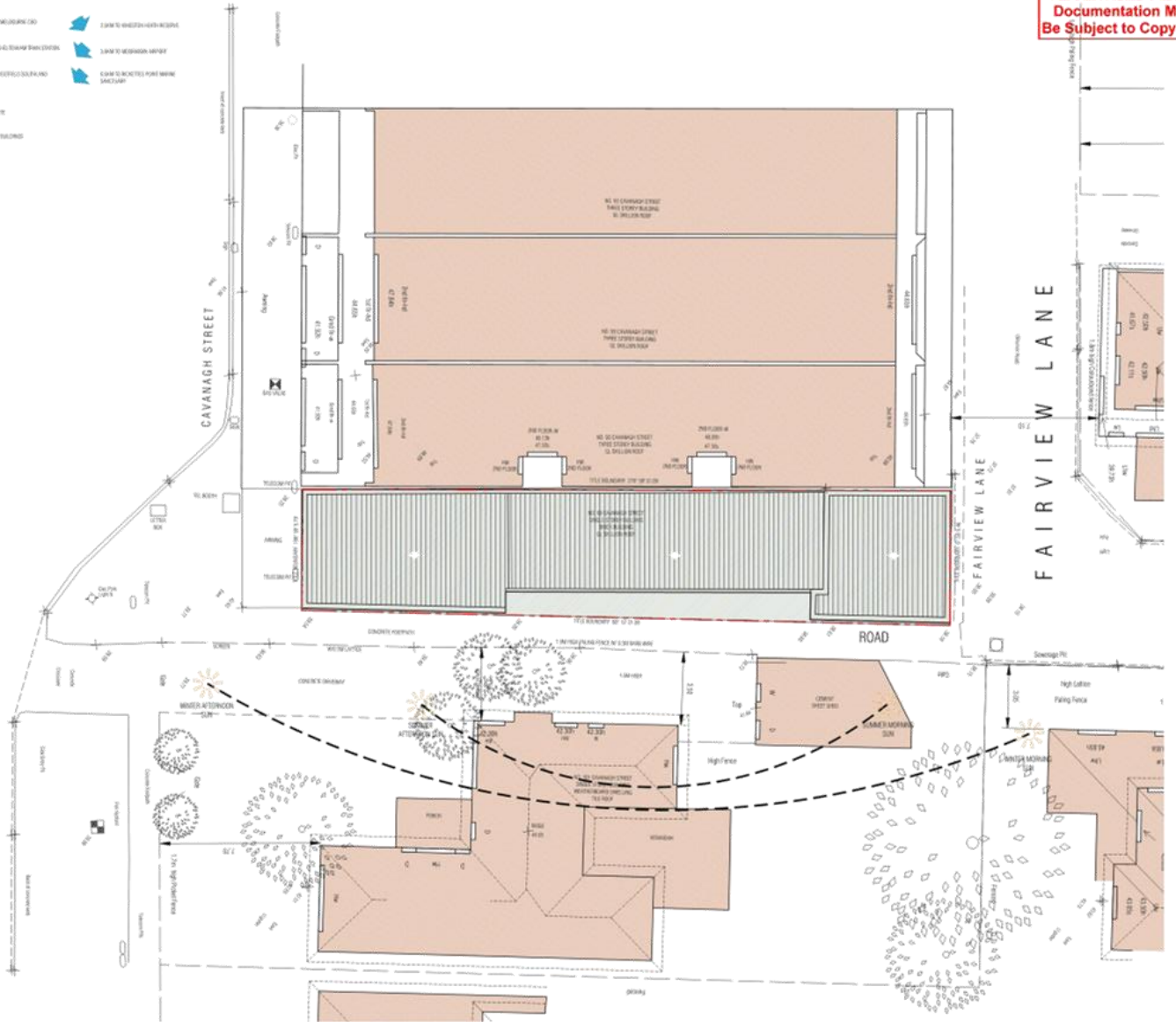


VIEW OF NEIGHBORING PROPERTIES - CAVANAGH STREET

- 2.5M TO MIDDLE-LEVEL ROADS
- 2.5M TO MIDDLE-LEVEL ROADS
- 2.5M TO MIDDLE-LEVEL ROADS
- 2.5M TO MIDDLE-LEVEL ROADS
- 2.5M TO MIDDLE-LEVEL ROADS
- 2.5M TO MIDDLE-LEVEL ROADS

CAVANAGH STREET

- SUBJECT SITE
- ADJOINING BUILDINGS



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1	10/11/2023	ISSUE FOR TENDERS	PL			
2	10/11/2023	ISSUE FOR TENDERS	PL			
3	10/11/2023	ISSUE FOR TENDERS	PL			

PROJECT

JOANS

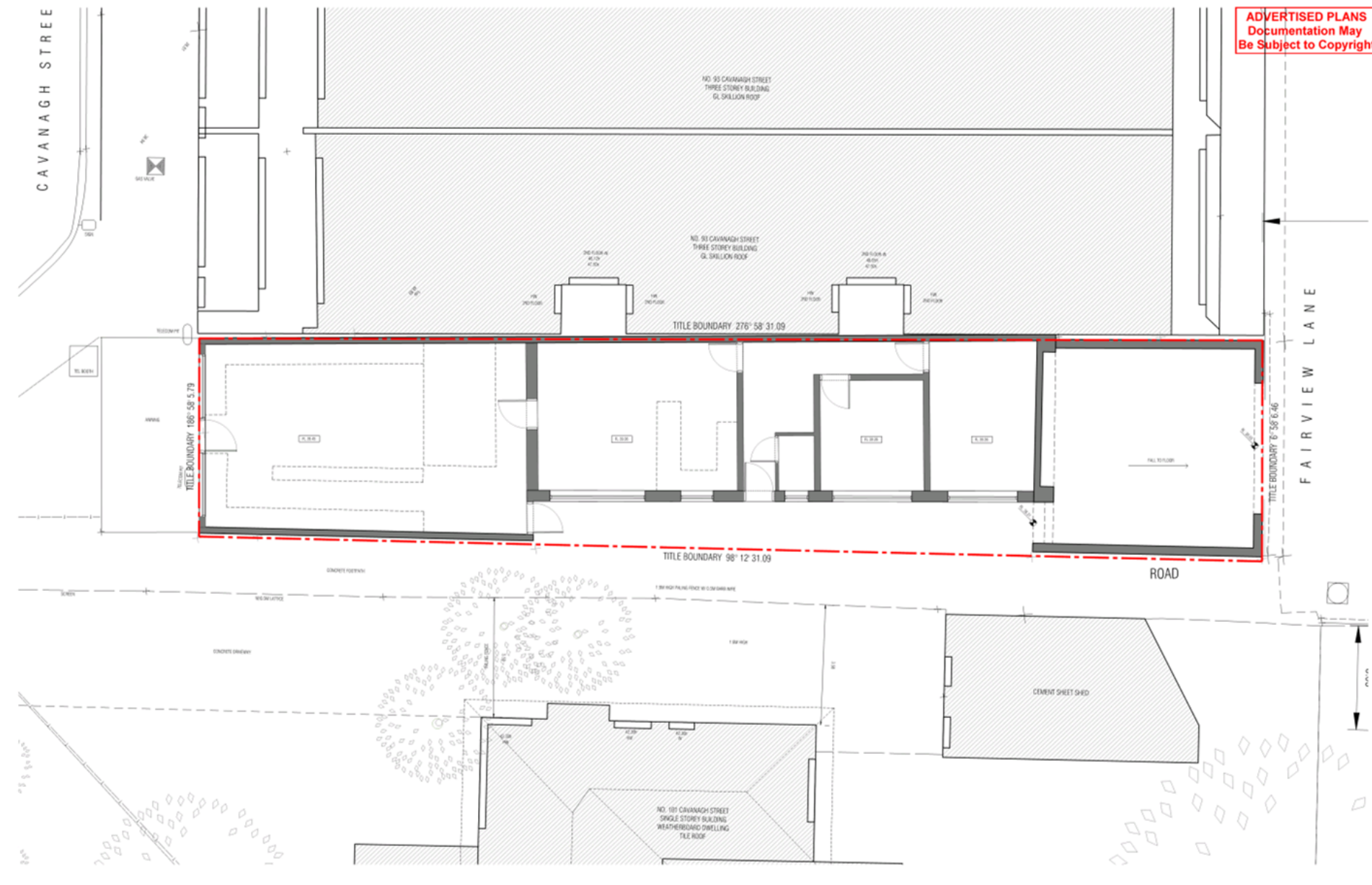
99 CAVANAGH STREET
CHILTERNHAM 3192
VIC 3192

PLANNING DRAWINGS

EXISTING SITE PLAN / SITE ANALYSIS

SCALE: 1:500
DATE: 10/11/2023
PROJECT NO: 1805
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 10/11/2023

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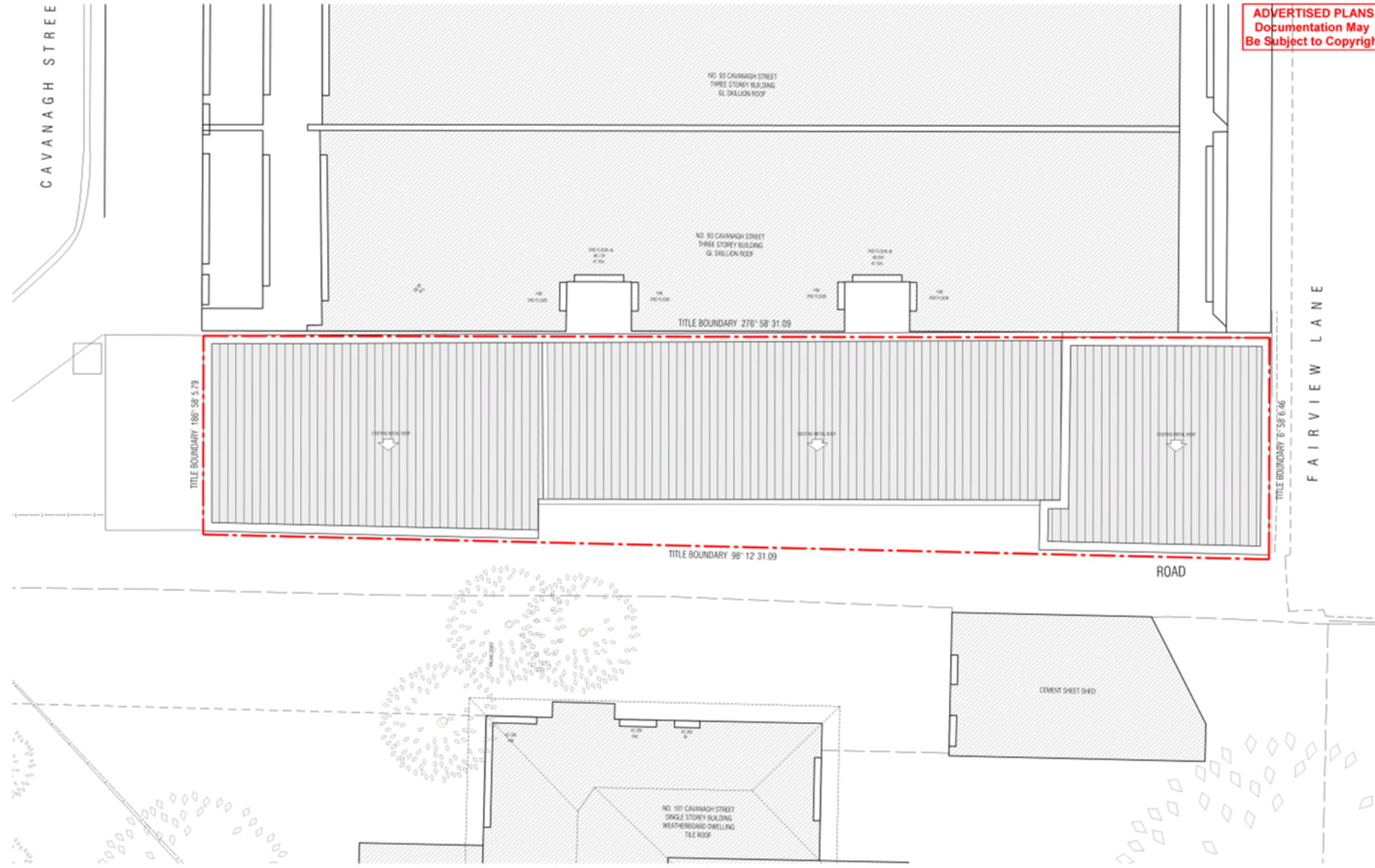
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1	15/06/2018	EXISTING GROUND FLOOR PLAN					
2	15/06/2018	EXISTING GROUND FLOOR PLAN					

PROJECT
JOANS
99 CAVANAGH STREET
CHELTENHAM 3192
VICTORIA

PLANNING DRAWINGS
DRAWING TITLE
EXISTING GROUND FLOOR PLAN
SCALE 1:50
PAGE 01
DRAWN BY
CHECKED BY
DATE
15/06/2018
DRAWN BY

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- All work is to be carried out in accordance with the current building code of Australia and any relevant standards.

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1	10/12/2018	ISSUE FOR TENDERS	10				
2	20/11/2019	REVISED FOR CLIENT APPROVAL	10				

PROJECT
JOANS
99 CAVANAGH STREET
CHILTERNHAM 2192
NSW

PLANNING DRAWINGS
DRAWING FILE:
EXISTING ROOF PLAN
SCALE: 1:50
PAGE: 01
DRAWN: 04
DATE: JAN 2019
PROJECT NO: 1805
DRAWING NO:

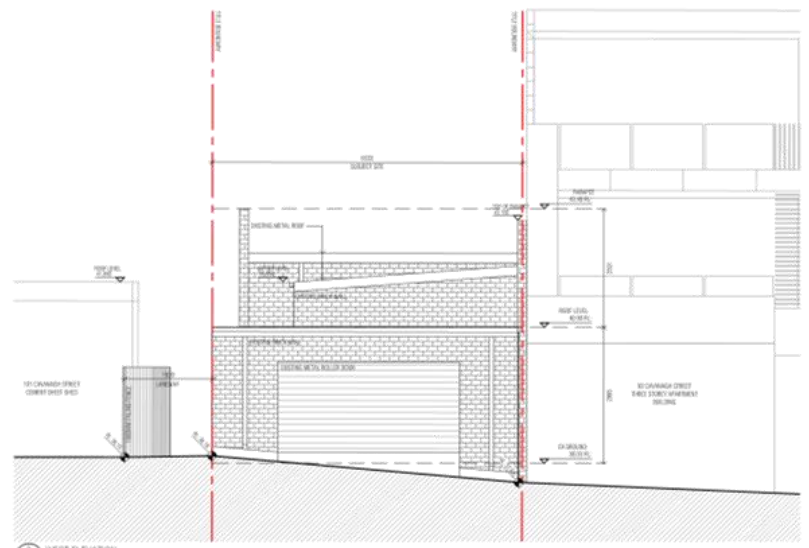
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1 NORTH ELEVATION



2 EAST ELEVATION



3 WEST ELEVATION

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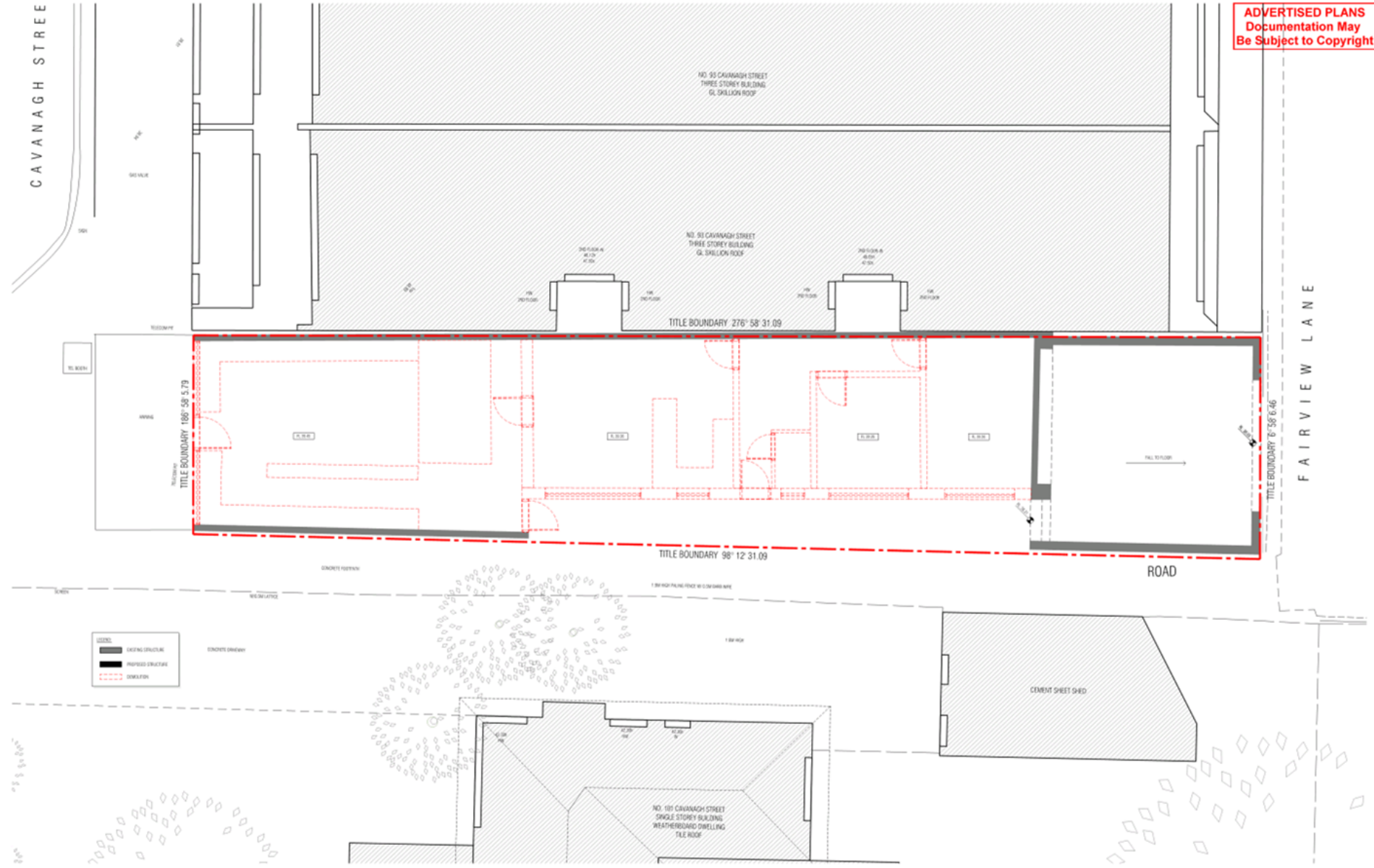
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1	15/06/18	ISSUE FOR TENDERS					
2	15/06/18	ISSUE FOR TENDERS					

PROJECT
JOANS
99 CAVANAGH STREET
CHELTENHAM 3192
L4710004

PLANNING DRAWINGS
DRAWING TITLE
EXISTING ELEVATIONS
SCALE: 1:50
PROJECT: 41
DRAWN: 04
DATE: 15/06/18
PROJECTIVE: 1905
DRAWING NO.

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LEGEND

- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- DEMOLITION

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REV.	DATE	DESCRIPTION	DRAWN	CHK.	DATE	DESCRIPTION	DRAWN
1	12/12/2024	ISSUE FOR TENDER					
2	28/11/2024	REVISED FOR CONTRACT APPROVAL					

PROJECT

JOANS

99 CAVANAGH STREET
CHILTERNHAM 3192
VIC 3192

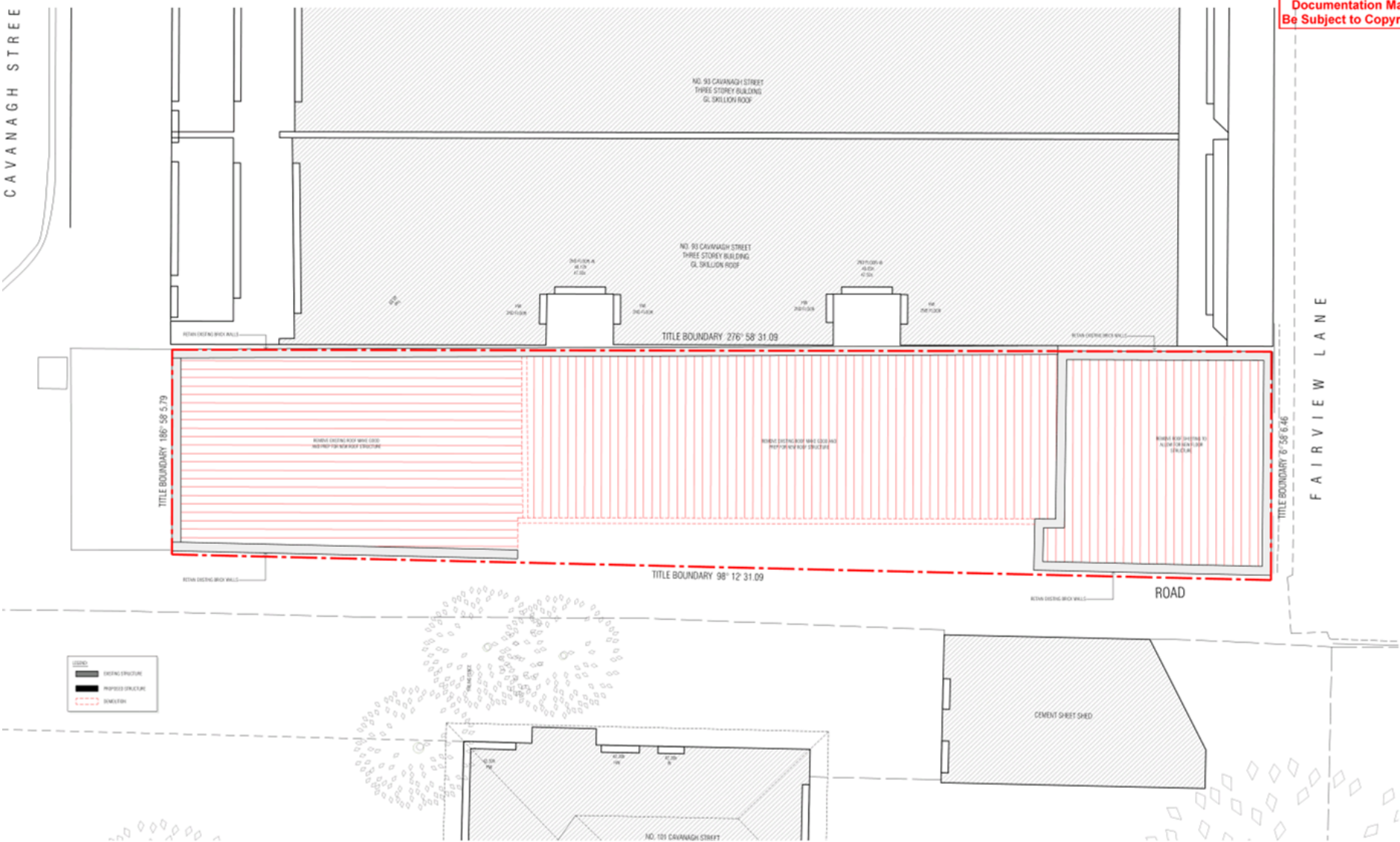
PLANNING DRAWINGS

DRAWING TITLE
DEMOLITION GROUND FLOOR PLAN

SCALE: 1:50
PAGE: 01
DRAWN: 04
DRAWING TITLE

DATE: JUN 2016
PROJECT NO:
1805
DRAWING NO.

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LEGEND
 [Symbol] EXISTING STRUCTURE
 [Symbol] PROPOSED STRUCTURE
 [Symbol] DEMOLITION

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2	06/21/18	REVISED FOR CLIENT APPROVAL				

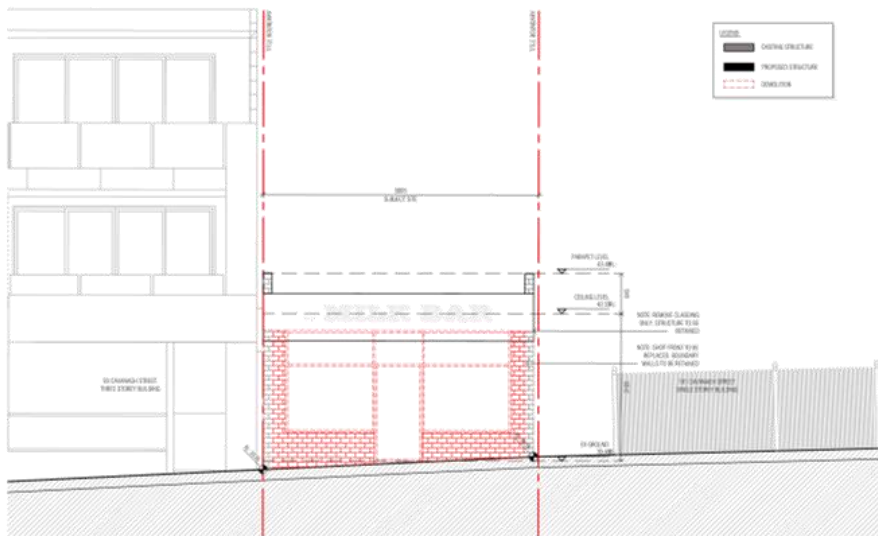
PROJECT
JOANS
 99 CAVANAGH STREET
 CHELTENHAM 3192
 VIC 3192

PLANNING DRAWINGS
 DRAWING TITLE
DEMOLITION ROOF PLAN
 SCALE: 1:50
 SHEET: 01
 DRAWN: 04
 DRAWING CODE: [Symbol]
 DATE: JUN 2018
 PROJECT NO: 1005
 DRAWN BY: [Symbol]

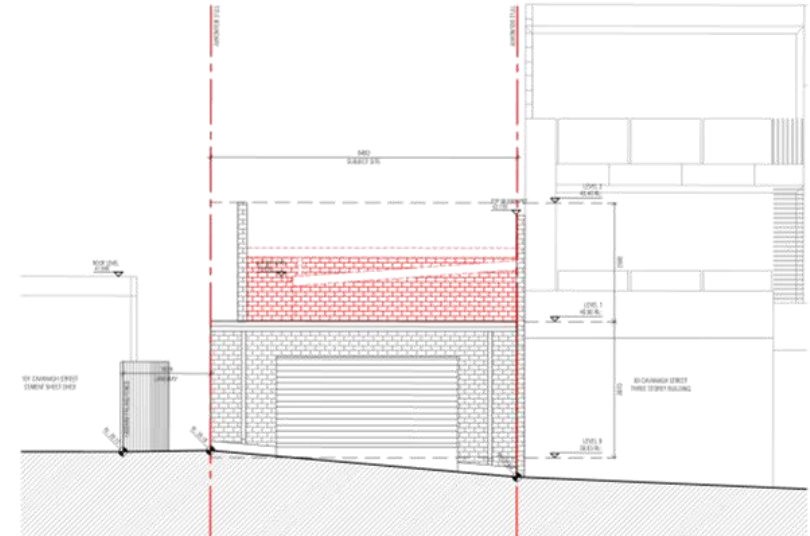
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1 NORTH ELEVATION



2 EAST ELEVATION



3 WEST ELEVATION

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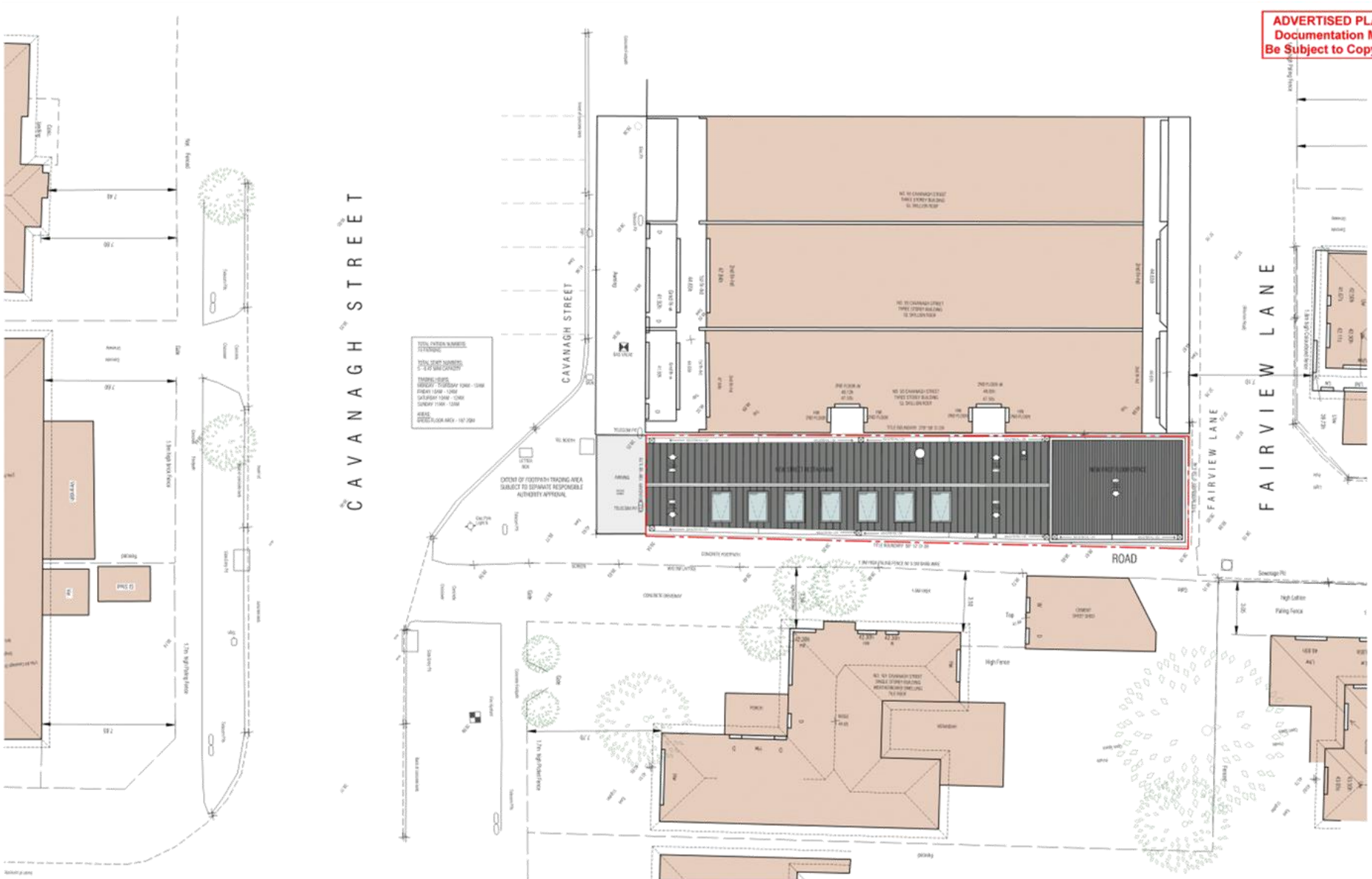
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2	2023-03-15	REVISED FOR CLIENT APPROVAL					

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PROJECT JOAN'S 99 CAVANAUGH STREET CHELTENHAM 2192 ONTARIO	PLANNING DRAWINGS	
	DRAWING TITLE: DEMOLITION ELEVATIONS SCALE: 1/8" = 1'-0" SHEET: 41 DRAWN: SA DRAWING NO.: 2192-0004	DATE: JUN 2024 PROJECT NO.: 1805 DRAWING NO.: 2192-0004

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TOTAL LOT AREA: 187.13M²
 TOTAL COVERED AREA: 107.13M²
 TOTAL OPEN SPACE: 80.00M²
 FLOOR TO FLOOR HEIGHT: 3.00M
 FLOOR TO ROOF HEIGHT: 4.50M
 FLOOR TO GROUND HEIGHT: 1.50M
 FLOOR TO FINISH LEVEL: 1.50M
 FLOOR TO FINISH LEVEL: 1.50M
 FLOOR TO FINISH LEVEL: 1.50M
 FLOOR TO FINISH LEVEL: 1.50M

EXTENT OF FOOTPATH TRACING AREA
SUBJECT TO SEPARATE RESPONSIBLE
AUTHORITY APPROVAL

EWERT LEAF

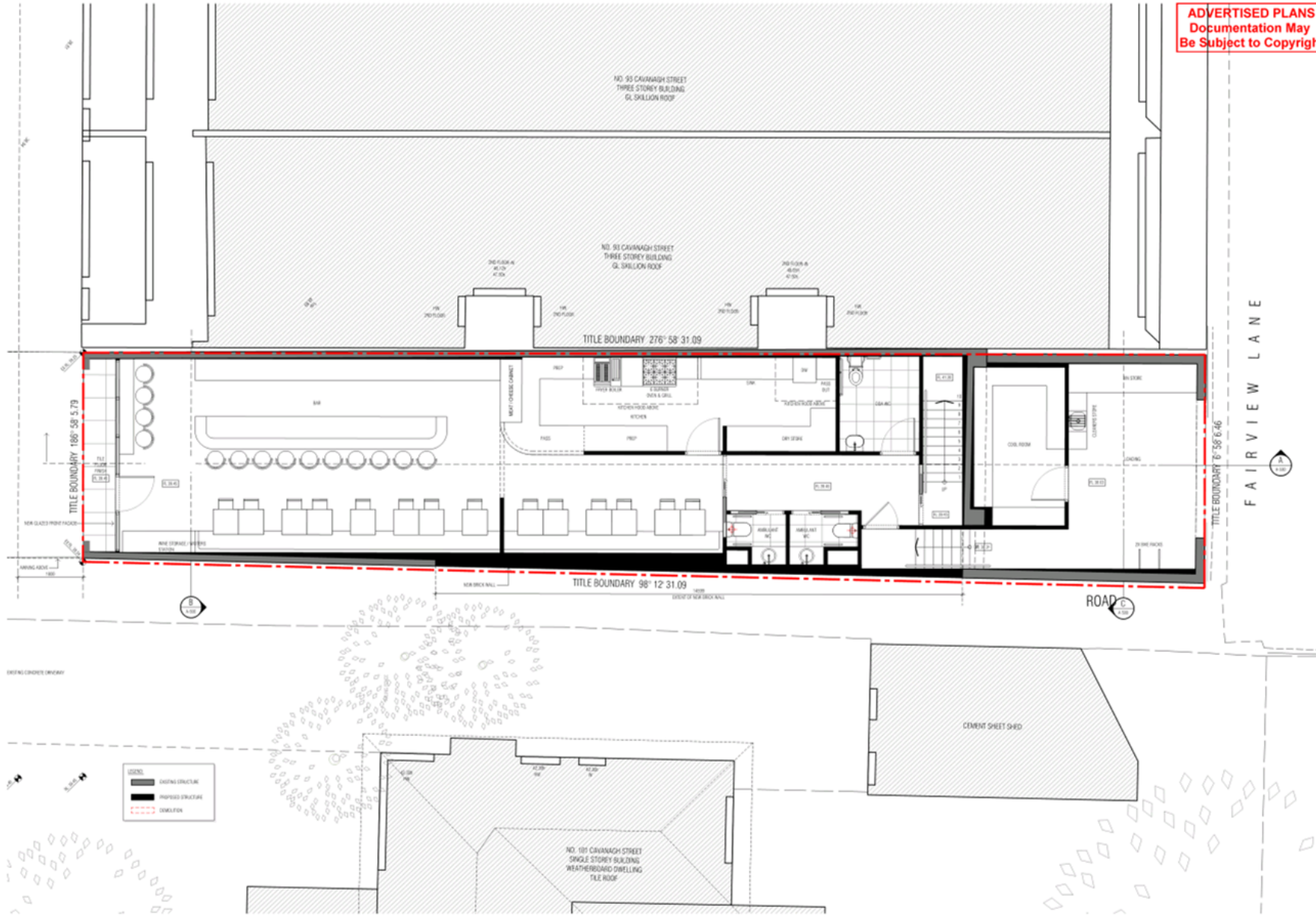
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PROJECT		PLANNING DRAWINGS	
99 CAVANAGH STREET CHELTENHAM 3192 VIC 3192		PROPOSED SITE PLAN / DESIGN RESPONSE	
JOANS		DATE:	JUN 2018
		SCALE:	AS SHOWN
		PROJECT NO:	1905
		DRAWN BY:	
		CHECKED BY:	

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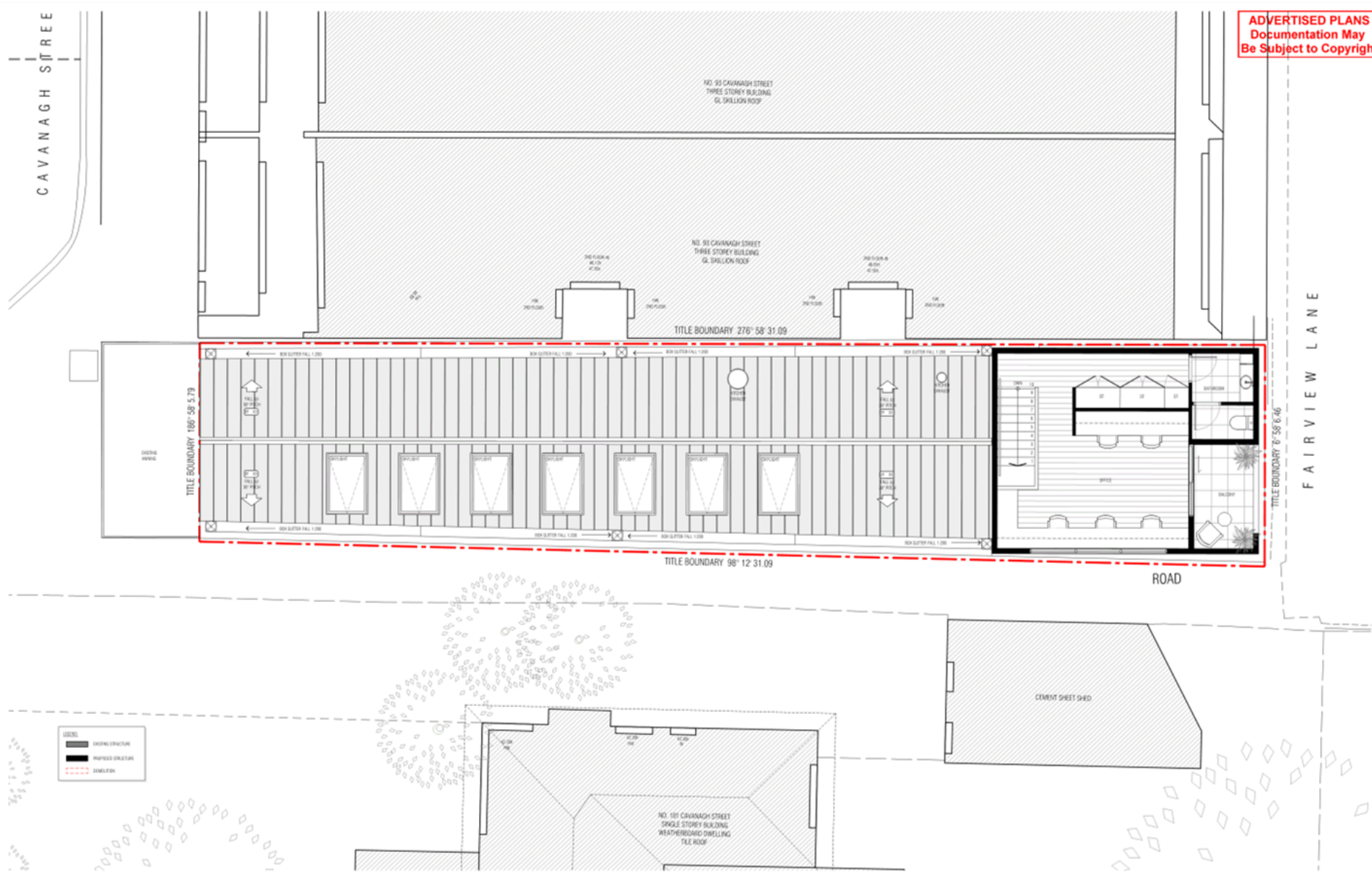
REV.	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	DATE	DESCRIPTION	DESIGNED BY
1	14.07.2024	ISSUE FOR TENDERS					
2	28.07.2024	REVISED FOR TENDERS					
3	28.07.2024	REVISED FOR TENDERS					

PROJECT
JOANS
99 CAVANAGH STREET
CHELTENHAM 3192
VICTORIA

PLANNING DRAWINGS
DRAWING FILE:
PROPOSED GROUND FLOOR PLAN
SCALE: 1:50
PAGE: 41
DATE: JAN 2018
PROJECT NO: 1805
DRAWN BY:
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LEGEND

- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- CONTOUR

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REV	DATE	DESCRIPTION	DESIGNED	REV	DATE	DESCRIPTION	CHECKED
1	24.07.2018	ISSUE FOR TENDERS					
2	24.07.2018	REVISED FOR CONSULTATION					

PROJECT

JOANS

99 CAVANAGH STREET
CHELTENHAM 3192
VIC 3192

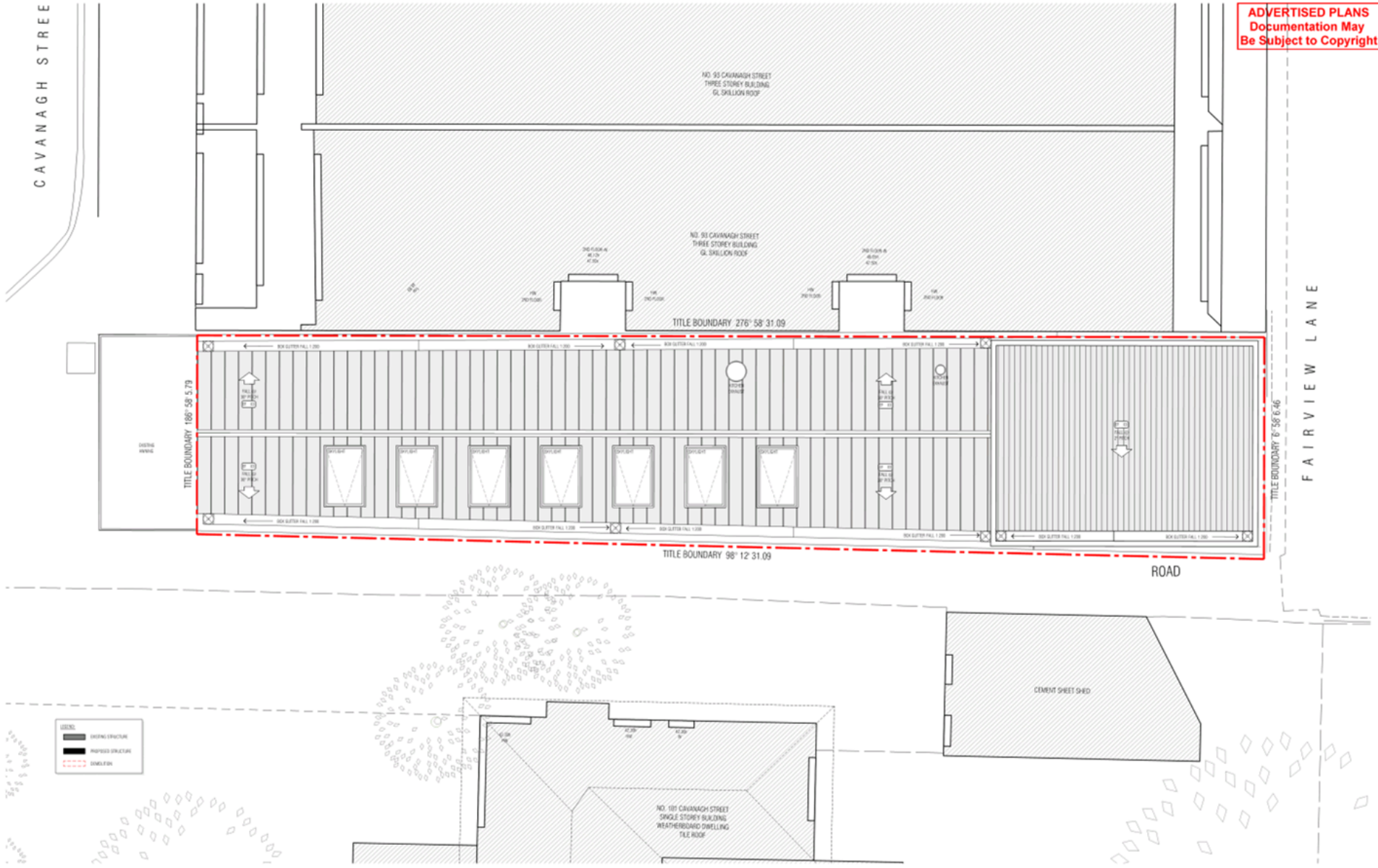
PLANNING DRAWINGS

DRAWING FILE:
PROPOSED FIRST FLOOR PLAN

SCALE: 1:50
PAGE: 01
DRAUGHT: 04

DATE: JUN 2018
PROJECT NO: 1005
DRAWN BY: [Signature]

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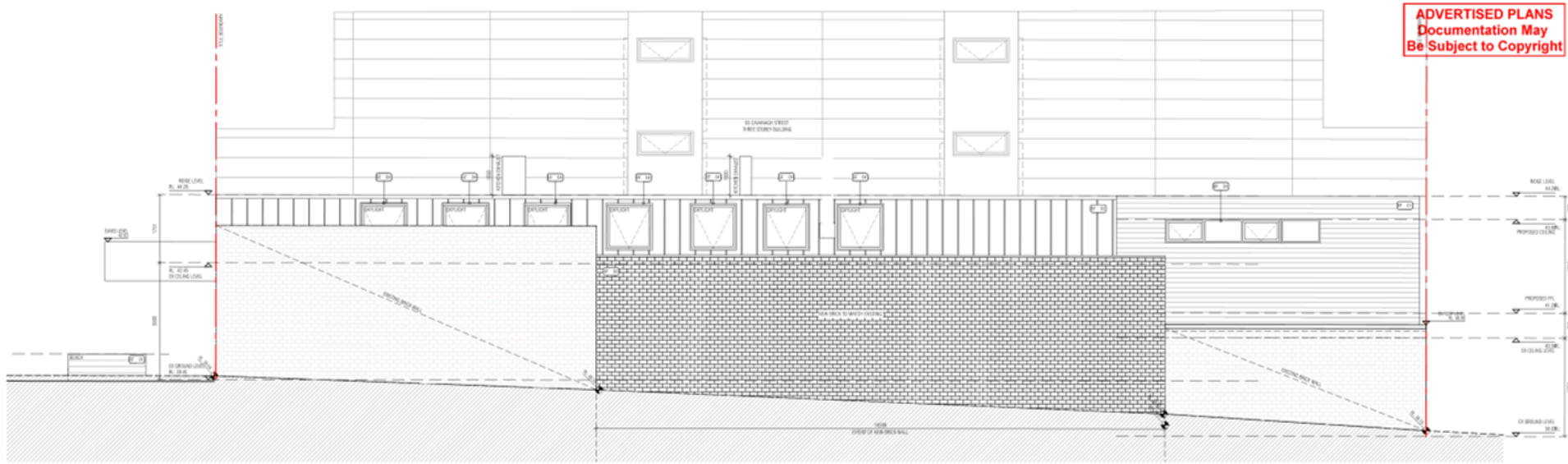
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2	20.11.2024	REVISED FOR APPROVAL	10				

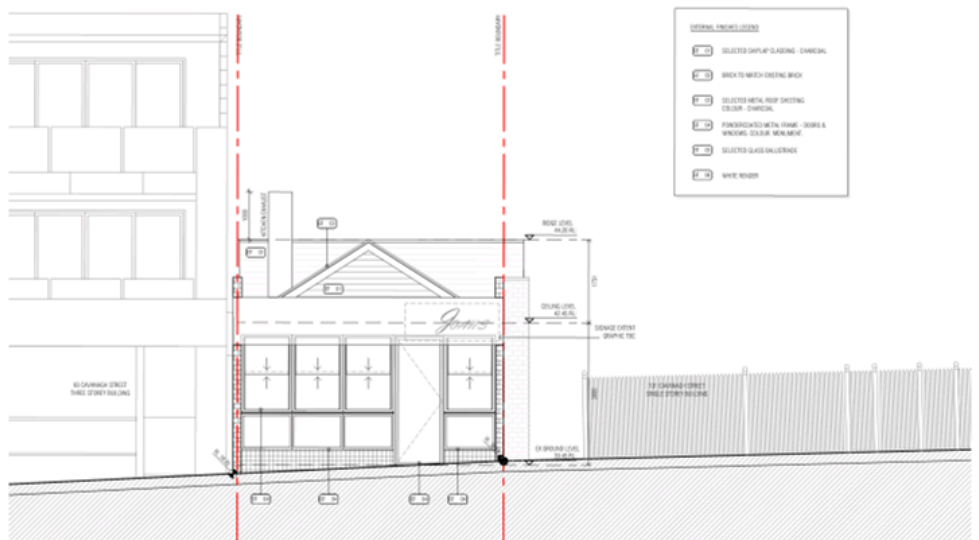
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PROJECT JOANS 99 CAVANAGH STREET CHELTENHAM 3192 VIC 3084	PLANNING DRAWINGS	
	DRAWING FILE: PROPOSED ROOF PLAN	DATE: JUN 2024
	SCALE: 1:50	PROJECT NO: 1805
	DRAWN BY: SHARON HILL	CHECKED BY: SHARON HILL

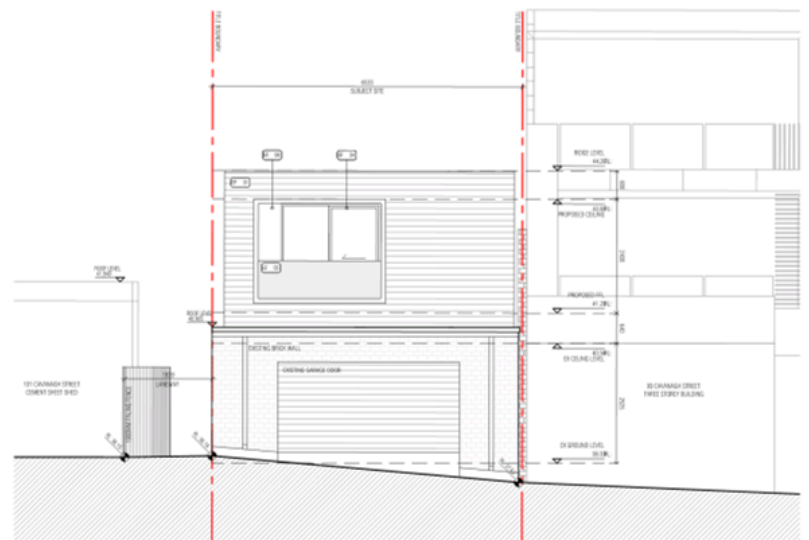
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Be Subject to Copyright



1 NORTH ELEVATION SCALE 1:100



2 EAST ELEVATION SCALE 1:100



3 WEST ELEVATION SCALE 1:100

- INTERNAL FINISHES LEGEND
- 1 SELECTED GYPSUM BOARD - EXTERNAL
 - 2 BRICK TO MATCH EXISTING BRICK
 - 3 SELECTED METAL ROOF SHEETING COLOR - EXTERNAL
 - 4 FINISHED TO MATCH FRAME, SIONS & WINDOWS COLOR FINISHES
 - 5 SELECTED GLASS BALANCE
 - 6 WHITE RENDER

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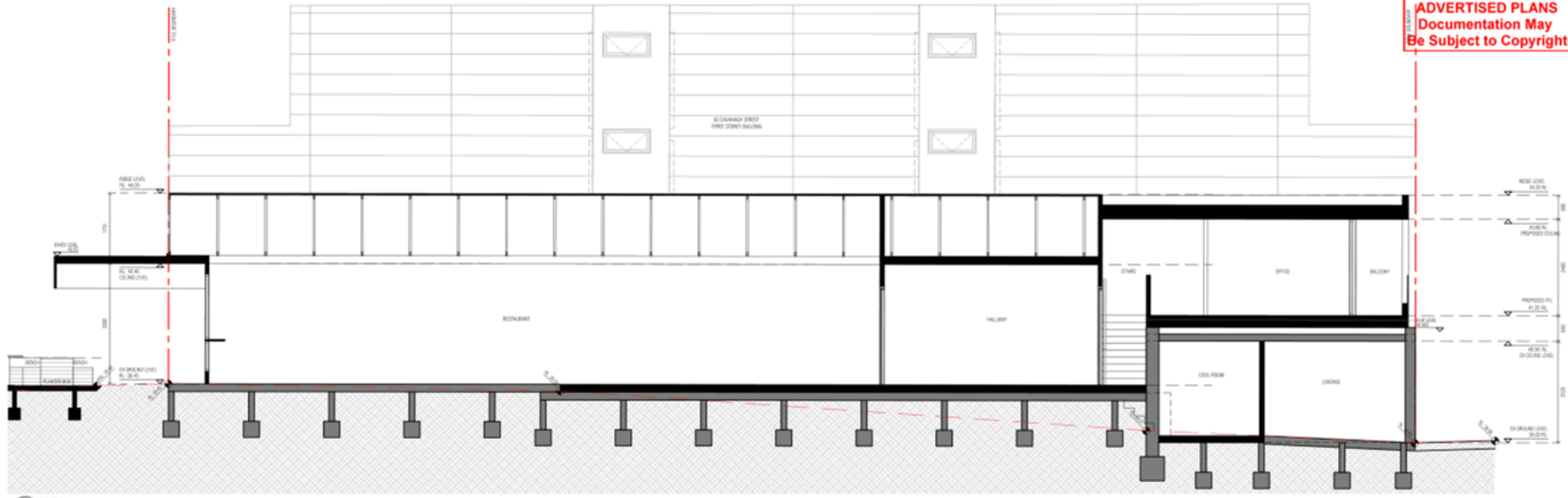
REV	DATE	DESCRIPTION	DESIGNED	REV	DATE	DESCRIPTION	CHECKED
1	2018-05-15	ISSUE FOR TENDERING					
2	2018-05-15	REVISED TO REFLECT ARCHITECT'S REVISIONS					

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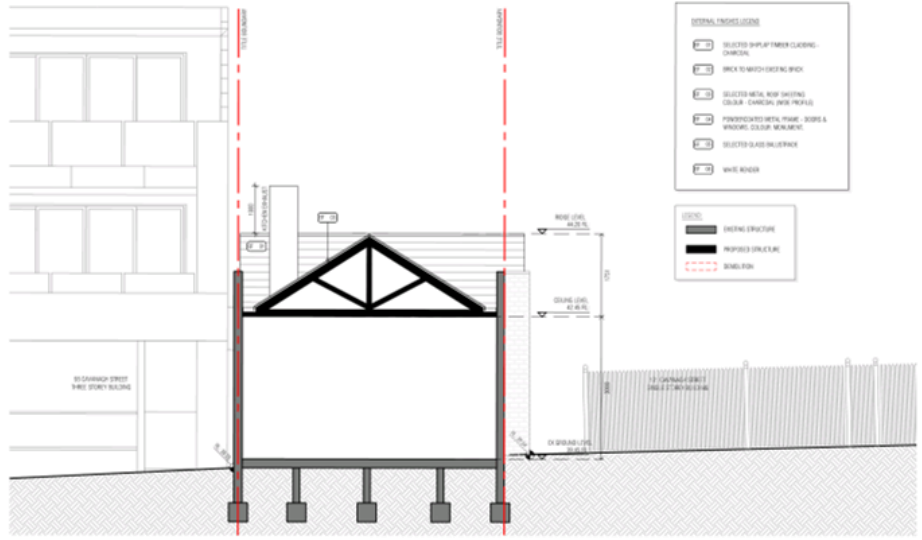
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PROJECT		PLANNING DRAWINGS	
99 CAVANAGH STREET CHELTENHAM 3192 VIC 3192		DRAWING TITLE PROPOSED ELEVATIONS	
JOANS		SCALE 1:50	DATE: JUN 20 18
		PROJECT #1	PROJECTED 1805
		DRAWN BY	DRAWING NO.
		CHECKED BY	

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A SECTION



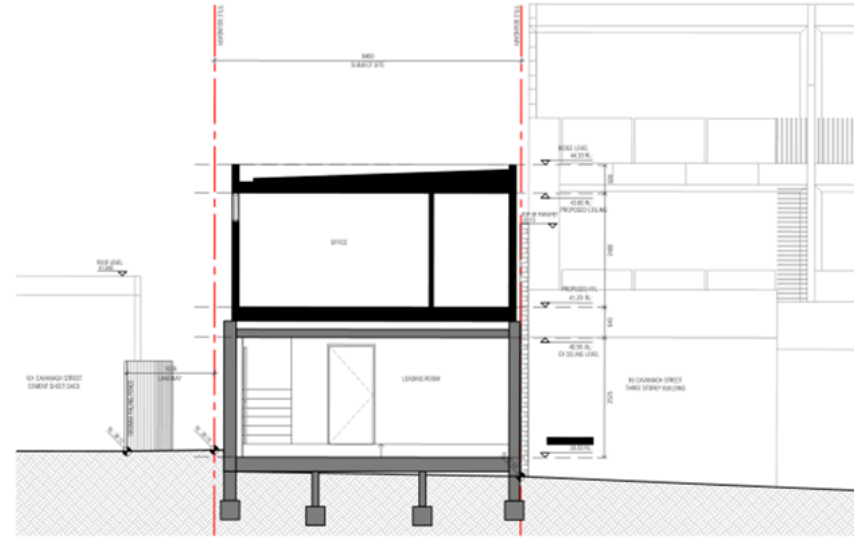
B SECTION

INTERNAL FINISHES LEGEND

- SELECTED VINYL FLOOR COVERING
- BRICK TO MATCH EXISTING BRICK
- SELECTED METAL ROOF CLADDING
- PERFORATED METAL FRAME - DOORS & WINDOWS COLOR, MATERIALS
- SELECTED GLASS BALUSTRADE
- WHITE RENDER

LEVELS

- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- DEMOLITION



C SECTION

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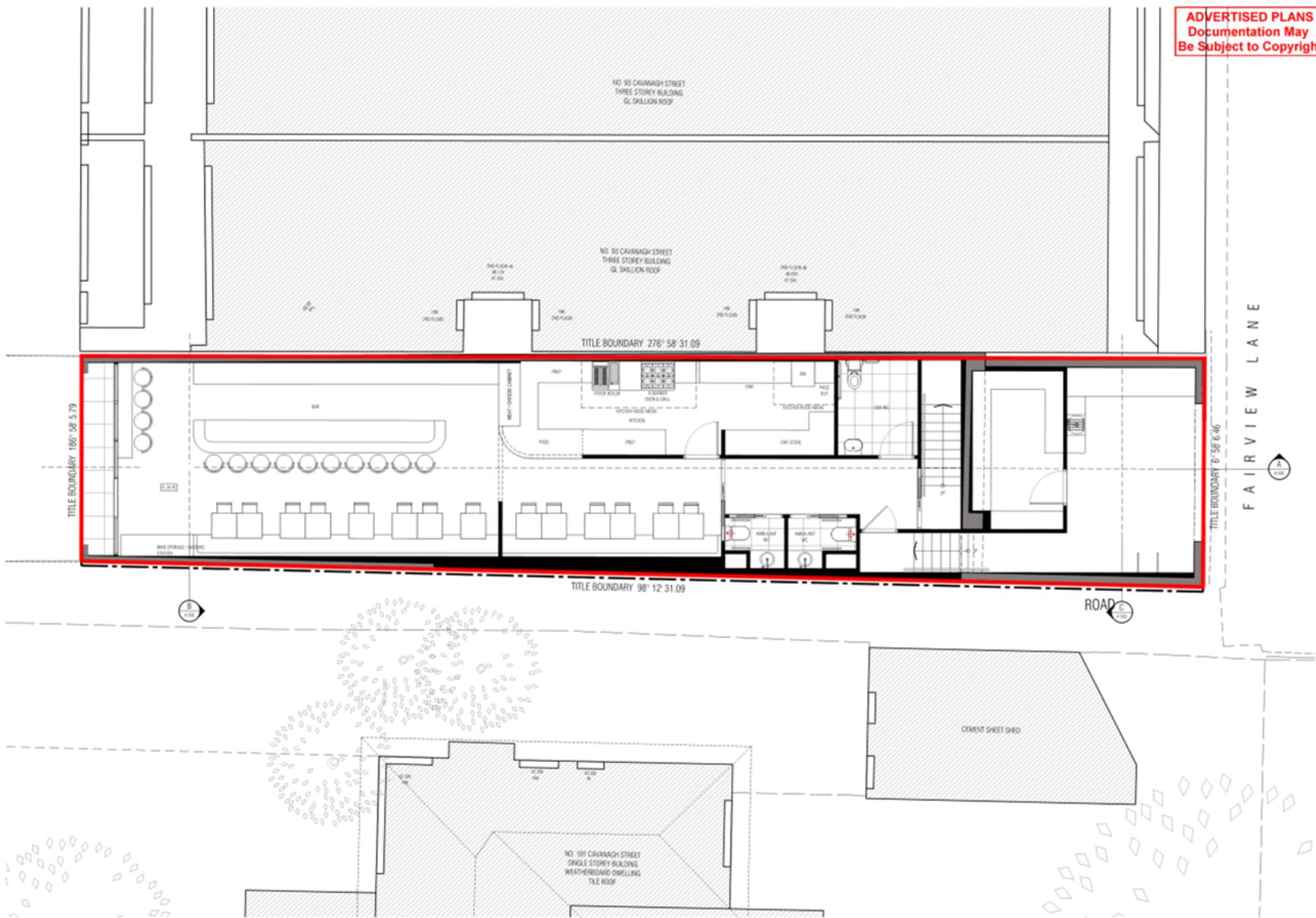
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2	10.11.2024	REVISED FOR ARCHITECT APPROVAL						

PROJECT
JOANS
99 CAVANAGH STREET
CHILTERNHAM 3192
VIC 3074

PLANNING DRAWINGS
DRAWING TITLE
SECTIONS
SCALE: 1:50
PAGE: 04
DRAWN: 04
DRAWING NO.

DWG: A-01-216
PROJECT NO:
1805
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2. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT BUILDING CODE OF AUSTRALIA AND ANY BY-LAWS.

REV	DATE	DESCRIPTION	ISSUED BY	DATE	DESCRIPTION	ISSUED BY
1	2018-05-23	ISSUE FOR TENDERS	AL			
2	2018-05-23	ISSUE FOR TENDERS	AL			
3	2018-05-23	ISSUE FOR TENDERS	AL			

PROJECT
JOANS
99 CAVANAGH STREET
CHELTENHAM 3192
VICTORIA

LIQUOR LICENCE APPLICATION


DRAWING TITLE
PROPOSED GROUND FLOOR PLAN - LIQUOR LICENCE

SCALE: 1:50
PAGE: 41
DRAWN BY: [Name]
DRAWING CODE: [Code]

DATE: JUN 2018
PROJECTIVE: 1905
DRAWING NO: [Number]

PROJECT:
 99 CAVANGH STREET CHELTENHAM
 VIC. 3192
 ISSUE: A – TOWN PLANNING – JULY 2018

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EXTERNAL FINISHES SCHEDULE TOWN PLANNING				
Description	Location / Level	Specification	Colour/Finish	Image
EF 01	Walls Refer Elevations	Timber Cladding	Colour: Charcoal	
EF 02	Walls Refer Elevations	New brick to match existing	Colour: Red	
EF 03	Roof Metal Sheeting	Metal Roof Sheeting	Colour: Charcoal	
EF 04	Generally	Aluminium	Monument or Similar	
EF 05	Generally	Glass Double Glazed	Clear	
EF 06	Generally	Render	White	



Department of
Premier and Cabinet

Process List

Project Name: Cavanagh

Project Location:

Date: 21-Feb-2019

	QUESTION	ANSWER
Question 1	Is the proposed activity , or all the proposed activities, exempt?	Yes
Answer:	<p>ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED</p> <p>YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT</p>	

Planning Committee Meeting

20 March 2019

Agenda Item No: 4.3

KP-2018/403 - 102-104 WHITE STREET MORDIALLOC

Contact Officer: Hugh Charlton, Statutory Planner

Purpose of Report

This report is for the Planning Committee to consider Planning Permit Application No. KP-2018/403 - 102-104 White Street Mordialloc.

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 a five (5) storey apartment building comprising 40 dwellings and alter access to a Road Zone Category 1 at 102-104 White Street Mordialloc, subject to the conditions contained within this report.

EXECUTIVE SUMMARY

Address	102-104 White Street Mordialloc
Legal Description	Lot 1 on PS 912127T, Lot 12 on PS 11593
Applicant	David Lock Associates
Planning Officer	Hugh Charlton

PLANNING REQUIREMENTS

Planning Scheme	Kingston
Zoning	Clause 32.04 – Mixed Use Zone
Overlays	Clause 43.02 – Design and Development Overlay 5 Clause 45.03 – Environmental Audit Overlay
Particular Provisions	Clause 52.06 – Car Parking Clause 52.29 – Land adjacent to a Road Zone Category 1 Clause 52.34 – Bicycle Facilities Clause 58 – Apartment Developments
Permit Trigger/s	Clause 32.08 – 6 – Construct two or more dwellings on a lot Clause 52.29 – Land adjacent to a Road Zone Category 1

APPLICATION / PROCESS

Proposal	Develop the land for the construction of a five (5) storey apartment building comprising 40 dwellings and alter access to a Road Zone Category 1		
Reference No.	KP-2018/403	RFI Received	28 Nov 2018
App. Received	24 May 2018	App. Amended	N/A
Site inspection	Yes		
S.52 Advertising	Commenced: 13 Dec 2018	Advertising Completed	Yes 14 Jan 2019
S.55 Referrals	VicRoads		
Internal referrals	Yes		
Objection(s)	8 (TRIM checked on 20/02/2019)		
Lot Size	N/A	Mandatory Building Height requirement	N/A
Mandatory Garden area requirement			

LEGISLATIVE

Covenant/other Restriction	No	Complies: N/A
Aboriginal Cultural Sensitivity Area	YES	
CHMP	EXEMPT	
Considered Plans	Crone Architects, Drawing No's. 001 to 506 inclusive, Revisions A to E dated 28 November 2018, submitted on 28 November 2018	

SITE HISTORY

There is no permit history of relevance for the subject site.

The following permits issued within the surrounding area are relevant:

- Planning Permit KP-986/2015 for 5-7 Manikato Street Mordialloc, was issued by Council, by Council Committee, on 26 July 2017 for a four storey mixed use building and basement comprising 4 shops and 73 dwellings. This permit has not been acted on and has since expired.
- Planning Permit KP-377/2013 for 78 - 86 White Street Mordialloc (now 113 McDonald Street), was issued by the VCAT via a mediated outcome, on 21 May 2015 for a four storey building comprising 97 apartments and 3 storey buildings comprising 44 townhouses. This permit has been acted on and the development is partially complete.

SUBJECT LAND

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

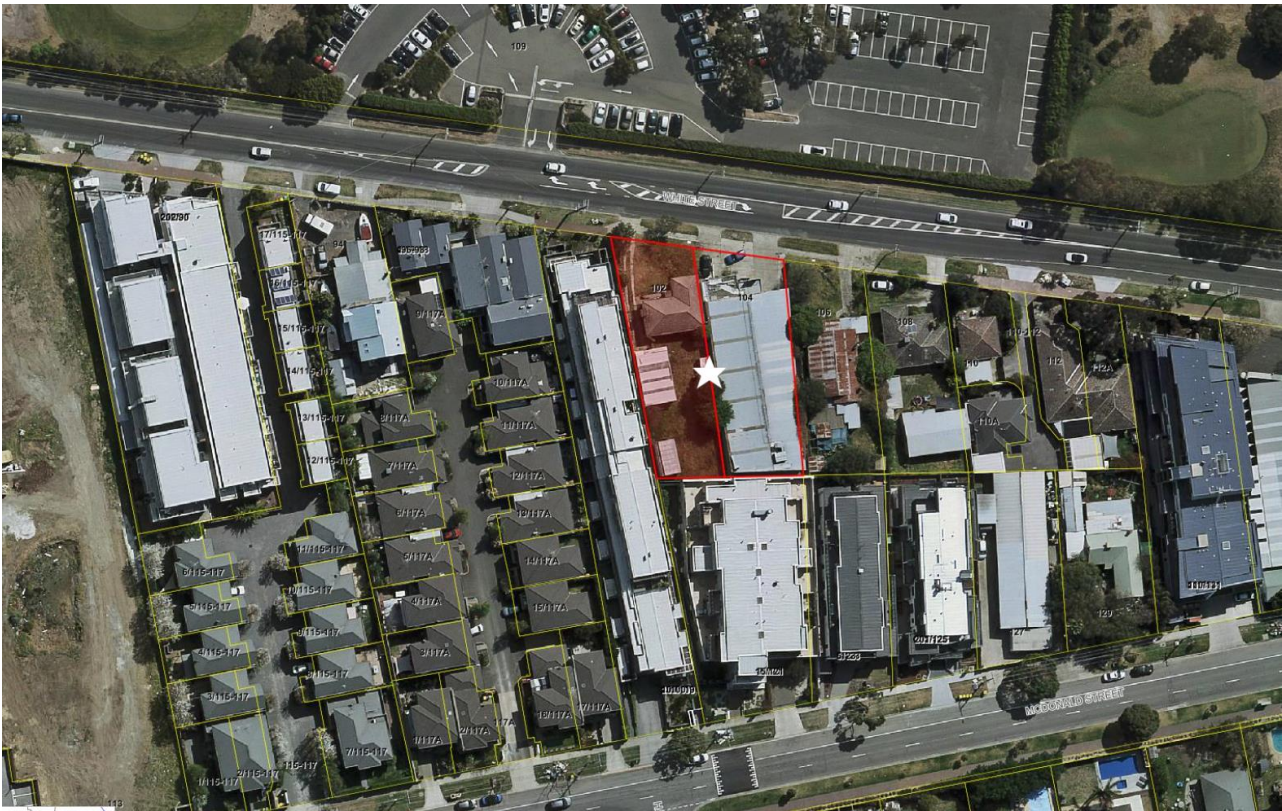




Built form	A single storey, weatherboard/brick veneer, dwelling and vehicle repair building occupies each of the two allotments. The existing buildings are set back 4.9-5.9m from its respective front property boundary.		
Lot Size (m²)	1585m ²	Dimensions	Width: 36.8m Length: 51.3m
Topography	The land has a moderate slope, predominantly within 102 White Street, which rises from the north-eastern frontage to the western side by a maximum of 2.5 metres		
Fencing	Unfenced		
Vegetation	Void of any significant vegetation		
Easement(s)	A 1.52m wide drainage easement located along the site's southern (rear) property boundary on 104 White Street. The plans incorrectly show this across the entire rear boundary.		
Footpath assets / access	2 crossovers and 1 street tree along the frontage.		

SURROUNDING LAND

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



North	White Street and Woodlands Golf Course opposite.
East	Single storey dwelling and outbuildings, with a large area of secluded private open space to the rear
South	3 storey residential apartments, containing multiple balconies and habitable room windows facing the subject site, which are either covered by privacy screening or opaque glazing
West	3 storey residential apartments, containing multiple balconies and habitable room windows facing the subject site, for the most part are covered by privacy screening

PROPOSAL

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

Description	Demolish the existing buildings on the land to develop the land for the construction of a five (5) storey apartment building comprising 40 dwellings and alter access to a Road Zone Category 1		
Use	Residential		
Storeys	5 storeys including 2 levels of basement car parking		
Maximum building height	15.55m		
Bedrooms (including study)	<p>A mix of apartment types are proposed, consisting of:</p> <p>13 x 1 bedroom dwellings</p> <p>21 x 2 bedrooms dwellings</p> <p>6 x 3 bedroom dwellings</p>		
Car parking	<p>54 spaces in total comprising:</p> <ul style="list-style-type: none"> ▪ 44 residents ▪ 8 residential visitor car parking <p>12 bicycle parking spaces</p>		
Front setback	6m		
Private Open Space	<ul style="list-style-type: none"> ▪ Courtyard/Terrace: 25m² - 82 m² ▪ Balcony: 7.3m² - 18m² <p>Communal space of 54m² is provided on ground floor level</p>		
Site Coverage	75%	Permeability	21.2%
Access	Existing crossovers to be reinstated with a new double crossover proposed		
Vegetation removal/retention	No significant vegetation located on the subject site or on neighbouring properties within close proximity to common boundaries		
Building materials	A contemporary building form that includes: render, brick, timber look cladding, vertical metal cladding, tinted glass balustrade		

PLANNING CONTROLS

Zone / Overlay / Particular Provisions	Rationale
32.04 – Mixed Use Zone	<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 this precinct.</p> <p>The purpose to this zone seeks ‘housing at higher densities’. Kingston does not have many large residential opportunity sites, and whilst this site is not formally nominated as a ‘residential opportunity site’ by Clause 21.05, its size and location within a Mixed Use Zone lends itself to a medium to higher density development. As discussed later, the proposal is considered to be generally consistent with the existing character, and more so reflect the preferred character for this area. The most relevant local policy Clause 22.10 (Former Epsom Training Facility and Environs) anticipates the land to be developed for medium to higher density with an activated street front. It is further noted that this land and the surrounding area is recognised in the 2004 Mordialloc Structure Plan, Pride of the Bay, as a ‘Mixed use/higher density residential’ area.</p> <p>As such it is considered that the proposal meets the purpose of the zone and is consistent with the decision guidelines.</p>
43.02 – Design and Development Overlay 5	<p>A planning permit is not required in this instance as the proposal seeks to construct a building or construct or carry out works which are less than 25 metres in height.</p> <p>The objector’s concerns with Airport flight paths are noted however are outside of the scope of planning considerations.</p>
45.03 – Environmental Audit Overlay	<p>Given the area’s previous use and development, an EAO has been applied to it and the surrounding MUZ area.</p> <p>The applicant has provided a Preliminary Environmental Site Assessment prepared by ASES Environmental, dated May 2017 and September 2018 which found the site to be suitable in-principle for a sensitive use, subject to further testing.</p> <p>As required under Clause 45.03-1, the following will be included as a permit condition:</p> <ul style="list-style-type: none"> a) <i>Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:</i> <ul style="list-style-type: none"> i. <i>A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or</i> ii. <i>An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use;</i>

Zone / Overlay / Particular Provisions	Rationale																								
52.06 Car parking	<p>The following car parking rates apply and which shows the proposed provision, as summarised from the applicant's traffic report:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #006666; color: white;"> <th>Use</th> <th>Size/No.</th> <th>Car Parking Allocation</th> <th>Resultant Car Parking Rate</th> </tr> </thead> <tbody> <tr> <td>One-bedroom Apt.</td> <td>13</td> <td>13</td> <td>1 space / apartment</td> </tr> <tr> <td>Two-bedroom Apt.</td> <td>21</td> <td>21</td> <td>1 space / apartment</td> </tr> <tr> <td>Three-bedroom Apt.</td> <td>6</td> <td>12</td> <td>2 spaces / apartment</td> </tr> <tr> <td>Visitor Car Parking</td> <td>40 (apts.)</td> <td>8</td> <td>0.2 spaces / apartment</td> </tr> <tr style="background-color: #cccccc;"> <td>TOTAL</td> <td></td> <td>54</td> <td>-</td> </tr> </tbody> </table> <p>As all required 54 spaces is provided within the 2 level basement, no reduction of the requirement is sought.</p> <p>Clause 52.06 – 9 Design standards including swept paths, parking and access dimensions, headroom and ramp grades, are considered compliant. Some minor non compliances are present, thus Council's Traffic Engineer recommends the following conditions should a permit issue:</p> <ol style="list-style-type: none"> a. provision of pedestrian sight splays at either edge of the driveway and site frontage in accordance with Clause 52.06-9 of the Kingston Planning Scheme; b. one-way traffic management devices to manage vehicles on the ramp between the basement levels, preferably a stop/go traffic signal system; 	Use	Size/No.	Car Parking Allocation	Resultant Car Parking Rate	One-bedroom Apt.	13	13	1 space / apartment	Two-bedroom Apt.	21	21	1 space / apartment	Three-bedroom Apt.	6	12	2 spaces / apartment	Visitor Car Parking	40 (apts.)	8	0.2 spaces / apartment	TOTAL		54	-
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52.29 Land Adjacent to a Road Zone, Category 1	<p>A planning permit is required to alter access to a Road Zone Category 1, White Street.</p> <p>VicRoads have no objection subject to conditions for detailed design changes and changes to road markings. VicRoads notes that the crossover proposed to be a left-in/ left out access point and there is existing right turn deceleration lane and pavement arrows that provided access to the existing development on the site. The right turn lane and pavement marking would be removed to avoid confusion among motorists accessing the proposed development from west along White Street.</p>																								
52.34 Bicycle Facilities	<p>The following table, as summarised by the applicant's traffic consultant details the statutory bicycle parking requirement:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #006666; color: white;"> <th rowspan="2">Proposed Use</th> <th rowspan="2">Size/No.</th> <th colspan="2">Bicycle Parking Rate</th> <th rowspan="2">No. of Bicycle Spaces Required</th> </tr> <tr style="background-color: #cccccc;"> <th>Resident/Employee</th> <th>Visitor/Customer</th> </tr> </thead> <tbody> <tr> <td>Dwellings</td> <td>40</td> <td>1 per 5 dwellings</td> <td>1 per 10 dwellings</td> <td>8 resident 4 visitor</td> </tr> <tr style="background-color: #cccccc;"> <td>Total</td> <td></td> <td></td> <td></td> <td>12 spaces</td> </tr> </tbody> </table> <p>The development plans show 12 bicycle spaces within the basement carpark, which meets the minimum bicycle parking requirements of Clause 52.34. The bicycle parking spaces will be provided via 'Cora Expo 3606' horizontal bicycle rails, conveniently located at the entry to the basement. The provision of 12 floor mounted spaces exceeds the requirement to provide a minimum of 20% of spaces as horizontal spaces</p>	Proposed Use	Size/No.	Bicycle Parking Rate		No. of Bicycle Spaces Required	Resident/Employee	Visitor/Customer	Dwellings	40	1 per 5 dwellings	1 per 10 dwellings	8 resident 4 visitor	Total				12 spaces							
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Zone / Overlay / Particular Provisions	Rationale
58 Apartments	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 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.

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 not** identified in an area of Aboriginal Cultural Heritage Sensitivity.

However the Permit Applicant has sufficiently demonstrated that significant ground disturbance has already occurred on balance to a material part of the land. Therefore it has been established that the proposed activity is **exempt** from requiring a Cultural Heritage Management Plan.

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 21.10 Former Epsom Training Facility and Environs Policy is applicable to this site. This policy applies the MSS Residential Land Use objectives in Clause 21.05 relating to residential opportunity sites. The MSS identifies opportunities for the redevelopment of the former Epsom training track and the industrial and stable areas to the immediate north of Epsom for high quality integrated housing projects.

The relevant objectives with regard to residential development include:

- *To promote a range of dwelling densities and housing types which cater for a broad range of household types.*
- *To ensure that new residential development addresses site constraints including potential contamination, drainage and flooding, aircraft noise from Moorabbin Airport, noise and other potential emissions from nearby industry, and traffic noise.*
- *To promote residential development which provides connectivity with the existing residential area in a manner which does not generate excessive traffic impacts on existing residential streets.*
- *To promote the consolidation and redevelopment of former industrial and stable sites for integrated medium density housing.*

- *To ensure that residential redevelopment within or near existing industrial areas takes into account potential future amenity impacts arising from its proximity to such uses.*

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. While the subject site falls outside of the areas designated as increased housing diversity, incremental housing change, minimal housing change, or residential renewal, the design criteria of the policy is applicable to this proposal as it relates to the provision of multi-dwellings in Kingston.

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. Conditions on any permit issued have been recommended by Council's Drainage Engineer to meet the specified requirements.

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 ESD assessment was referred to Council's ESD officer who supported the SMP subject to minor changes which have been included within the officer recommendation. It is considered that subject to condition, the commitments expressed in the SDA/SMP report coupled with the proposed development plans and dwelling layouts, the proposal is considered to achieve an appropriate best practice ESD standard, meeting the objectives of this policy.

In summary, it is considered that the proposed development generally complies and satisfies 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 design detail changes to the provided landscape plan.
Council's Development Engineer	No objection raised, subject to conditions included on any permit issued relating to storm water management and basement design.
Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to provision of a shared footpath.
Traffic Engineer	No objection raised, subject to conditions included on any permit issued relating to provision of splays and minor changes to the basement design.
Waste Dept	No objection raised to the Waste Management Plan provided for private collection, subject to conditions included on any permit issued relating to no more than 1 collection per week.
Urban Designer	Verbally supported the proposal.

EXTERNAL REFERRALS

Department	Section 52/55	Determining / Recommending	Objection	Comments
VicRoads	55	Determining	None	Subject to conditions included verbatim within the recommendation, the majority of which have been incorporated into the latest design.

OBJECTIONS

Following the commencement of advertising, 8 objection(s) to the proposal were received. The valid grounds of objection raised are summarised as follows:

- Neighbourhood character
- Height
- Overdevelopment
- Traffic and parking
- Overlooking
- Overshadowing
- Visual bulk
- Noise
- Airport flight paths

A planning consultation meeting was held on 12 February 2019 with the relevant Planning Officer, Ward Councillor(s), the Permit Applicant and one (1) objector in attendance. The majority of the above-mentioned issues were discussed at length.

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

FURTHER CONSIDERATION / ANALYSIS

The application considerations have been responded to within the assessment above.

RESPONSE TO GROUNDS OF OBJECTION

The concerns raised by objector(s) have been considered within this report at the relevant sections.

CLAUSE 58 – APARTMENT DEVELOPMENTS

Construct or extend an apartment development of five (5) or more storeys (excluding a basement) in a GRZ, RGZ, MUZ or TZ OR the apartment development is in the C1Z, C3Z, SUZ, CDZ, or ACZ.

*****MUST meet the objective, SHOULD meet the standard*****

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
Clause 58 – URBAN CONTEXT		
<p>Clause 58.02-1 Urban context objectives</p> <ul style="list-style-type: none"> • To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. • To ensure that development responds to the features of the site and the surrounding area. 	<p>Standard D1</p> <ul style="list-style-type: none"> • The design response must be appropriate to the urban context and the site. • The proposed design must respect the existing or preferred urban context and respond to the features of the site. 	<p>Complies with standard & meets objective</p>
<p>Assessment: The proposal is considered to satisfy the objective of this Clause. The site is located within an established mixed use precinct, tapering down to a residential area (to the west). Epsom Estate has seen a substantial amount of infill and multi-dwelling development occur, which would concur with the intent of local policies (Clause 22.10). Built form in this locality generally varies between single storey through to four storeys and is more intensive towards White Street/McDonald Street which reflects the Mixed Use zoning of the land.</p> <p>The height of the proposal has been commented on by objectors, and noted as being out of character. As discussed above, the character of this pocket of Mordialloc is evolving, and current policies will continue to see further change in this area of a scale similar to that proposed, where three to four storeys is not uncommon along White Street and McDonald Street. A prominent four storey building is situated at 114 White Street within 100 metres. Two approvals for four storey buildings nearby were supported by Council, either at Council or via the VCAT mediation at 78 - 86 White Street and at 5-7 Manikato Street.</p> <p>The proposal seeks a height of 5 storeys. Council officers are satisfied that the 5th level is sufficiently recessive by design and with a lesser footprint insomuch that it will read predominantly as 4 storeys. The front setback is matched to the nearby properties, and a deeper setback than most 3 storey buildings in the area. The application also locates its substation within the building, allowing the whole width of the frontage for genuine landscaping opportunities for two 16m tall trees. The proposed design is therefore considered appropriate within this context, and notably responds to Council's preferred character which seeks more intensive medium density development in this area.</p> <p>Further, the development has adequately responded to its direct abuttals and sensitive interfaces, avoiding unreasonably off-site amenity impacts, providing decent side setbacks and generous rear setbacks that reduce visual dominance and ensure any overshadowing is within reason, discussed below</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Clause 58.02-2 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 Municipal Planning Strategy and the Planning Policy Framework. To support higher density residential development where development can take advantage of public and community infrastructure and services. 	<p>Standard D2</p> <ul style="list-style-type: none"> An application must be accompanied by a written statement to the satisfaction of the RA that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. 	<p>Complies with standard & meets objective</p>
<p>Assessment: The development satisfies the objectives of the more relevant local policy Clause 21.10 Former Epsom Training Facility and Environs as it: provides a range of dwelling densities and housing types; consolidates land to redevelop the land for integrated medium density housing; ensures primary access from White Street with a minimal number of crossovers; does not generate excessive traffic impacts and is supported by VicRoads and Council's Traffic Engineer; will not adversely impact on drainage infrastructure.</p> <p>As discussed earlier, the proposal enjoys a high level of policy support within the relevant planning policy framework including the MUZ, Clauses 11.03-1, 21.04, 21.05, 21.10 and 22.11 – all of which support more intensive forms of development on this site.</p>		
<p>Clause 58.02-3 Dwelling diversity objective</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Standard D3</p> <ul style="list-style-type: none"> Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms. 	<p>Complies with standard & meets objective</p>
<p>Assessment: The proposal and respective floor plans accommodate for a variety of typologies.</p>		
<p>Clause 58.02-4 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 D4</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: The site is in an established area that is well serviced by existing infrastructure. Additionally, it is recommended that suitable condition(s) be included in any permit issued to address infrastructure considerations.</p>		
<p>Clause 58.02-5 Integration with the street objective</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Standard D5</p> <ul style="list-style-type: none"> Provides adequate vehicle and pedestrian links that maintain or enhance local accessibility. Development oriented to front existing/proposed streets High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space. 	<p>Complies with standard & meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Assessment: The proposal presents an active frontage with the development making provision for safe and functional connectivity. Upper levels have been designed with balconies presenting to the street, providing excellent passive surveillance opportunities to the public realm. The communal entry is open and inviting, again demonstrating an engaging frontage that positively contributes to the street integration.</p>		
Clause 58.03 – SITE LAYOUT		
<p>Clause 58.03-1 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 D6 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. <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>Subject to condition will comply with standard & objective</p>
<p>Assessment: Council’s ESD Officer had no objection subject to minor changes and corrections to the Sustainable Management Plan which have been included within the officer recommendations.</p> <p>The proposal is generally energy efficient with acceptable dwelling orientation. Access to daylight is supported for dwellings. The communal corridors are fed daylight by fenestration at each end. However the fenestration is fully covered by heavy louvered metal screens ‘LV01’ which substantially impact access to light and outlook. A condition on permit, should one issue, is recommended to require:</p> <p style="padding-left: 20px;">a) windows at the end of each communal corridor to be unscreened and designed to maximise daylight, outlook and ventilation;</p> <p>Overall the proposal maintains good energy efficiency and access to daylight whilst maximising north facing windows where possible.</p> <p>Given the proposed siting of the building, generous rear setbacks and receding upper levels from the southern boundary, the proposal will not unreasonably impact on the energy efficiency of the adjoining residential lots.</p>		
<p>Clause 58.03-2 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 D7 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. 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. 	<p>Subject to condition will meet standard and objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
	<ul style="list-style-type: none"> Maximise landscaping opportunities. <ul style="list-style-type: none"> Be accessible, useable and capable of efficient management. 	
<p>Assessment: The development provides predominantly internal communal space area of 54m² at ground level within a common room, and a small sliver of outdoor space along the western side. The outdoor communal area is compromised by the convoluted path for the secondary/fire exit which is recommended to be realigned to increase the available open space. As such, it is recommended that a condition on any permit issued require that:</p> <p>a) communal open space increased to a fenced area of a minimum 50 sqm, provided in the western setback achieved by realigning the common pathway along the western boundary and use of the front landscaped setback;</p> <p>Overall the communal open space, combined within the internal communal space will exceed the area requirement. The communal space is designed and located so that it provides acceptable passive surveillance opportunities and outlooks. Communal open space also provides reasonable opportunities for landscaping that is accessible and allows for efficient management.</p>		
<p>Clause 58.03-3 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 D8</p> <p>The communal outdoor open space should be located on the north side of a building, if appropriate. 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>Subject to condition will meet standard and objective</p>
<p>Assessment: The communal open space area, subject to the previous recommended condition, will be located with a good orientation north and westwards of the proposed building and will receive the recommended levels of sunlight between the relevant times of day.</p>		
<p>Clause 58.03-4 Safety objective</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 D9</p> <p>Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The residential lobby to the street is clearly visible from the public domain and presents as a wide lobby with no concerning features that could compromise the safety and security of residents and property. Other safety elements include the communal room facing the street offering good visibility and surveillance. To meet the standard, a condition on any permit issued will require:</p> <p>a) internal fencing between private open space and between private open space and the communal walkway;</p>		
<p>Clause 58.03-5 Landscaping objectives</p>	<p>Standard D10</p> <p>The landscape layout and design should:</p>	<p>Subject to condition will meet objective</p>

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> • To encourage development that respects the landscape character of the area. • To encourage development that maintains and enhances habitat for plants & animals in locations of habitat importance. • To provide appropriate landscaping. • To encourage the retention of mature vegetation on the site. • To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect. 	<ul style="list-style-type: none"> • Be responsive to the site context. • Protect any predominant landscape features of the area. • Take into account the soil type and drainage patterns of the site and integrate planting & water management. • Allow for intended vegetation growth & structural protection of buildings. • In locations of habitat importance, maintain existing habitat & provide for new habitat for plants & animals. • Provide a safe, attractive & functional environment for residents. • Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs & roof top gardens & improve on-site stormwater infiltration. • Maximise deep soil areas for planting of canopy trees. <p>Development should provide for the retention or planting of trees, where these are part of the urban context.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should provide the deep soil areas and canopy trees specified in Table D2.</p> <p>If the development cannot provide the deep soil areas and canopy trees specified in Table D2, 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. 	
<p>Assessment: It is acknowledged that the proposed 110m² of deep soil area with a minimum dimension of 6m does not meet the dimensional requirements for deep soil for 10 per cent of the site area or 158m². However Council's Vegetation Management Office is satisfied that the specified tree provision of two large Snow Gums (16m tall at maturity) within the deep soil areas proposed appropriately along the frontage. Further acknowledging the contribution to landscaping by continuous planter boxes on the top level and sporadically on other levels.</p> <p>As such the objective is met, subject to the recommended conditions by Council's VMO seeking further details.</p>		
<p>Clause 58.03-6 Access objective</p> <ul style="list-style-type: none"> • To ensure the number and design of vehicle crossovers respects the urban context. 	<p>Standard D11</p> <p>The width of accessways or car spaces should not exceed:</p>	<p>Complies with standard & meets objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
	<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>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	
<p>Assessment: Council's Traffic Engineers and VicRoads have no objection to the double crossover access point to White Street, a Road Zone Category 1, subject to conditions for minor changes to the road markings which have been included within the recommendations.</p>		
<p>Clause 58.03-7 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 D12</p> <p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings 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 with standard & meets objective</p>
<p>Assessment: Parking is located within the basement. Parking areas are secure and convenient to the dwellings.</p>		
<p>Clause 58.03-8 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 D13</p> <p>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.</p> <p>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). <p>Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</p>	<p>Complies with standard & meets objective</p>
<p>Assessment: The proposal includes WSUD considerations (i.e. rainwater tanks / site management plan) and appears to provide sufficient stormwater management measures. The application was referred to Council's Development Approvals Engineer – as detailed earlier in this report, who is satisfied subject to standard conditions for a detailed plans.</p>		
<p>Clause 58.04 – AMENITY IMPACTS</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Clause 58.04-1 Building setback objectives</p> <ul style="list-style-type: none"> • To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. • To allow adequate daylight into new dwellings. • To limit views into habitable room windows and private open space of new and existing dwellings. • To provide a reasonable outlook from new dwellings. • To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 	<p>Standard D14</p> <p>The built form of the development must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to:</p> <ul style="list-style-type: none"> • Ensure adequate daylight into new habitable room windows. • Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views. • Provide an outlook from dwellings that creates a reasonable visual connection to the external environment. • Ensure the dwellings are designed to meet the objectives of Clause 58. 	<p>Subject to condition will meet standard and objective</p>

Assessment: The proposal provides an equitable development outcome. The area of light courts are considered sufficient in area to not prejudice daylight opportunities or development opportunities on the adjoining lots. Side setbacks to the building and habitable room windows meet the typically accepted 4.5m depth to the west, on average exceed 4.5m to the east, thus protect equitable development rights. The rear setback at first floor is shallow at 2.4m for a short section, but otherwise increases generously as the building rises up to 9.3m setback at 4th level and greater to the recessive 5th level.

Given there is an existing 3 storey apartment buildings to the south and west, there is some certainty as to how the proposal should respond. Off-site impacts to these adjoining residential properties are mitigated by a sensitive building form that tapers away so overshadowing is limited. The existing small balconies or terraces on adjacent properties currently receive less than adequate sunlight due to high privacy screening thus must be carefully considered. When measured on the equinox, the additional shadows cast generally avoid additionally overshadowing existing secluded private open space. Where overshadowing does occur to existing POS, it is generally in the less sensitive early hours of the day.

Overlooking onto adjoining sensitive areas is tightly controlled by screening to windows and balconies typically by louvers at 45 degrees. The ground level is also cut into the land or near grade, rather than built above, avoiding the need to screen this level.

However, most of the upper level privacy screening is excessive and prevents an external visual connection as preferred under this Standard. To address this it is recommended that conditions on any permit issued require:

- a) east facing habitable room windows and balconies to Apartments 9 and 10 on level 1 be unscreened and clear glazed; (views outside 9 metre arc)

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<ul style="list-style-type: none"> b) privacy screens for finishes: TS01, GL03, and TB01 where indicated as screening to demonstrate that overlooking is adequately limited by provision of a detailed drawing or details of maximum transparency; c) west facing privacy screens to level 3 to have fixed horizontal louvers, designed with adequate gaps and depth to allow outward views whilst limiting downward views; (to allow view above adjoining 3 storey building to the horizon) d) east facing privacy screens to levels 2 and 3 to have horizontal louvers, designed with adequate gaps and depth to provide outward views whilst limiting downward views to unscreened existing private open space or unscreened habitable room windows within 9 metres; (to allow views to the horizon above the adjoining 1 storey building) 		
<p>Clause 58.04-2 Internal views objective</p> <ul style="list-style-type: none"> • To limit views into the private open space and habitable room windows of dwellings within a development. 	<p>Standard D15</p> <ul style="list-style-type: none"> • Windows & balconies should be designed to prevent overlooking of more than 50% of the POS of a lower-level dwelling directly below & within the same development. 	<p>Subject to condition will meet standard and objective</p>
<p>Assessment: Internal overlooking is possible to the ground and top floor as internal screens and fencing has not been specified. This matter can be adequately addressed by the following condition:</p>		
<ul style="list-style-type: none"> a) screening/internal fencing provided between balconies, terraces and private open space that limits internal overlooking; 		
<p>Clause 58.04-3 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 D16</p> <p>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>The layout of new dwellings & buildings should minimise noise transmission within the site.</p> <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>Subject to condition can comply with standard & meet objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>Assessment: The proposal is not within a noise influence area. Any noise generated from a residential development, its occupants or vehicles, where located in a zone where residential accommodation is as-of-right is considered to be normal and within an acceptable limit.</p> <p>The design does not include any mitigation measures to limit the noise transmission from the lift into the adjoining habitable rooms. A condition is recommended that:</p> <p style="padding-left: 40px;">a) noise attenuation provided between the lift and all adjoining habitable rooms.</p>		
Clause 58.05 – ON-SITE AMENITY AND FACILITIES		
<p>Clause 58.05 On-site amenity and facilities</p> <ul style="list-style-type: none"> • To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>Standard 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>		
<p>Clause 58.05-2 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 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: The residential lobby is clearly visible from the street and presents a wide lobby that provides a good sense of identity.</p> <p>Access to daylight and ventilation to each short communal hallway is via a single light source adjacent to the lift lobby. The internal amenity of common areas and corridors is considered to be adequate subject to the previous recommended condition. The stairs are appropriately located to encourage their use.</p>		
<p>Clause 58.05-3 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 D19</p> <p>A dwelling should have private open space consisting of:</p>	<p>Subject to condition can comply with standard & meet objective</p>

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD												
	<ul style="list-style-type: none"> An area of 25m², with a minimum dimension of 3m at natural ground floor level & convenient access from a living room, or An area of 15m², with a minimum dimension of 3m at a podium or other similar base & convenient access from a living room, or A balcony with an area and dimensions specified in Table D5 & convenient access from a living room, or A roof-top area of 10m² with a minimum dimension of 2m 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 1.5m².</p> <p>Table D5 Balcony size</p> <table border="1" data-bbox="555 772 989 1090"> <thead> <tr> <th><i>Dwelling type</i></th> <th><i>Min area</i></th> <th><i>Minimum dimension</i></th> </tr> </thead> <tbody> <tr> <td><i>Studio or 1 bedroom</i></td> <td><i>8 sq m</i></td> <td><i>1.8m</i></td> </tr> <tr> <td><i>2 bedroom</i></td> <td><i>8 sq m</i></td> <td><i>2m</i></td> </tr> <tr> <td><i>3+ bedroom</i></td> <td><i>12 sq m</i></td> <td><i>2.4m</i></td> </tr> </tbody> </table>	<i>Dwelling type</i>	<i>Min area</i>	<i>Minimum dimension</i>	<i>Studio or 1 bedroom</i>	<i>8 sq m</i>	<i>1.8m</i>	<i>2 bedroom</i>	<i>8 sq m</i>	<i>2m</i>	<i>3+ bedroom</i>	<i>12 sq m</i>	<i>2.4m</i>	
<i>Dwelling type</i>	<i>Min area</i>	<i>Minimum dimension</i>												
<i>Studio or 1 bedroom</i>	<i>8 sq m</i>	<i>1.8m</i>												
<i>2 bedroom</i>	<i>8 sq m</i>	<i>2m</i>												
<i>3+ bedroom</i>	<i>12 sq m</i>	<i>2.4m</i>												

Assessment:

For the most part, 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.

However the following dwellings provide less than the minimum standard. As such a condition is recommended that:

- a) balcony increased for Apartment 10, 20, and 33 that meets the size dimensions of Standards D19 of Clause 58 of the Kingston Planning Scheme, and retains any required privacy screening unless altered by Condition X of this permit;

<p>Clause 58.05-4 Storage objective</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Standard D20 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" data-bbox="555 1675 1157 2020"> <thead> <tr> <th><i>Dwelling type</i></th> <th><i>Total minimum storage volume</i></th> <th><i>Minimum storage volume within the dwelling</i></th> </tr> </thead> <tbody> <tr> <td><i>Studio</i></td> <td><i>8 cubic metres</i></td> <td><i>5 cubic metres</i></td> </tr> <tr> <td><i>1 bedroom dwelling</i></td> <td><i>10 cubic metres</i></td> <td><i>6 cubic metres</i></td> </tr> <tr> <td><i>2 bedroom dwelling</i></td> <td><i>14 cubic metres</i></td> <td><i>9 cubic metres</i></td> </tr> <tr> <td><i>3 or more bedroom dwelling</i></td> <td><i>18 cubic metres</i></td> <td><i>12 cubic metres</i></td> </tr> </tbody> </table>	<i>Dwelling type</i>	<i>Total minimum storage volume</i>	<i>Minimum storage volume within the dwelling</i>	<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>Subject to condition, will comply with standard & objective</p>
<i>Dwelling type</i>	<i>Total minimum storage volume</i>	<i>Minimum storage volume within the dwelling</i>															
<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>															
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<i>3 or more bedroom dwelling</i>	<i>18 cubic metres</i>	<i>12 cubic metres</i>															

Assessment:

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<p>For the most part, internally each dwelling has sufficient space for storage as sought under the standard. However, Apartments 3, 5 and 37; each 2 or 3 bedroom dwellings have only a galley kitchen, no WIR, and insufficient storage. When calculated, internal storage is at least 2 cubic metres less than the requirement and the internal storage volume table provided. Without full kitchens, the rooms are also not considered functional for this many bedrooms, and therefore have inadequate living areas in total. As such, a condition is recommended to require:</p> <p style="padding-left: 40px;">a) a full kitchen with a return/island bench provided for Apartments 3, 5 and 37, with the living, dining and kitchen and internal storage demonstrated to comply with Standards D20 and D24 of Clause 58 of the Kingston Planning Scheme;</p> <p>Further, secure storage areas within the basement are less than the minimum standard for almost all dwellings, by 1 cubic metre each. It is acknowledged that the applicant's table provided stated compliance given internal storage is greater, however this is considered inaccurate. Small external storage areas is considered impractical for bulky items. As such, a further condition is recommended as follows:</p> <p style="padding-left: 40px;">b) all dwellings to provide at least 4, 5, or 6 cubic metres of external storage for a 1, 2, or 3 plus bedroom apartment, respectfully, within the basement, without further enlargement to the basement;</p>		
58.06 DETAILED DESIGN		
<p>Clause 58.06-1 Common property objective</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 D21</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. 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 with standard & meets objective</p>
<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 58.06-2 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 D22</p> <p>The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. Mailboxes should be provided and located for convenient access as required by Australia Post.</p>	<p>Subject to condition, will comply with standard & objective</p>
<p>Assessment: Service facilities are shown within the design response in appropriate locations. It is recommended that a condition require further detailed improvements to ensure an attractive outcome as sought by the Standard, that:</p>		

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
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a) building services finished in a concealed way that integrates with the overall façade materials;

Clause 58.06-3 Waste and recycling objectives

- 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.

Standard D23

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - 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.
- 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:
 - 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.

Subject to condition can comply with standard & meet objective

Assessment:

Council's Waste Dept. was satisfied with the Waste Management Plan provided for private collection, subject to a condition included on any permit issued relating to no more than 1 collection per week.

Clause 58.07 – INTERNAL AMENITY

Clause 58.07-01 Functional layout objective

- To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Subject to condition can comply with standard & meet objective

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD									
	<ul style="list-style-type: none"> Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8. <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="background-color: #2c5e8c; color: white;">Dwelling type</th> <th style="background-color: #2c5e8c; color: white;">Minimum width</th> <th style="background-color: #2c5e8c; color: white;">Minimum area</th> </tr> </thead> <tbody> <tr> <td style="background-color: #f2f2f2;">Studio and 1 bedroom dwelling</td> <td style="background-color: #f2f2f2;">3.3 metres</td> <td style="background-color: #f2f2f2;">10 sqm</td> </tr> <tr> <td style="background-color: #f2f2f2;">2 or more bedroom dwelling</td> <td style="background-color: #f2f2f2;">3.6 metres</td> <td style="background-color: #f2f2f2;">12 sqm</td> </tr> </tbody> </table>	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm	
Dwelling type	Minimum width	Minimum area									
Studio and 1 bedroom dwelling	3.3 metres	10 sqm									
2 or more bedroom dwelling	3.6 metres	12 sqm									

Assessment:

The majority of dwellings are compliant in habitable room dimensions.

However Apartments 36 and 37 has inadequate internal living space and are small apartments given the 2 or 3 bedrooms proposed. The previously recommended condition within the storage assessment also required compliance for Apartment 37 with this Standard.

As such, a condition on permit is recommended for:

- a) internal rearrangement to Apartment 36 to provide a functional living room, dining area and adequate access paths, demonstrated to comply with Standard D24 of Clause 58 of the Kingston Planning Scheme;

Clause 58.07-2 Room depth objective

- To allow adequate daylight into single aspect habitable rooms.

Standard D25

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- 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.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Complies with standard & meets objective

Assessment: All dwellings are compliant in living room depth, noting ceiling heights of 2.7m.

Clause 58.07-3 Windows objective

- To allow adequate daylight into new habitable room windows.

Standard D26

HRW should have a window in an external wall of the building.
A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.
The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Complies with standard & meets objective

Assessment: All new habitable rooms have adequate access to daylight in accordance with the Standard.

OBJECTIVE	STANDARD	LEVEL OF COMPLIANCE AGAINST STANDARD
<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 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 provide for appropriate natural cross ventilation for all dwellings in accordance with this Standard.</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.

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 58** of the Kingston Planning Scheme

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 a five (5) storey apartment building comprising 40 dwellings and alter access to a Road Zone Category 1 at 102-104 White Street Mordialloc**, 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 Crone Architects, Drawing No's. 001 to 506 inclusive, Revisions A to E dated 28 November 2018, submitted to Council on 28 November 2018, but modified to show:
 - a. balcony increased for Apartment 10, 20, and 33 that meets the size dimensions of Standards D19 of Clause 58 of the Kingston Planning Scheme, and retains any required privacy screening unless altered by Condition 1g) of this permit;
 - b. internal rearrangement to Apartment 36 to provide a functional living room, dining area and adequate access paths, demonstrated to comply with Standard D24 of Clause 58 of the Kingston Planning Scheme;
 - c. a full kitchen with a return/island bench provided for Apartments 3, 5 and 37, with the living, dining and kitchen and internal storage demonstrated to comply with Standards D20 and D24 of Clause 58 of the Kingston Planning Scheme;
 - d. all dwellings to provide at least 4, 5, or 6 cubic metres of external storage for a 1, 2, or 3 plus bedroom apartment, respectfully, within the basement, without further enlargement to the basement;
 - e. communal open space increased to a fenced area of a minimum 50 sq.m, provided in the western setback achieved by realigning the common pathway along the western boundary and use of the front landscaped setback;
 - f. internal fencing between private open space and between private open space and the communal walkway;
 - g. the following changes to screening and fenestration:
 - i. east facing habitable room windows and balconies to Apartments 9 and 10 on level 1 be unscreened and clear glazed; (views outside 9 metre arc)
 - ii. privacy screens for finishes: TS01, GL03, and TB01 where indicated as screening to demonstrate that overlooking is adequately limited by provision of a detailed drawing or details of maximum transparency;
 - iii. west facing privacy screens to level 3 to have fixed horizontal louvers, designed with adequate gaps and depth to allow outward views whilst limiting downward views; (to allow view above adjoining 3 storey building to the horizon)
 - iv. east facing privacy screens to levels 2 and 3 to have horizontal louvers, designed with adequate gaps and depth to provide outward views whilst limiting downward views to unscreened existing private open space or

- unscreened habitable room windows within 9 metres; (to allow views to the horizon above the adjoining 1 storey building)
 - v. windows at the end of each communal corridor to be unscreened and designed to maximise daylight, outlook and ventilation;
 - vi. screening/internal fencing provided between balconies, terraces and private open space that limits internal overlooking;
- h. noise attenuation provided between the lift and all adjoining habitable rooms;
- i. building services finished in a concealed way that integrates with the overall façade materials;
- j. street setbacks dimensioned to the title boundary;
- k. number the bedrooms within each apartment;
- l. clearly delineate proposed common property area along western boundary;
- m. show details of proposed boundary fencing;
- n. show details of proposed internal fencing between private open space;
- o. correctly show the extent of the existing easement to the rear;
- p. screening provided between balconies and terraces that limits internal overlooking;
- q. noise attenuation provided between the lifts and all adjoining habitable rooms;
- r. provision of a Shared User Path adjacent to the site's frontage to Council's detailed design requirements, at the full cost of the developer/Permit holder;
- s. provision of pedestrian sight splays at either edge of the driveway and site frontage in accordance with Clause 52.06-9 of the Kingston Planning Scheme;
- t. one-way traffic management devices to manage vehicles on the ramp between the basement levels, preferably a stop/go traffic signal system;
- u. vehicle crossing aligned with all internal driveways or vice versa;
- v. the provision of a longitudinal section of the basement ramps showing gradients, levels, distances, with headroom clearances complying with AS2890.1 and sufficient for the height of a nominated refuse vehicle;
- w. all requirements of VicRoads within Conditions 13 to 16 of this Permit;
- x. endorsement of the Waste Management report provided, prepared by Leigh Design dated 22 November 2018, by modified to show no more than 1 collection per week for each bin type;
- y. the location of tree protection measures illustrated to scale and labelled on the Ground Floor Plan as per the endorsed Tree Management Plan, and with any changes to the proposal to accommodate such measures;
- z. the provision of a landscape plan in accordance with the submitted Landscape Plan prepared by John Patrick Landscape Architects (dated 28/11/2018, rev. C), with such plans to be prepared by a suitably qualified landscape professional to the satisfaction of the Responsible Authority and amended to show:
 - i) 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;

- ii) 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;
 - iii) Details for the landscaping on the all floors of the development;
 - iv) Details of the substrate specifications and planter box dimensions, with all planter boxes that are proposed to be planted with trees to be a minimum depth of 1 metre;
 - v) Tree protection measures including for street trees accurately drawn to scale and labelled as per the endorsed Tree Management Plan;
- aa. provision of the Sustainable Management Plan prepared by WGE, dated 26 November 2018, but modified to show:
- i) clarification of provision of dishwashers and clothes dryers, or altered correctly in BESS to scope out or provide star rating;
 - ii) consistently shows rainwater tank volume across report and plans;
 - iii) a maximum illumination power density (W/m²) in at least 90% of the relevant Building Class, at least 20% lower than the National Construction Code;
 - iv) fluorescent lamps replaced with an more environmentally friendly solution;
 - v) option for electrical connection points for electric vehicle charging in basement;
 - vi) external tap and drainage to each balcony;
 - vii) updated to reflect the current proposal, with the above requirements, and demonstrated to meet or exceed the BESS Best Practice;
 - viii) all relevant or principle commitments identified shown/summarised on plans.

Endorsed Plans

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

Tree Management and Protection Plan

3. Concurrent with the endorsement of plans, a Tree Management Plan prepared by a suitably qualified arborist in accordance with AS4970-2009, must be submitted to and be endorsed by the Responsible Authority and incorporating:
 - a. A Tree Management Plan (written report) must provide details of:
 - i. Tree protection measures that will be utilized to ensure all trees to be retained remain viable post-construction.
 - ii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
 - b. A Tree Protection Plan (scale drawing) must provide details of:
 - i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighboring properties where any part of the Tree Protection Zone falls within the subject site.
 - ii. The location of tree protection measures to be utilized.
 - iii. A notation to refer to the Tree Management Plan.

4. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management Plan, to the satisfaction of the Responsible Authority.
5. Prior to the commencement of works, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

Street trees

6. Unless the street tree is approved by the Responsible Authority to be removed to construct the shared path, removed at the full cost of the Permit holder/developer, Tree Protection Fencing is to be established around the *Callistemon* sp. (Bottlebrush) street tree located in the White 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.

Drainage and Water Sensitive Urban Design

7. 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.
8. 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 13.8L/s.
 - c. All stormwater (drainage) works must be maintained to the satisfaction of the Responsible authority.
- 9. 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.
- 10. The basement structure must be designed to respond to the findings of the GAR and GMP required and constructed to the satisfaction of the responsible authority.

Sustainable Management Plan

- 11. Prior to the occupation of any building approved under this permit, written confirmation from the author of the endorsed Sustainable Management Plan (SMP) is to be submitted to and approved by the Responsible Authority detailing that all of the required measures specified in the SMP have been implemented, to the satisfaction of the Responsible Authority.

Construction Management

- 12. 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:
 - 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.

VicRoads

- 13. Prior to commencement of any roadworks, a functional layout plan must be submitted to and approved by the Responsible Authority. When approved, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the Ground Floor Plan submitted

with the application (Drawing Number 102, Revision A dated 8 May 2018 prepared by Crone Architects) but modified to show:

- a. physical splitter island to enforce left-in/ left-out along with swept path diagrams;
 - b. signage and line marking plan;
 - c. crossover width reduced to match with the driveway width at the property boundary accommodating a splitter island;
 - d. existing right turn lane and pavement marking on White Street removed;
14. Subsequent to the approval of Functional Layout Plan (FLP) and prior to the commencement of any roadworks, the applicant must submit the detailed engineering design plans along with detailed design stage road safety audit to VicRoads for review and obtain written approval. The detailed design plans must be prepared generally in accordance with the approved functional layout plan.
 15. Vehicles must enter and exit the land in a forward direction at all times.
 16. Prior to the commencement of the use of the development hereby approved, all roadworks as required by VicRoads must be completed generally in accordance with approved Functional Layout Plan (FLP) and detailed design plans to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads;

Infrastructure and Road Works

17. 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.
18. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.
19. 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 or lowered to the satisfaction of the Responsible Authority.
20. Shared User Path design and levels to be obtained from Roads and Drains Department.
21. Any reinstatements and new/modified vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
22. The replacement of all footpaths, including offsets, must be constructed to the satisfaction of the Responsible Authority.
23. Any redundant vehicle crossings must be removed (including redundant portions of vehicle crossings) to the satisfaction of the Responsible Authority.
24. Vehicle crossings and other reinstatements must be constructed to council's higher strength specifications.

Environmental Audit Overlay

25. Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

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- a. A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- b. An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

General amenity conditions

26. 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.
27. 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.
28. 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

29. Prior to the occupation of development 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.
30. Prior to the occupation of development 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 (except where that landscaping is on public land) to the satisfaction of the Responsible Authority.

Expiry

31. This permit 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-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: 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: For information on how City of Kingston approaches the construction of building and other structures with below ground elements for the benefit of the whole community please refer to City of Kingston 'Basement and Deep Building Construction Policy' and 'Basements and Deep Building Construction Guidelines'. <http://www.kingston.vic.gov.au/Property-and-Development/Engineering-Assessments>

Note: During basement construction Council does not permit the discharge of surface water or ground water into the Council drainage system unless a Temporary Discharge Permit (TDP) has been obtained. Application form and other construction related permits can be obtained from the following link:
<http://www.kingston.vic.gov.au/Property-and-Development/Construction>

Note:

The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as 'Standard Requirements – Externally Funded Projects' and any other requirements considered necessary depending on the nature of the work.

The detailed engineering design may need to be amended to accommodate any changes that may arise during the detail design stage review, in response to the road safety audit, in relation to hazards and their location, vegetation, drainage, treatment of hazards within clear zones and other matters.

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.

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 Mixed Use Zone at Clause 32.04 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.

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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 - KP-2018/403 - 102 White Street, MORDIALLOC VIC 3195 - Plans for consideration by Committee (Ref 19/34568) [↓](#)

Author/s: Hugh Charlton, Statutory Planner
Reviewed and Approved By: Jeremy Hopkins, Team Leader Statutory Planning
Ilan Nice, Manager City Development

4.3

KP-2018/403 - 102-104 WHITE STREET MORDIALLOC

1	KP-2018/403 - 102 White Street, MORDIALLOC VIC 3195 - Plans for consideration by Committee	91
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102 -104 WHITE STREET, MORDIALLOC

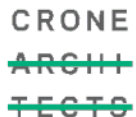
TOWN PLANNING

Drawing List		
Sheet Number	Sheet Name	Current Revision
000	Cover Sheet	E
001	Existing Site Plan	F
002	Survey	E
003	Demolition plan	E
004	Proposed Site Plan	D
005	Schedules	D
100	Basement 2 Floor Plan	D
101	Basement 1 Floor Plan	D
102	Ground Floor Plan	E
103	Level 1 Floor Plan	E
104	Level 2 Floor Plan	E
105	Level 3 Floor Plan	E
106	Level 4 Floor Plan	D
107	Roof Plan	D
151	APARTMENT TYPE A	A
152	APARTMENT TYPE B	A
153	APARTMENT TYPE C	A
154	APARTMENT TYPE D	A
155	APARTMENT TYPE E	A
156	APARTMENT TYPE F	A
157	APARTMENT TYPE G	A
158	APARTMENT TYPE H	A
159	APARTMENT TYPE I	A
160	APARTMENT TYPE J	A
161	APARTMENT TYPE K	A
162	APARTMENT TYPE L	A
163	APARTMENT TYPE M	A
164	APARTMENT TYPE N	A
165	APARTMENT TYPE O	A

CONSIDERED Drawing List		
Sheet Number	Sheet Name	Current Revision
166	APARTMENT TYPE P	A
167	APARTMENT TYPE Q	A
168	APARTMENT TYPE R	A
169	APARTMENT TYPE S	A
170	APARTMENT TYPE T	A
171	APARTMENT TYPE U	A
172	APARTMENT TYPE V	A
173	APARTMENT TYPE W	A
174	APARTMENT TYPE X	A
175	APARTMENT TYPE Y	A
176	APARTMENT TYPE Z	A
200	North & East Elevation	D
201	South & West Elevation	D
202	Streetscape Elevation	A
300	Section 1	E
301	Section 2	D
400	Proposed Shadow Diagram 22-09 9am	E
401	Proposed Shadow Diagram 22-09 10am	E
402	Proposed Shadow Diagram 22-09 11am	D
403	Proposed Shadow Diagram 22-09 12pm	D
404	Proposed Shadow Diagram 22-09 1pm	E
405	Proposed Shadow Diagram 22-09 2pm	E
406	Proposed Shadow Diagram 22-09 3pm	D
501	3D View	E
502	3D View	E
503	3D View	D
504	3D View	D
505	3D View	D
506	3D View	D

Grand total: 58

DEVELOPMENT APPLICATION - RFI



CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
Cover Sheet

DRAWING NUMBER
000

REVISION
E

DATE
28/11/2018

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PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
3D View

DRAWING NUMBER
501

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3489
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Mordialloc VIC

DRAWING TITLE
3D View

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DRAWING TITLE
3D View

DRAWING NUMBER
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DRAWING TITLE
3D View

DRAWING NUMBER
504

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DRAWING TITLE
3D View

DRAWING NUMBER
505

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DEVELOPMENT APPLICATION - RFI

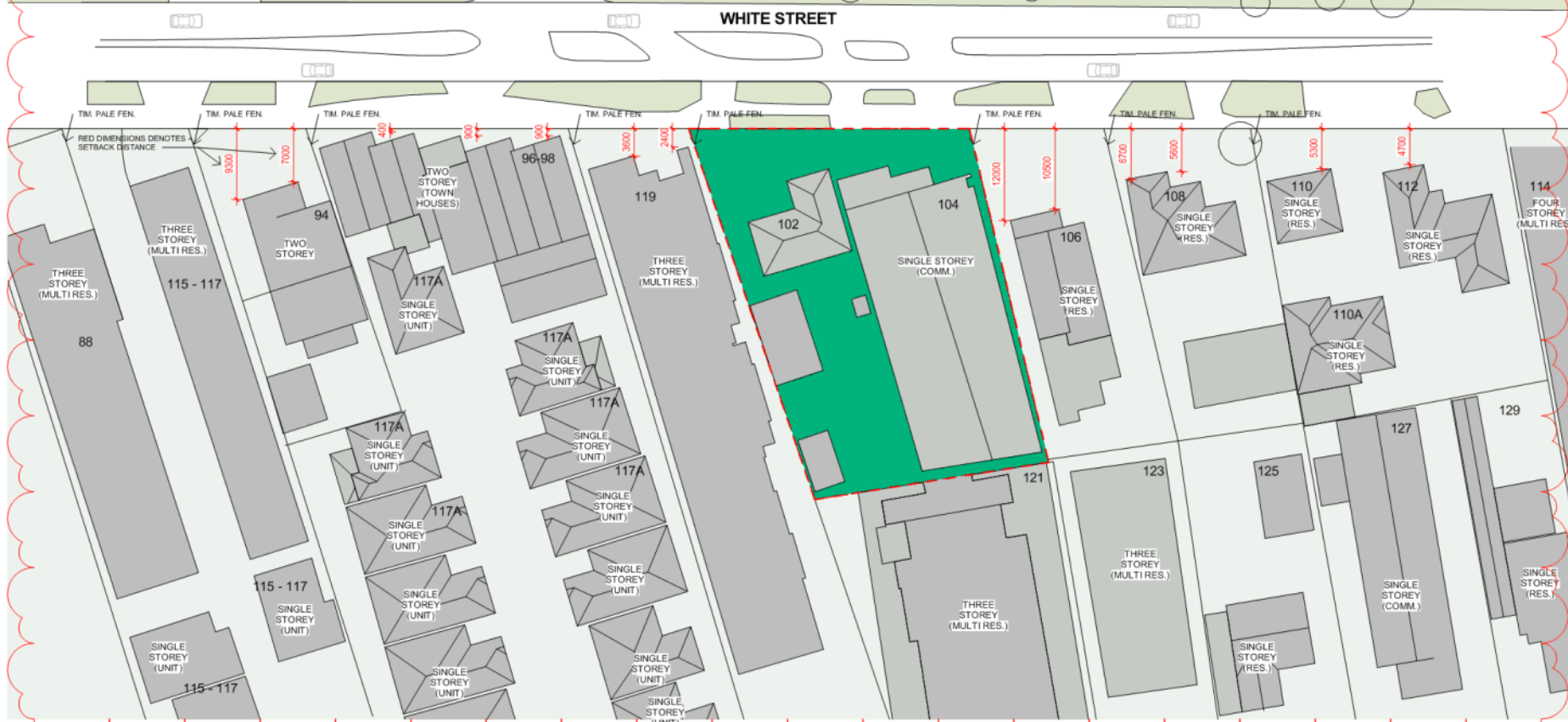
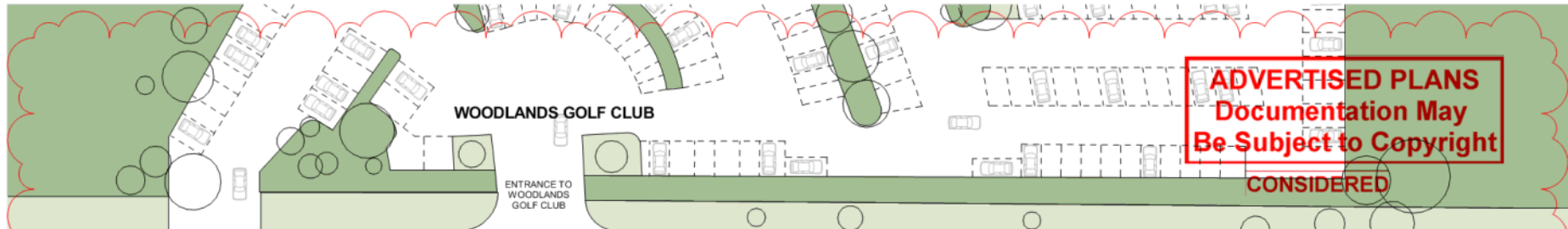
REVISION
D DATE
28/11/2018

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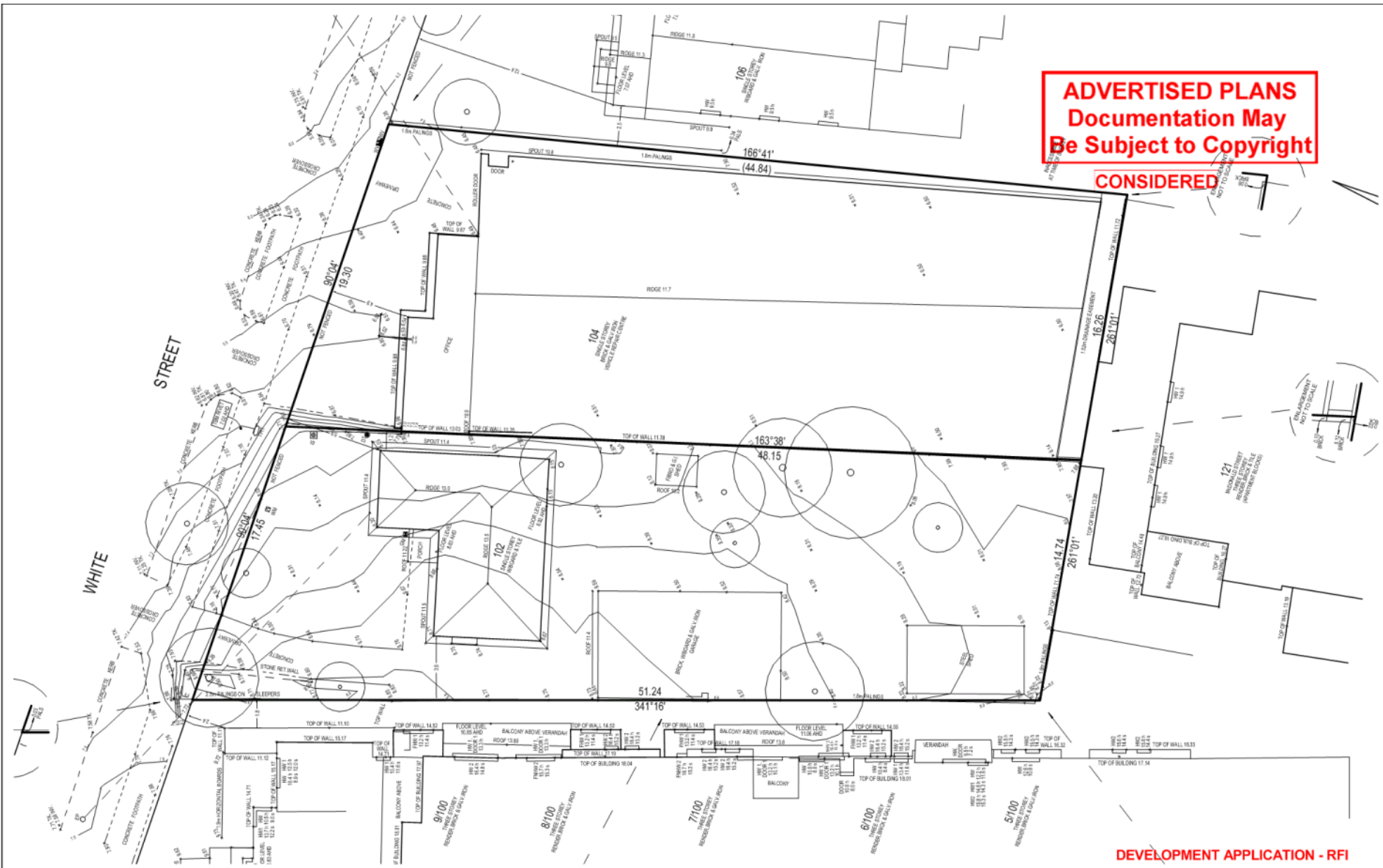
DEVELOPMENT APPLICATION - RFI

CRONE ARCHITECTS	CLIENT Prime Apartments Mordialloc Pty Ltd	PROJECT INFORMATION: 3489 102-104 White Street Mordialloc VIC	DRAWING TITLE 3D View	DRAWING NUMBER 506	REVISION D	DATE 28/11/2018
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DEVELOPMENT APPLICATION - RFI

	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	Existing Site Plan	001	F	28/11/2018
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					SCALE 1:500 @A3	<p>NORTH</p>



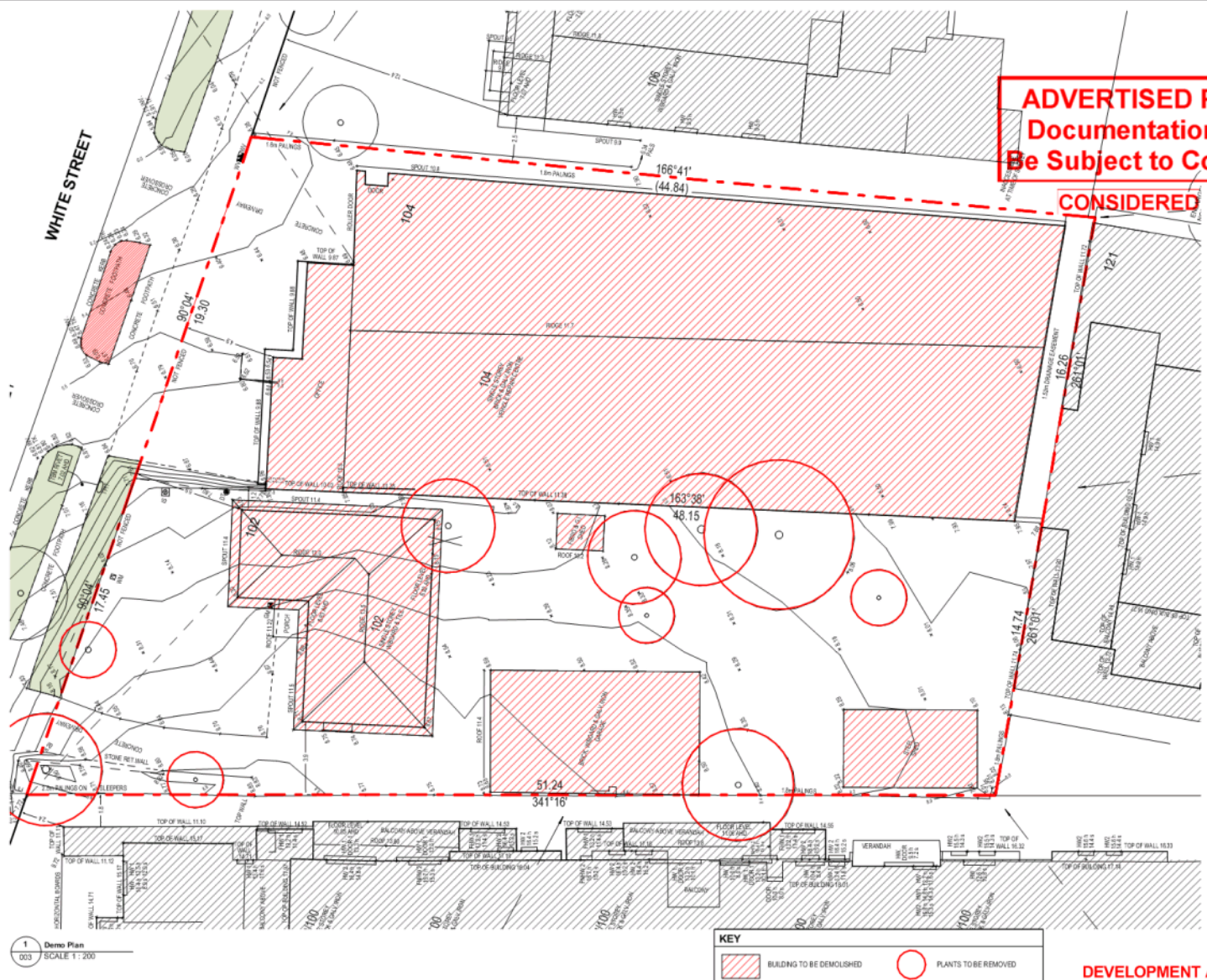
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DEVELOPMENT APPLICATION - RFI

	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	Survey	002	E	28/11/2018
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Mordialloc Pty Ltd

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
Demolition plan

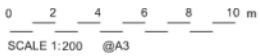
DRAWING NUMBER
003

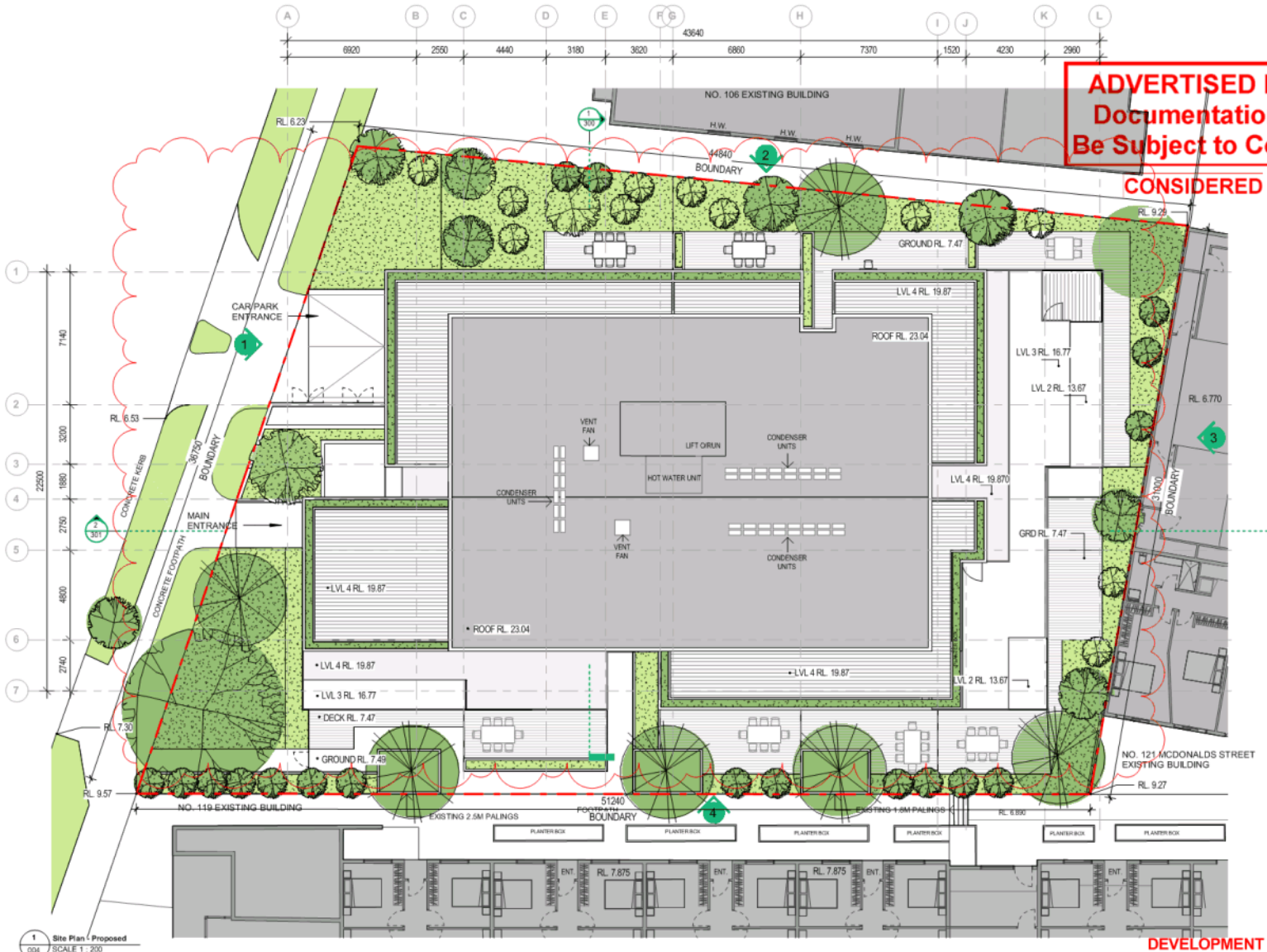
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1 Site Plan - Proposed
004 SCALE 1:200

DEVELOPMENT APPLICATION - RFI



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**Prime Apartments
Mordialloc Pty Ltd**

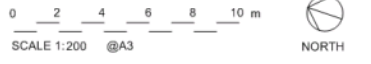
PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
Proposed Site Plan

DRAWING NUMBER
004

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28/11/2018

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Area Schedule (GA - NLA)		
Unit Type	Unit Number	Area

1 BED	01	55.3 m ²
1 BED	02	55.8 m ²
1 BED	06	56.3 m ²
1 BED	08	56.7 m ²
1 BED	10	46.4 m ²
1 BED	11	47.2 m ²
1 BED	15	48.1 m ²
1 BED	20	46.5 m ²
1 BED	21	47.1 m ²
1 BED	23	48.8 m ²
1 BED	25	48.1 m ²
1 BED	30	46.4 m ²
1 BED	31	47.1 m ²
1 BED: 13		

2 BED	03	69.2 m ²
2 BED	04	69.9 m ²
2 BED	05	76.7 m ²
2 BED	07	72.8 m ²
2 BED	09	68.3 m ²
2 BED	12	69.0 m ²
2 BED	13	61.1 m ²
2 BED	14	69.3 m ²
2 BED	16	69.2 m ²
2 BED	17	67.9 m ²
2 BED	18	72.3 m ²
2 BED	19	68.3 m ²
2 BED	22	68.9 m ²
2 BED	24	69.3 m ²
2 BED	26	69.3 m ²
2 BED	27	68.0 m ²
2 BED	28	72.2 m ²
2 BED	29	68.2 m ²
2 BED	34	69.2 m ²
2 BED	35	67.9 m ²
2 BED	36	59.8 m ²
2 BED: 21		

3 BED	32	91.2 m ²
3 BED	33	95.2 m ²
3 BED	37	79.7 m ²
3 BED	38	92.7 m ²
3 BED	39	88.8 m ²
3 BED	40	85.8 m ²
3 BED: 6		
Grand total: 40		

Unit Mix			
Unit Type	1 Bed	2 Bed	3 Bed

Ground Level	4	4	0
Level 1	3	7	0
Level 2	4	6	0
Level 3	2	4	2
Level 4	0	0	4
Total	13	21	6

Grand Total: 40

Area Schedule (GBA)	
Level	Area

GROUND FLOOR	812.2 m ²
LEVEL 1	908.5 m ²
LEVEL 2	908.7 m ²
LEVEL 3	814.2 m ²
LEVEL 4	730.6 m ²
Grand total: 5	4,174.1 m ²

Unit No/ Unit Type	Provided Internal Storage Volume		External Storage Volume Allocated Within Basement	Total Allocated Storage
	Beds	Internal Storage Volume Within Dwelling		
Unit 01- TYPE A	1 BED	6.36 m ³	4m ³	10.36m ³
Unit 02- TYPE B	1 BED	7.03 m ³	4m ³	11.03m ³
Unit 03- TYPE C	2 BED	10.65 m ³	4m ³	14.65m ³
Unit 04- TYPE D	2 BED	10.12 m ³	4m ³	14.12m ³
Unit 05- TYPE E	2 BED	12.54 m ³	4m ³	16.54m ³
Unit 06- TYPE F	1 BED	6.38 m ³	4m ³	10.38m ³
Unit 07- TYPE G	2 BED	13.13 m ³	4m ³	17.13m ³
Unit 08- TYPE H	1 BED	9.28 m ³	4m ³	13.28m ³
Unit 09,19,29- TYPE I	2 BED	14.11 m ³	4m ³	18.11m ³
Unit 10,20,30- TYPE J	1 BED	6.39 m ³	4m ³	10.39m ³
Unit 11,21,31- TYPE K	1 BED	6.78 m ³	4m ³	10.78m ³
Unit 12,22- TYPE L	2 BED	11.28 m ³	4m ³	15.28m ³
Unit 13- TYPE M	2 BED	11.34 m ³	4m ³	15.34m ³
Unit 14,24- TYPE N	2 BED	11.47 m ³	4m ³	15.47m ³
Unit 15,25- TYPE O	1 BED	6.77 m ³	4m ³	10.77m ³
Unit 16,26,34- TYPE P	2 BED	13.22 m ³	4m ³	17.22m ³
Unit 17,27,35- TYPE Q	2 BED	14.86 m ³	4m ³	18.86m ³
Unit 18,28- TYPE R	2 BED	11.35 m ³	4m ³	15.35m ³
Unit 23- TYPE S	1 BED	7.69 m ³	4m ³	11.69m ³
Unit 32- TYPE T	3 BED	14.19 m ³	5m ³	19.19m ³
Unit 33- TYPE U	3 BED	14.29 m ³	5m ³	19.29m ³
Unit 36- TYPE V	2 BED	10.62 m ³	4m ³	14.62m ³
Unit 37- TYPE W	3 BED	13.61 m ³	5m ³	18.61m ³
Unit 38- TYPE X	3 BED	16.74 m ³	5m ³	21.74m ³
Unit 39- TYPE Y	3 BED	13.29 m ³	5m ³	18.29m ³
Unit 40- TYPE Z	3 BED	13.19 m ³	5m ³	18.19m ³

DEVELOPMENT SUMMARY / AREA ANALYSIS
 SITE AREA 1584.6sqm
 DEVELOPMENT TYPE 1
 PERMEABLE AREA 936 sqm
 PERMEABLE RATE 41.2%

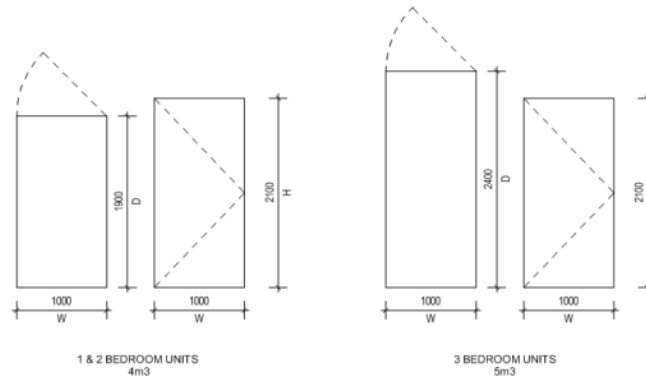
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NO.	UNIT TYPE
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21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

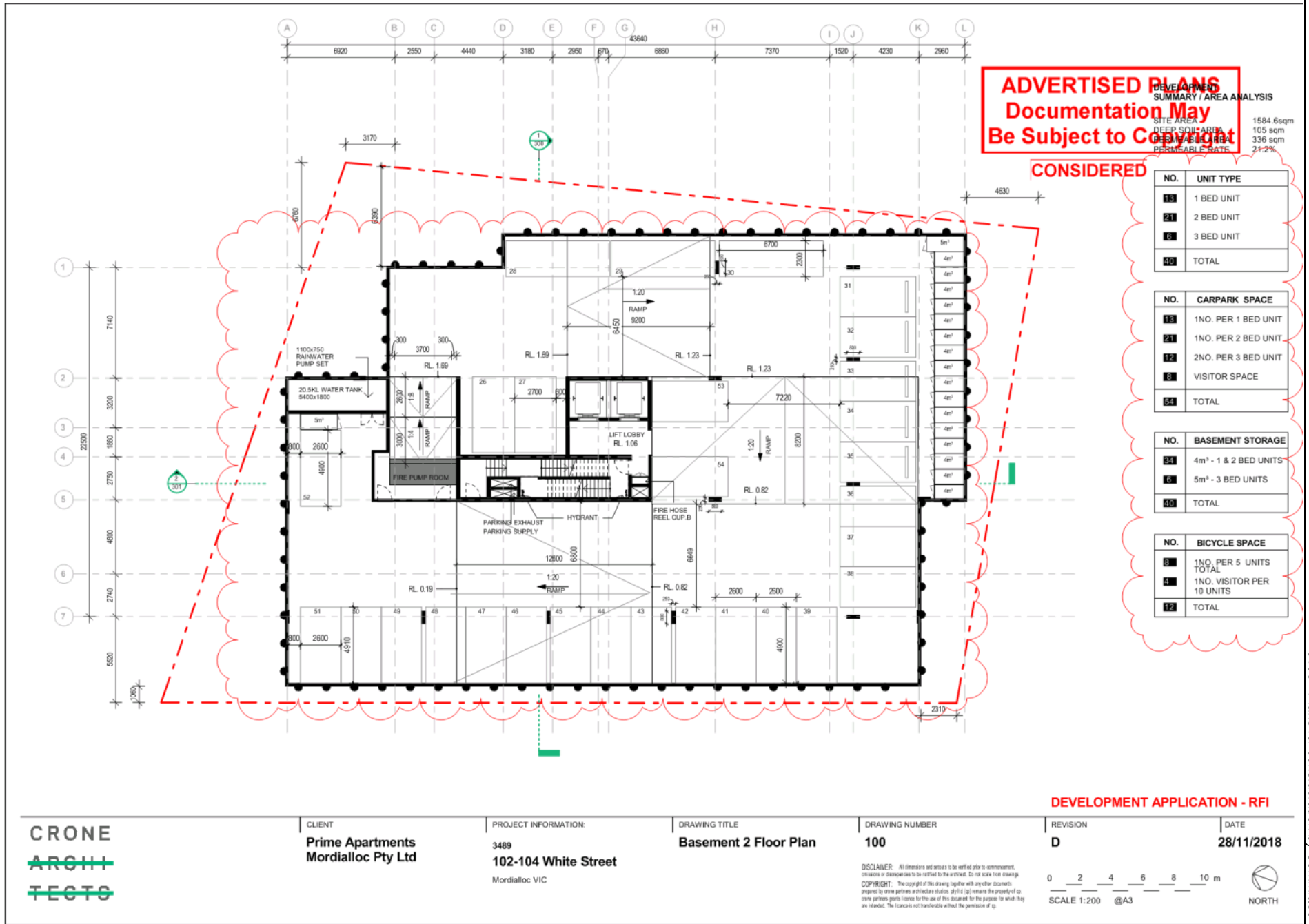
NO.	CARPARK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

NO.	BASEMENT STORAGE
34	4m ³ - 1 & 2 BED UNITS
6	5m ³ - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
8	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
12	TOTAL



1 BASEMENT STORAGE CONTAINER DETAILS
 005 SCALE 1:50



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DEVELOPMENT SUMMARY / AREA ANALYSIS

SITE AREA	1584.6sqm
DEEP SOIL AREA	105 sqm
PERMEABLE AREA	336 sqm
PERMEABLE RATE	21-2%

CONSIDERED

NO.	UNIT TYPE
13	1 BED UNIT
21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

NO.	CARPARK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

NO.	BASEMENT STORAGE
34	4m³ - 1 & 2 BED UNITS
6	5m³ - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
6	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
12	TOTAL



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Prime Apartments Mordialloc Pty Ltd

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
Basement 2 Floor Plan

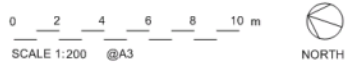
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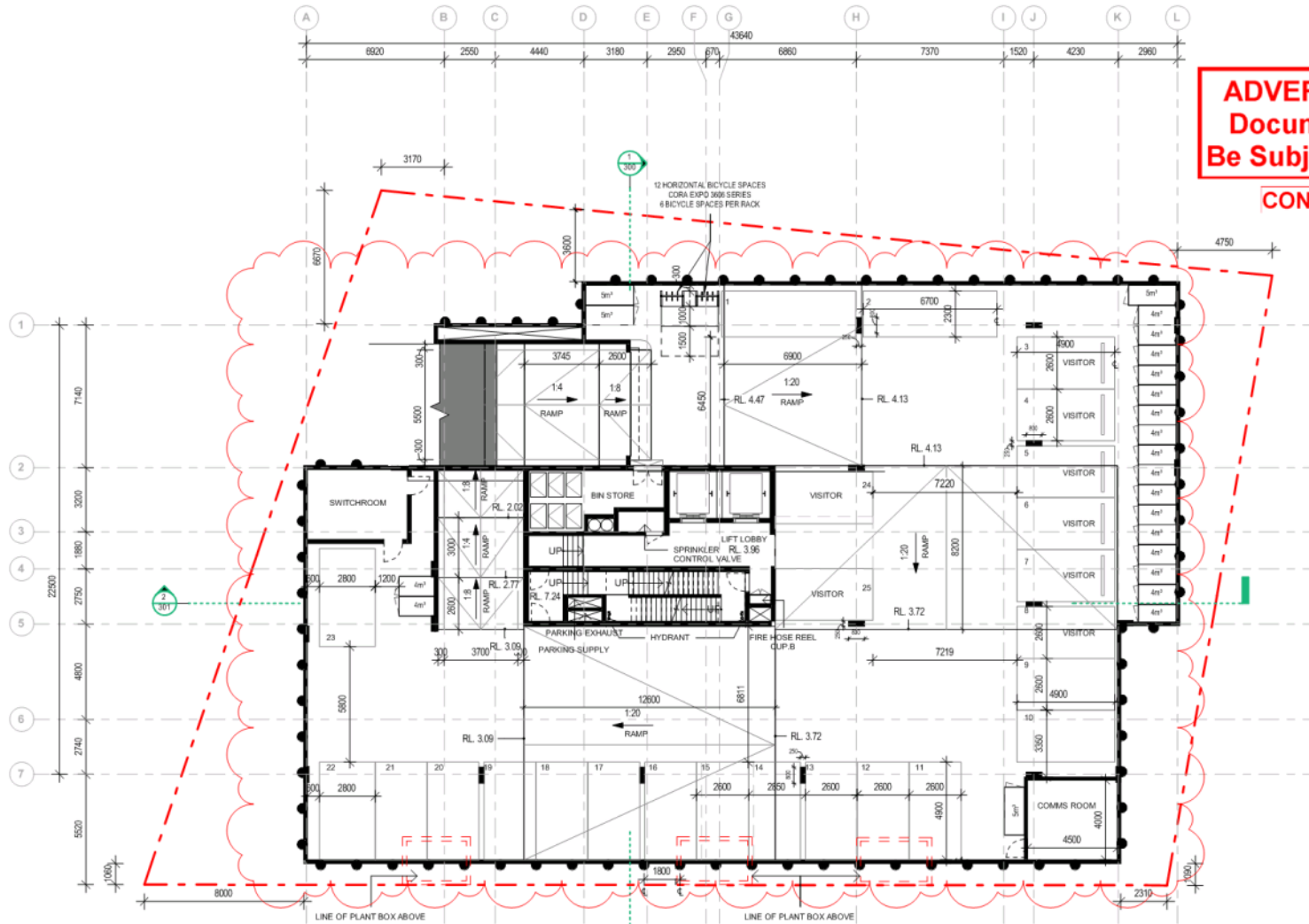
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CONSIDERED

DEVELOPMENT SUMMARY / AREA ANALYSIS

SITE AREA	1584.6sqm
DEEP SOIL AREA	105 sqm
DEVELOPABLE AREA	336 sqm
PERMEABLE RATE	21.2%

NO.	UNIT TYPE
13	1 BED UNIT
21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

NO.	CARPARK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

NO.	BASEMENT STORAGE
34	4m ² - 1 & 2 BED UNITS
6	5m ² - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
6	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
12	TOTAL

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CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
 3489
102-104 White Street
 Mordialloc VIC

DRAWING TITLE
Basement 1 Floor Plan

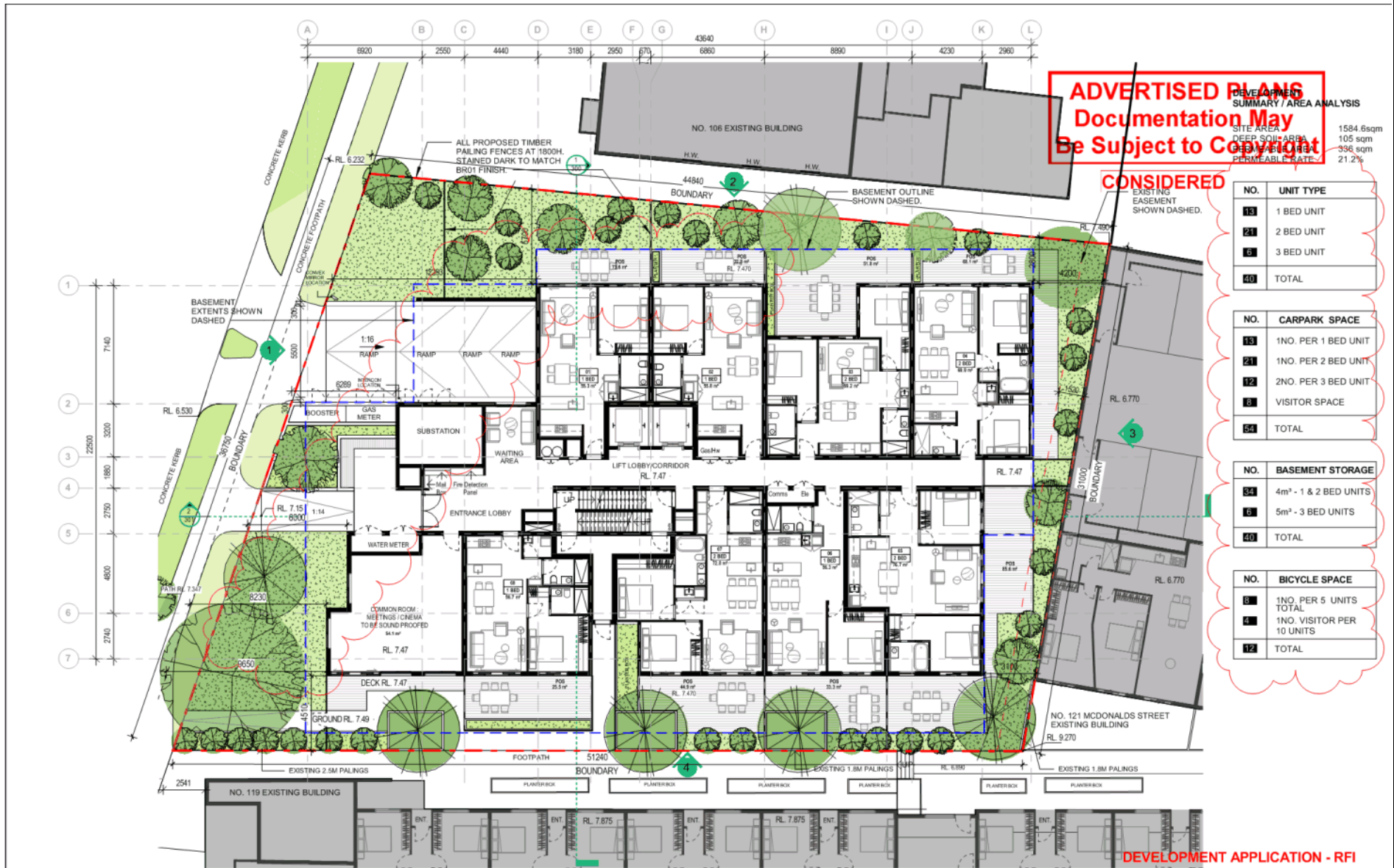
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101

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0 2 4 6 8 10 m
 SCALE 1:200 @A3





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DEVELOPMENT SUMMARY / AREA ANALYSIS

SITE AREA	1584.6sqm
DEEP SOIL AREA	105 sqm
PERMEABLE AREA	396 sqm
PERMEABLE RATE	21.2%

CONSIDERED

NO.	UNIT TYPE
13	1 BED UNIT
21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

NO.	CARPARK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

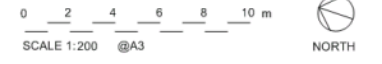
NO.	BASEMENT STORAGE
34	4m ² - 1 & 2 BED UNITS
6	5m ² - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
6	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
12	TOTAL



CLIENT Prime Apartments Mordialloc Pty Ltd	PROJECT INFORMATION: 3489 102-104 White Street Mordialloc VIC	DRAWING TITLE Ground Floor Plan	DRAWING NUMBER 102	REVISION E	DATE 28/11/2018
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DEVELOPMENT SUMMARY / AREA ANALYSIS

SITE AREA	1584.6sqm
DEEP SOIL AREA	105 sqm
PERMEABLE AREA	336 sqm
PERMEABLE RATE	21.2%

CONSIDERED

NO.	UNIT TYPE
13	1 BED UNIT
21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

NO.	CARPARK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

NO.	BASEMENT STORAGE
34	4m ² - 1 & 2 BED UNITS
6	5m ² - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
6	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
10	TOTAL

DEVELOPMENT APPLICATION - RFI



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Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
 3489
102-104 White Street
 Mordialloc VIC

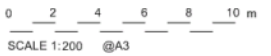
DRAWING TITLE
Level 1 Floor Plan

DRAWING NUMBER
103

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DATE
28/11/2018

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DEVELOPMENT SUMMARY / AREA ANALYSIS

SITE AREA	1584.6sqm
DEEP SOIL AREA	105 sqm
PERMEABLE RATE	336 sqm
	21.2%

CONSIDERED

NO.	UNIT TYPE
13	1 BED UNIT
21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

NO.	CARPAK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

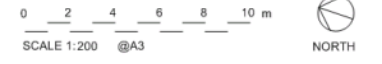
NO.	BASEMENT STORAGE
34	4m ² - 1 & 2 BED UNITS
6	5m ² - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
6	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
12	TOTAL



CLIENT Prime Apartments Mordialloc Pty Ltd	PROJECT INFORMATION: 3489 102-104 White Street Mordialloc VIC	DRAWING TITLE Level 2 Floor Plan	DRAWING NUMBER 104	REVISION E	DATE 28/11/2018
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DEVELOPMENT SUMMARY / AREA ANALYSIS

SITE AREA	1584.6sqm
DEEP SOIL AREA	105 sqm
PERMEABLE RATE	336-sqm
	21.2%

CONSIDERED

NO.	UNIT TYPE
13	1 BED UNIT
21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

NO.	CARPARK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

NO.	BASEMENT STORAGE
34	4m² - 1 & 2 BED UNITS
6	5m² - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
6	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
12	TOTAL

DEVELOPMENT APPLICATION - RFI



CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
 3489
102-104 White Street
 Mordialloc VIC

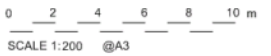
DRAWING TITLE
Level 3 Floor Plan

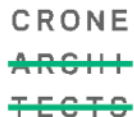
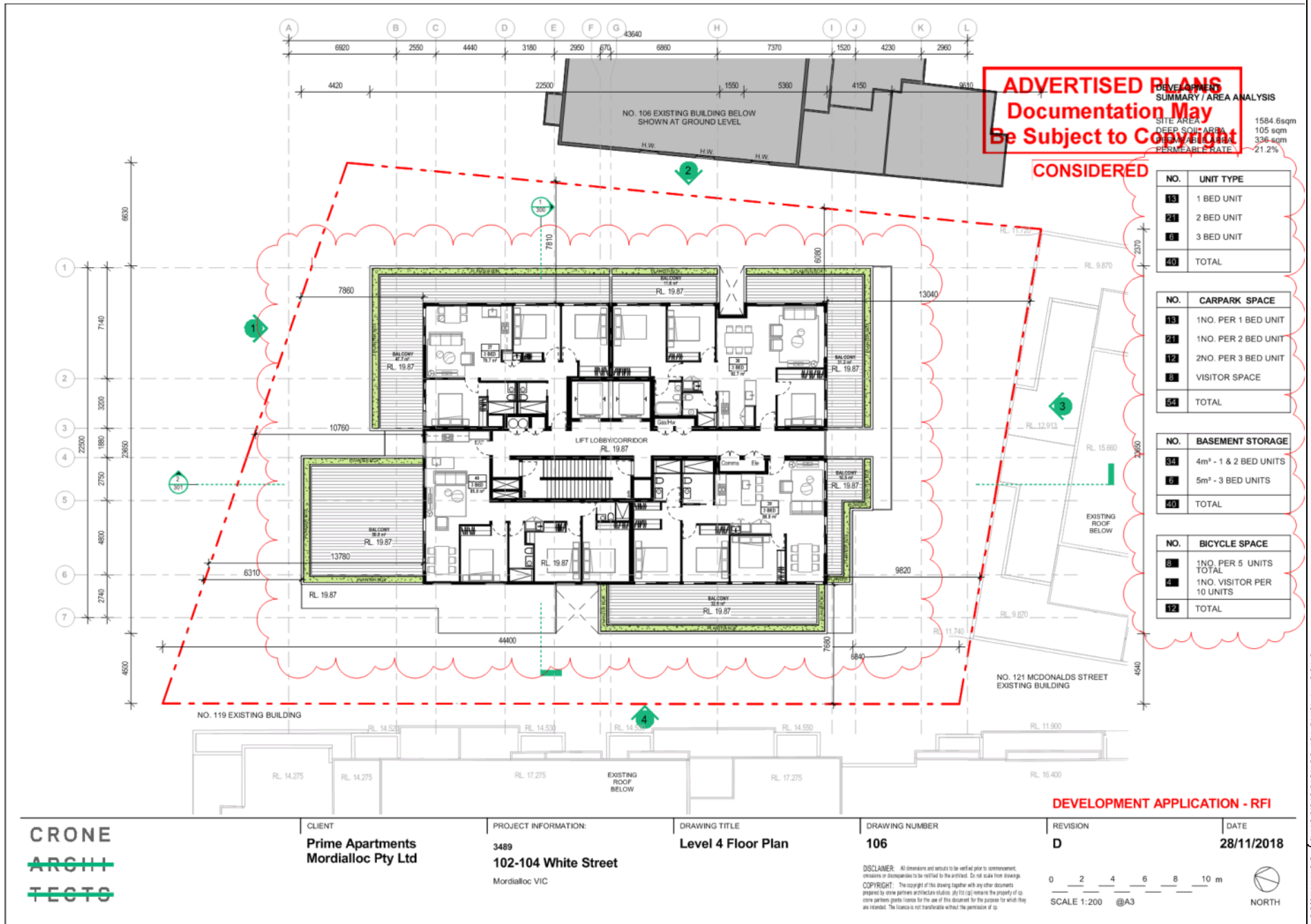
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105

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28/11/2018

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Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
Level 4 Floor Plan

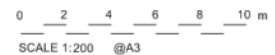
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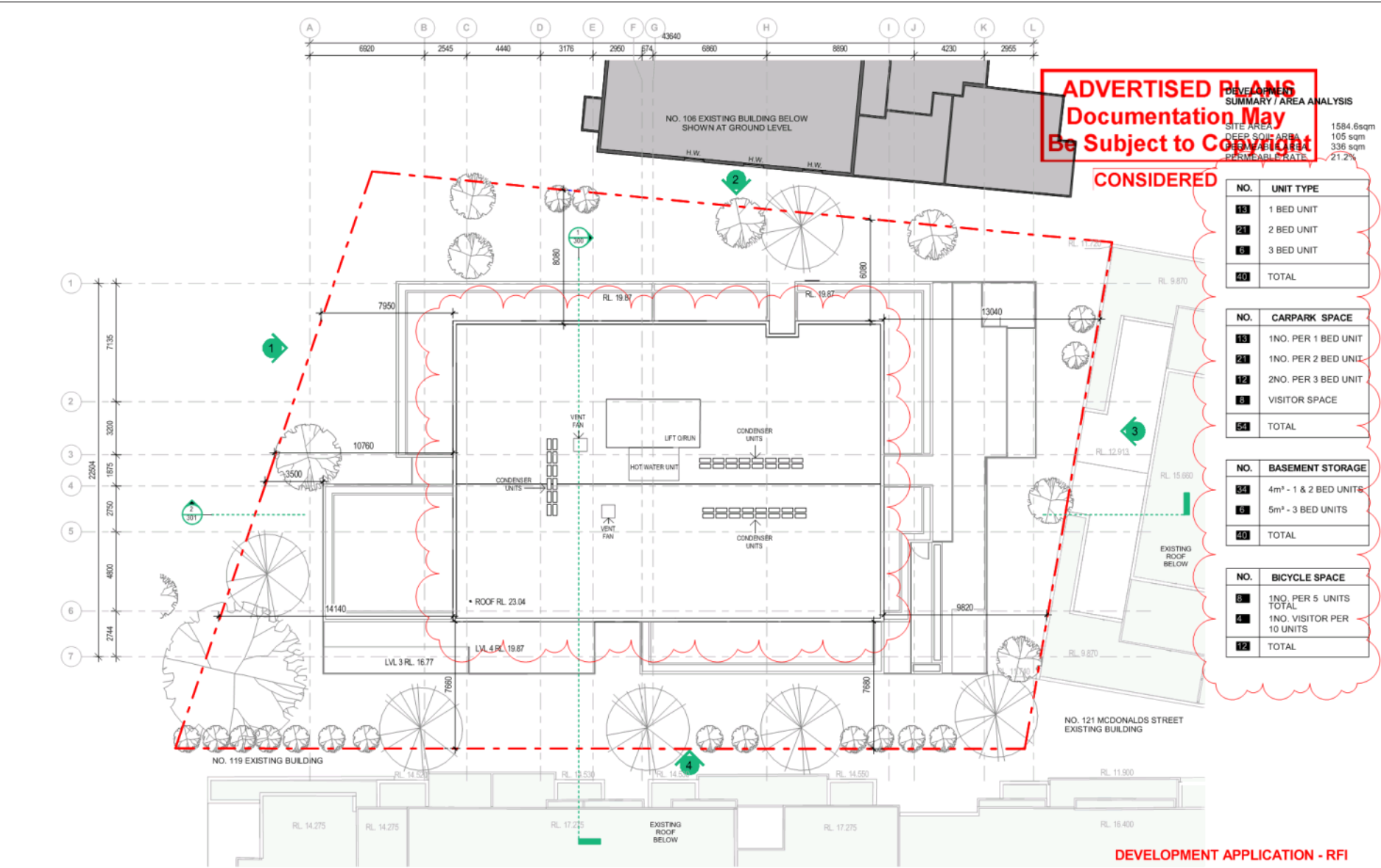
DEVELOPMENT APPLICATION - RFI

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DEVELOPMENT SUMMARY / AREA ANALYSIS

SITE AREA	1584.6sqm
DEEP SOIL AREA	105 sqm
PERMEABLE AREA	336 sqm
PERMEABLE RATE	21.2%

CONSIDERED

NO.	UNIT TYPE
13	1 BED UNIT
21	2 BED UNIT
6	3 BED UNIT
40	TOTAL

NO.	CARPARK SPACE
13	1NO. PER 1 BED UNIT
21	1NO. PER 2 BED UNIT
12	2NO. PER 3 BED UNIT
6	VISITOR SPACE
54	TOTAL

NO.	BASEMENT STORAGE
34	4m ² - 1 & 2 BED UNITS
6	5m ² - 3 BED UNITS
40	TOTAL

NO.	BICYCLE SPACE
6	1NO. PER 5 UNITS TOTAL
4	1NO. VISITOR PER 10 UNITS
12	TOTAL



CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
 3489
102-104 White Street
 Mordialloc VIC

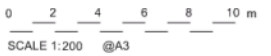
DRAWING TITLE
Roof Plan

DRAWING NUMBER
107

REVISION
D

DATE
28/11/2018

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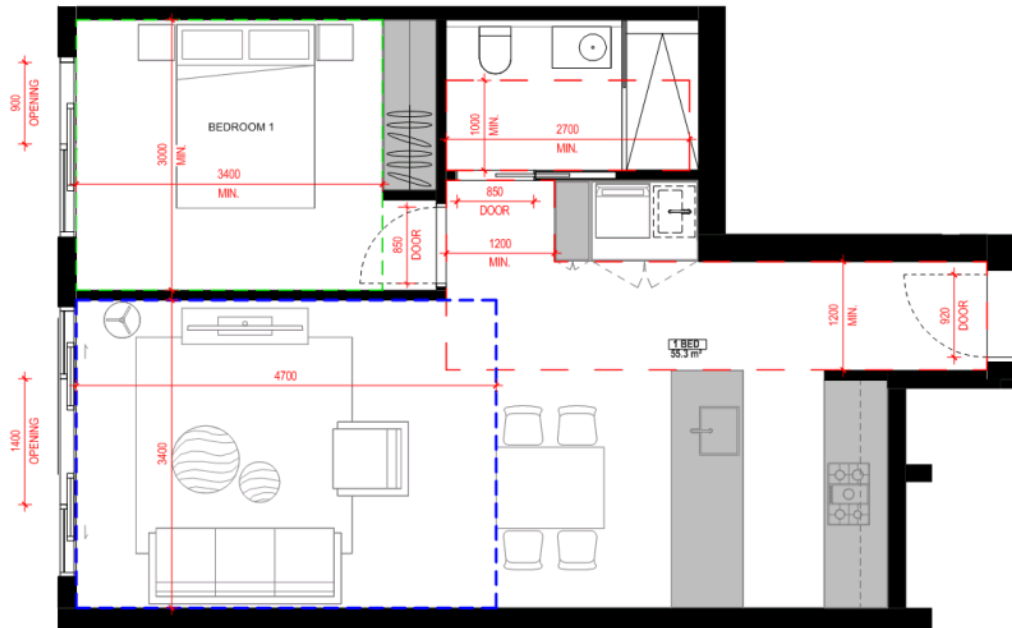


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APARTMENT DATA

UNIT TYPE	UNIT NO.	FLOOR	UNIT AREA	LEVEL
A	01	01	55.3m ²	GROUND

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE A	151	A	28/11/2018
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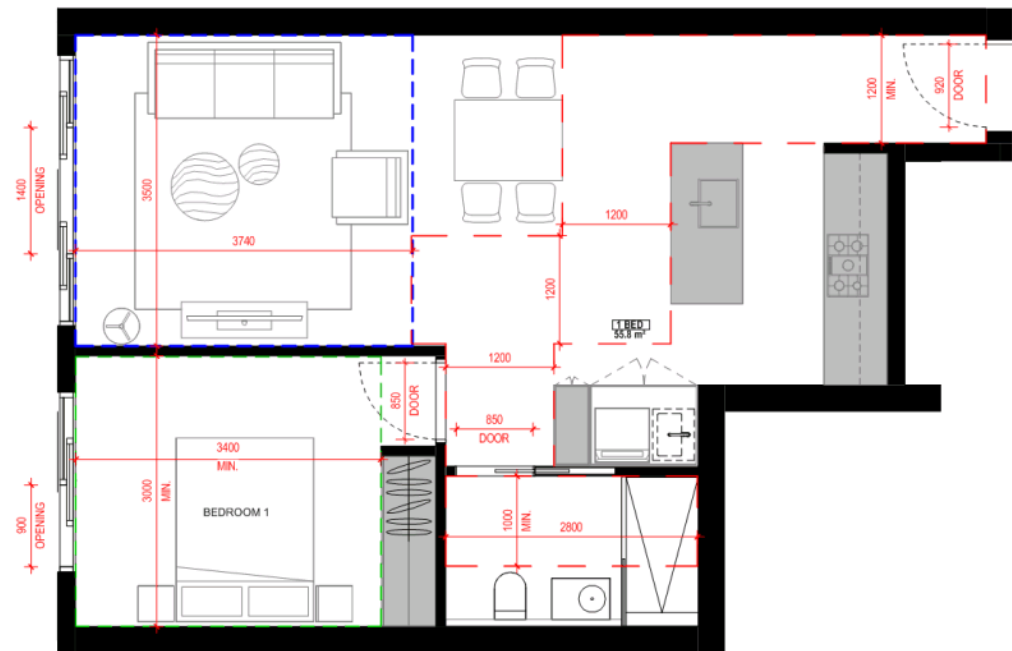
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APARTMENT DATA

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA
B	02	01	55.8m ²

LEGEND:

- TRAFFIC CLEARANCE ZONE
- LIVING AREA
- BEDROOM



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	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE B	152	A	28/11/2018

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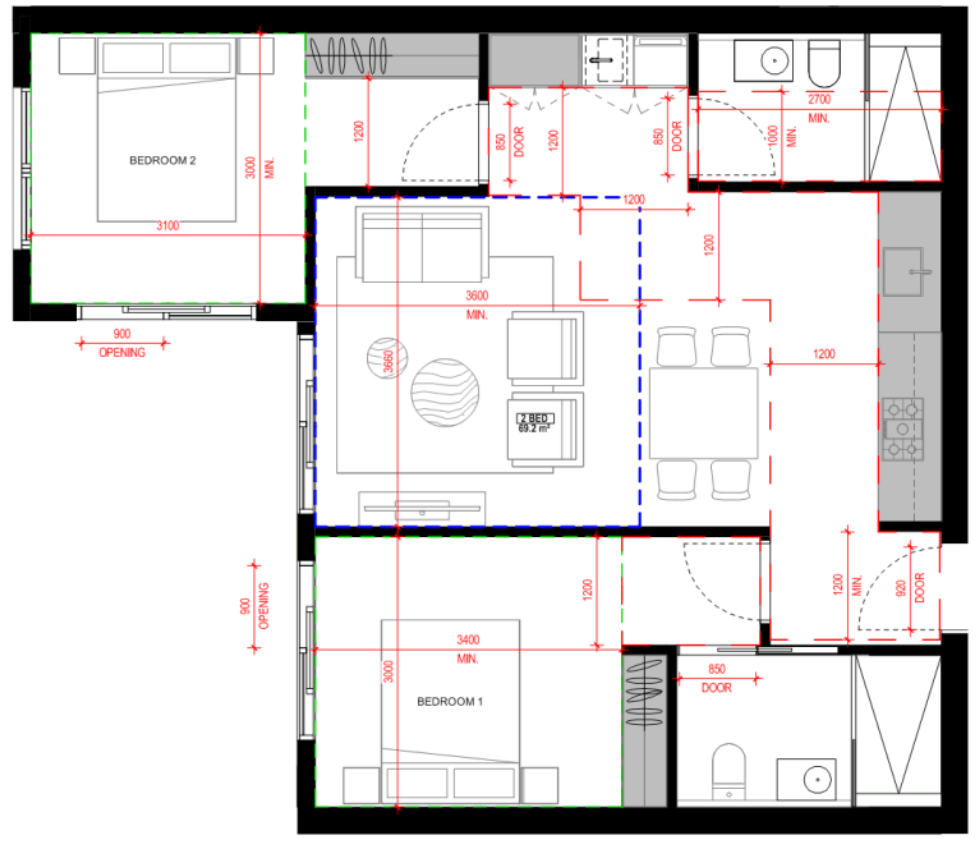
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APARTMENT DATA

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	LEVEL
C	03	02	69.2m ²	GROUND

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE C	153	A	28/11/2018

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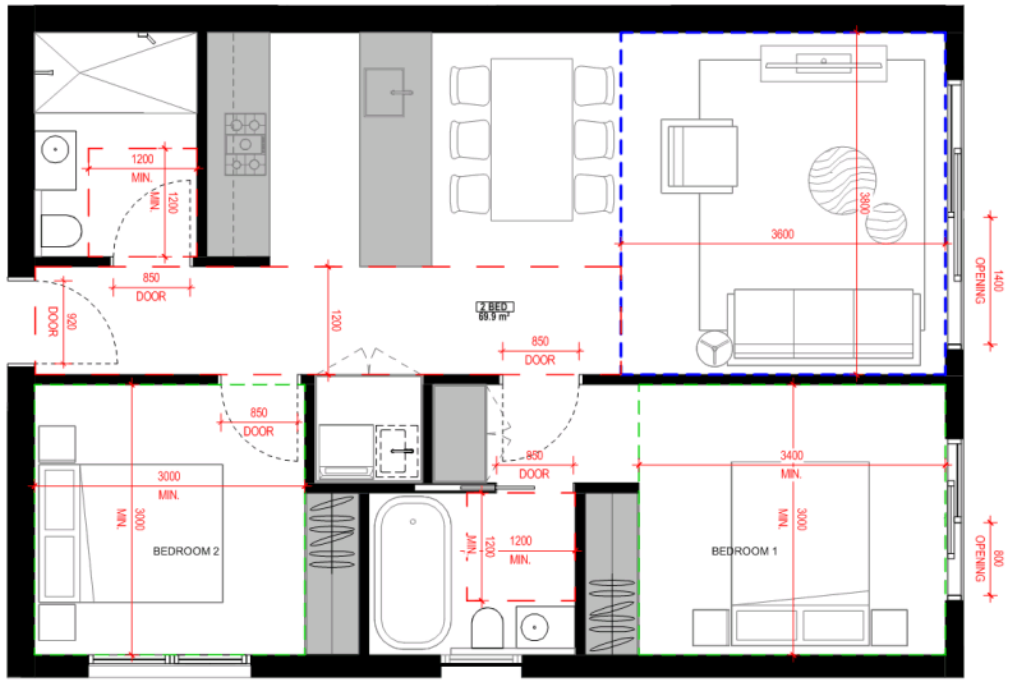
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APARTMENT TYPE D

UNIT TYPE	UNIT NO.	BEDS	FLOOR AREA	FLOOR LEVEL
D	04	02	69.9m ²	GROUND

LEGEND:
 - - - TRAFFIC CLEARANCE ZONE
 - - - LIVING AREA
 - - - BEDROOM



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DEVELOPMENT APPLICATION - RFI

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TESTS**

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Mordialloc Pty Ltd**

PROJECT INFORMATION:
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Mordialloc VIC

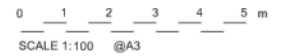
DRAWING TITLE
APARTMENT TYPE D

DRAWING NUMBER
154

REVISION
A

DATE
28/11/2018

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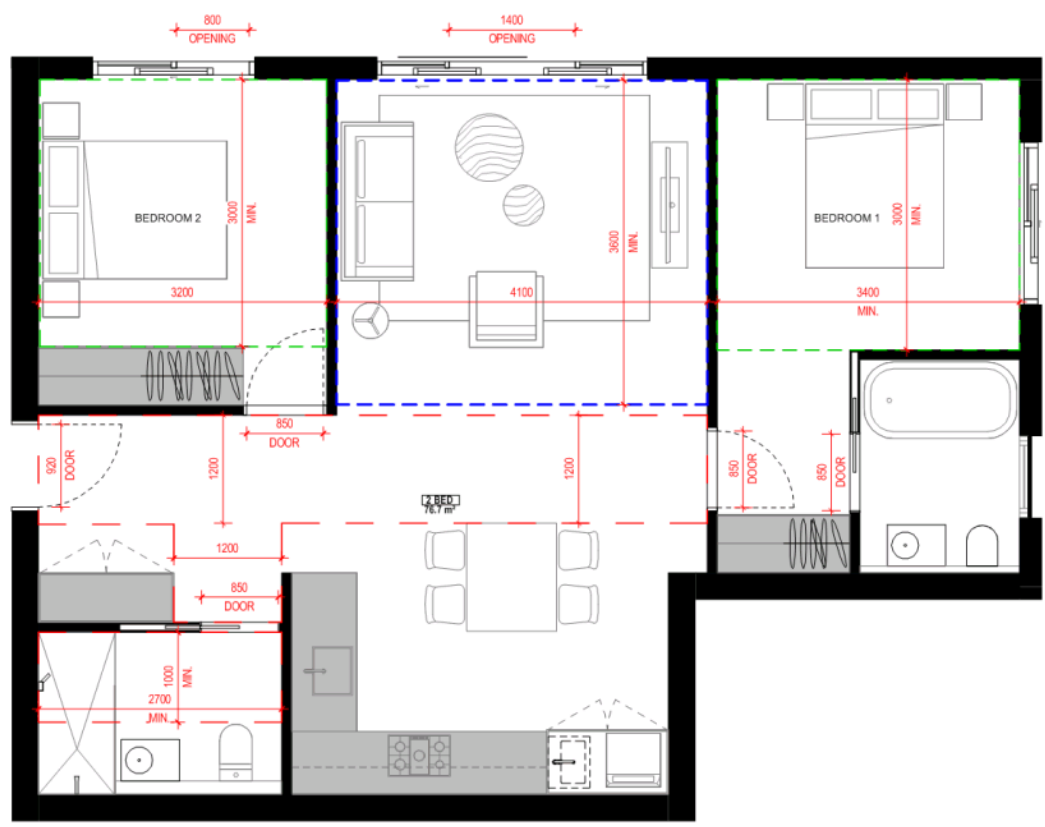


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CONSIDERED

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	FLOOR LEVEL
E	05	02	76.7m ²	GROUND

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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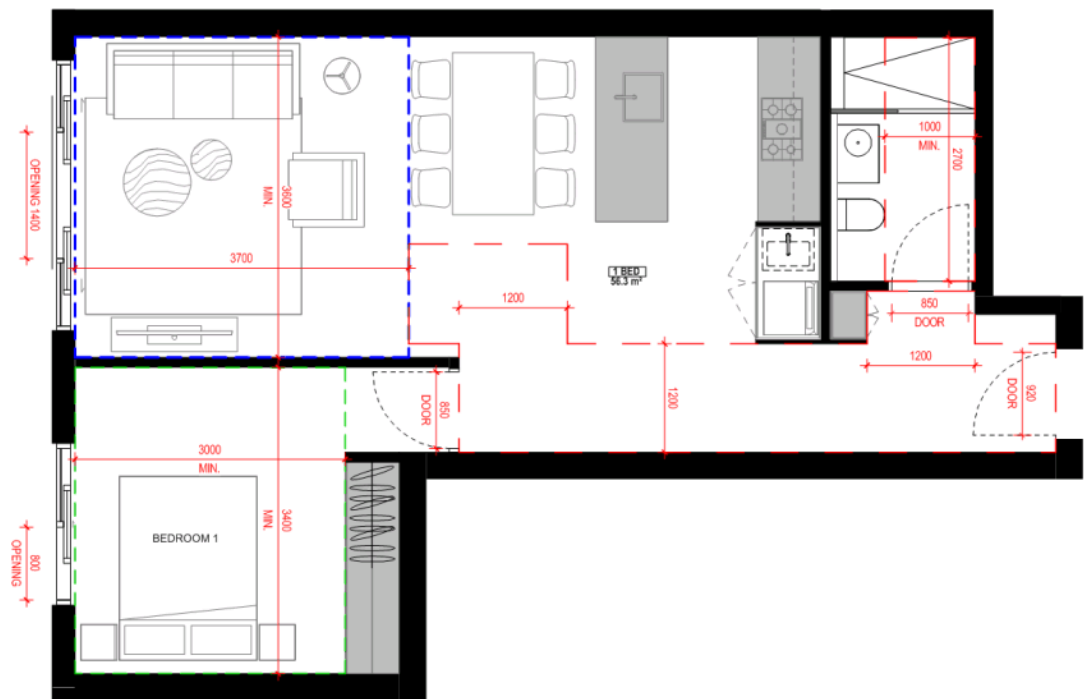
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APARTMENT DATA

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	LEVEL
F	06	01	56.3m ²	GROUND

LEGEND:

- TRAFFIC CLEARANCE ZONE
- LIVING AREA
- BEDROOM



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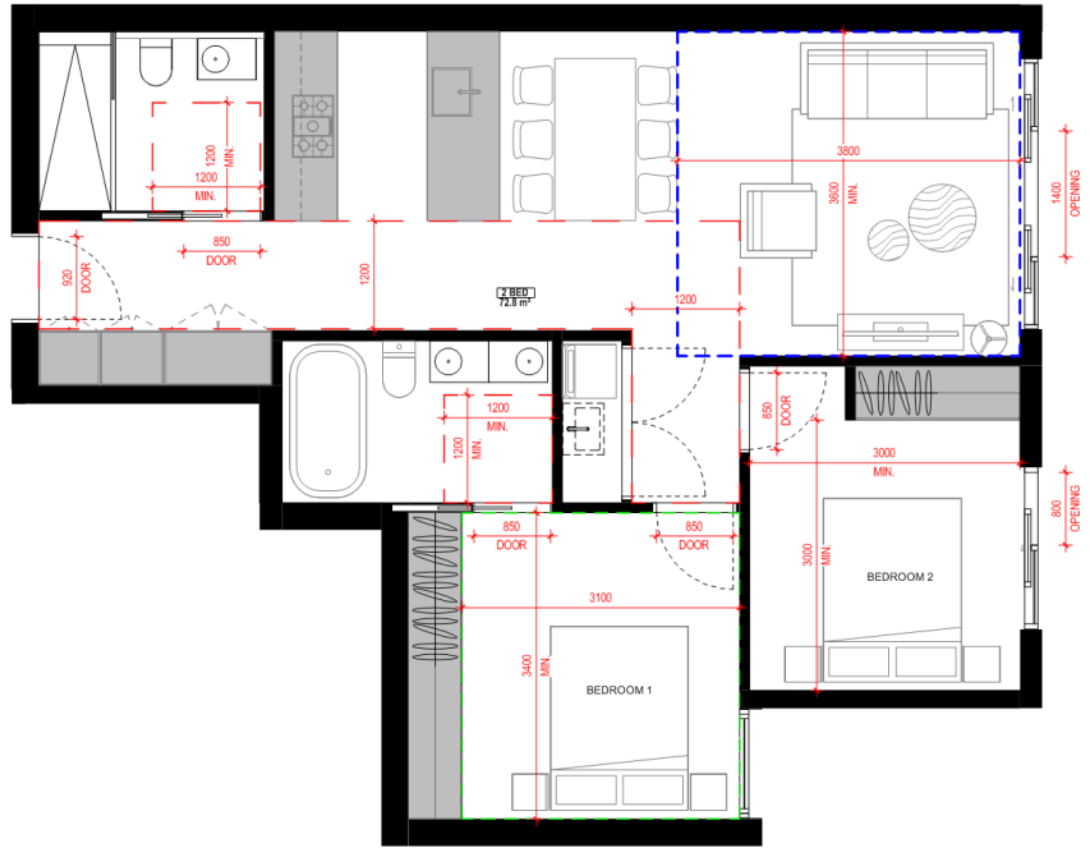
APARTMENT DATA:

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	FLOOR LEVEL
G	07	02	72.8m ²	GROUND

CONSIDERED

LEGEND:

- TRAFFIC CLEARANCE ZONE
- LIVING AREA
- BEDROOM



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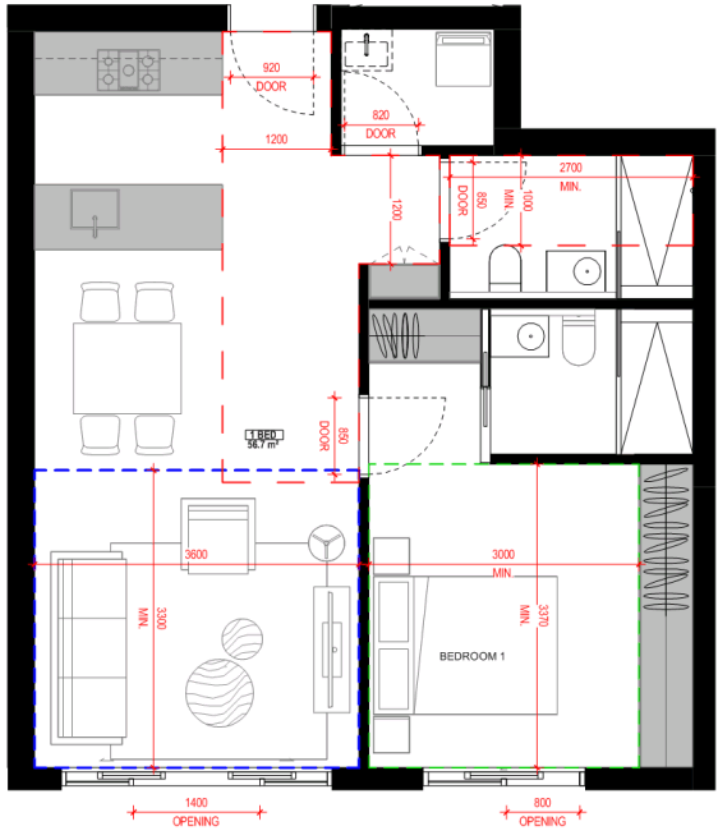
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APARTMENT DATA

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA
H	08	01	56.7m ²

LEGEND:

- TRAFFIC CLEARANCE ZONE
- LIVING AREA
- BEDROOM



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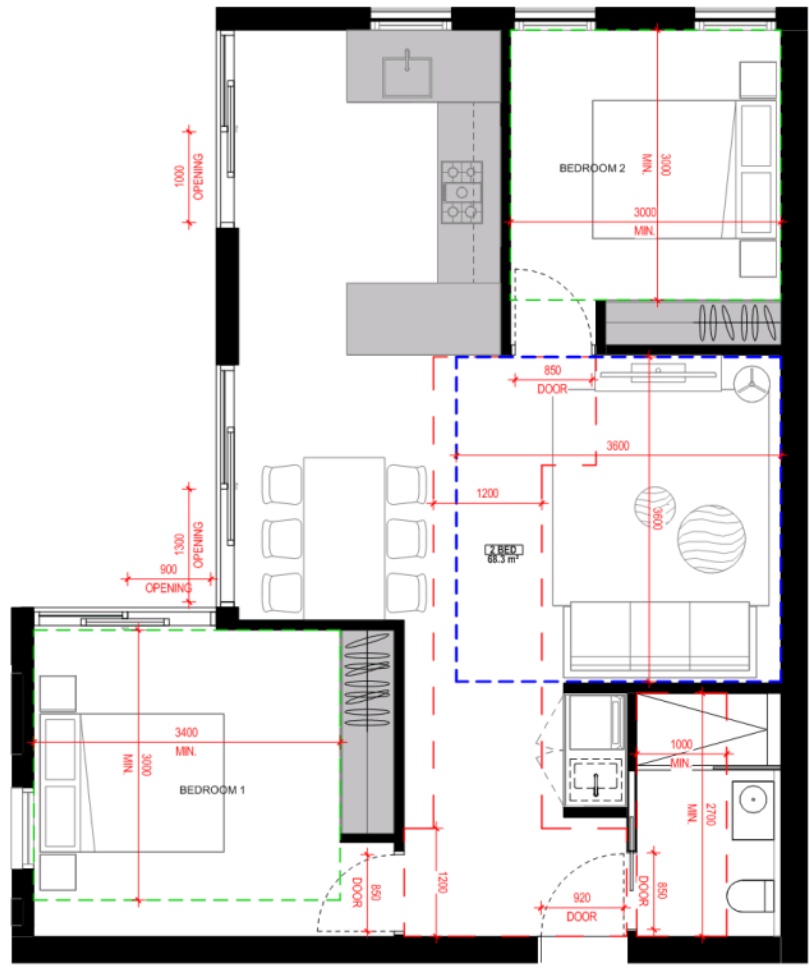
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SCALE 1:100 @A3

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APARTMENT I

UNIT TYPE	UNIT NO.	FLOOR LEVEL	NET AREA	LEVEL
I	9, 19, 29	02	68.3m ²	1, 2, 3

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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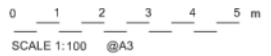
DRAWING TITLE
APARTMENT TYPE I

DRAWING NUMBER
159

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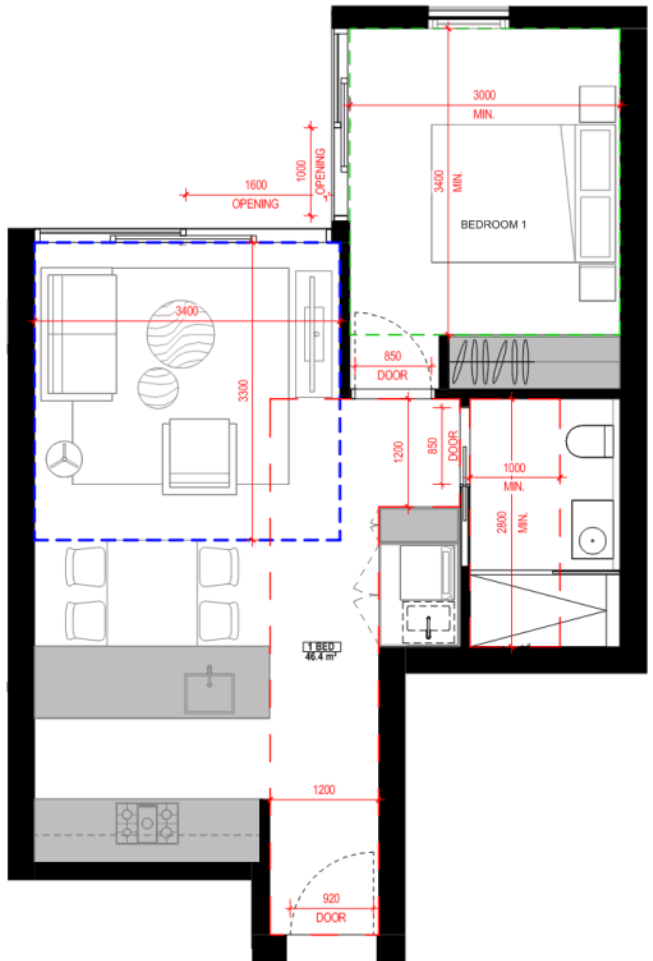


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APARTMENT J

UNIT TYPE	UNIT NO.	FLOOR LEVEL	AREA	LEVEL
J	10, 20, 30	01	46.4m ²	1, 2, 3

LEGEND:
 - - - - - TRAFFIC CLEARANCE ZONE
 - - - - - LIVING AREA
 - - - - - BEDROOM



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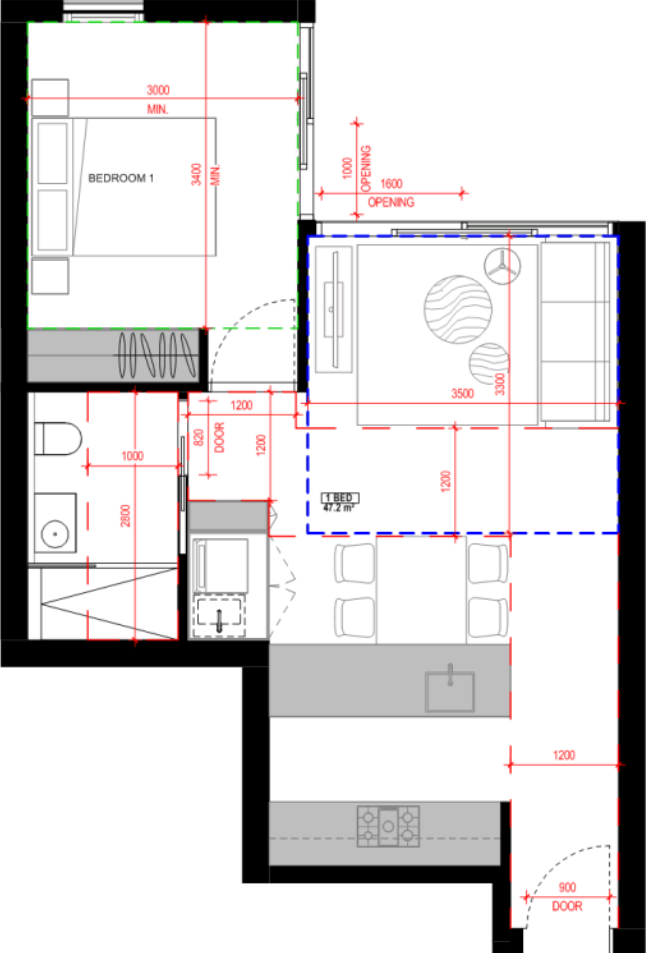
CRONE ARCHITECTS	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE J	160	A	28/11/2018
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APARTMENT TYPE

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	FLOOR LEVEL
K	11, 21, 31	01	47.2m ²	1, 2, 3

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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DEVELOPMENT APPLICATION - RFI



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Mordialloc Pty Ltd**

PROJECT INFORMATION:
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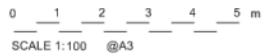
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APARTMENT TYPE K

DRAWING NUMBER
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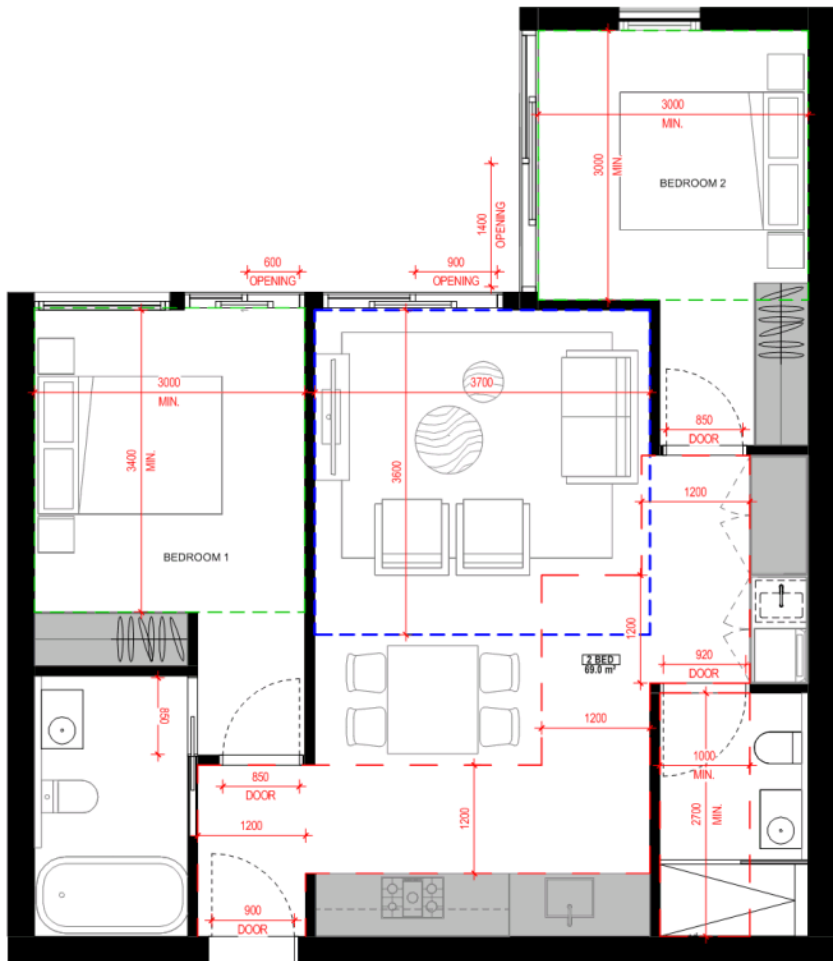


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APARTMENT DATA

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA
L	12, 22 02	69.0m ²	1, 2

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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DRAWING TITLE
APARTMENT TYPE L

DRAWING NUMBER
162

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A DATE
28/11/2018

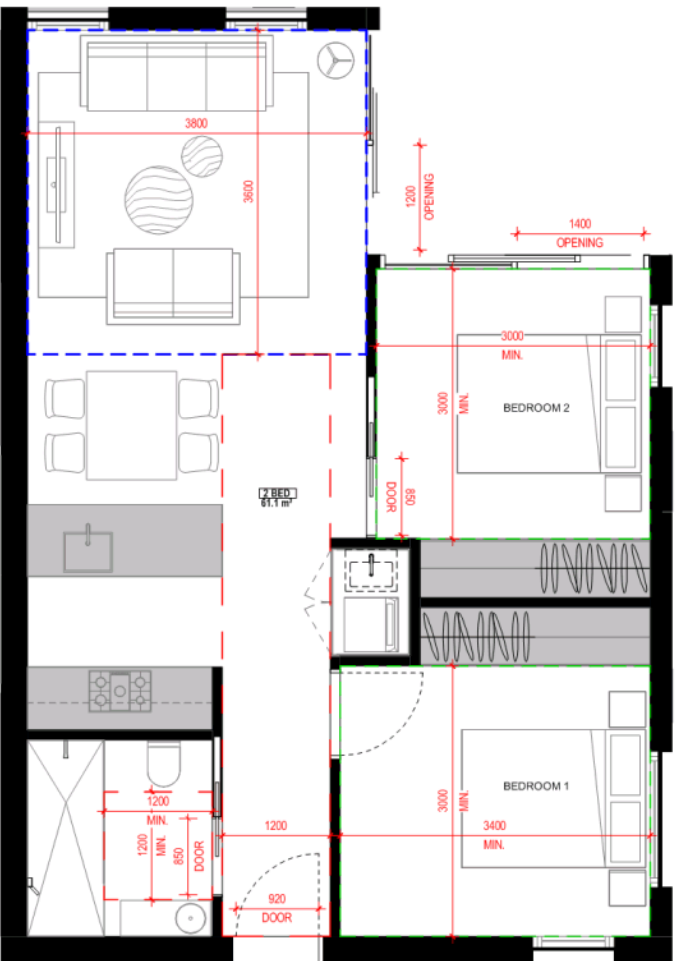
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APARTMENT TYPE M
UNIT TYPE UNIT NO. UNIT AREA LEVEL
M 13 02 61.1m² 1

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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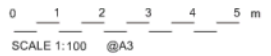
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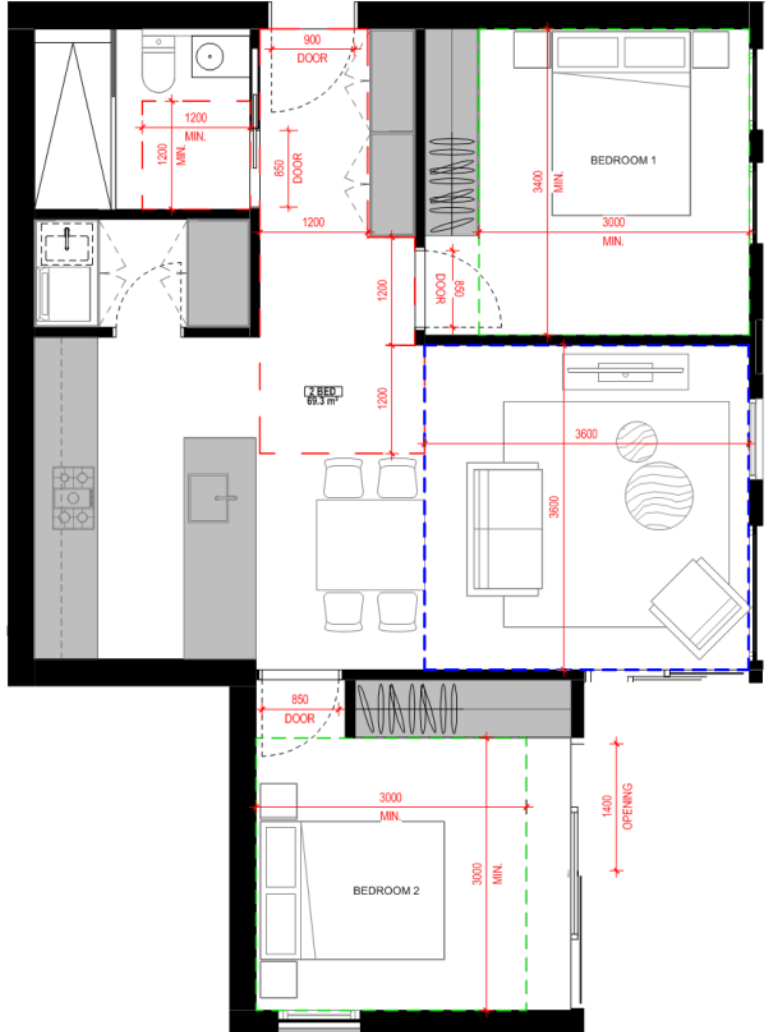
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UNIT TYPE	UNIT NO	STAIRS	FLOOR AREA	LEVEL
N	14, 24	02	69.3m ²	1, 2

LEGEND:
 - - - - - TRAFFIC CLEARANCE ZONE
 - - - - - LIVING AREA
 - - - - - BEDROOM

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APARTMENT TYPE N

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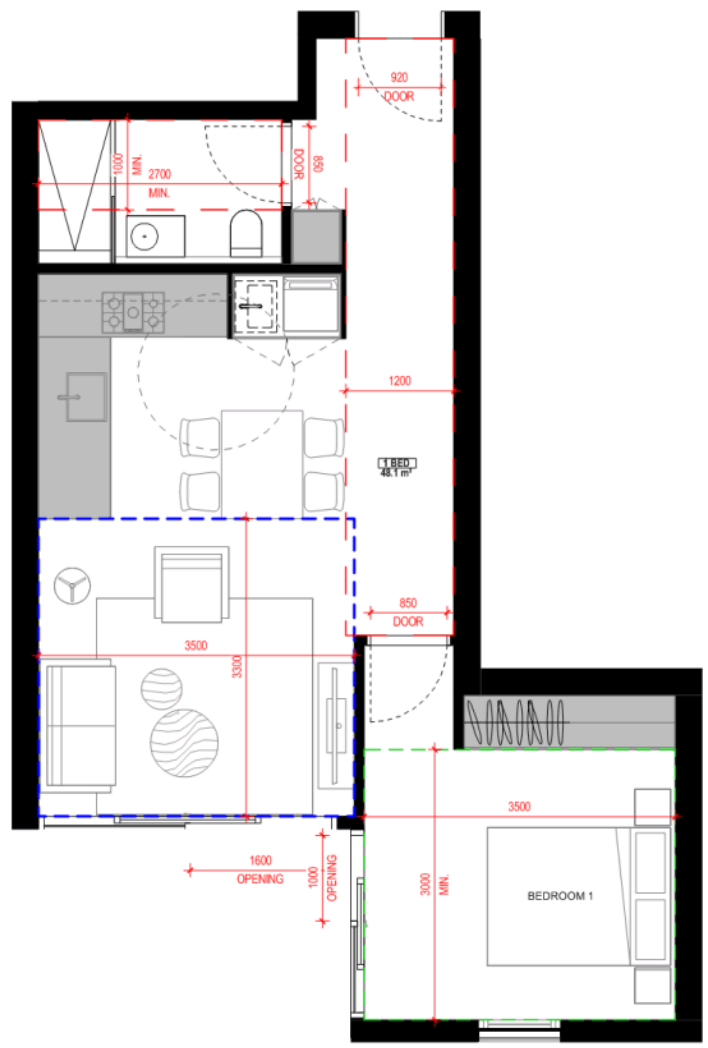
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APARTMENT DATA:

UNIT TYPE	UNIT NO.	FLOOR LEVEL	GROSS AREA	NET AREA
O	15, 25	01	48.1m ²	1, 2

CONSIDERED

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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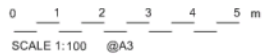
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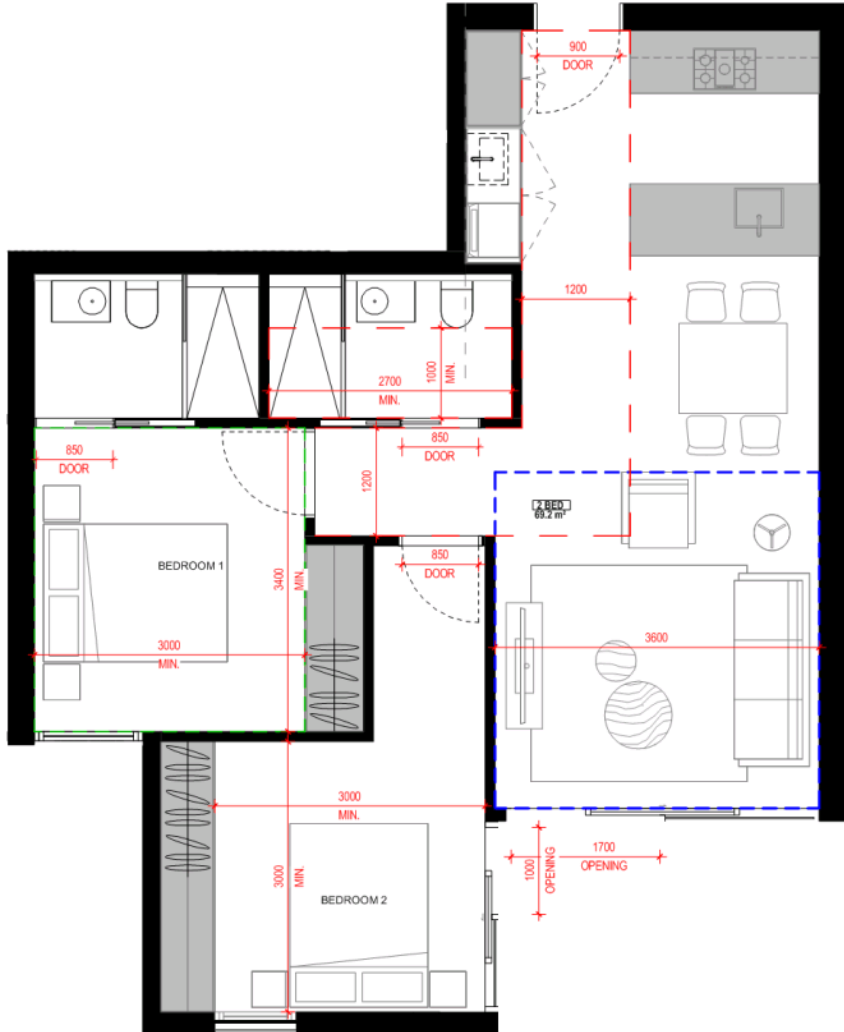
DRAWING TITLE
APARTMENT TYPE O

DRAWING NUMBER
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APARTMENT TYPE P

UNIT TYPE	UNIT NO.	FLOOR LEVEL	AREA	FLOOR LEVEL
P	16, 26, 34	02	69.2m ²	1, 2, 3

LEGEND:
 - - - - - TRAFFIC CLEARANCE ZONE
 - - - - - LIVING AREA
 - - - - - BEDROOM

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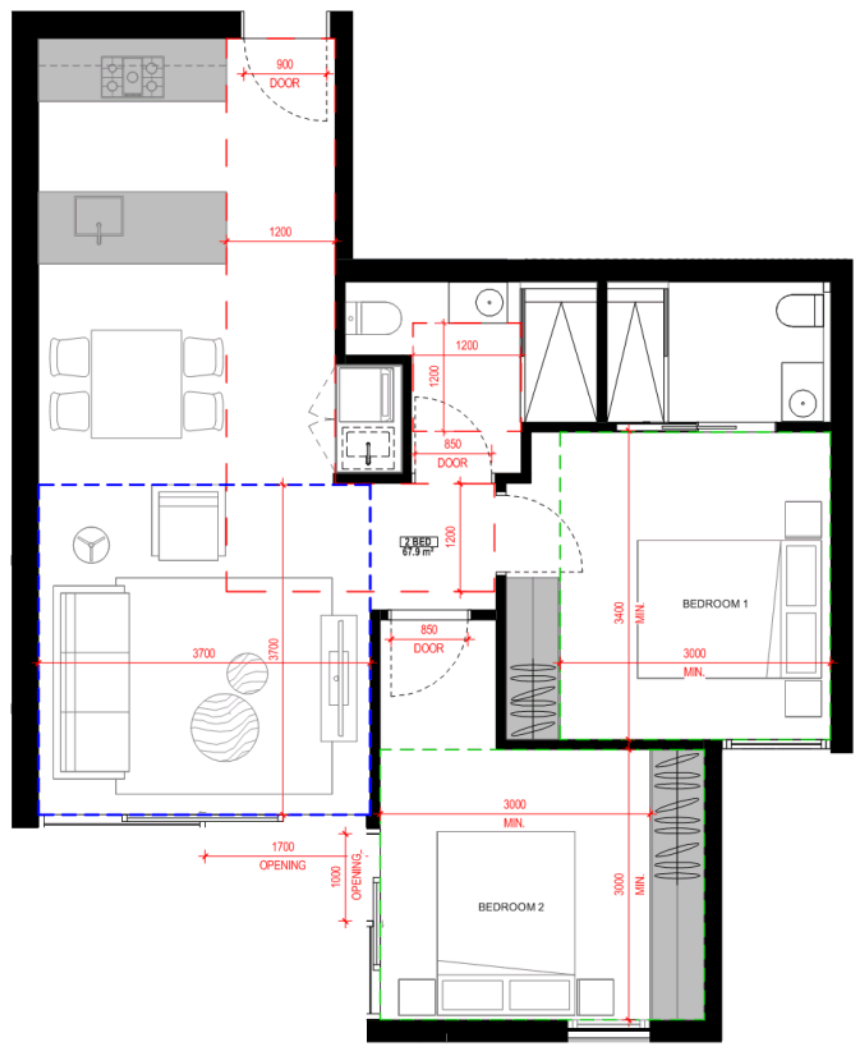
DEVELOPMENT APPLICATION - RFI

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UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	FLOOR LEVEL
Q	17, 27, 35	02	67.9m ²	1, 2, 3

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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CLIENT
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Mordialloc Pty Ltd

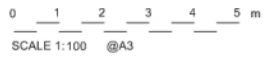
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102-104 White Street
Mordialloc VIC

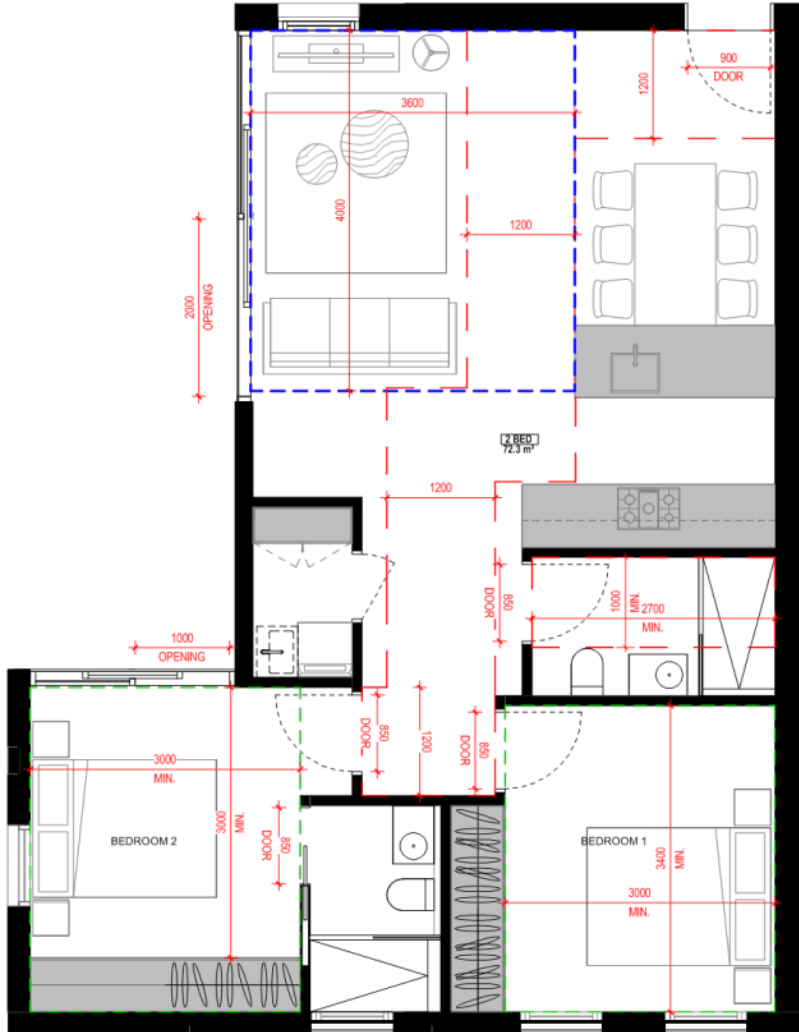
DRAWING TITLE
APARTMENT TYPE Q

DRAWING NUMBER
167

REVISION
A
DATE
28/11/2018

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CONSIDERED

UNIT TYPE	UNIT NO.	FLOOR LEVEL	AREA
R	18, 28	02	72.3m ²

LEGEND:
 - - - - - TRAFFIC CLEARANCE ZONE
 - - - - - LIVING AREA
 - - - - - BEDROOM

**DWELLING STORAGE SHOWN BY
GREY HATCHING - REFER TO
DEVELOPMENT SUMMARY FOR
INTERNAL DWELLING STORAGE
CAPACITY**

DEVELOPMENT APPLICATION - RFI



CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

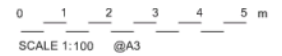
DRAWING TITLE
APARTMENT TYPE R

DRAWING NUMBER
168

REVISION
A

DATE
28/11/2018

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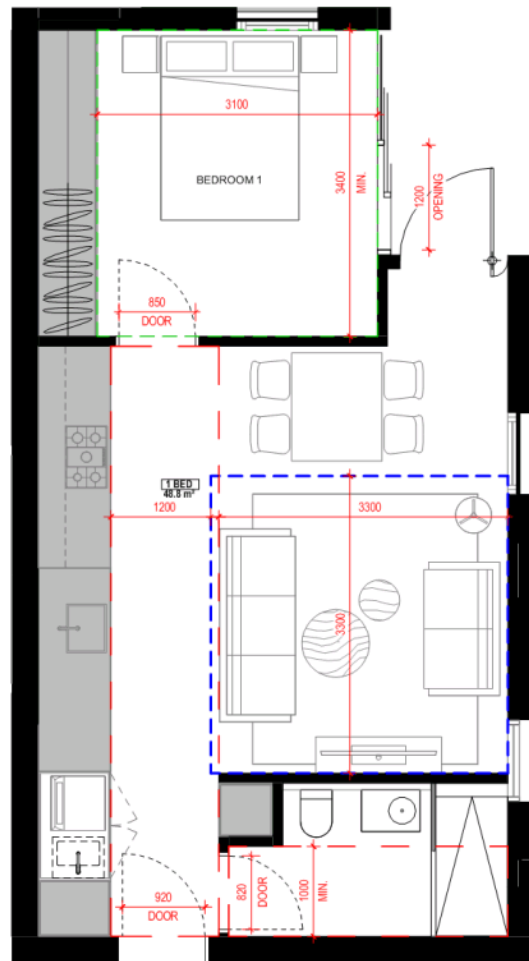
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APARTMENT DATA:

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	BUILDING LEVEL
S	23	01	48.8m ²	2

CONSIDERED

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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DEVELOPMENT SUMMARY FOR
INTERNAL DWELLING STORAGE
CAPACITY**

DEVELOPMENT APPLICATION - RFI

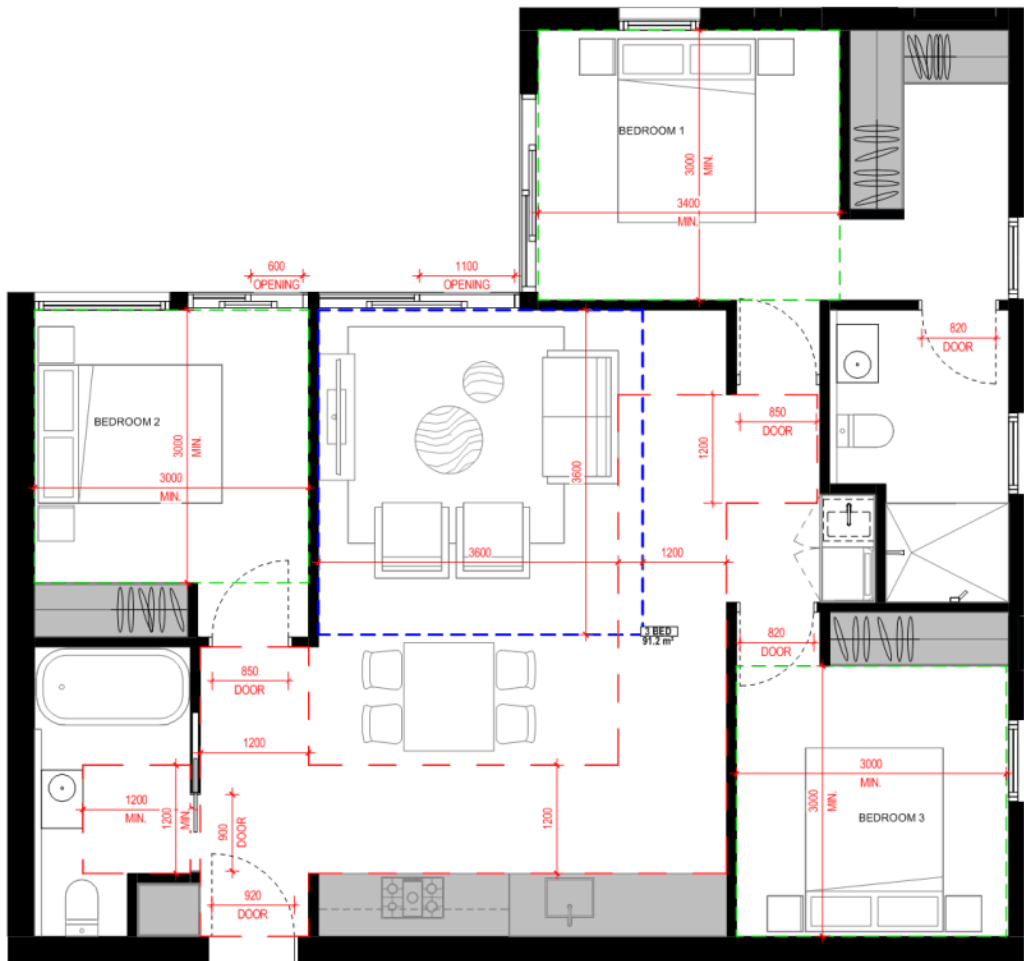
	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE S	169	A	28/11/2018
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APARTMENT DATA:

UNIT TYPE	UNIT NO.	FLOOR LEVEL	AREA
T	32	03	91.2m ²

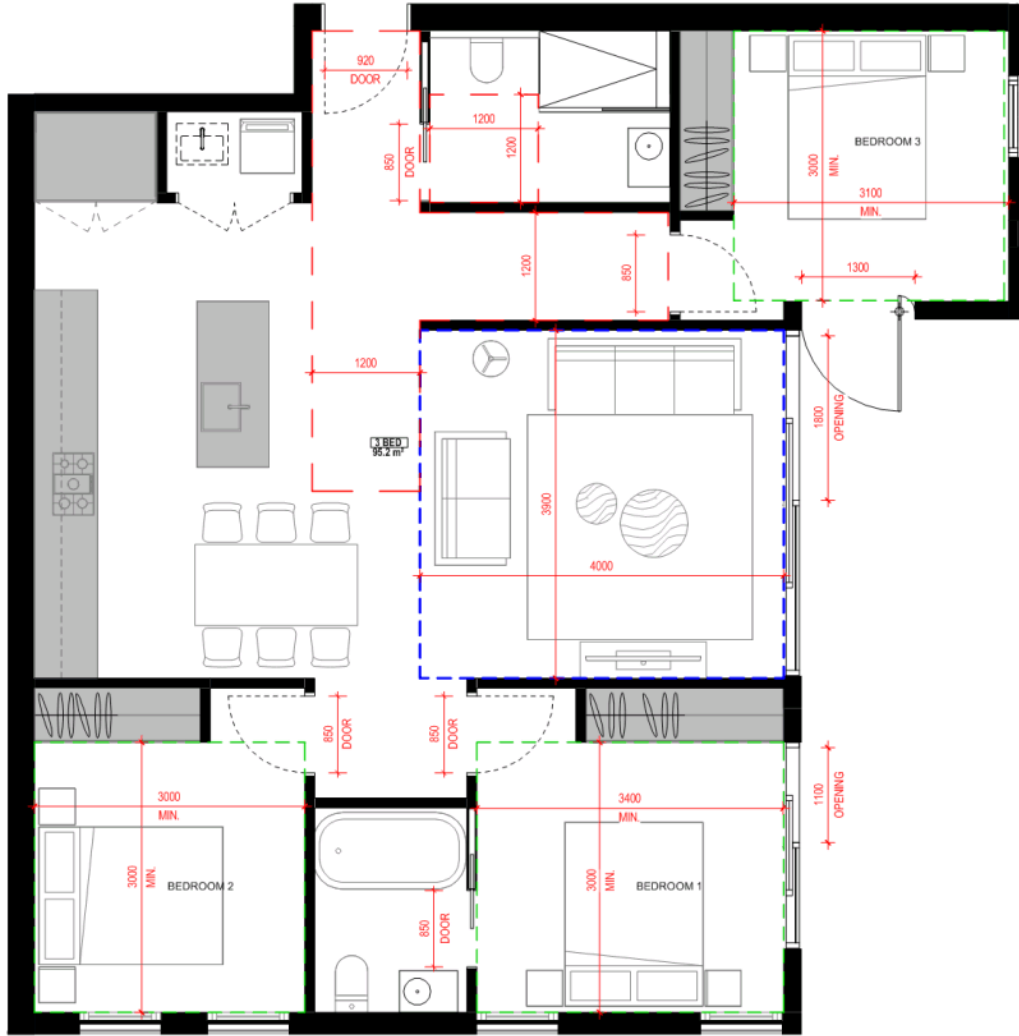
LEGEND:
 - - - - - TRAFFIC CLEARANCE ZONE
 - - - - - LIVING AREA
 - - - - - BEDROOM



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CAPACITY**

DEVELOPMENT APPLICATION - RFI

CRONE ARCHITECTS	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE T	170	A	28/11/2018
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APARTMENT DATA:

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA
U	33	03	95.2m ²

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM

**DWELLING STORAGE SHOWN BY
GREY HATCHING - REFER TO
DEVELOPMENT SUMMARY FOR
INTERNAL DWELLING STORAGE
CAPACITY**

DEVELOPMENT APPLICATION - RFI



CLIENT
**Prime Apartments
Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

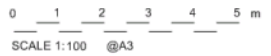
DRAWING TITLE
APARTMENT TYPE U

DRAWING NUMBER
171

REVISION
A

DATE
28/11/2018

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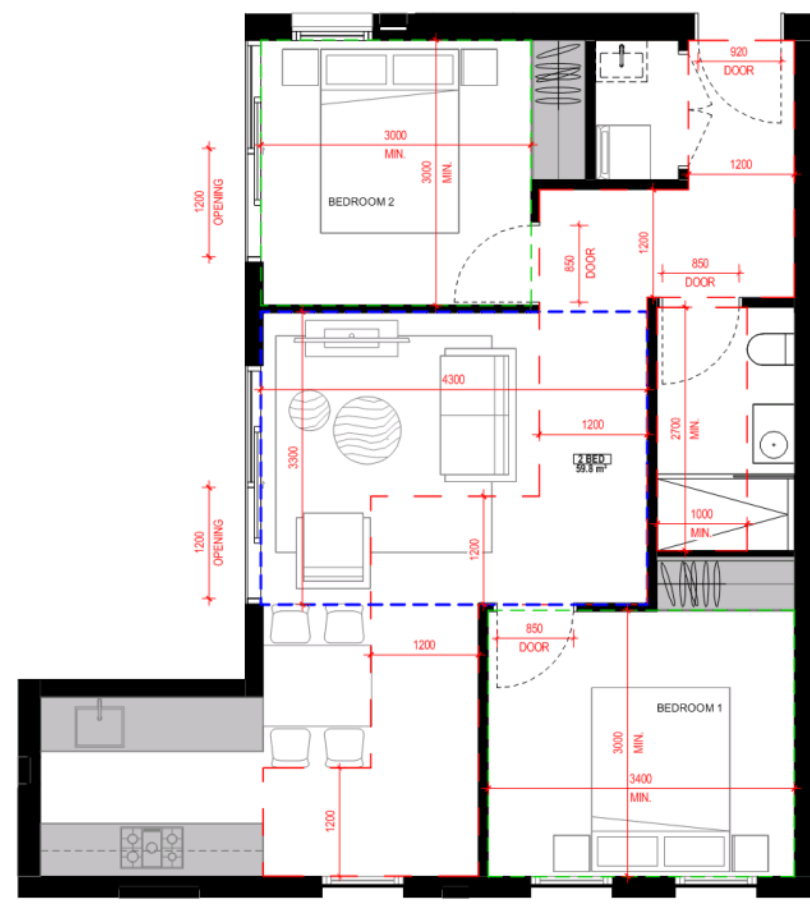


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CONSIDERED

UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	LEVEL
V	36	02	59.8m ²	3

LEGEND:
 - - - - - TRAFFIC CLEARANCE ZONE
 - - - - - LIVING AREA
 - - - - - BEDROOM



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CAPACITY**

DEVELOPMENT APPLICATION - RFI

**CRONE
ARCH
TESTS**

CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
APARTMENT TYPE V

DRAWING NUMBER
172

REVISION
A
DATE
28/11/2018

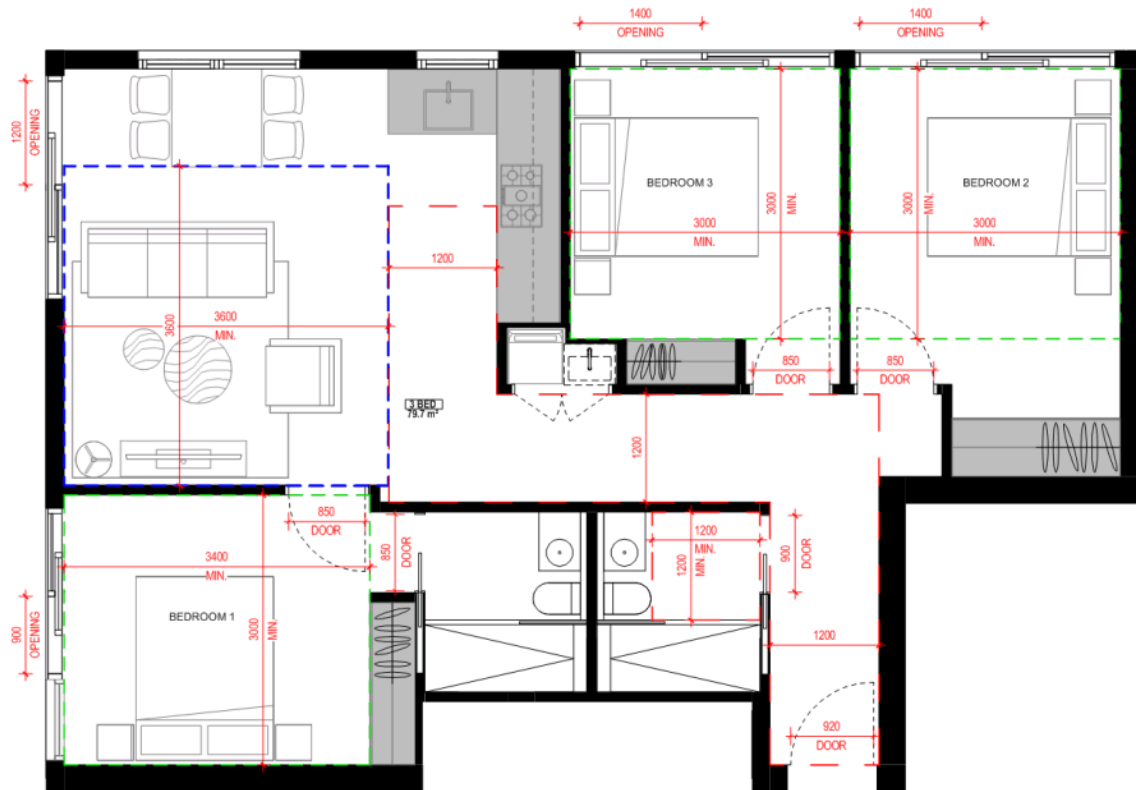
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0 1 2 3 4 5 m
SCALE 1:100 @A3

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UNIT TYPE	UNIT NO.	FLOOR LEVEL	UNIT AREA	TOTAL LEVEL AREA
W	37	03	79.7m ²	4

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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INTERNAL DWELLING STORAGE
CAPACITY**

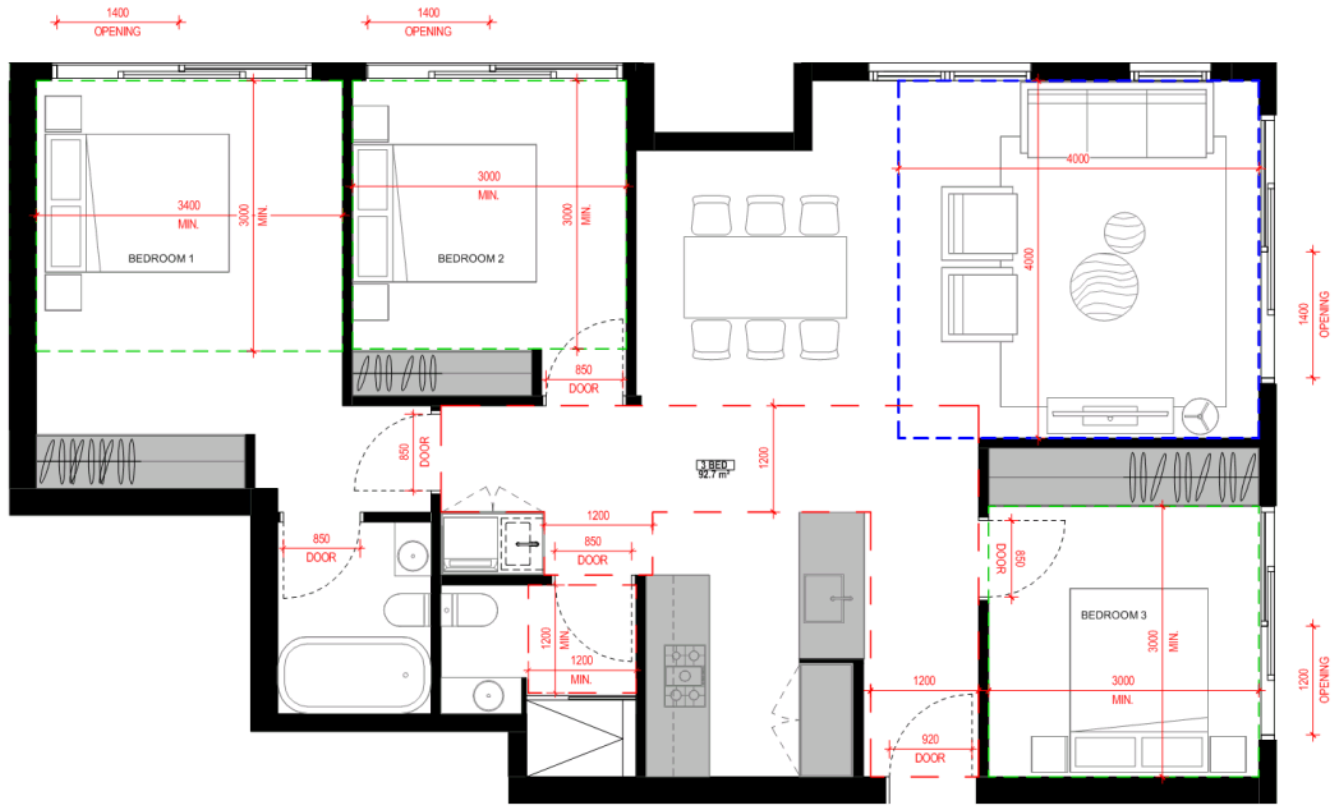
DEVELOPMENT APPLICATION - RFI

	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE W	173	A	28/11/2018
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APARTMENT TYPE X
CONSIDERED
 UNIT TYPE X UNIT NO. 38 03 UNIT AREA 92.7m² LEVEL 4

LEGEND:
 - - - - - TRAFFIC CLEARANCE ZONE
 - - - - - LIVING AREA
 - - - - - BEDROOM



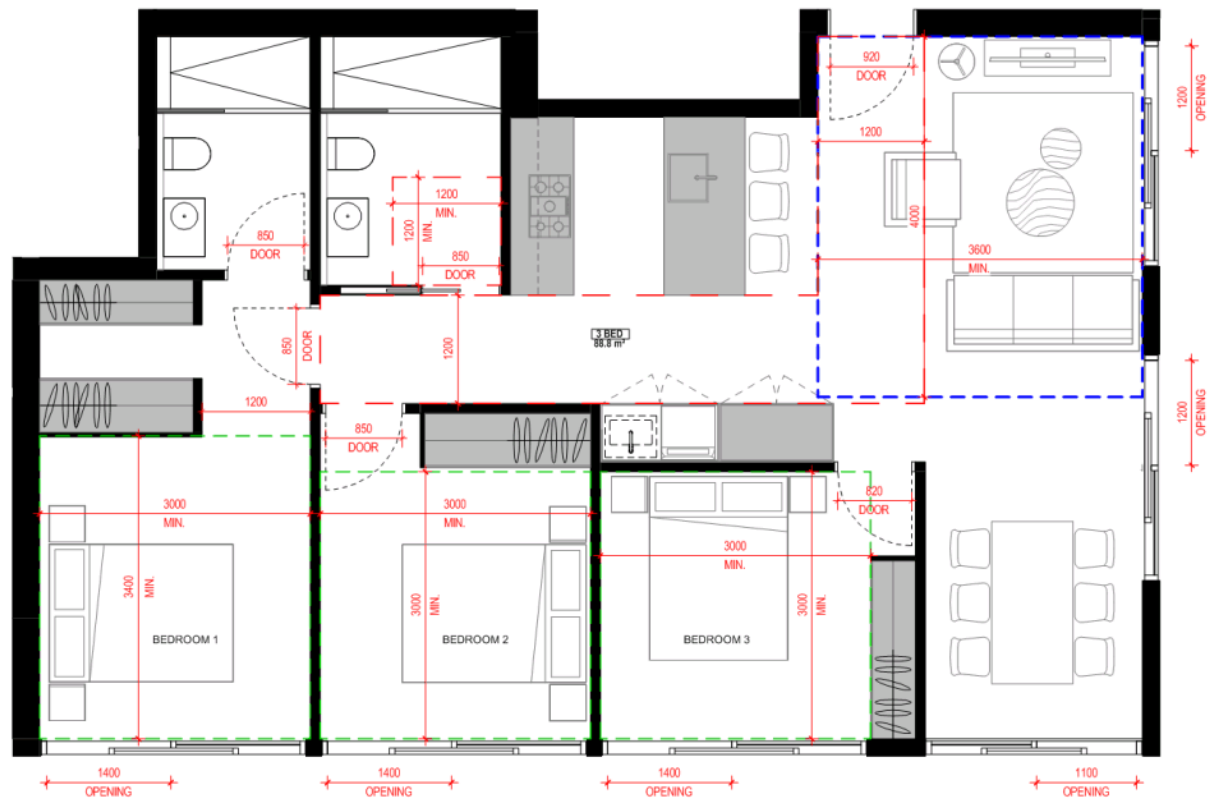
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DEVELOPMENT APPLICATION - RFI

CRONE ARCH TESTS	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE X	174	A	28/11/2018
			<small>DISCLAIMER: All dimensions and details to be verified prior to commencement, omissions or discrepancies to be notified to the architect. Do not scale from drawings. COPYRIGHT: The copyright of this drawing together with any other documents prepared by crone partners architectural studios, its first signatories and the property of its crone partners grants licence for the use of this document for the purpose for which they are intended. The licence is not transferable without the permission of cp.</small>		0 1 2 3 4 5 m SCALE 1:100 @A3	

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UNIT TYPE	UNIT NO.	BEDS	UNIT AREA	FLOOR LEVEL
Y	39	03	88.8m ²	4

LEGEND:
--- TRAFFIC CLEARANCE ZONE
--- LIVING AREA
--- BEDROOM



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DEVELOPMENT SUMMARY FOR
INTERNAL DWELLING STORAGE
CAPACITY**

DEVELOPMENT APPLICATION - RFI

**CRONE
ARCHITECTS
TESTS**

CLIENT
**Prime Apartments
Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

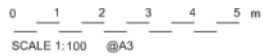
DRAWING TITLE
APARTMENT TYPE Y

DRAWING NUMBER
175

REVISION
A

DATE
28/11/2018

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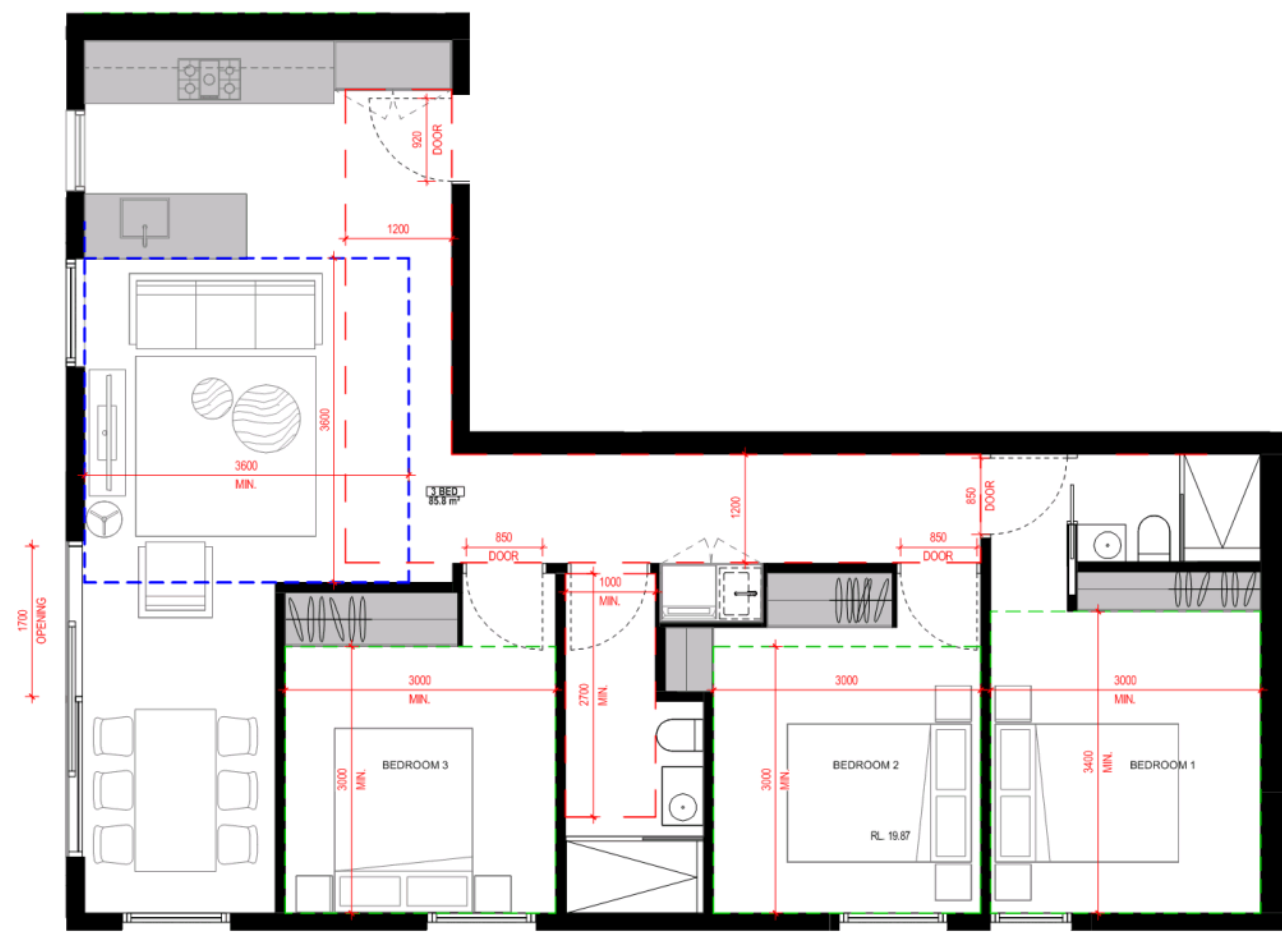


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APARTMENT DATA

UNIT TYPE	UNIT NO.	FLOOR LEVEL	AREA
Z	40	03	85.8m ²

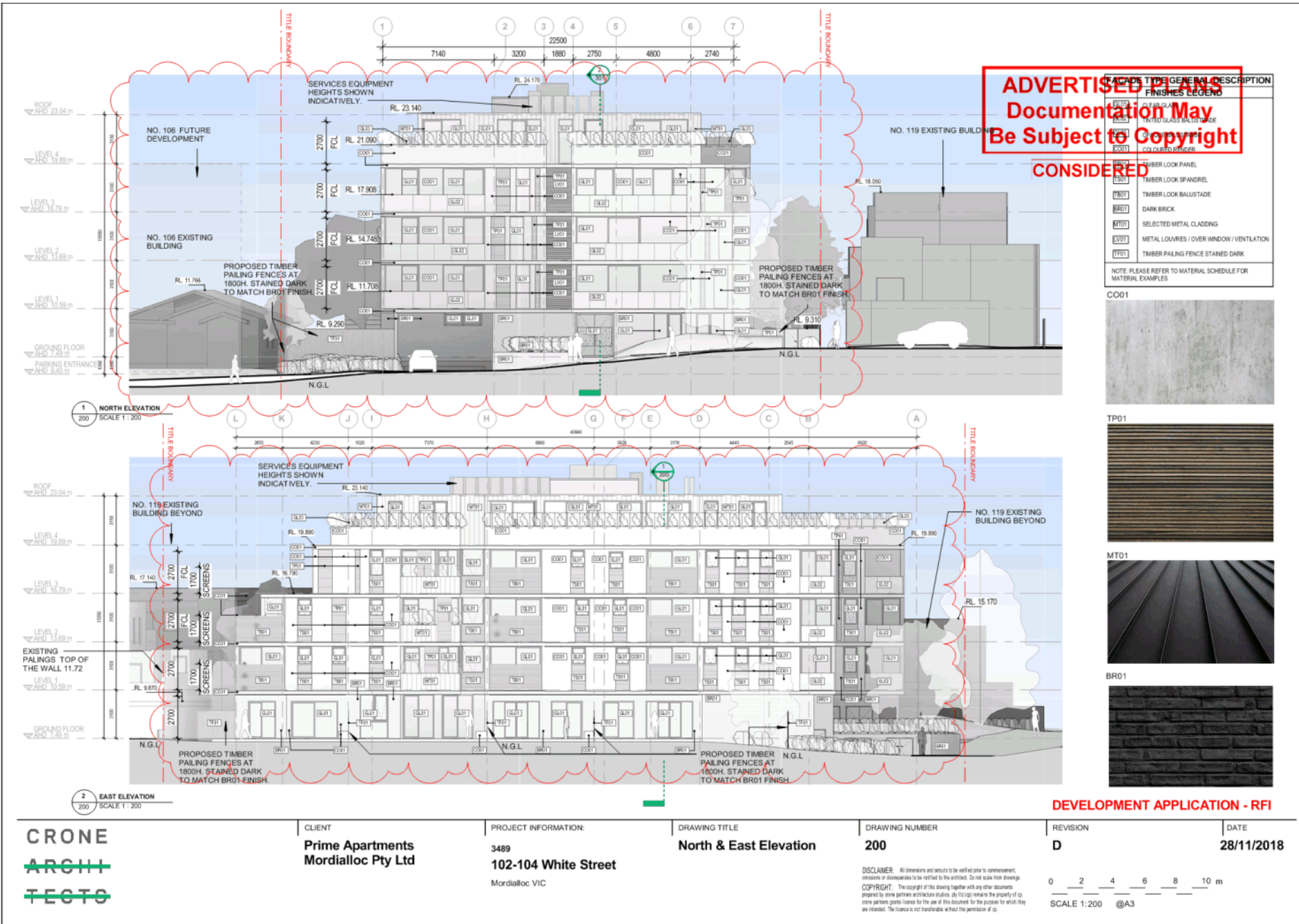
LEGEND:
 - - - TRAFFIC CLEARANCE ZONE
 - - - LIVING AREA
 - - - BEDROOM

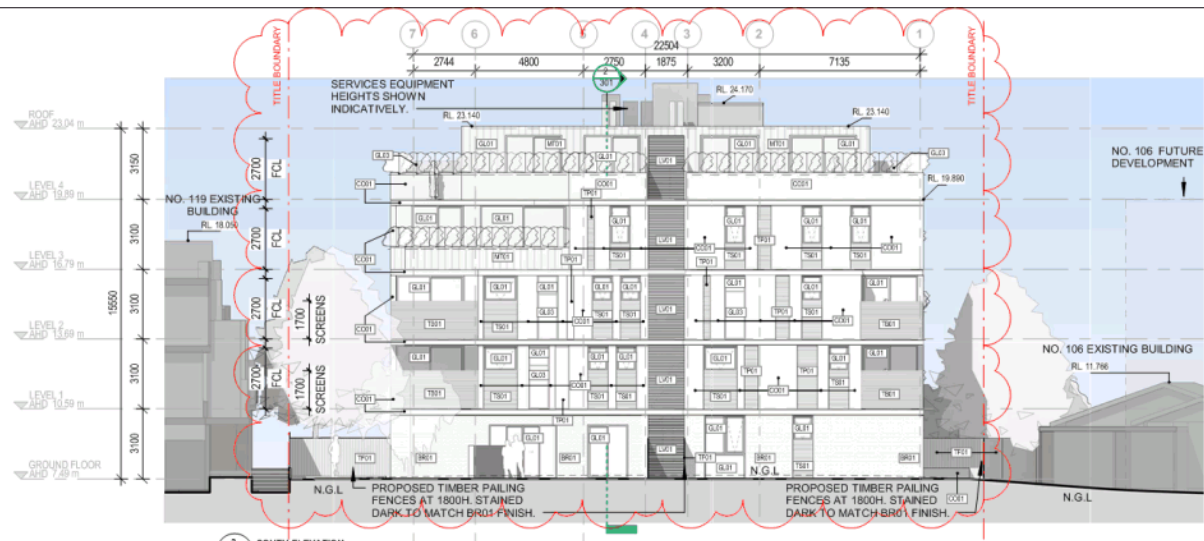


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GREY HATCHING - REFER TO
DEVELOPMENT SUMMARY FOR
INTERNAL DWELLING STORAGE
CAPACITY**

DEVELOPMENT APPLICATION - RFI

CRONE ARCHITECTS	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	APARTMENT TYPE Z	176	A	28/11/2018
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3 SOUTH ELEVATION
SCALE 1 : 200

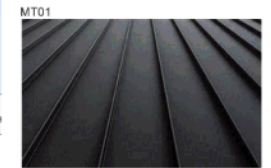


4 WEST ELEVATION
SCALE 1 : 200

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Be Subject to Copyright

CONSIDERED

FAÇADE TYPE	GENERAL DESCRIPTION
CO01	CLERESTORY GLASS
GL01	GLASS BALCONY
GL02	GLASS BALCONY
GL03	GLASS BALCONY
GL04	GLASS BALCONY
GL05	GLASS BALCONY
GL06	GLASS BALCONY
GL07	GLASS BALCONY
GL08	GLASS BALCONY
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GL197	GLASS BALCONY
GL198	GLASS BALCONY
GL199	GLASS BALCONY
GL200	GLASS BALCONY



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ARCH
TESTS

CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
South & West Elevation

DRAWING NUMBER
201

DEVELOPMENT APPLICATION - RFI
REVISION
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DATE
28/11/2018

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0 2 4 6 8 10 m
SCALE 1:200 @A3

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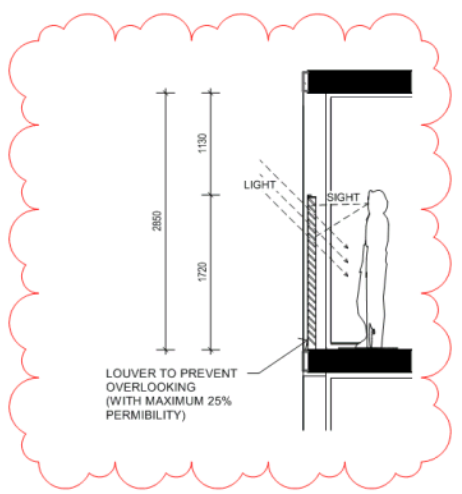


DEVELOPMENT APPLICATION - RFI

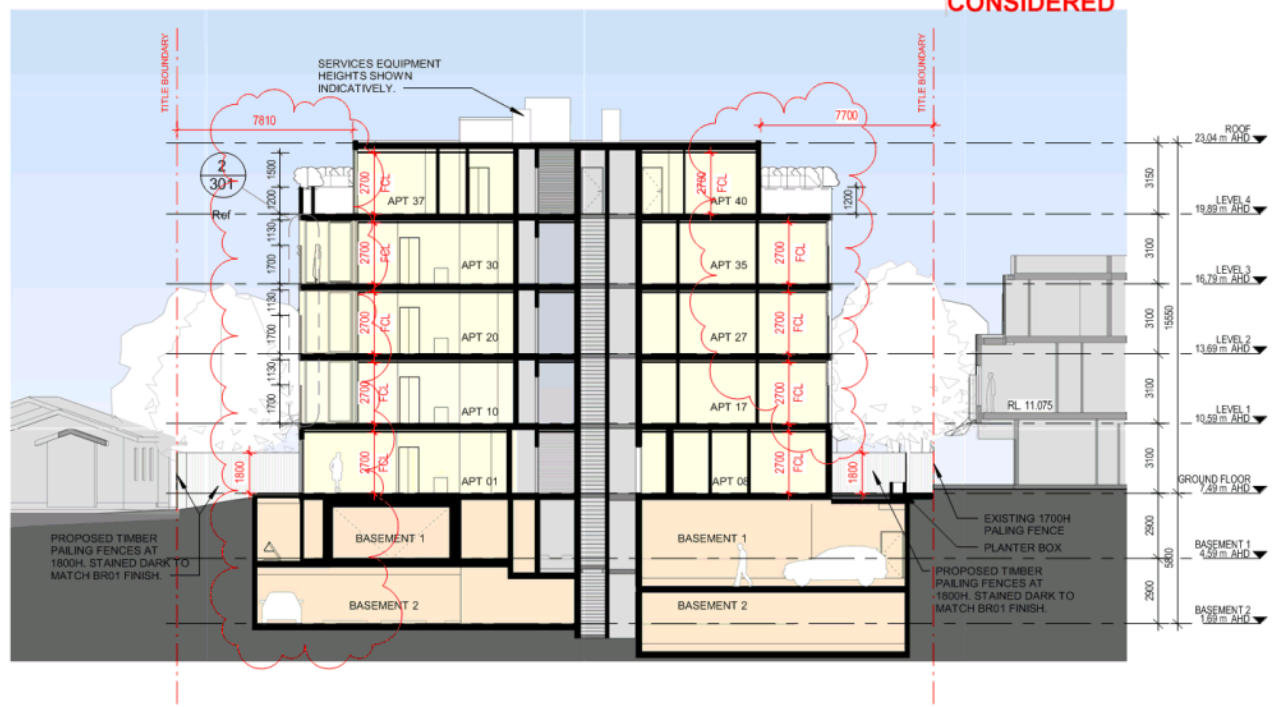
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	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	Streetscape Elevation	202	A	28/11/2018
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CONSIDERED



2 TYPICAL BALCONY LOUVER
SCALE 1:50



1 SECTION 1
SCALE 1:200

DEVELOPMENT APPLICATION - RFI

CRONE
ARCH
TESTS

CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

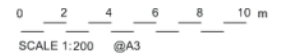
DRAWING TITLE
Section 1

DRAWING NUMBER
300

REVISION
E

DATE
28/11/2018

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DEVELOPMENT APPLICATION - RFI

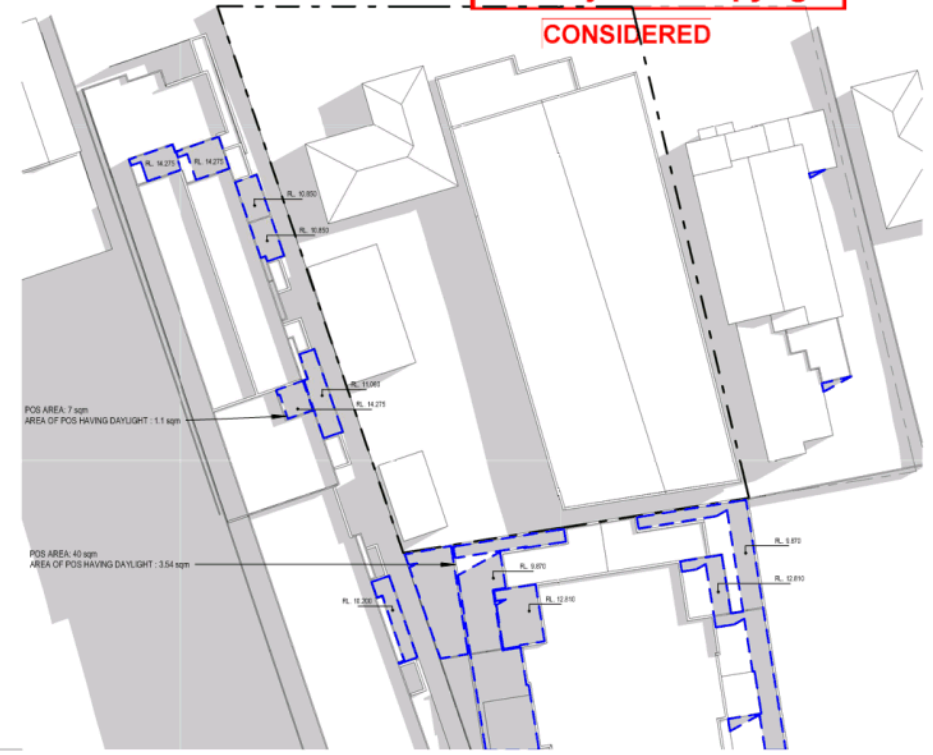
	CLIENT	PROJECT INFORMATION:	DRAWING TITLE	DRAWING NUMBER	REVISION	DATE
	Prime Apartments Mordialloc Pty Ltd	3489 102-104 White Street Mordialloc VIC	Section 2	301	D	28/11/2018
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CONSIDERED



PROPOSED - 9AM



EXISTING - 9AM

KEY	
	OUTLINE OF EXISTING SHADOW ON POS
	SHADOWING CAUSED BY PROPOSED DEVELOPMENT

**CRONE
ARCHITECTS
TESTS**

CLIENT
**Prime Apartments
Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
**Proposed Shadow
Diagram 22-09 9am**

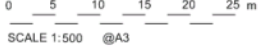
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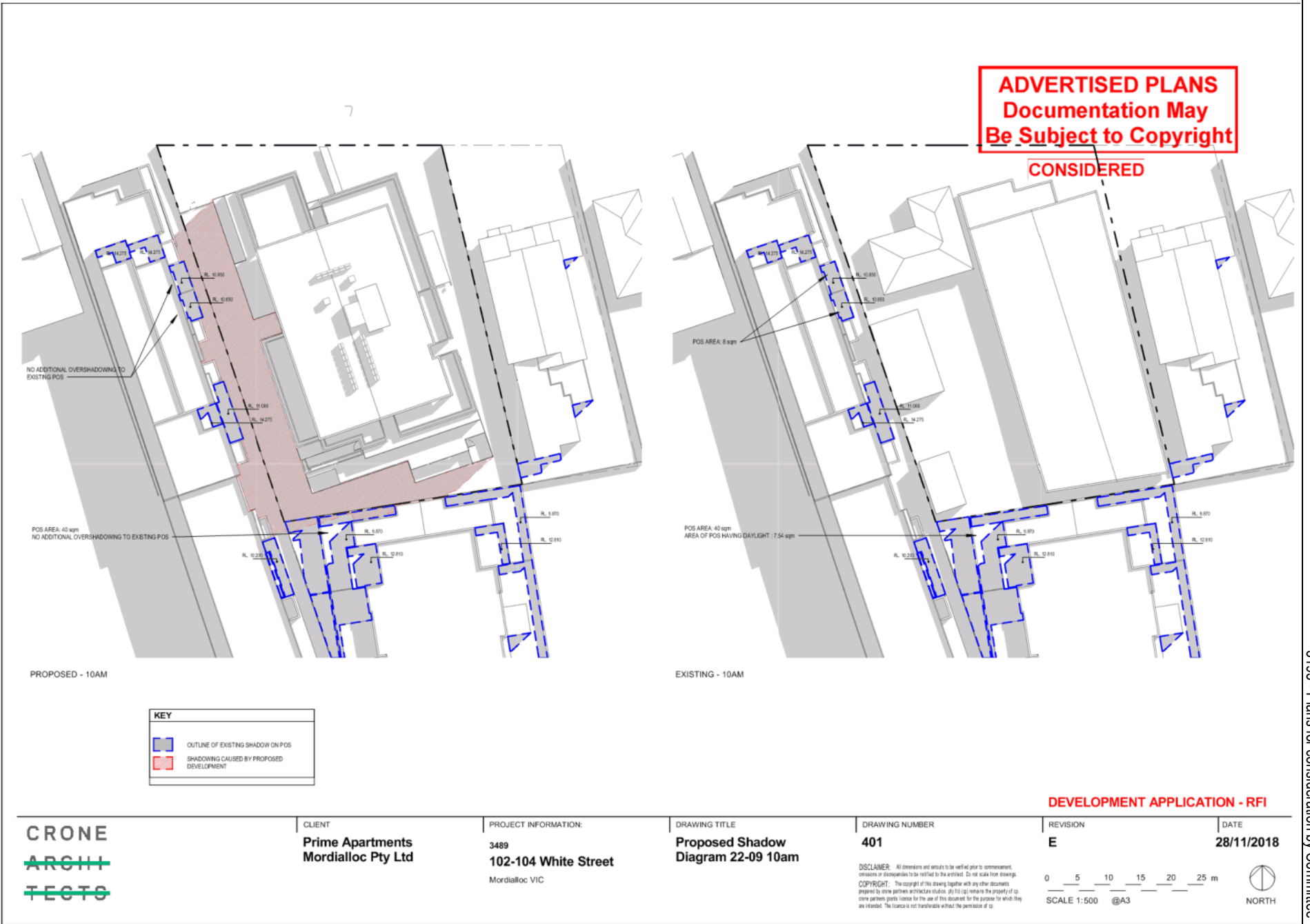
DEVELOPMENT APPLICATION - RFI

REVISION
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DATE
28/11/2018

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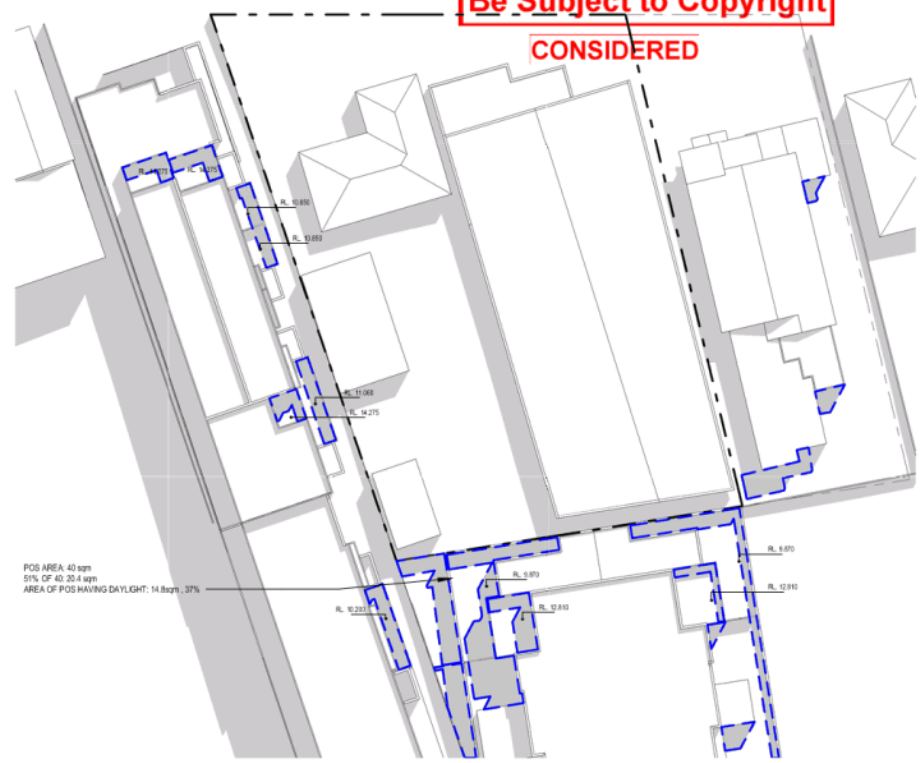


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CONSIDERED



PROPOSED - 11AM



EXISTING - 11AM

KEY	
	OUTLINE OF EXISTING SHADOW ON POS
	SHADOWING CAUSED BY PROPOSED DEVELOPMENT

**CRONE
ARCHITECTS
TESTS**

CLIENT
**Prime Apartments
Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
**Proposed Shadow
Diagram 22-09 11am**

DRAWING NUMBER
402

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DEVELOPMENT APPLICATION - RFI

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DATE
28/11/2018

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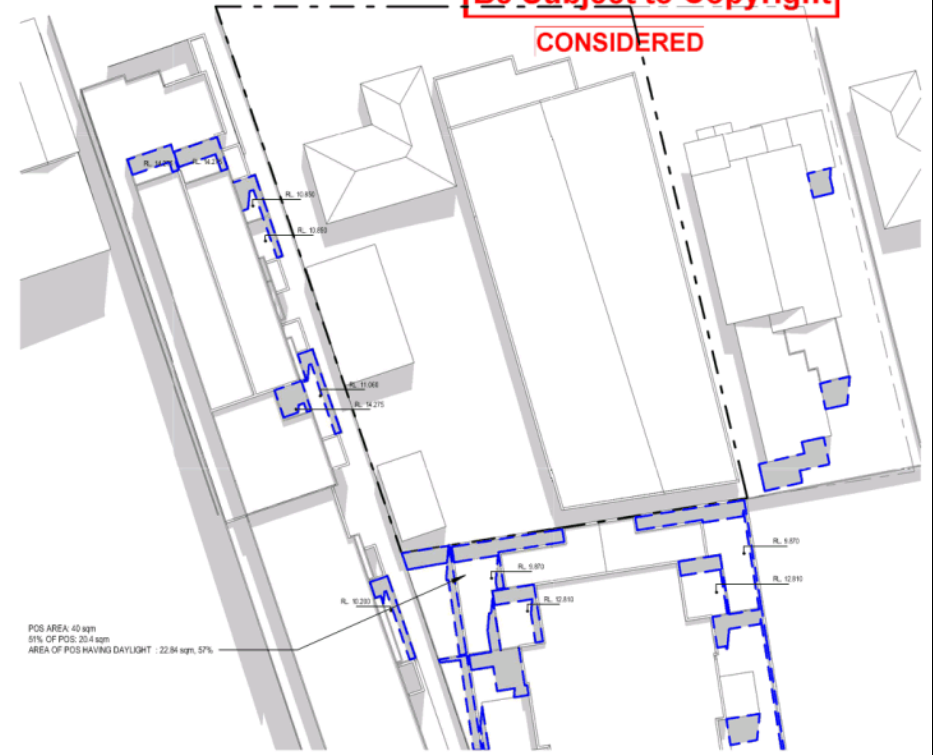
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CONSIDERED



POS AREA 40 sqm
NO ADDITIONAL OVERSHADOWING TO EXISTING POS

PROPOSED - 12PM



POS AREA 40 sqm
51% OF POS: 20.4 sqm
AREA OF POS HAVING DAYLIGHT : 22.84 sqm, 57%

EXISTING - 12PM

KEY	
	OUTLINE OF EXISTING SHADOW ON POS
	SHADOWING CAUSED BY PROPOSED DEVELOPMENT



CLIENT
**Prime Apartments
Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

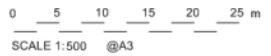
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**Proposed Shadow
Diagram 22-09 12pm**

DRAWING NUMBER
403

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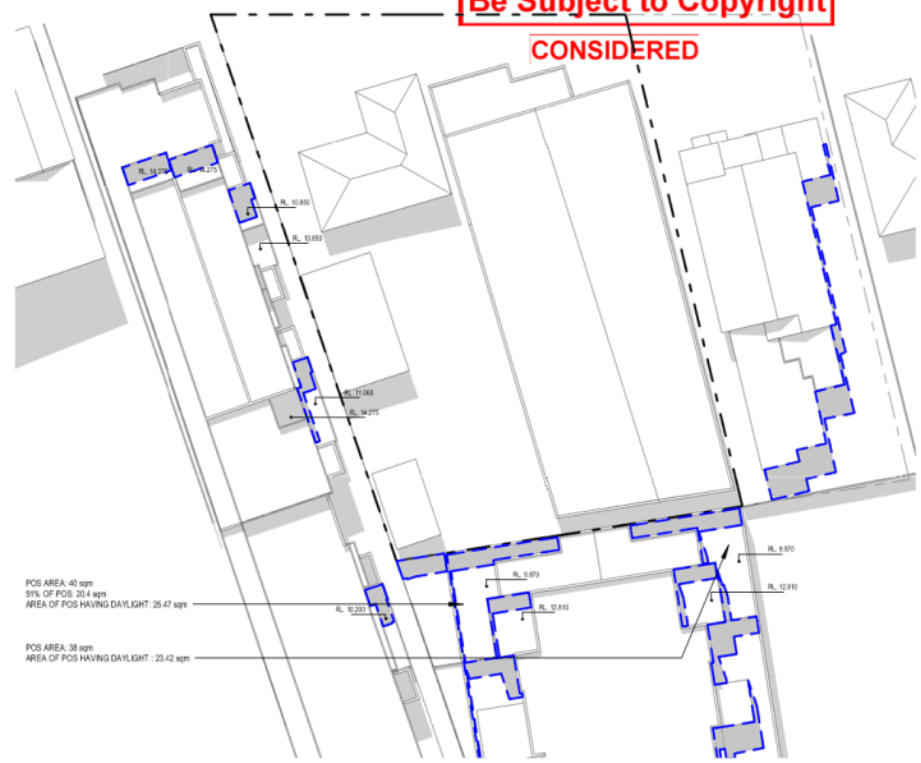


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CONSIDERED



PROPOSED - 1PM



EXISTING - 1PM

KEY	
	OUTLINE OF EXISTING SHADOW ON POS
	SHADOWING CAUSED BY PROPOSED DEVELOPMENT

**CRONE
ARCHITECTS
TESTS**

CLIENT
**Prime Apartments
Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

DRAWING TITLE
**Proposed Shadow
Diagram 22-09 1pm**

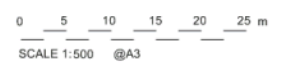
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DATE
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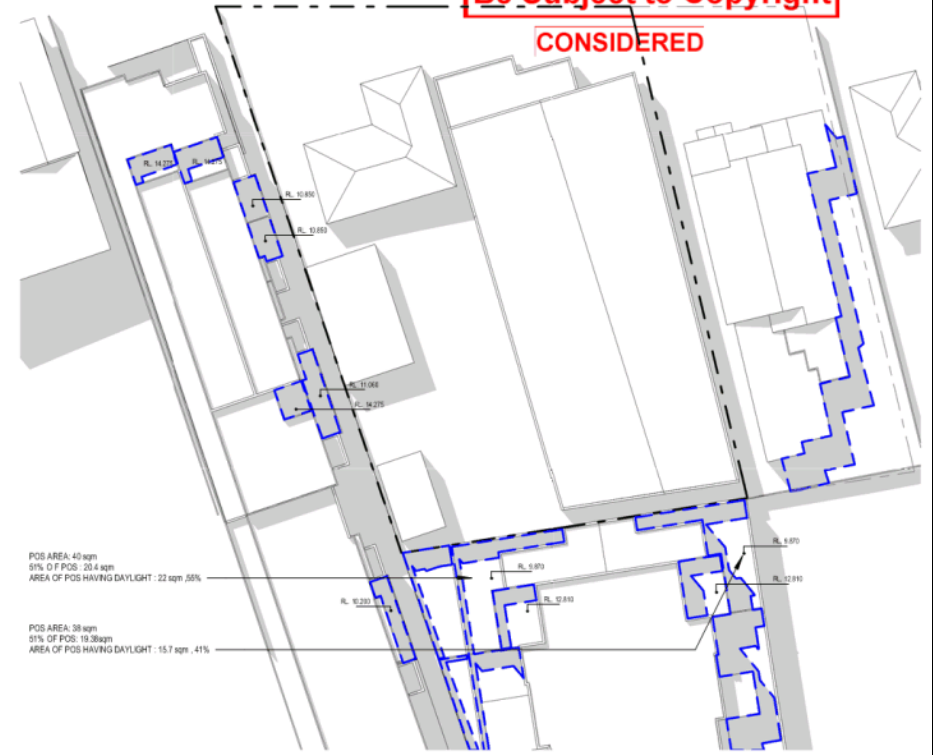


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CONSIDERED



PROPOSED - 2PM



EXISTING - 2PM

KEY

- OUTLINE OF EXISTING SHADOW ON POS
- SHADOWING CAUSED BY PROPOSED DEVELOPMENT



CLIENT
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Mordialloc Pty Ltd**

PROJECT INFORMATION:
3489
102-104 White Street
Mordialloc VIC

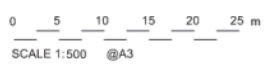
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Diagram 22-09 2pm**

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DATE
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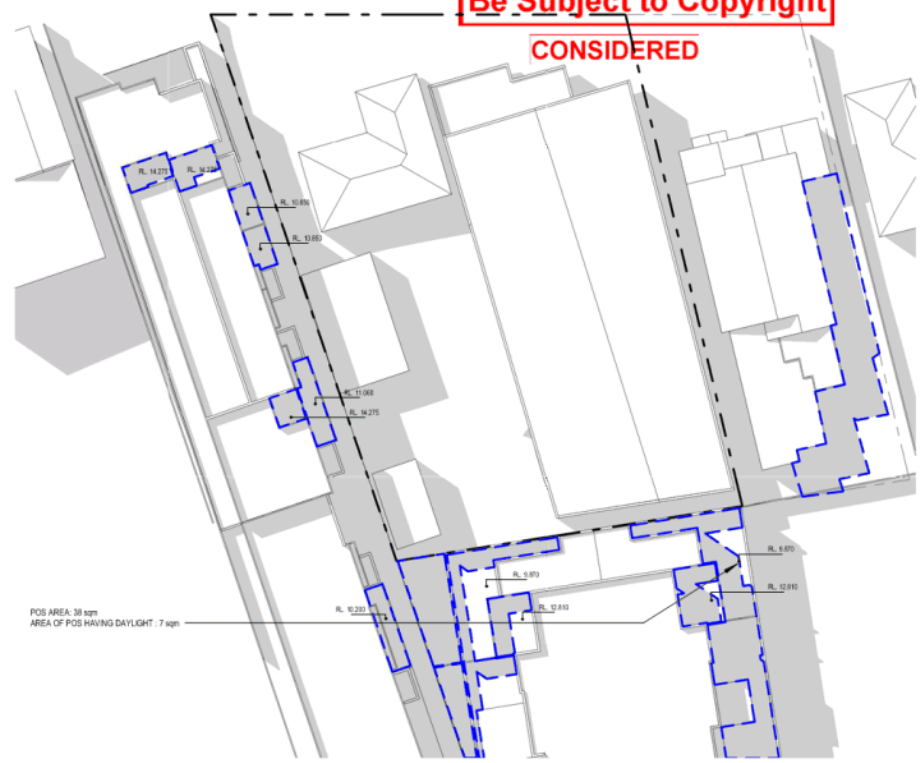
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CONSIDERED





POS AREA: 38 sqm
NO ADDITIONAL OVERSHADOWING TO EXISTING POS

PROPOSED - 3PM



POS AREA: 38 sqm
AREA OF POS HAVING DAYLIGHT: 7 sqm

EXISTING - 3PM

KEY	
	OUTLINE OF EXISTING SHADOW ON POS
	SHADOWING CAUSED BY PROPOSED DEVELOPMENT

CRONE
ARCH
TESTS

CLIENT
Prime Apartments
Mordialloc Pty Ltd

PROJECT INFORMATION:
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102-104 White Street
Mordialloc VIC

DRAWING TITLE
Proposed Shadow
Diagram 22-09 3pm

DRAWING NUMBER
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DEVELOPMENT APPLICATION - RFI

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Planning Committee Meeting

20 March 2019

Agenda Item No: 4.4

KP-2018/701 - 43-45 WESTALL ROAD CLAYTON SOUTH

Contact Officer: Rochelle Reinhardt, Statutory Planner

Purpose of Report

This report is for Council to consider Planning Permit Application No. KP-2018/701 - 43-45 Westall 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 Notice of Decision for the use of a Primary School, associated works and alteration of access to a road in a Road Zone, Category 1 in accordance with the endorsed plans at 43-45 Westall Road Clayton South, subject to the conditions contained within this report.

This application requires a decision by Council, as the application is located on Council owned land.

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

EXECUTIVE SUMMARY			
Address	43-45 Westall Road, Clayton South		
Legal Description	Land in Plan of Consolidation 105480		
Applicant	Fitra Community School Ltd		
Planning Officer	Rochelle Reinhardt		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential 3 Zone		
Overlays	None		
Particular Provisions	Clause 52.06 – Car Parking Clause 52.29 – Land adjacent to a Road Zone Category 1 Clause 52.34 – Bicycle Facilities		
Permit Trigger/s	Clause 32.08 – 2 – Use of a primary school Clause 32.08 – 9 – Buildings and works associated with a Section 2 use Clause 52.29 – Land adjacent to a Road Zone Category 1		
APPLICATION / PROCESS			
Proposal	The use of a Primary School, associated works and alteration of access to a road in a Road Zone, Category 1 in accordance with the endorsed plans		
Reference No.	KP-2018/701	RFI Received	5 November 2018
App. Received	31 August 2018	App. Amended	Yes – 23 November 2018
Site inspection	Yes		
S.52 Advertising	Commenced: 29 November 2018	Advertising Completed	Yes – 17 December 2018
S.55 Referrals	VicRoads		
Internal referrals	Yes		
Objection(s)	Six (6) (TRIM checked on 14/02/2019)		
Mandatory Garden area requirement	N/A	Mandatory Building Height requirement	N/A
LEGISLATIVE			
Covenant/other Restriction	Yes – Covenant No. 1776607	Complies: YES	
CHMP Considered Plans	Not in an area of Aboriginal Cultural Heritage Sensitivity Cyber Drafting and Design, Job No. 18133, Sheets 1 to 8 inclusive, Revision D, dated 22 November 2018, submitted on 23 November 2018		

1.0 RELEVANT LAND HISTORY

- 1.1 There are no recent planning decisions relevant to the assessment of this application.
- 1.2 Planning Permit KP-2009/331 was issued by Kingston City Council on 2 July 2009 for the use of this site for a medical centre (maternal child health centre), in conjunction with the existing preschool in accordance with the attached endorsed plans and subject to conditions.

2.0 SITE PARTICULARS

Built form	A single storey, face brickwork building with a pitched tile roof and associated outbuildings/structures occupy the land. The existing building is setback 22.4 metres from the front property boundary, 5.4 metres from the side (north) boundary, 7.2 metres from the rear boundary and built to the side (south) boundary. A children's play area and concreted car parking area (including eight (8) designated car parking spaces) are located within the front setback. A pedestrian pathway exists along the northern property boundary.
Use	The subject site was previously used for the Westall Kindergarten, Westall Maternal and Child Health Centre and Multicultural Playgroup.
Size (m²)	1544m ²
Topography	The land is generally flat.
Vegetation	Scattered vegetation exists across the subject site. Two (2) mature <i>Melaleuca linariifolia</i> (Snow-in Summer) trees exist within the front setback near the existing car parking area.
Easement(s)	A 1.22m wide E-1 easement is located along the site's west (rear) property boundary.
Footpath assets / access	Two (2) existing crossovers are located adjacent to the north and south (side) common boundaries providing separate entry and exit points from the service lane of Westall Road for vehicles accessing the car parking area. Two (2) power poles are located adjacent to the north east and south east corners of the subject site, within the nature strip. A recently planted street tree exists in the centre of the frontage. A pedestrian path and pram ramp are located on the north side of the frontage providing access to the bus stop located in the median strip between the road and the service lane.
Fencing	A 1.6 metre high hooped steel picket fence exists within the site, separating the car parking area and pedestrian pathway from the children's play area.
Covenant(s) / Restrictions	Covenant No. 1776607 is listed on the Certificate of Title. The covenant retracts the quarrying of the site, stating that no stone earth clay gravel or sand is allowed to be removed from the site. The proposed use and 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.



Figure 1: Aerial image of the subject site and surrounds

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

North	Unit 1 to 3, No. 41 Westall Road is occupied by double storey rendered and face brickwork dwellings with pitched tile roofing. The common driveway for the three (3) dwellings and the garage for Unit 3 adjoins the common boundary with the subject site.
East	No. 6 – 12 Booloora Road - Opposite Westall Road is Industrial 1 Zoned land within the City of Greater Dandenong. The land is occupied by warehouse type development which is orientated to face Booloora Road to the east. Significant vegetation exists in the Westall Road reserve at the rear of the industrial properties.
South	No. 47 Westall Road is occupied by a single storey rendered dwelling with a pitched tile roof. The dwelling is setback 3.3 metres from the common boundary with the subject site to accommodate a driveway.
West	No. 16 and 18 Culshaw Avenue are occupied by a double storey brick dwelling and a single storey rendered dwelling, respectively. No. 16 is setback 7.5 metres and No. 18 is setback 13.9 metres from the common boundary with the subject site.

3.3 The surrounding area on the west side of Westall Road generally comprises of residential zoned lane which includes predominately detached dwellings on average sized lots and

some recent two (2) and three (3) dwelling developments. The Grange Reserve exists approximately 500 metres south west of the subject site.

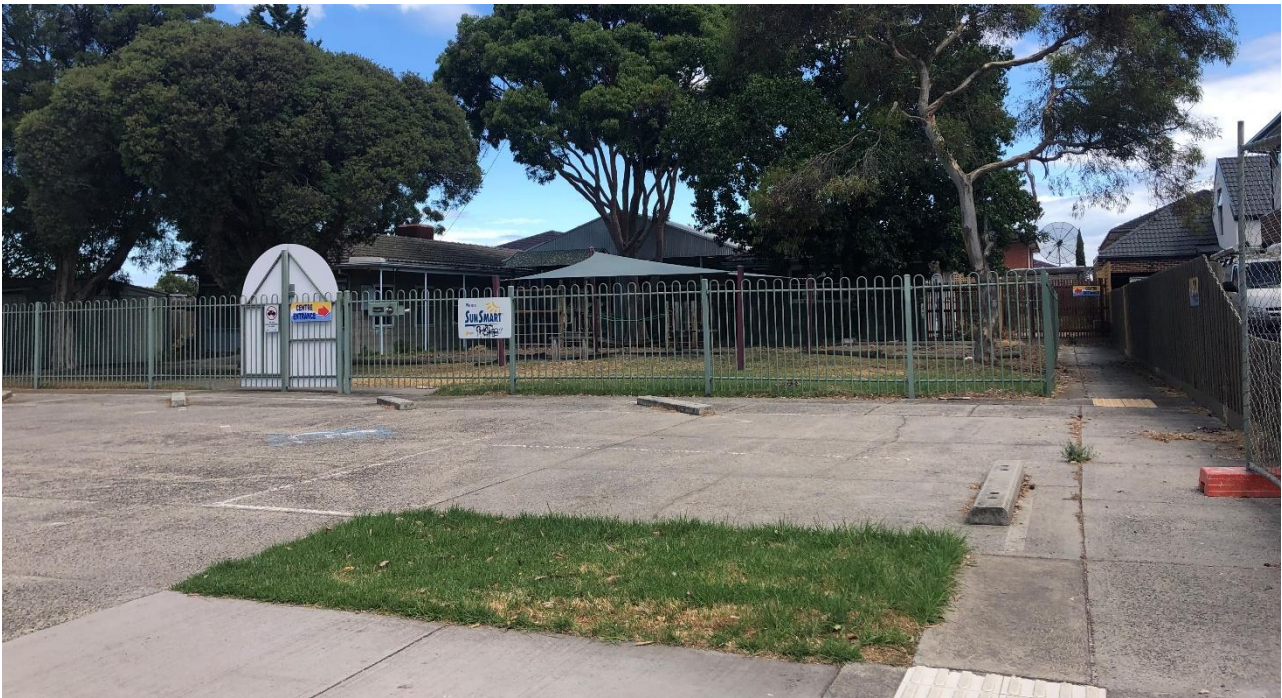


Figure 2: View of the subject site looking west

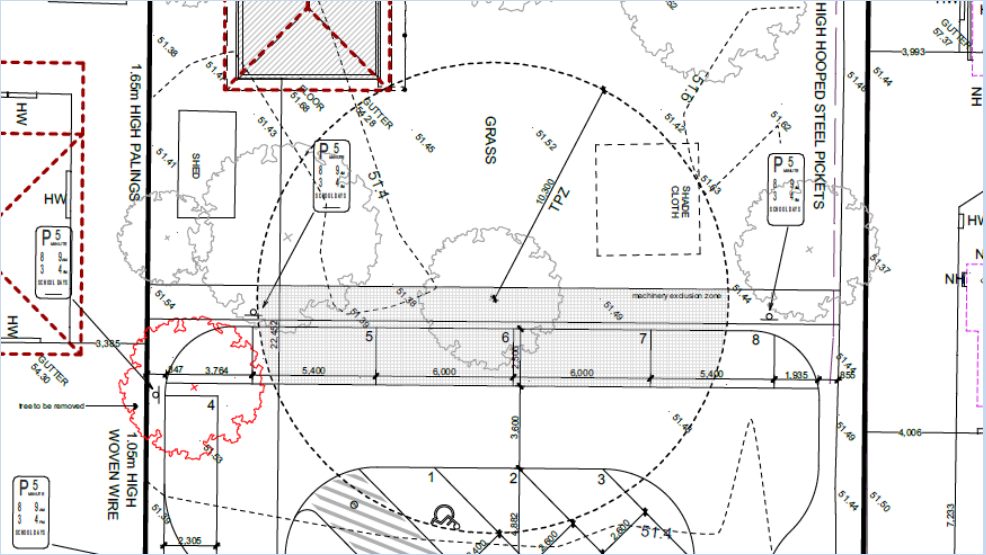


Figure 3: View of the subject site looking west

4.0 PROPOSAL

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

Use	The proposal is for the use of the existing building for a primary school. The details of the proposed use are as follows: <ul style="list-style-type: none">• A maximum of seventy (70) students would attend the school.
------------	--

	<ul style="list-style-type: none"> • A maximum of eight (8) staff members will be on site. • The school is proposed to operate from 8am to 5pm (school day to operate from 9am to 3:30pm).
<p>Works, car parking and access</p>	<p>The proposed buildings and works are detailed as follows:</p> <ul style="list-style-type: none"> • Expand the existing car parking area at the front of the site to alter the car parking arrangement. The re-arrangement of the car parking spaces continues to provide eight (8) spaces, three (3) provided in 45 degree arrangement and five (5) provided in parallel arrangement. • Modify the existing crossovers to reflect Council's current crossover design whilst retaining the existing entry and exit access format. • All other buildings and works are internal changes to the existing building.
<p>Vegetation removal</p>	<p>The application includes the proposed removal of one (1) <i>Melaleuca linariifolia</i> tree within the subject site, on the south west corner of the existing car parking area. It is noted that part of the expended car park is proposed to be constructed of permeable surfaces to protect the another <i>Melaleuca linariifolia</i> tree in the centre of the site, west of the existing car park.</p> 

5.0 PLANNING PERMIT PROVISIONS

Zone

- 5.1 General Residential Zone: Pursuant to **Clause 32.08-2** of the Kingston Planning Scheme, a planning permit is required to use the site for a primary school (Section 2 use included in the category 'any other use not in Section 1 or 3').
- 5.2 Furthermore, pursuant to **Clause 32.08-9**, a planning permit is required to construct or carry out works for a use in Section 2 of Clause 32.08-2.

Overlay

5.3 No overlays effect the subject site.

Particular Provisions

5.4 **Clause 52.06 - Car Parking** contains the following primary school car parking rate:

**1 space to each employee that is part of
the maximum number of employees on the
site at any time**

This equates to a parking requirement of **eight (8)** spaces for the proposed use.

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, car space dimensions which will be discussed under Section 11 of this report.

5.5 Land Adjacent to a Road Zone, Category 1 or Public Acquisition Overlay for a Category 1 Road: Pursuant to **Clause 52.29** of the Kingston Planning Scheme, a planning permit is required to construct or alter an access to a Road Zone Category 1. Pursuant to Clause 52.29-4, an application must be referred to the Roads Corporation (VicRoads) under section 55 of the Act.

5.6 Bicycle Facilities: A primary school premise requires the following bicycle parking rate:

1 space to each 20 employees
**1 space to each 5 pupils over year
4**

5.7 No bicycle parking is provided. Pursuant to **Clause 52.34** of the Kingston Planning Scheme, a planning permit is required to reduce or waive the bicycle facility requirements associated with a Primary School.

General Provisions

5.8 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 18 Transport
- Clause 19 Infrastructure

6.2 Local Planning Policy Framework (LPP)

Clause 21.12 Transport, Movement and Access

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. Six (6) objections to the proposal were received. The grounds of objection raised are summarised as follows:

- Noise
- Hours of operation
- Number of students
- Car parking and increases in traffic
- Pedestrian/traffic conflicts
- Whether there is a need for a new school in the area

8.0 PLANNING CONSULTATION MEETING

8.1 A planning consultation meeting was held on 12 February 2019 with the relevant Planning Officer, Ward Councillor(s), the Permit Applicant and six (6) objectors in attendance. The above-mentioned issues were discussed at length.

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

9.0 SECTION 50 – AMENDMENT TO PLANS

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

9.2 Prior to the advertising of the application the Permit Applicant lodged amended plans on 23 November 2018, pursuant to Section 50 of the *Planning and Environment Act 1987*. The amended plans incorporated the following changes:

- Amended car parking and access arrangements
- Proposed removal of vegetation

9.3 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 about the proposed removal of one (1) mature <i>Melaleuca linariifolia</i> (Snow-in Summer) tree (Tree 1) and no conditions were provided. Council’s Vegetation Management officer also approved the removal of the <i>Melaleuca linariifolia</i> (Snow-in Summer) tree (Tree 2) located in the centre of the site which is proposed to be retained, subject to the use of crushed rock within the car parking area.
Roads and Drains	No objection raised, subject to standard conditions included on any permit issued relating to the construction of streetscape infrastructure.
Traffic Engineer	The referral comments received by Council’s Traffic Engineer are discussed in detail under section 11 of this report.

External Referrals

Department	Section 52/55	Determining / Recommending	Objection	Comments
VicRoads	55	Determining	No objection	Subject to conditions included verbatim within the recommendation

11.0 PLANNING CONSIDERATIONS:

Planning Policy Framework

- 11.1 The Planning Policy Framework sets out the relevant state-wide policies for residential development at **Clause 11** (Settlement), **Clause 13** (Environmental Risks and Amenity), **Clause 15** (Built Environment and Heritage), **Clause 18** (Transport) and **Clause 19** (Infrastructure). 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 the use of urban land, **Clause 11** promotes the creation of a consolidated sustainable city by providing better access to services and facilities. **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 whilst also ensuring land is available for supporting infrastructure.
- 11.3 **Clause 13** (Environmental Risks and Amenity), in particular, **Clause 13.05-1S** relates to the control of noise impacts on sensitive land uses.
- 11.4 **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.
- 11.5 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 11.6 The Subject Land **is not** identified in an area of Aboriginal Cultural Heritage Sensitivity.
- 11.7 The planning for an integrated and sustainable transport system is directed under **Clause 18** (Transport). This policy aims to improve accessibility and promote the use of alternative modes of transport whilst also managing car parking demand and protecting residential amenity.
- 11.8 **Clause 19** (Infrastructure), in particular Clause 19.02-2S (Education facilities), provides strategies to ensure education facilities are appropriately integrated into communities. The strategies of particular relevance to this application are as follows:

- *Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.*
- *Ensure childcare, kindergarten and primary school facilities provide safe vehicular drop-off zones.*
- *Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.*

Local Planning Policy Framework

- 11.9 The City of Kingston's MSS at **Clause 21.12 – Transport, movement and access** of the Kingston Planning Scheme, expands upon the objectives of Clause 18 and seeks to improve the road network within the City of Kingston.
- 11.10 Relevant strategies in **Clause 21.12-3**: Transport, movement and access include:
- *Ensure that the new development adjacent to major arterial roads seeks to minimise the impact on traffic movements on the adjoining road network and provides:*
 - *Safe and efficient access.*
 - *Adequate and well located car parking areas.*
 - *A detailed traffic assessment where the development is likely to significantly increase traffic volumes/movement on the adjoining road network.*
- 11.11 It is submitted that the proposed use and associated works satisfy the aforementioned strategies and policy direction. Specifically, the subject site is located on land, whilst being zoned residential, was previously used for education purposes and is proposed to be used for a similar purpose. Furthermore, the applicant seeks to upgrade the existing car parking infrastructure to ensure the proposed use can be accommodated on the site without adversely impacting the amenity of the area.

Zoning Provisions

- 11.12 The purpose of the General Residential Zone, *'to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations'*, relates directly to the application for the non-residential use of the land as a primary school.
- 11.13 The decision guidelines included under **Clause 32.08-13** provide guidance in assessing non-residential uses and development. The decision guidelines are listed as follows:
- *Whether the use or development is compatible with residential use.*
 - *Whether the use generally serves local community needs.*
 - *The scale and intensity of the use and development.*
 - *The design, height, setback and appearance of the proposed buildings and works.*
 - *The proposed landscaping.*
 - *The provision of car and bicycle parking and associated accessways.*
 - *Any proposed loading and refuse collection facilities.*
 - *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*
- 11.14 The proposed use of an existing building, for a primary school at the subject site is considered appropriate when assessed against the relevant decision guidelines. This is

based on the proposal seeking to re-purpose a currently vacant building for the use of a private primary school, which was previously used for the Westall Kindergarten, Westall Maternal and Child Health Centre and Multicultural Playgroup. The proposed use is a similar use to the previous use of the site, therefore significant alterations to the existing building and associated infrastructure are not required. The applicant has noted that the proposed use only requires internal alterations to the existing building.

- 11.15 The proposed use of a primary school is considered to be compatible with the surrounding area as it provides a service which is accessible to the surrounding residents, being located on an arterial road whilst also within walking distance of residential land. Furthermore, the proposed private primary school provides an alternative schooling option for the local community who may be looking for alternatives to Government schooling.
- 11.16 The proposed primary school would have typical school day operating hours of 9am to 3:30pm but is proposed to have overall operating hours of 8am to 5pm to allow for school drop/pick up and for staff to complete administrative tasks. These proposed operating hours are considered appropriate for the use of a site within the residential zone.
- 11.17 Due to the number of uses which operated out of the one facility and likely had varying operating hours, it is not possible to know the exact scale and intensity of the existing use. The proposal may result in an increase in the use of the existing building but the applicant has highlighted that the facility is adequate for the proposed use of a primary school of eight (8) staff and seventy (70) students. It is also noted that the school would be required to be registered with the Victorian State Government and will be subject to minimum standards, relating to student welfare, school infrastructure and curriculum, in order to be registered.
- 11.18 The objectors expressed concerns about potential noise impacts, the hours of operation not being adhered to and the existing building not being able to accommodate the proposed number of students. Whilst the proposed hours of operation and number of students/staff are considered appropriate for the subject site, it is recommended that the following conditions be included on any permit issued to ensure the proposed number of persons on site is adhered to:
- The use must operate only between the hours of:
Monday to Friday: 8:00am to 5:00pm
Or otherwise as approved by the Responsible Authority in writing.
 - Not more than eight (8) staff may be present on the premises at any one time without written consent of the Responsible Authority.
 - Not more than seventy (70) students may be present on the premises at any one time without written consent of the Responsible Authority.
- 11.19 In relation to the concerns expressed potential noise, it is considered that the proposed use may result in increased noise which may negatively impact the amenity experienced in the surrounding properties. These concerns were discussed with the applicant and it was agreed that the provision of 2 metre high acoustic fence would satisfactorily reduce any potential increase in noise impacts. Therefore, it is recommended a condition be included on any permit issued which reads 'before the use starts or the building is occupied, an acoustic fence must be erected along the sections of the north, south and west boundaries of the site which adjoin the neighbouring areas of secluded private open space, to a minimum height of two (2) metres above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the fence must be to the satisfaction of the responsible authority' to ensure that the proposed use does not adversely affect the surrounding residents.

- 11.20 The design guidelines also require consideration of '*the safety, efficiency and amenity effects of traffic to be generated by the proposal*'. The provision of adequate car and bicycle parking facilities can be accommodated on site. This, and the potential for the proposed use to generate traffic, is discussed in greater detail in the following sections of this report.
- 11.21 Overall, the proposed works to modify the car parking area and entrance arrangements would improve the ageing infrastructure whilst retaining the formal site entrance and exit points. The proposal, which seeks to retain the central tree, would result in the use of crushed rock for part of the parallel car parking spaces and pedestrian pathway. This is not considered appropriate for a car parking area which would experience frequent vehicle movements and require ongoing maintenance. It is noted that Council's Vegetation Management Department provided referral comments which supported the removal of this *Melaleuca linariifolia* (Snow-in Summer) tree (Tree 2). Therefore, it is recommended that the tree be nominated as 'to be removed'. Furthermore, it is noted that the development plans do not include the provision of a fence between the modified car parking area and the open play space. Therefore, it is recommended that the following conditions be included on any permit issued:
- The central *Melaleuca linariifolia* (Snow-in Summer) tree be nominated as 'to be removed';
 - The surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar; and
 - Internal fencing on the west side of the modified car parking area, including the details of its style, height and materials;
- 11.22 It is considered that the proposal, subject to conditions included on any permit issued, complies with the purpose and design guidelines of the Zone and is an appropriate use of the site and existing infrastructure.

Particular Provisions

- 11.23 As identified earlier in Section 5.6 of this report, the proposal complies with the car parking requirement as **Clause 52.06** of eight (8) on-site car parking spaces.
- 11.24 An assessment by Council's Traffic Engineer agreed that the proposal complies with the statutory car parking rate but raised concerns about the non-compliant car parking design and potential for this to have flow on traffic congestion and safety impacts. Furthermore, it was recommended by Council's Traffic Engineer that a policy or procedure be developed to manage parking and traffic congestion, given that five (5) of the car parking spaces are proposed to be designated at 5 minute limit during drop off and pick up times.
- 11.25 The objectors which reside in neighbouring dwellings also raised concerns about the potential for traffic congestion during drop off and pick up times, which may impact their ability to enter and exit their own properties. Furthermore, objectors also raised concern about potential pedestrian/vehicle conflicts with children coming to and leaving school on foot, given that the site is located on a major road.
- 11.26 The proposal was assessed against the car parking design standards under Clause 52.06-9 and is considered to be compliant, with the exception of the length of the parallel car parking bays which are proposed to have lengths of either 5.4 or 6 metres rather than the required 6.7 metres under design standard 2 (car parking spaces). Therefore, it is recommended that a condition be included on any permit issued to address this noncompliance.

- 11.27 It is noted that the subject site is Council owned land. Therefore, a best practice approach to the management of traffic and parking associated with the use of the site should be adopted. Whilst the proposal complies with the statutory car parking requirement, to ensure that the proposed use does not result in traffic congestion, safety conflicts and on street parking issues, it is recommended that a Parking and Traffic Management Plan be required by way of condition which should read 'before the use starts, a traffic and parking management plan 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. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan'.
- 11.28 **Land adjacent to a Road Zone, Category 1** – Pursuant to **Clause 52.29**, the proposal seeks to alter the vehicle crossover arrangement by modifying the location of the existing crossovers. Therefore, the application was referred to the Roads Corporation, being VicRoads.
- 11.29 The referral response received from VicRoads highlighted that the proposal will generate vehicle movements that will have an impact on Westall Road, being an arterial road, but did not object to the application, subject to the inclusion of conditions.
- 11.30 **Bicycle parking** – The bicycle parking requirements for a primary school under **Clause 52.34-5** are 1 space for each 20 employees and 1 to each 5 pupils over year 4. The development plans do not include the provision of bicycle parking spaces in accordance with **Clause 52.34**.
- 11.31 Whilst a permit may be granted for a waiver of the bicycle parking requirement, it is considered that there is sufficient area within the site for the provision of bicycle parking. Furthermore, the provision of bicycle parking spaces would provide a designated area for the students to park their bicycles. Therefore, it is recommended that a condition be included on any permit issued which requires the provision of bicycle parking and associated amenities in accordance with Clause 52.34 of the Kingston Planning Scheme.

12.0 RESPONSE TO GROUNDS OF OBJECTIONS

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

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.

15.0 RECOMMENDATION

- 15.1 That Planning Committee determine to **support** the proposal and issue a **Notice of Decision to Grant a Permit to the use of a Primary School, associated works and alteration of access to a road in a Road Zone, Category 1 in accordance with the endorsed plans** at No. 43-45 Westall Road, Clayton South, 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 Cyber Drafting and Design, Job No. 18133, Sheets 1 to 8 inclusive, Revision D, dated 22 November 2018, submitted to Council on 23 November 2018, but modified to show:

- a. bicycle parking and associated amenities in accordance with the requirements of Clause 52.34 of the Kingston Planning Scheme;
- b. the car parking layout design to comply with Design Standard 2 of Clause 52.06-9 of the Kingston Planning Scheme;
- c. an acoustic fence along the sections of the north, south and west boundaries of the site which adjoin the neighbouring areas of secluded private open space, to a minimum height of two (2) metres above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the fence must be provided;
- d. internal fencing on the west side of the modified car parking area, including the details of its style, height and materials;
- e. the surface material of all driveways / accessways and car parking spaces nominated in all-weather coloured concrete sealcoat, or similar; and
- f. a traffic and parking management plan which includes, but not limited to, the means by which the direction of traffic, the pedestrian flows to and from car parking areas, and the car parking will be controlled both on- and off-site.

Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. The use must operate only between the hours of:
Monday to Friday: 8:00am to 5:00pm
Or otherwise as approved by the Responsible Authority in writing.
4. Not more than eight (8) staff may be present on the premises at any one time without written consent of the Responsible Authority.
5. Not more than seventy (70) students may be present on the premises at any one time without written consent of the Responsible Authority.

Amenity

6. Before the use starts or the building is occupied, the acoustic fence as shown on the endorsed plans must be erected and maintained to the satisfaction of the Responsible Authority.
7. The amenity of the area must not be detrimentally affected by the use, including 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 artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - iv) Presence of vermin.
 - v) Any other way.

8. The use of the site shall not cause nuisance or be detrimental to the area by the emission of noise to the satisfaction of the Responsible Authority. Noise emissions must comply with the State Environment Protection Policy.

Parking and Traffic

9. Before the use commences, a traffic and parking management plan, as endorsed, must be implemented to the satisfaction of the Responsible Authority.

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.

Vic Roads

11. Before the development starts, a detailed 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 be drawn to scale with dimensions and must show the School Speed Zone sign arrangement along Westall Road as per VicRoads Speed Zone Guidelines. Please refer Traffic Engineering Manual, Volume 3 (Edition 1, June 2017) for more information on speed limits around schools.
12. Unless otherwise agreed in writing by VicRoads, prior to the commencement of the use of the development hereby approved, all works as required by VicRoads must be completed in accordance with approved Functional Layout Plan (FLP) and detailed design plans to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads.
13. Unless otherwise agreed in writing by VicRoads, the electronic signs must be installed and operational prior to the school starting its operation.

Completion of Works

14. Prior to the use of building hereby permitted, all works and 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.

Time Limits

15. 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 are 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.
 - The use is discontinued for a period of two (2) years.

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.

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

- 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:** 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.

OR

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

1. The proposal does not meet the strategies and objectives of Clause 21.12 (Transport, movement and access) of the Kingston Planning Scheme.
2. The proposed use is not located in an appropriate location in accordance with the purpose of Clause 32.08 (General Residential Zone) of the Kingston Planning Scheme.
3. The proposed car parking arrangement does not comply with the Design Standards of Clause 52.06 (Car Parking) of the Kingston Planning Scheme.
4. The proposal does not meet the requirements of Clause 52.34 (Bicycle Parking) of the Kingston Planning Scheme.

Appendices

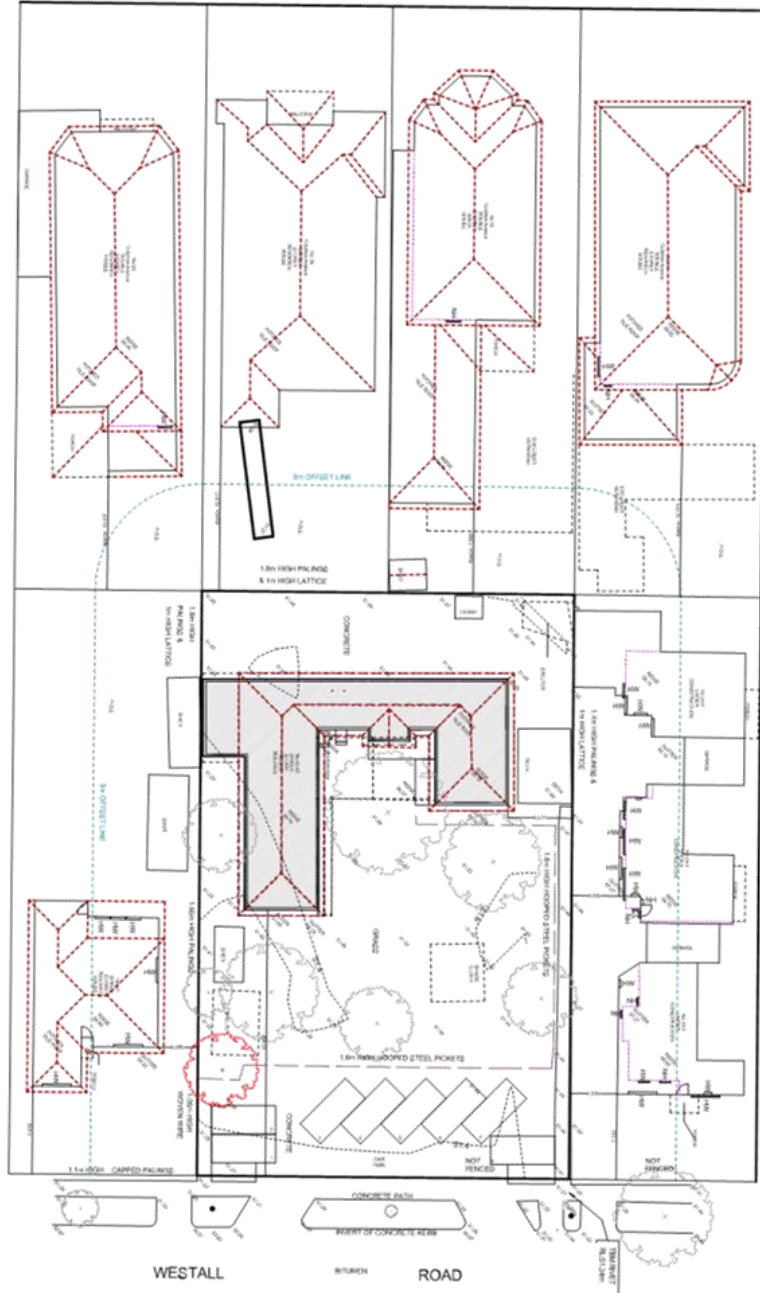
Appendix 1 - KP-2018/701 - 43-45 Westall Road Clayton South - Considered plans (Ref 19/34371) [↓](#)

Author/s: Rochelle Reinhardt, Statutory Planner
Reviewed and Approved By: Nicole Bartley, Team Leader Statutory Planning
Ian Nice, Manager City Development

4.4

KP-2018/701 - 43-45 WESTALL ROAD CLAYTON SOUTH

1	KP-2018/701 - 43-45 Westall Road Clayton South - Considered plans	171
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property description

site: Alotment 17 Section 9
 number: 43-45
 street: Westall Road
 locality: Clayton South VIC 3169
 parish: Bayside
 county:
 rp: C1-105490

area: 1544m²

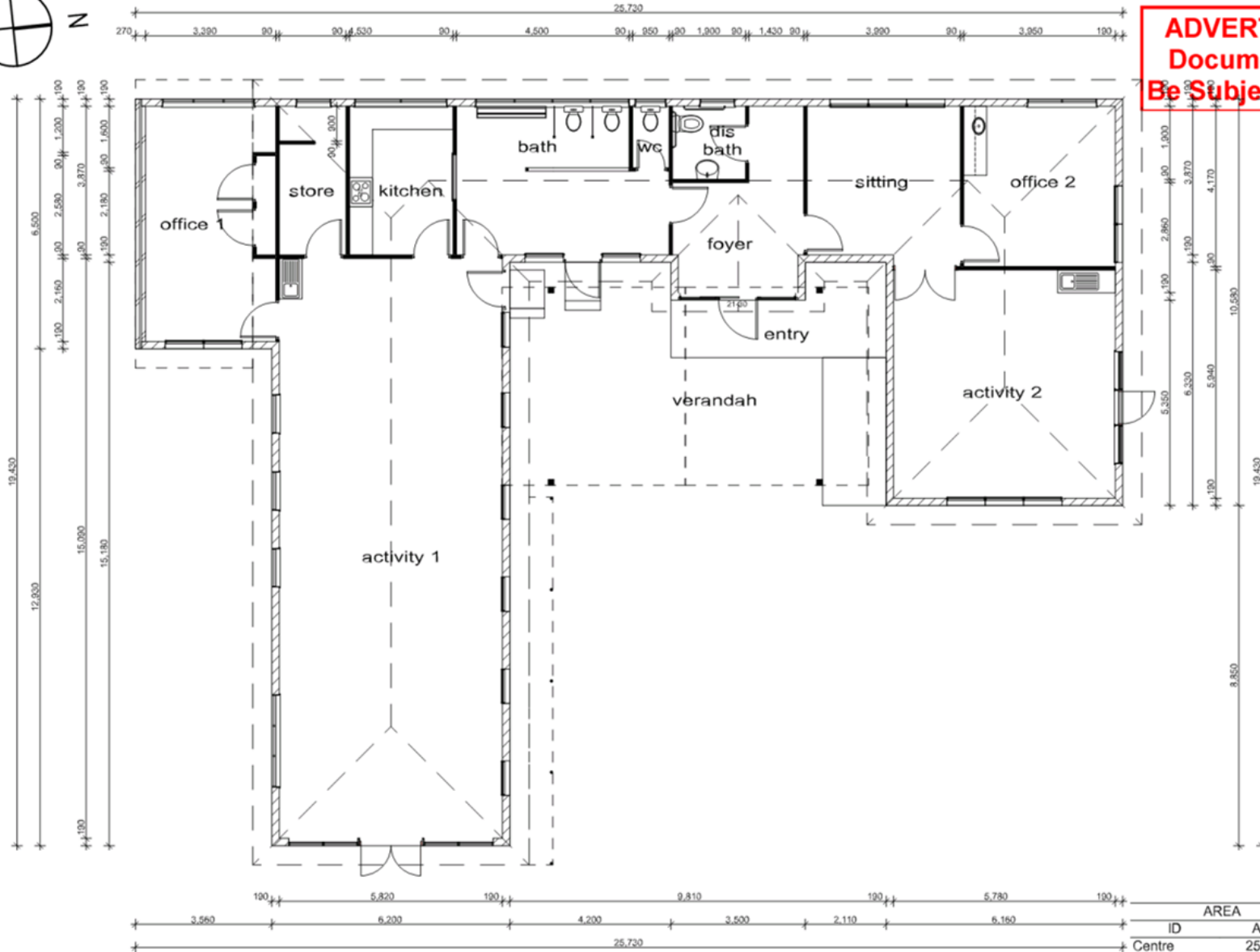
PRELIMINARY
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notes:

- Use written dimensions only. Do not scale drawings from plans
- Building zone is to be cleared of any vegetation and trees to suit - check on site.
- All survey data taken from DWG/PDF copy by others. Cyber Drafting & Design take no responsibility of the proposed slab & pad levels due to the possibility of in-accuracy of the disclosure plan.
- Verify all bearing and dimensions on site prior to construction. All missing pegs to be re-installed prior to any construction. Notify head contractor immediately of any discrepancies in setout dimensions. Do not start construction until all boundaries are confirmed.
- Ensure all drawings and accompanying details and/or specifications have been stamped as 'Approved' by the relevant local authorities prior to use.
- All site drainage to be graded to rubble pits or approved site drainage pits at a min grade of 1:100 (1%) and connected to legal point of discharge in compliance with AS/NZ 3550 A/or NCC BCA vol. 2, parts 3.1.2 & 3.5.2

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<p>Filtra Community School 43-45 Westall Road Clayton South VIC 3169</p>																		
<p>CYBER DRAFTING & DESIGN</p> <p>4/10 WINDERMERE TROUBEN 30.3/17/18 081 332 0000 PO BOX 1330 MELB VIC 3001</p> <p>Dimensions shall not be obtained by grading. All dimensions are in millimeters unless noted otherwise. Detail dimensions shall be verified on site prior to any work being carried out. Any problems shall be directed to the builder for clarification & correction</p> <p>I HAVE APPROVED THESE DRAWINGS TO BE CORRECT AS PER CONTRACT</p> <p>OPERATIONS SIGNATURE _____ DATE _____</p> <p>PROJECT MANAGER SIGNATURE _____ DATE _____</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11-08-18</td> <td>CONCEPT FOR REVIEW</td> </tr> <tr> <td>2</td> <td>22-08-18</td> <td>FINAL LAYOUT PLANS</td> </tr> <tr> <td>3</td> <td>22-11-18</td> <td>UPDATED CAR PARK LAYOUT</td> </tr> <tr> <td>4</td> <td>22-11-18</td> <td>UPDATED CAR PARK LAYOUT</td> </tr> </tbody> </table> <p style="text-align: center;"> JODIE MARK e. jodie@cyberdrafting.com.au p. 07 2383 9150 </p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">- N2 -</td> <td style="text-align: center;"> 22-Nov-18 <small>Issue Date</small> </td> </tr> </table> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">18133</p> <p style="text-align: center;"> <small>Drawing Number</small> 18133 <small>Sheet No</small> 08 <small>Sheet No</small> 10 </p> <p style="text-align: center; font-weight: bold;">EXISTING SITE PLAN</p> <p style="text-align: center;"> <small>Drawing title</small> <small>1 of 8</small> <small>Sheet No</small> <small>Sheet No</small> </p>		REV	DATE	DESCRIPTION	1	11-08-18	CONCEPT FOR REVIEW	2	22-08-18	FINAL LAYOUT PLANS	3	22-11-18	UPDATED CAR PARK LAYOUT	4	22-11-18	UPDATED CAR PARK LAYOUT	- N2 -	22-Nov-18 <small>Issue Date</small>
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- N2 -	22-Nov-18 <small>Issue Date</small>																	

Site Plan
 Scale 1:400



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00 PROJECT:
 Filra Community School
 43-45 Westall Road
 Clayton South VIC 3169

CYBER
 DRAFTING & DESIGN
16/16 WINDUP ROAD, TRARALGO, VIC 32470 TEL: 03 521 8588
 PO BOX 1302 TRARALGO VIC 3247

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C	02/11/18	UPDATES CAR PARK LAYOUT
D	22/11/18	UPDATES CAR PARK LAYOUT

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 e. jodie@cyberdrafting.com.au
 p. 07 2302 9159

N2	-	-	-
DATE	ISSUED	SCALE	DATE
22-Nov-18			

AREA	
ID	Area
Centre	253.90
Entry	10.48
	264.38 m²

18133
 EXISTING FLOOR PLAN
Drawing title

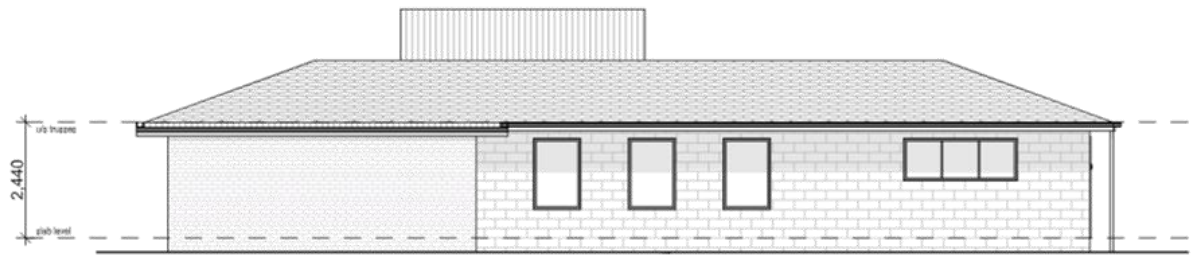
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Existing Floor Plan
 Scale 1:100

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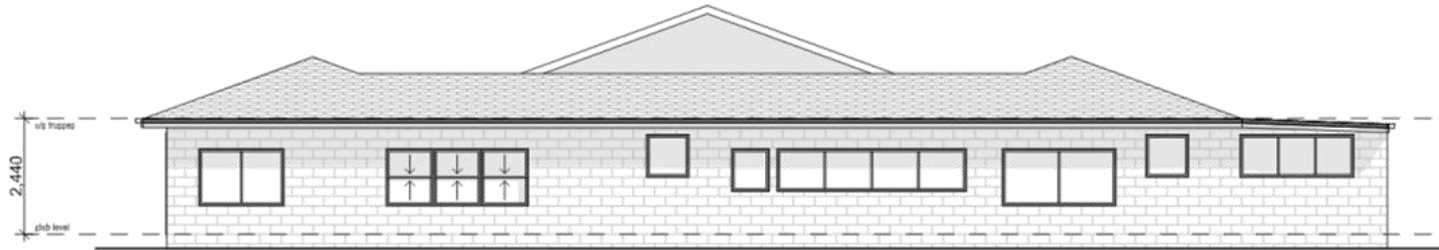
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2 South Elevation
 Scale 1:100

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JOOIE MARK e. jooie@cyberdrafting.com.au p. 07 2383 9159																
- N2 - 22-Nov-18																
18133																
EXISTING ELEVATIONS																
as shown (where applicable)	3 of 8 (where applicable)															

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3 West Elevation
 Scale 1:100



4 North Elevation
 Scale 1:100

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307 950000
 Filra Community School
 43-45 Westall Road
 Clayton South VIC 3169

BY: CP 0001 2018-08-08 J. Jodie

CYBER DRAFTING DESIGN
 4/10 WINDMILL ROAD, TRUDDYVILLE VIC 3049
 PO BOX 1000 TRUDDYVILLE VIC 3049
 TEL: 03 9337 8888 FAX: 03 9337 8888

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 e. jodie@cyberdrafting.com.au
 p. 07 3300 9159

N2

22-Nov-18

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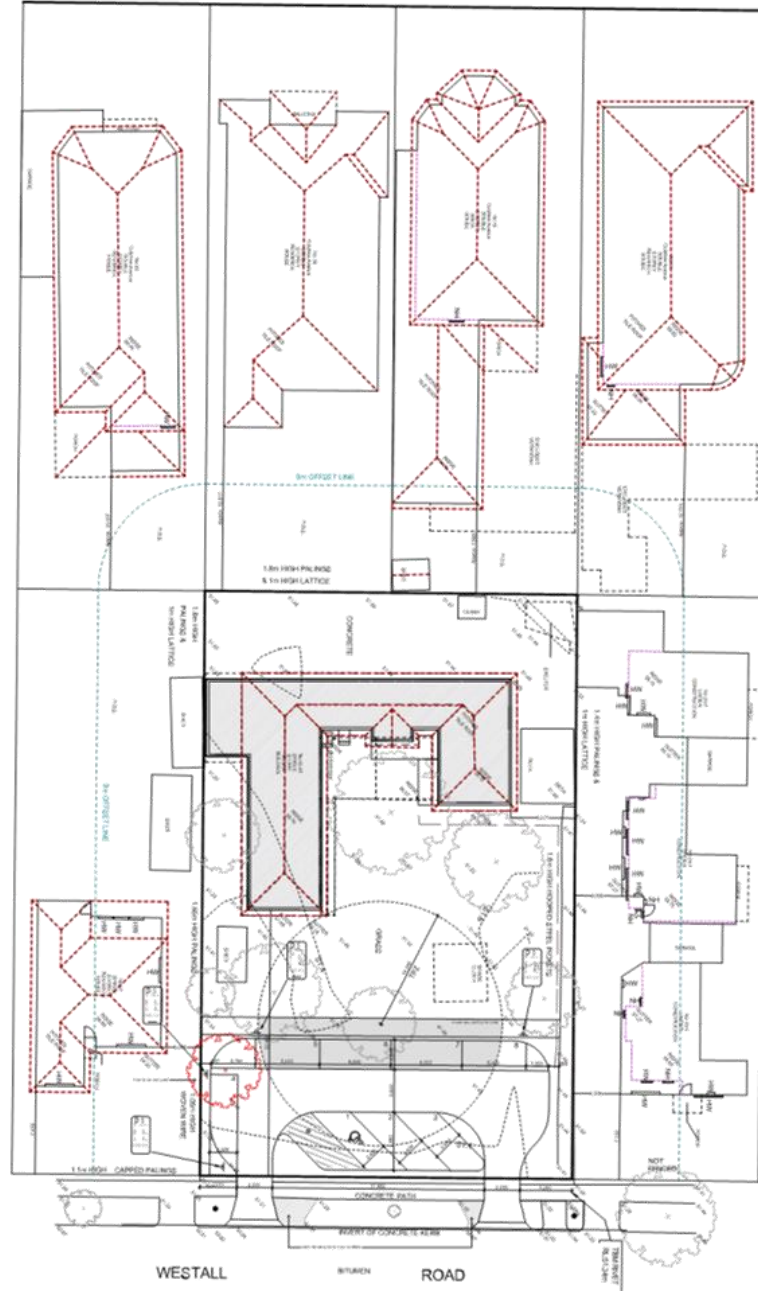
Project No: 18133
 Drawing No: 18133-01
 Date: 22-Nov-18
 Scale: 1:100

EXISTING ELEVATIONS

NO. SHOWN: 4 of 8



NOTE:
REFER TO TREE MANAGEMENT PLAN FOR
SPECIFIC PROTECTION REQUIREMENTS



property description

site: Alotment 17 Section 9
 number: 43-45
 street: Westall Road
 locality: Clayton South VIC 3169
 parish: Bayside
 county:
 rp: C1-105493

area: 1544m²

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PRELIMINARY
 DRAWINGS NOT
 FOR
 CONSTRUCTION.

Site Name:
 Filra Community School
 43-45 Westall Road
 Clayton South VIC 3169

notes:

Use written dimensions only. Do not scale drawings from plans

Building zone is to be cleared of any vegetation and trees to suit - check on site.

All survey data taken from DWG/PDF copy by others. Cyber Drafting & Design take no responsibility of the proposed site & pad levels due to the possibility of in-accuracy of the disclosure plan.

Verify all bearing and dimensions on site prior to construction. All missing pegs to be re-installed prior to any construction. Notify head contractor immediately of any discrepancies in setout dimensions. Do not start construction until all boundaries are confirmed.

Ensure all drawings and accompanying details and/or specifications have been stamped as 'Approved' by the relevant local authorities prior to use.

All site drainage to be graded to rubble pits or approved site drainage pits at a min grade of 1:100 (1%) and connected to legal point of discharge in compliance with AS/NZ 3550 A/or NCC BCA vol. 2, parts 3.1.2 & 3.5.2



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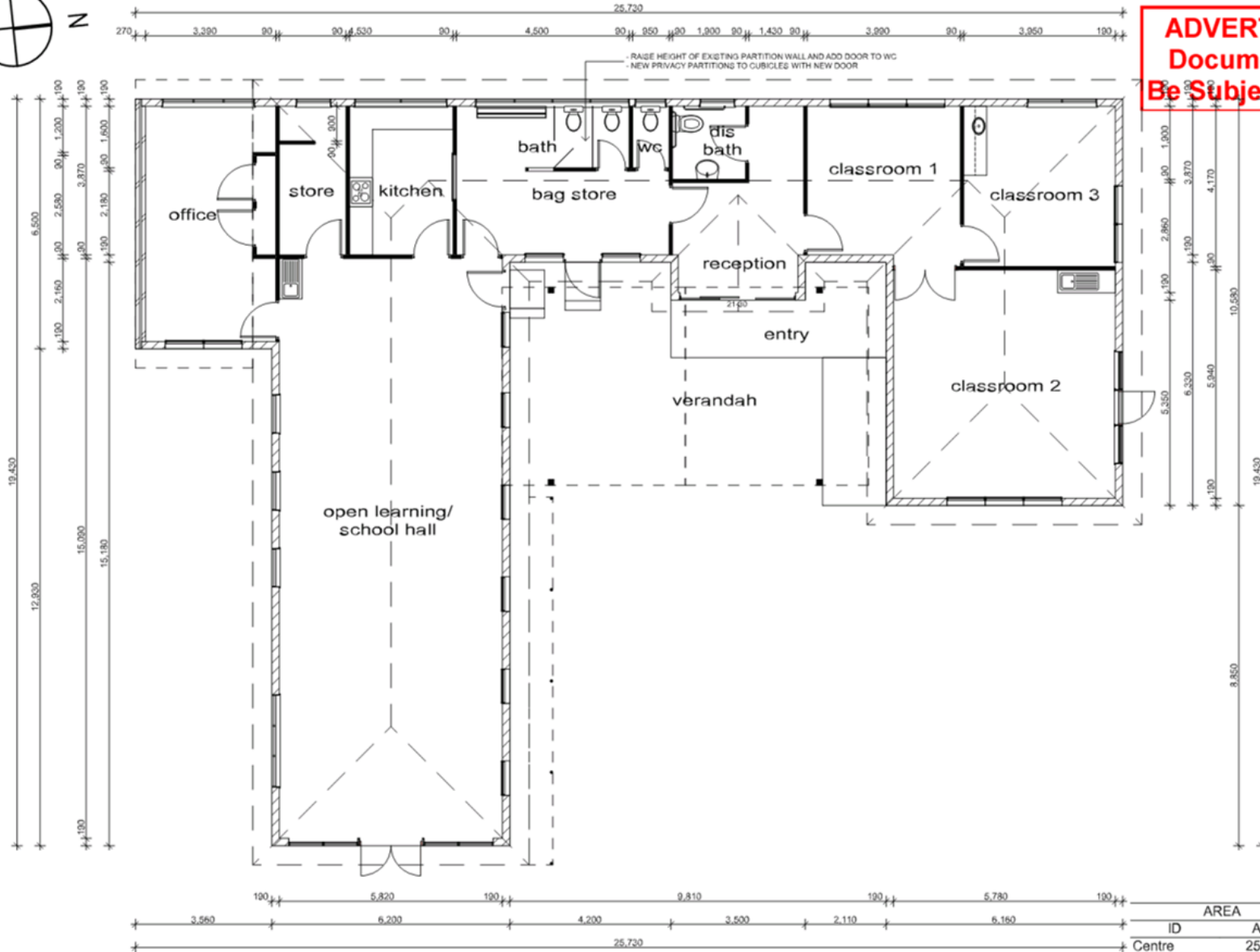
N2
 22-Nov-18

18133

PROPOSED SITE PLAN

as shown 5 of 8
 sheet 5 of 8

Proposed Site Plan
 Scale 1:400



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PRELIMINARY DRAWING NOT FOR CONSTRUCTION.

Filra Community School
 43-45 Westall Road
 Clayton South VIC 3169

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D	22-11-18	UPDATES-CAN PARK LAYOUT

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22-Nov-18			

AREA	
ID	Area
Centre	253.90
Entry	10.48
	264.38 m²

18133

PROPOSED FLOOR PLAN

Drawing No.

ISSUED BY	CHECKED BY	DATE	PROJECT

AS SHOWN
 DRAWING NO. **6 of 8**

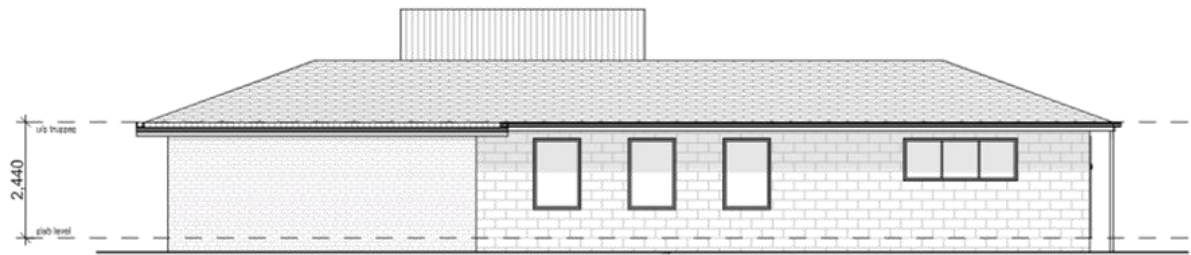
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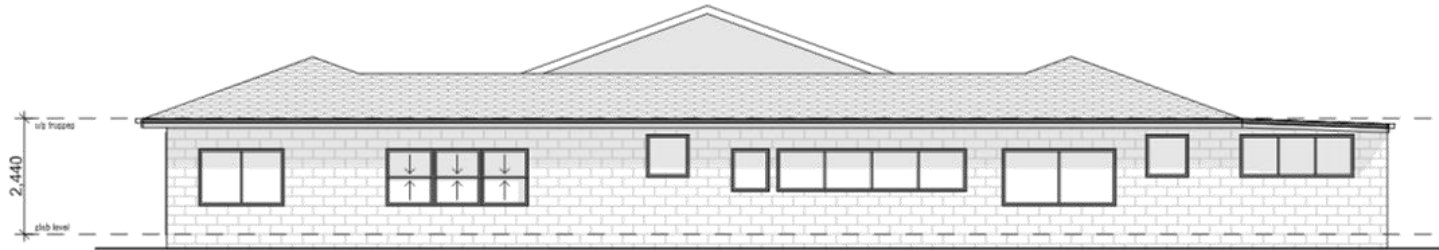
1 East Elevation
 Scale 1:100



2 South Elevation
 Scale 1:100

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Job Details: Filra Community School 43-45 Westall Road Clayton South VIC 3169																
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<table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11-08-18</td> <td>CONCEPT FOR REVIEW</td> </tr> <tr> <td>2</td> <td>22-08-18</td> <td>FINAL APPROVAL PLANS</td> </tr> <tr> <td>3</td> <td>02-11-18</td> <td>UPDATED CAR PARK LAYOUT</td> </tr> <tr> <td>4</td> <td>22-11-18</td> <td>UPDATED CAR PARK LAYOUT</td> </tr> </tbody> </table>	Rev	Date	Description	1	11-08-18	CONCEPT FOR REVIEW	2	22-08-18	FINAL APPROVAL PLANS	3	02-11-18	UPDATED CAR PARK LAYOUT	4	22-11-18	UPDATED CAR PARK LAYOUT	
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JOOIE MARK e. jooie@cyberdrafting.com.au p. 07 2383 9159																
- N2 - 22-Nov-18																
18133																
PROPOSED ELEVATIONS																
as shown (where applicable)	7 of 8 (where applicable)															

ADVERTISED PLANS NOT FOR CONSTRUCTION.
Documentation May Be Subject to Copyright



3 West Elevation
 Scale 1:100



4 North Elevation
 Scale 1:100

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION.

307 950000
 Filra Community School
 43-45 Westall Road
 Clayton South VIC 3169

BY: CP 1000 10/11/2018 10:00:00 AM

CYBER
 DRAFTING DESIGN

1/10 WINDUP DRIVE, TRUDDYVILLE VIC 3011
 PO BOX 1000 TRUDDYVILLE VIC 3011

Dimensions shall not be obtained by scaling.
 All dimensions are in millimeters unless noted otherwise. Detail dimensions shall be verified on site prior to any work being carried out. Any problems shall be directed to the builder for clarification & correction.

I/WE APPROVE THESE DRAWINGS TO BE CORRECT AS PER CONTRACT

OPERATIONS SIGNATURE _____ DATE _____

PROJECT MANAGER SIGNATURE _____ DATE _____

REV	DATE	REVISION
A	11/08/18	CONCEPT FOR REVIEW
B	22/09/18	FINAL APPROVAL FOR PERMITS
C	02/11/18	UPDATES FOR PERMITS APPROVAL
D	23/11/18	UPDATES FOR PERMITS APPROVAL

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 p. 07 3300 9159

N2

DATE: 22-Nov-18
 DRAWN BY: JODIE MARK

18133

PROJECT NO: 18133
 DRAWN BY: JODIE MARK
 CHECKED BY: JODIE MARK

PROPOSED ELEVATIONS

NO. SHOWN: 8 of 8
 DRAWING NO: 18133-01

Planning Committee Meeting

20 March 2019

Agenda Item No: 4.5

KP-2018/898 - 81 ALBERT STREET, MORDIALLOC

Contact Officer: Andrew Stubbings, Senior Planner

Purpose of Report

This report is for the Planning Committee to consider Planning Permit Application No. KP-2018/898 - 81 Albert Street, Mordialloc.

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 construct buildings and works within a heritage overlay on this site and use for a youth services hub (innominate use) and a reduction in car parking requirements at 81 Albert Street, Mordialloc, subject to the conditions contained within this report.

EXECUTIVE SUMMARY			
Address	81 Albert Street, Mordialloc		
Legal Description	Lot 1 and 2 on TP693952		
Applicant	Hansen		
Planning Officer	Andrew Stubbings		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 32.08 – General Residential 2 Zone		
Overlays	Clause 43.01 – Heritage Overlay – Schedule 93 (HO93) Clause 43.02 – Design and Development Overlay – Schedule 10		
Particular Provisions	Clause 52.06 – Car Parking		
Permit Trigger/s	<p>A permit is required under the General Residential Zone (GRZ2) for the use of the site as an ‘innominate use’ pursuant to Clause 32.08-2.</p> <p>A permit is required under the General Residential Zone (GRZ2) to carry out building and works pursuant to Clause 32.08-8 a permit is required.</p> <p>A permit is required under the Heritage Overlay (HO093) for minor demolition and to carry out works pursuant to Clause 43.01-1 a permit is required to construct or carry out works.</p>		
APPLICATION / PROCESS			
Proposal	Use and buildings of works of the site for the purposes of a youth services hub (innominate use) within a heritage overlay and car parking to the satisfaction of the responsible authority.		
Reference No.	KP-2018/898	RFI Received	Yes
App. Received		App. Amended	N/A
Site inspection	Yes		
S.52 Advertising	Yes	Advertising Completed	Yes
S.55 Referrals	None		
Internal referrals	Yes		
Objection(s)	One (1)		
Lot Size	N/A	Mandatory Building Height requirement	N/A
Mandatory Garden area requirement			
LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
Aboriginal Cultural Sensitivity Area	NO		
CHMP	NO		
Considered Plans	Prepared by HEDE Architects, Version B, dated October 2018, TP01 – TP09.		

1. SITE HISTORY

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

2. SUBJECT LAND

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



Looking north east at subject site from street frontage.

Built form	<p>The Former Mordialloc Masonic Lodge is situated on the site which is a two storey individually significant heritage building. The building contains two distinct elements including a single storey entrance block at the front and main two storey body with gable roof. The building is constructed of red brick with render detailing.</p> <p>The building is currently unutilised having last been used as the Masonic Lodge. The main pedestrian entrance is directly off Albert Street which contains two columns 'in antis'. At the rear of the site is a cleared area surrounded by a brick wall fence around the perimeter of the site. Vehicle access is provided from a restricted easement to the north of the site.</p>		
Lot Size (m²)	680m ²	Dimensions	Width: 15.85 m Length: 42.67m
Topography	The land has a slight slope from the rear property boundary to street frontage.		
Vegetation	Void of any vegetation.		

Footpath assets / access	One (1) existing fronting Albert Street and the subject site.
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3. SURROUNDING LAND

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



Marked aerial photograph.

North	To the north is the Mordialloc Beach Primary School. Directly abutting the site over a laneway which runs along the northern boundary of the site is the sports field and playground.
East	To the east of the site at 9 Bear Street is the St Nicholas Anglican Church which also contains a yoga studio. The heritage church has a recent modern extension added to the western side of the building. Directly abutting the site is a car park accessed from a double crossover from Bear Street.
South	To the south of the site at 5 Bear Street is a recently constructed residential development which in the past contained the 'Church Hall' associated with St Nicholas Anglican Church to the east. The building has a two storey typology with a high site coverage. As a corner site, access to the dwellings is provided

	from both Albert Street and Bear Street with basement car park access directly abutting the subject site along Albert Street. There are two balconies along the northern boundary which overlook the subject site
West	Directly adjacent the site over Albert Street to the west is the Mordialloc Railway Station. A bus stop is also located just outside the Masonic Hall and a pedestrian crossing leading to the train station slightly to the north

4. PROPOSAL



3D render of the subject site, looking north east from street frontage.

Description	<p>It is proposed to retain and refurbish the Former Mordialloc Masonic Lodge for the use as the Mordialloc Youth Services Hub (Innominate Use) that would also host occasional special events (such as awards nights, parent forums or other Council events). The use will also require the provision of car parking to the satisfaction of the responsible authority.</p> <p>The works will predominantly involve internal works not requiring a planning permit with a range of sympathetic alterations to the external heritage fabric of the building to allow for an increase in the functional capacity and adaptability of the building.</p>
Use	<p>The use of the site as an innominate use will allow for the establishment of the Mordialloc Youth Services Hub within the unutilised building on the site. Council's Youth Services Hub currently operates from within a premises located at Southland Shopping Centre offering services such as youth work, counselling and job readiness programs to youth within the municipality. It is proposed to relocate the Youth Services Centre to the site.</p>

	<p>The majority of the Youth Services will be offered from the ground floor of the building. The first floor will be used as a meeting space as well as a space for special events and other Council events.</p> <p>Details of the proposed use are as follows:</p> <p>The proposal will be an adaptable space allowing for the varied services offered by the Youth Services Centre</p> <p>The hours of operation will be: 8:30am to 7:00pm Monday to Friday</p> <p>On a typical weekday, the number of patrons / clients utilising the services will be up to approximately 60.</p> <p>Other than occasional special events, there will be no operation on the weekend, only staff picking up equipment. The occasional special events such as awards nights and information sessions will be held in the evenings and on weekends which would involve up to 80 patrons approximately 12 times per year.</p> <p>Hours of operation for special events will be from 6:00pm to 9:00pm with staff cleaning up and leaving by 10:00pm.</p> <p>Based on the current level of operation at Southland Shopping Centre the maximum number of staff on site at any one time peaks at 9 staff which is typically late afternoon on a Wednesday with fewer numbers at other times. The centre will be staffed by a mix of full and part- time staff supplemented by casual and volunteer staff operating in shifts of 2 to 4 hours.</p> <p>No live music will operate from the venue with only an acoustic musician occasionally performing for special events.</p> <p>The delivery and despatch of goods such as equipment will be able to take place on site through the side entrance accessed via the easement</p>
<p>Buildings and Works</p>	<p>The proposed works will predominately involve reconfiguration and alteration to the internal structure and layout at ground floor and first floor levels. Although not requiring a planning permit, the key internal works will include:</p> <p>Alteration to- and removal of- existing internal walls and addition of new internal walls to provide a reconfigured floor layout at ground floor and first floor levels;</p> <p>Alteration to existing doorways and addition of new doorways on ground floor and first floor levels;</p> <p>Alteration and reconfiguration to the existing staircase to provide access to the proposed roof terrace; and</p> <p>Installation of a lift in the northwest corner of the building to provide disabled access between the ground floor and first floor levels.</p> <p>The buildings and works requiring a permit relate to a range of minor alterations to the external fabric of the building, outlined as follows:</p> <p>Removal of fenestration (1x window) on the north-east (rear) elevation at first floor level;</p>

	<p>Removal of 2x existing windows on the south-west elevation (facade) at first floor level;</p> <p>Partial demolition of the south-western elevation wall at the first floor to create new door to the roof terrace;</p> <p>Addition of new window on the south-western elevation at first floor looking onto the roof terrace;</p> <p>Removal of the existing steps on the first floor roof terrace;</p> <p>Replace the existing swing side entrance doorway on the southern elevation with a new automatic sliding entrance doorway;</p> <p>Addition of 1 external ramp and staircase on the south- east elevation providing access to ground floor level and 1 external staircase on the south-east elevation providing access to first floor level;</p> <p>Contemporary design element (red feature wing) over the main building entrance on the south-west elevation (facade); and</p> <p>New automatic sliding entrance gate to carparking area.</p>
Car parking	A total of 5 car spaces have been provided at the rear of the site.

5. PLANNING CONTROLS

Zone / Overlay / Particular Provision	Rationale
32.08 – GRZ2	<p>The site is located within the General Residential Zone - Schedule 2 (GRZ2). In addition to implementing the State and local planning policy, the purpose of the zone is to:</p> <ul style="list-style-type: none"> ▪ <i>To encourage development that respects the neighbourhood character of the area.</i> ▪ <i>To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.</i> ▪ <i>To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations</i> <p>Response: the proposed use is considered to meet the needs of the community and appropriately located within the Mordialloc Activity Centre with access to public transport (Mordialloc Train Station across the road).</p>
Overlays	<p>Design and Development Overlay (DDO10)</p> <p>The site is affected by the Design and Development Overlay - Schedule 10 (DDO10). DDO10 applies to the Mordialloc Activity Centre and applies maximum building height controls and design standards. The site is located within Precinct A8 which applies a maximum height of 2 storeys (7.5 metres) for the site</p> <p>Response: The site is located within Precinct A8 which applies a maximum height of 2 storeys (7.5 metres) for the site.</p>

	<p>Heritage Overlay (HO93)</p> <p>The site is affected by the Heritage Overlay (HO93). The purpose of the overlay is:</p> <ul style="list-style-type: none">▪ <i>To conserve and enhance heritage places of natural or cultural significance.</i>▪ <i>To conserve and enhance those elements which contribute to the significance of heritage places.</i>▪ <i>To ensure that development does not adversely affect the significance of heritage places.</i>▪ <i>To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.</i> <p>HO93 specifically relates to the Former Mordialloc Masonic Lodge.</p> <p>Pursuant to Clause 43.01-1 a permit is required to construct or carry out works.</p> <p>Response: Council's Heritage adviser supports the proposed buildings and works to the existing building.</p>
<p>52.06 Car parking</p>	<p>Clause 52.06: Car Parking seeks to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated by the activities on the land and the nature of the locality. As an innominate use, there are no specific parking rates for the proposal. Accordingly, pursuant to Clause 56.06-6, car parking must be provided to the satisfaction of the responsible authority.</p> <p>Response: A response has been provided at section 9 of the report.</p>

6. POLICY CONSIDERATIONS

General Provisions

- 6.1 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

- 6.2 Clause 11.03 (Planning for Places)
 - 6.3 Clause 15 (Built Environment and Heritage)
 - 6.4 Clause 18 (Transport)
 - 6.5 Clause 19.02 (Community Infrastructure)
 - 6.6 Clause 21.12 (Transport)
 - 6.7 Clause 21.13 (Heritage)
 - 6.8 Clause 22.14 (Mordialloc Activity Centre Policy)
- 6.9 It is considered that the proposed development and use generally complies and satisfies the Planning Policy Framework guidelines.

7. INTERNAL REFERRALS

Department / Area	Comments / Rationale / Recommended Conditions
Heritage Adviser	No objection raised. Further comments provided later in the report.
Traffic Engineer	No objection raised. Further comments provided later in the report.

8. OBJECTION

8.1 Following the commencement of advertising, one (1) objection to the proposal was received. The valid grounds of objection raised are summarised as follows:

- Car parking reduction
- Car parking assessment (detailed below):

“...Car parking. I note with considerable interest that in support of the proposal, a car parking demand assessment has been prepared by O’Brien Traffic dated 4 October 2018, However, the data used relates to information supplied by the council more than a year ago in September 2017 which may have been taken for some other planning purposes. The details of the proposed use are as follows”: ▪ The proposal will be an adaptable space allowing for the varied services offered by the Youth Services Centre ▪ The hours of operation will be: ▪ 8:30am to 7:00pm Monday to Friday. “ Given that the operation is Monday to Friday why is the car parking assessment using as one of two selected days being a Saturday from 6am-10pm. That is half of the assessment is based on a day the centre will not be open and on a day when results will be skewed given no school pickups, no daily transport travellers etc etc. I live and work in the area and I know how hard it is during the day to find a parking spot in this activity centre Monday – Friday between 8am-6pm and would dispute that 35 parking spots would be available during these peak times. Also why hasn’t the council’s parking report been supplied in the planning document for people to view and have access to the same information used by O’Brien Traffic. It provides the appearance that Council has something to hide...”.

8.2 The following objections raised are not planning considerations:

- Spending of rate payers money on this asset.
- Conflict of interest between the two internal council departments

8.3 The objector was contacted by the planning officer to discuss their concerns, with this information then being relayed to the applicant. The objector concerns were unable to be resolved, and the objection still stands.

9. FURTHER CONSIDERATION / ANALYSIS

9.1 The application considerations have been responded to within the assessment above.

Car Parking

The car parking assessment was independently assessed by an external Traffic Engineer who provided the following assessment:

“Statutory Car Parking Assessment

It is understood that Council’s Statutory Planning Department consider the proposal to be an innominate use and under a statutory Clause 52.06 assessment of car parking, the provision of car parking needs to be to the satisfaction of the Responsible Authority.

Car Parking Demand Assessment

O'Brien Traffic undertook a first principle's analysis of car parking at the Youth Centre. This can be summarised as follows:

- *Of the maximum of 9 staff expected on the site, 6-8 staff will drive to the site and require long-term parking. The O'Brien Report found that the site has good access to public transport (as does Southland) and some staff may car pool or walk/ride to the site. We are satisfied that around 7 staff will require car parking at peak times, although in practice the average number of staff will be less than this.*
- *The visitors/clients will generate a demand for 4-5 short-term car spaces. This is based on:*
 - *Mode of travel surveys by Council which found that 9% of visitors/clients drive to the current Youth Centre at Southland.*
 - *O'Brien Traffic expect future visitors/clients to Mordialloc to adopt a similar mode of travel profile to visitors/clients accessing the Southland site.*

We generally agree with the above assumptions, particularly that future patrons are likely to have a similar mode of travel profile to the Southland site. We are also satisfied that the mode of travel surveys are realistic in the context that most visitors/clients are under driving age.

This assessment appears to overlook that a further 9% of visitors/clients were dropped at the Youth Centre, with half of driver's staying and half departing immediately. On this basis, we expect that around 12% of visitors/clients will either drive to the site or be dropped at the centre while the driver stayed in the area. This equates to a demand for 7 car spaces by visitors/clients.

- *Special events will be similar to a 'Place of Assembly' use and generate a demand for parking at a rate of 0.3 car spaces per person permitted. For 80 people, this equates to a demand for 24 car spaces. We agree with this assessment.*

Based on the above assessments and considering the provision of 5 on-site car spaces, the proposal will generate an off-site demand for:

- *9 car spaces during normal operation, comprising 2 long-term staff spaces and 7 short-term visitor car spaces.*
- *19 car spaces during functions during the evening and on the week, but only 12 times per year.*

Adequacy of Car Parking Supply

The O'Brien report was satisfied with the shortfall in car parking, stating that:

However, the results of the parking surveys indicate that there is more than adequate availability of public parking in the locality to absorb these numbers.

Furthermore, the anticipated shortfall of parking associated with special events is likely less than that associated with the former use of the site as a Masonic Lodge.

We were provided with the same parking survey Council supplied to O'Brien Traffic. We agree with the conclusion that there is adequate car parking to support the modest level of parking overflow expected. It should be noted that at function times, the availability of car parking is markedly higher than during the day.

We agree that the shortfall in car parking of the proposed use is likely to be less than historical use of the site as a Masonic Lodge. However, it should be noted that Practice Note 22 for Using the Car Parking Provisions states the following with respect to relying on the car parking shortfall of a previous use on a site:

Just because a site has not supplied car parking in the past does not mean that it can have some sort of 'car parking credit' in perpetuity. It is generally accepted that a car parking credit for a past use is limited to the actual extent of parking shortfall exercised by the site in the two years prior to the application.

We do not know when the use of the site as a Masonic Hall ceased, so the historical parking shortfall of the site associated with the site may not be relevant.

Clause 52.06-7 includes a large number of decision factors on whether a car parking reduction is appropriate (with varying degrees of relevance to this application), not just the availability of car parking. There are two other highly relevant decision factors not included in the O'Brien Traffic assessment:

- *The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.*
- *The future growth and development of any nearby activity centre.*

In this case, the historic building on the site limits the area available for car parking and the provision of 5 at-grade car spaces is a reasonable provision in the context of the site constraints. Having a Youth Services Centre in Mordialloc is a relatively small use in car parking terms and the use will positively contribute to the Activity Centre with only a modest impact on the availability of car parking.

Review of the Carpark Layout

The 5 car spaces at the rear of the site meet or exceed the minimum dimensions of Clause 52.06-9 and AS2890.6-2009 (standard for disabled car parking). The 5.7m wide carpark opening to the 3.74m wide ROW (including building setback) is navigable by the B99 design car from AS2890.1-2004. We are satisfied that the layout of the carpark accords with the relevant standards and is acceptable.

Conclusion

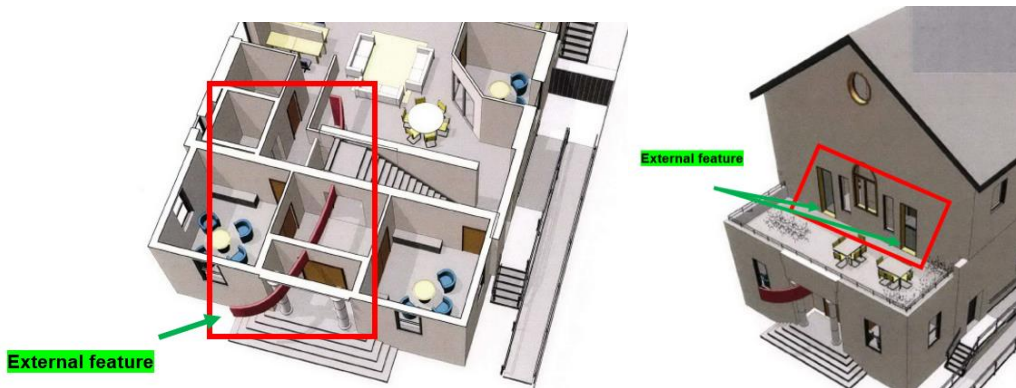
Having reviewed the application material for a proposed Youth Services Centre at the former Masonic Lodge at 81 Albert Street, Mordialloc, we are of the following opinions:

- a) *The use of the site is an innominate use and accordingly, car parking must be provided to the satisfaction of the Responsible Authority under Clause 52.06-5.*
- b) *Based on the Car Parking Demand Assessment and considering the provision of 5 on-site car spaces, the proposal will generate an off-site demand for:*
 - *9 car spaces during normal operation, comprising 2 long-term staff spaces and 7 short-term visitor car spaces.*
 - *19 car spaces during functions during the evening and on the week, but only 12 times per year.*
- c) *The reduction in car parking is appropriate under Clause 52.06-7 for the following key reasons:*
 - *The car parking demand assessment (as per above), which in particular indicates a high level of use of alternative transport modes by visitors/clients.*
 - *The site is well served by alternative transport modes.*
 - *The availability of public car parking in the nearby area.*
 - *The site provides a reasonable level of car parking in the context of the site constraints.*
 - *The overall impact on the Mordialloc Activity Centre is positive compared to the modest shortfall in car parking.*
- d) *The historical car parking shortfall associated with the site may no longer be relevant, however this is not critical to the assessment and a reduction in car parking is acceptable from a traffic engineering perspective for the reasons already stated above.*
- e) *The proposed carpark layout complies with the requirements of Clause 52.06-9 and is satisfactory”.*

Heritage Overlay

The findings within the independent Heritage Advisers report (Peter Andrew Barrett) are supported. The original heritage fabric of the building has not been compromised.

By way of external alterations to the building it is limited to two (2) areas along the front façade. This includes a feature 'ribbon' entering the building and a reconfiguration of the existing stairs to the roof terrace to provide disabled access from the internal lift. This will not be visible by the public at ground floor due to the existing balustrade / parapet wall.



10. RESPONSE TO GROUNDS OF OBJECTION

10.1 The majority of concerns raised by objector(s) have been considered within the assessment above. Any remaining concerns are addressed as follows:

Ground of Objection	Response
Spending rate payers money on Council assets	Pursuant to the <i>Planning and Environment Act 1987</i> and Kingston Planning Scheme, this concern falls outside of the scope of planning considerations.
Conflict of interest between the two	No conflict of interest has been declared with this application. It is acknowledged that this application is from an internal department, it has been assessed on its own accord against the relevant Clauses of the Kingston Planning Scheme and followed the correct procedure under the <i>Planning and Environment Act 1987</i> .

11. RECOMMENDATION

That:

That the Planning Committee determine to support the proposal and issue a Notice of Decision for the to construct buildings and works within a heritage overlay on this site and use for a youth services hub (innominate use) and a reduction in car parking requirements 81 Albert Street, Mordialloc, subject to the following conditions:

Endorsed Plans

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

Use

2. The use must operate only between the hours of:

Monday to Friday: 8:30am to 7:00pm Monday to Friday; and
Saturday to Sunday: Closed with exception to special events, expected to be twelve (12) per calendar year and to be no later than 10:00pm.

Or otherwise as approved by the Responsible Authority in writing.

3. The maximum number of youth permitted onsite at any one time is 60 during the week and 80 during the weekend on special events.
4. The maximum number of staff onsite at any one time is nine (9).

Parking and Traffic Management

5. 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:
 - 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 and the nominated unit, 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.
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. 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.

General amenity conditions

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.
 - v) Any other way.
9. The development and 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.

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

10. 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.

Time limits

11. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
12. 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 and/or use are not started within two (2) years from date of this permit.
 - The development is not completed within 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: 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.

Or In the event that the Planning Committee wished to oppose the Officers Recommendation to support the application, it can do so on the following grounds:

1. The proposal is contrary to the policy outcome contained within the Kingston Planning Scheme.
2. The proposed works are not respectful of the existing Heritage building.
3. The car parking waiver sought onsite is excessive and would unreasonably impact on the local off street parking available.
4. The proposal would detract from the amenity of the locality and the streetscape.

Appendices

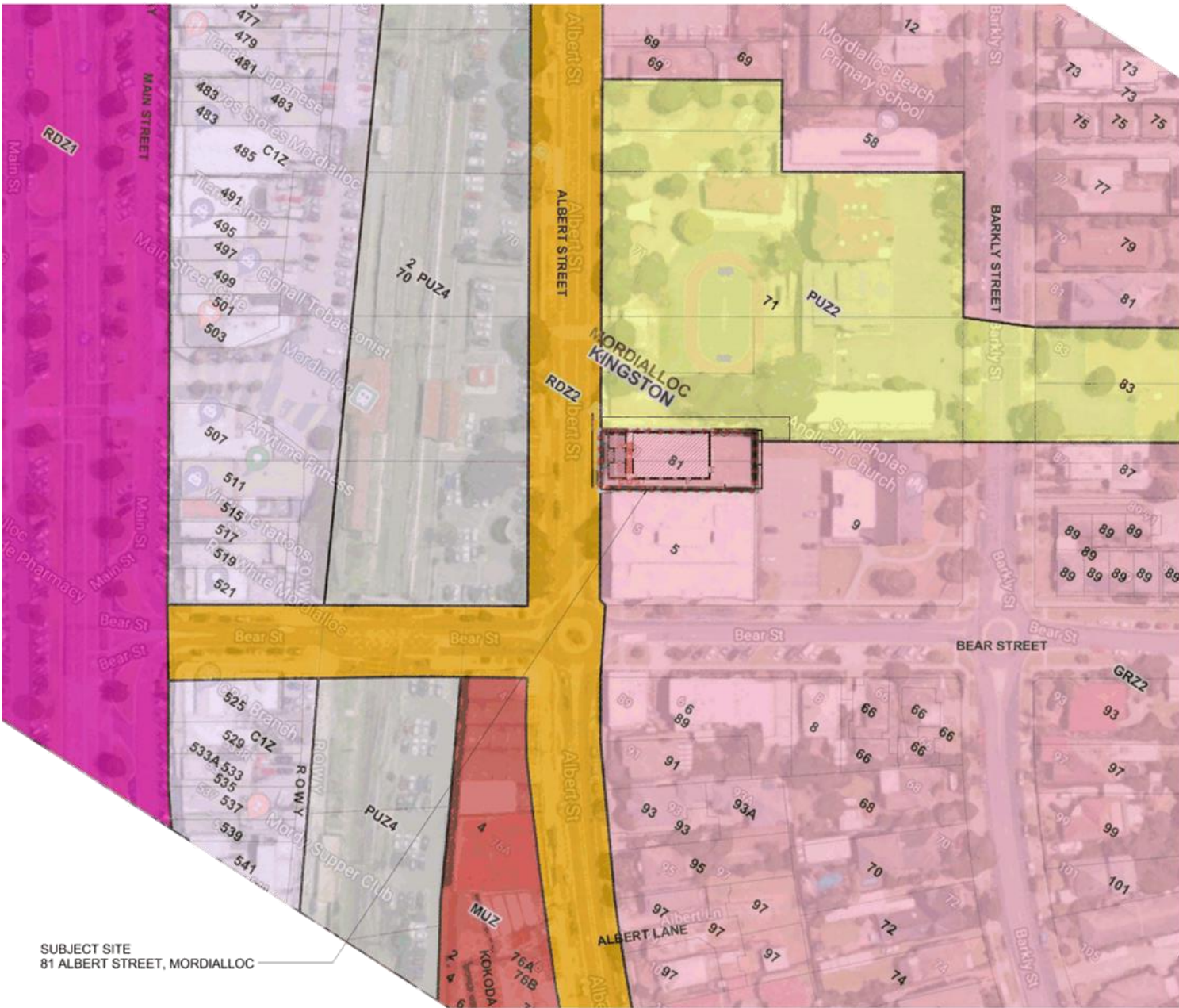
Appendix 1 - KP-2018/898 - Former Masonic Hall, 81 Albert Street, MORDIALLOC VIC
3195 - Planning Applications - COUNCIL PLANS (Ref 19/37199) [↓](#)

Author/s: Andrew Stubbings, Senior Planner
Reviewed and Approved By: Ian Nice, Manager City Development

4.5

KP-2018/898 - 81 ALBERT STREET, MORDIALLOC

1	KP-2018/898 - Former Masonic Hall, 81 Albert Street, MORDIALLOC VIC 3195 - Planning Applications - COUNCIL PLANS	197
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SUBJECT SITE
81 ALBERT STREET, MORDIALLOC

PROPOSED REFURBISHMENT WORKS TO YOUTH HUB

SITE - 81 ALBERT STREET, MORDIALLOC

TP Sheet List		
Sheet Number	Sheet Name	
TP01	TOWN PLANNING	LOCALITY PLAN
TP02	TOWN PLANNING	EXISTING SITE PLAN
TP03	TOWN PLANNING	EXISTING / DEMO PLANS
TP04	TOWN PLANNING	PROPOSED PLANS
TP05	TOWN PLANNING EXISTING /	PROPOSED ROOF PLAN
TP06	TOWN PLANNING	EXISTING ELEVATIONS
TP07	TOWN PLANNING	PROPOSED ELEVATIONS
TP08	TOWN PLANNING	PERSPECTIVES
TP09	TOWN PLANNING	PERSPECTIVES

PLANNING ZONE LEGEND

-  GR22
-  PU22
-  RD22
-  MU22
-  RD22
-  C1Z



PROPOSED YOUTH HUB

81 ALBERT STREET, MORDIALLOC

KINGSTON CITY COUNCIL

TOWN PLANNING LOCALITY PLAN

DATE: 18019 DRAWN: TPO1 REVIEW: B
DATE: OCT 2018 SCALE: As indicated CHECK: GC
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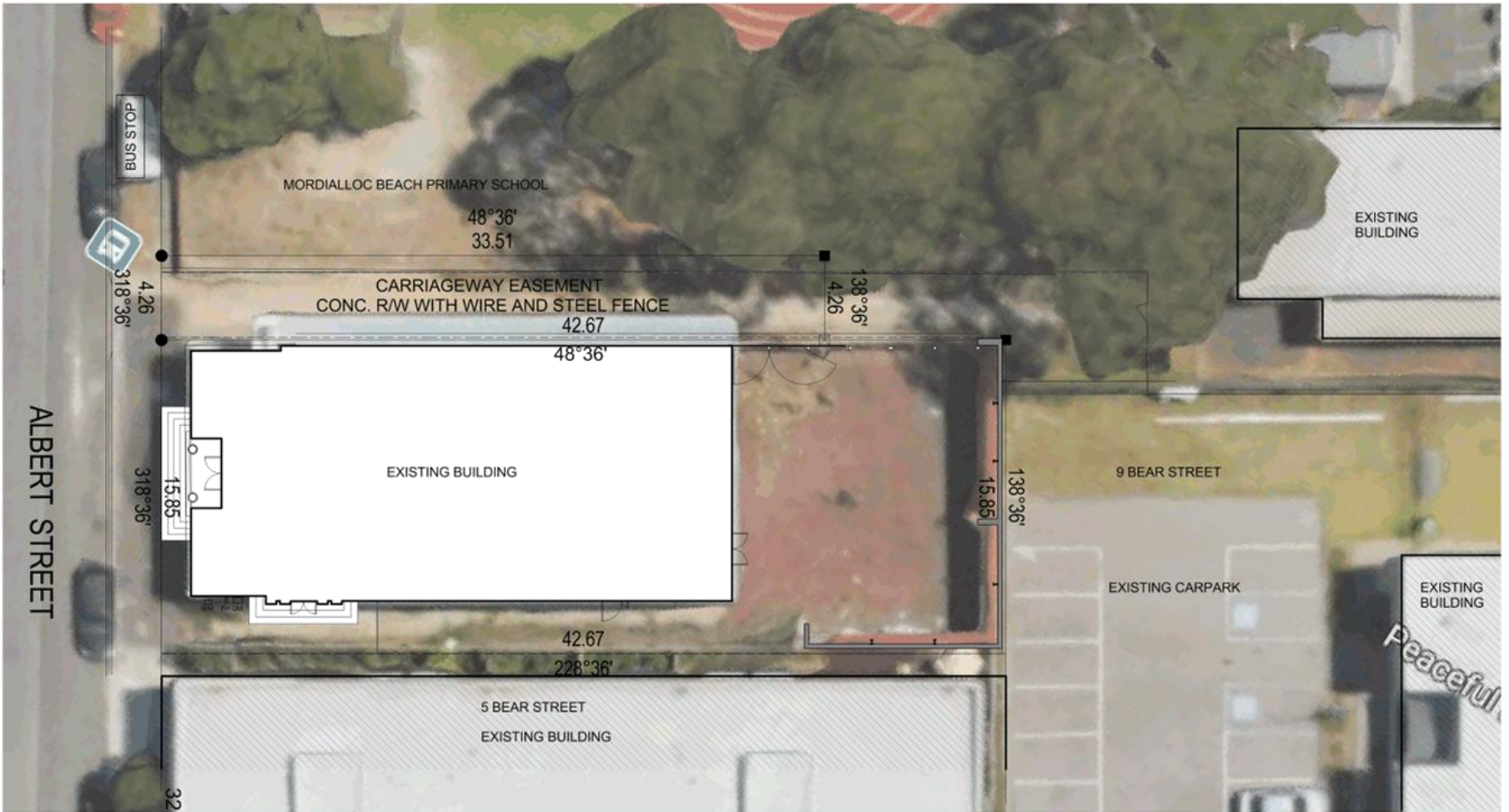
VISIONER

DESIGNERS

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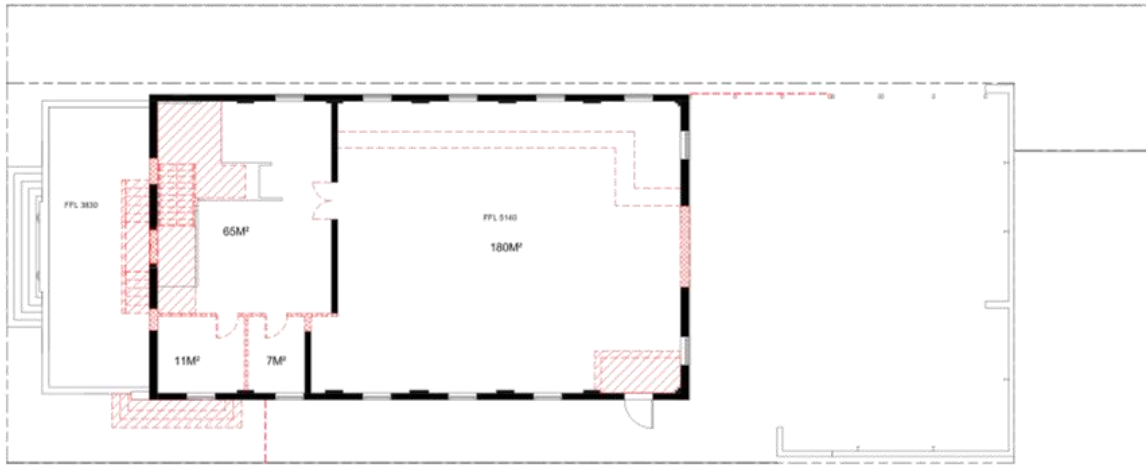
PROPOSED YOUTH HUB
 81 ALBERT STREET, MORDIALLOC
 KINGSTON CITY COUNCIL
 TOWN PLANNING
 EXISTING SITE PLAN

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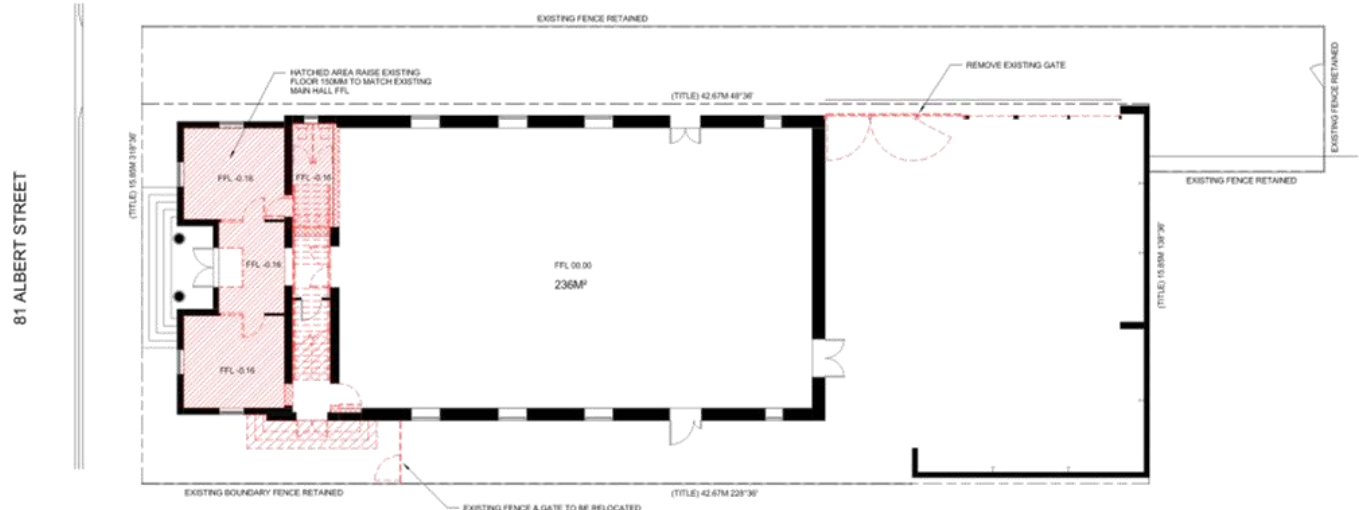
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EXISTING / DEMOLITION FIRST FLOOR PLAN
SCALE 1 : 100

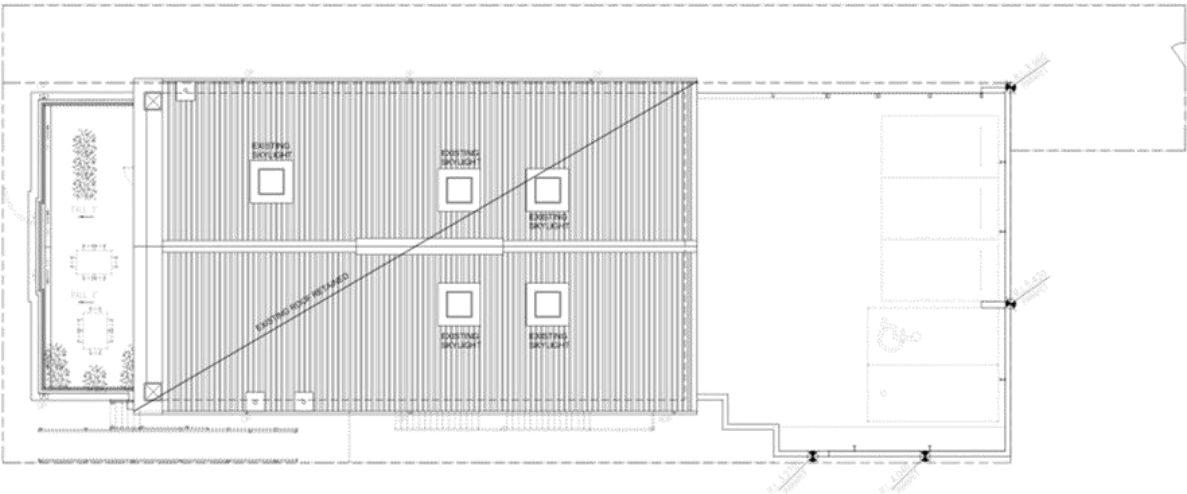


EXISTING / DEMOLITION GROUND FLOOR PLAN
SCALE 1 : 100

PROPOSED YOUTH HUB
81 ALBERT STREET, MORDIALLOC
KINGSTON CITY COUNCIL
TOWN PLANNING EXISTING / DEMO PLANS
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DATE OCT 2018 SCALE 1 : 100 DRAWN GC
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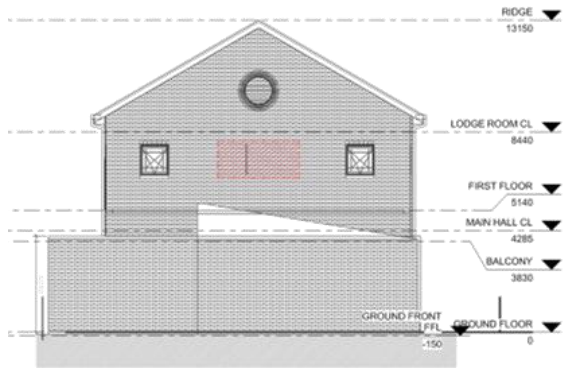


EXISTING / PROPOSED ROOF PLAN
SCALE 1 : 100



PROJECT **PROPOSED YOUTH HUB**
 81 ALBERT STREET, MORDIALLOC
 FOR KINGSTON CITY COUNCIL
 DRAWING **TOWN PLANNING EXISTING / PROPOSED ROOF PLAN**
 JOB No. 18019 DRAWING TPO5 REVISION B
 DATE OCT 2018 SCALE 1 : 100 DRAWN GC
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EXISTING NORTH-EAST ELEVATION
SCALE 1:100



EXISTING NORTH-WEST ELEVATION
SCALE 1:100



EXISTING SOUTH EAST ELEVATION
SCALE 1:100



EXISTING SOUTH-WEST ELEVATION
SCALE 1:100

PROPOSED YOUTH HUB

81 ALBERT STREET, MORDIALLOC

KINGSTON CITY COUNCIL

**TOWN PLANNING
EXISTING ELEVATIONS**

JOB NO. 18019 DRAWING TPO6 REVISION B

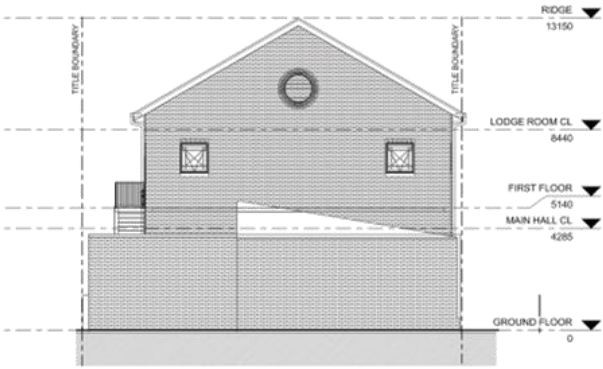
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PROPOSED NORTH-EAST ELEVATION
SCALE 1: 100



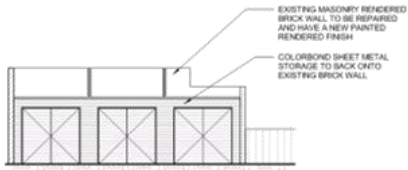
PROPOSED NORTH-WEST ELEVATION
SCALE 1: 100



PROPOSED SOUTH EAST ELEVATION
SCALE 1: 100



PROPOSED SOUTH-WEST ELEVATION
SCALE 1: 100

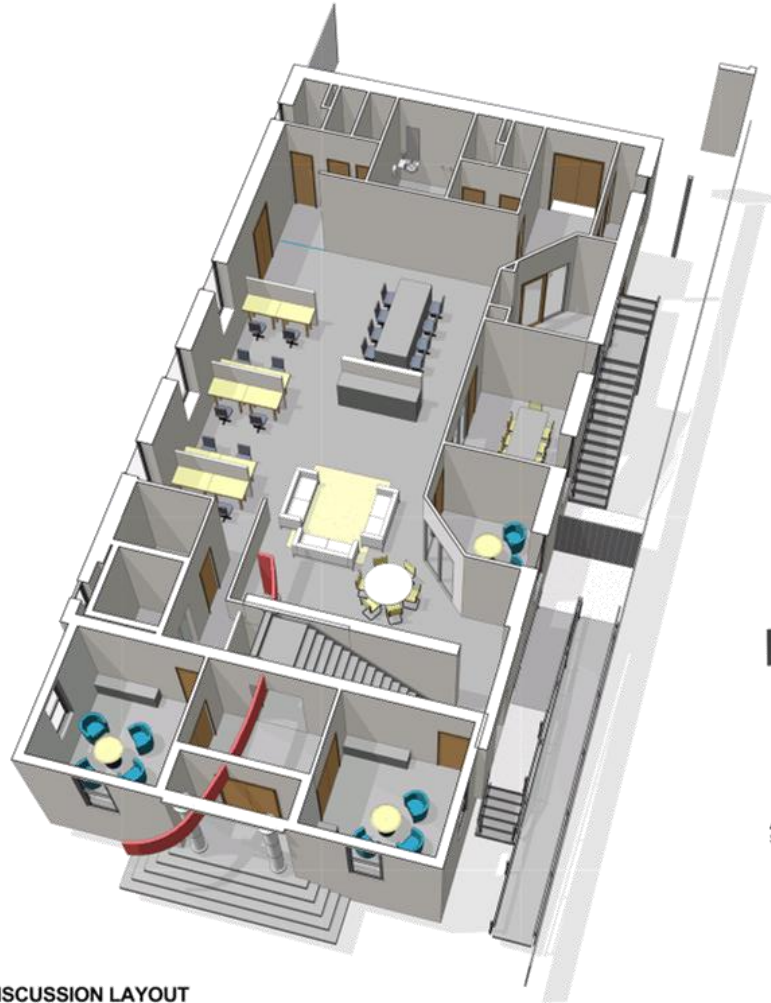


EXTERNAL STORE ELEVATION
SCALE 1: 100

--- PROPOSED CHANGES

PROJECT **PROPOSED YOUTH HUB**
81 ALBERT STREET, MORDIALLOC
FOR KINGSTON CITY COUNCIL
DRAWING **TOWN PLANNING
PROPOSED ELEVATIONS**
JOB NO. 18019 DRAWING TPO7 REVISION B
DATE OCT 2018 SCALE 1: 100 DRAWN GC
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GROUND FLOOR - DISCUSSION LAYOUT
SCALE



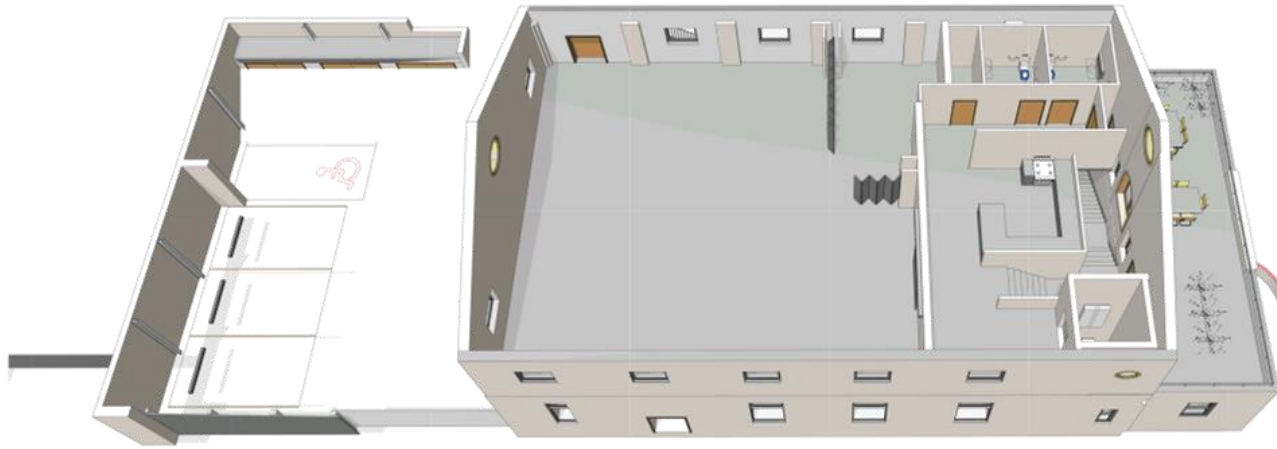
ACCESSIBLE ENTRY & RAMP
SCALE

NOTE -
PERSPECTIVE VIEWS SHOWN ILLUSTRATE
GENERAL MASSING OF BUILDING & STRUCTURE.
PLEASE REFER TO ELEVATIONS DRAWINGS FOR
FACADE DETAILS

PROPOSED YOUTH HUB
81 ALBERT STREET, MORDIALLOC
KINGSTON CITY COUNCIL
**TOWN PLANNING
PERSPECTIVES**

JOB NO. 18019 DRAWING TPO8 REVISION
DATE OCT 2018 SCALE 1:100 DRAWN GC
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FIRST FLOOR MEETING / BRAIN STORMING
SCALE



FIRST FLOOR FRONT TERRACE
SCALE

NOTE -
PERSPECTIVE VIEWS SHOWN ILLUSTRATE
GENERAL MASSING OF BUILDING & STRUCTURE.
PLEASE REFER TO ELEVATIONS DRAWINGS FOR
FACADE DETAILS

PROJECT: PROPOSED YOUTH HUB
 81 ALBERT STREET, MORDIALLOC
 FOR: KINGSTON CITY COUNCIL
 DRAWING: TOWN PLANNING PERSPECTIVES
 JOB NO: 18019 DRAWING: TPO9 REVISION:
 DATE: OCT 2018 SCALE: DRAWN: GC
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Planning Committee Meeting

20 March 2019

Agenda Item No: 4.6

KP-2018/699 - 290-300 OLD DANDENONG ROAD DINGLEY VILLAGE

Contact Officer: Rochelle Reinhardt, Statutory Planner

Purpose of Report

This report is for the Planning Committee to consider Planning Permit Application No. KP-2018/699 - 290-300 Old Dandenong Road 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 Notice of Decision for 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 at 290-300 Old Dandenong Road Dingley Village, subject to the conditions contained within this report.

This application requires a decision by the Planning Committee as the subject site is located in the Green Wedge Zone and the cost of the development exceeds \$20,000.

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

EXECUTIVE SUMMARY			
Address	290-300 Old Dandenong Road, Dingley		
Legal Description	Lot 2 on PS 060660		
Applicant	Jardine Johnstone		
Planning Officer	Rochelle Reinhardt		
PLANNING REQUIREMENTS			
Planning Scheme	Kingston		
Zoning	Clause 35.04 – Green Wedge Zone, Schedule 2		
Overlays	Clause 43.02 – Design and Development Overlay 5		
Particular Provisions	Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions		
	Clause 52.06 – Car Parking		
	Clause 52.29 – Land adjacent to a Road Zone Category 1		
Permit Trigger/s	Clause 35.04 – Construct a building or construct or carry out works associated with a use in Section 2		
	Clause 52.29 – Land adjacent to a Road Zone Category 1		
APPLICATION / PROCESS			
Proposal	The development of a dwelling, associated works and alteration of access to a road in a Road Zone, Category 1		
Reference No.	KP-2018/699	RFI Received	10 December 2018
App. Received	3 September 2018	App. Amended	N/A
Site inspection	Yes		
S.52 Advertising	Commenced: 20 December 2018	Advertising Completed	Yes – 22 January 2019
S.55 Referrals	VicRoads		
Internal referrals	Yes		
Objection(s)	One (TRIM checked on 18/02/2019)		
Mandatory Garden area requirement	N/A	Mandatory Building Height requirement	N/A
LEGISLATIVE			
Covenant/other Restriction	No	Complies: N/A	
CHMP Considered Plans	EXEMPT Rebuild Building Design and Drafting, Job No. TSOLD8, Drawing No. TP03-TP12 inclusive, dated 07 December 2018, submitted on 10 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

Built form	<p>A single storey, painted brick, dwelling and associated garage is located on the south east corner of the site. The existing dwelling is set back approximately 12 metres from its front property boundary. To the north of the dwelling exists scattered sheds and an office. The remainder of the site to the west and north appears to be predominantly vacant.</p> <p>It is noted that the submitted Planning Report makes mention of a separate existing use on the site but does not go into detail about what that use is. Upon review of aerial imagery, it appears there may be a separate use occurring on the subject site which is not related agriculture or any other 'as of right' use. Furthermore, no Planning Permits exist on the land.</p>
Size (m²)	2ha (20,700sq. metres)
Topography	The land has a slope of approximately 3.5 metres that falls from east to west.
Fencing	1.3 metre high post and wire fencing exists in the front portion of the site and positioned to create two paddocks. Within the eastern most paddock exists 1.8 metre high timber paling fencing which surrounds the dwelling and associated land. The front boundary includes a mix of 1.8 metre high colorbond fencing, 1.3 metre high post and wire fencing and 1.8 metre timber paling fencing.
Vegetation	Trees and vegetation surrounding the existing dwelling consist predominantly of a couple of rows of Cypress hedges and semi-mature Eucalypts. Native vegetation does exist on the property but not in close proximity to the existing dwelling.
Easement(s)	A 2 metre wide E-1 drainage easement is located along the site's west (side) property boundary.
Footpath assets / access	Two (2) adjoining informal gravel crossovers exist in the centre of the front boundary of the site which provide vehicle access from Old Dandenong Road. One (1) crossover provides access to the portion of subject land in which the dwelling is located and one (1) provides access to the remainder of the site. Two (2) road signs are located along the frontage.
Covenant(s) / Restrictions	There appears to be no restrictions listed on the Certificate of Title.

3.0 SURROUNDING ENVIRONS

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

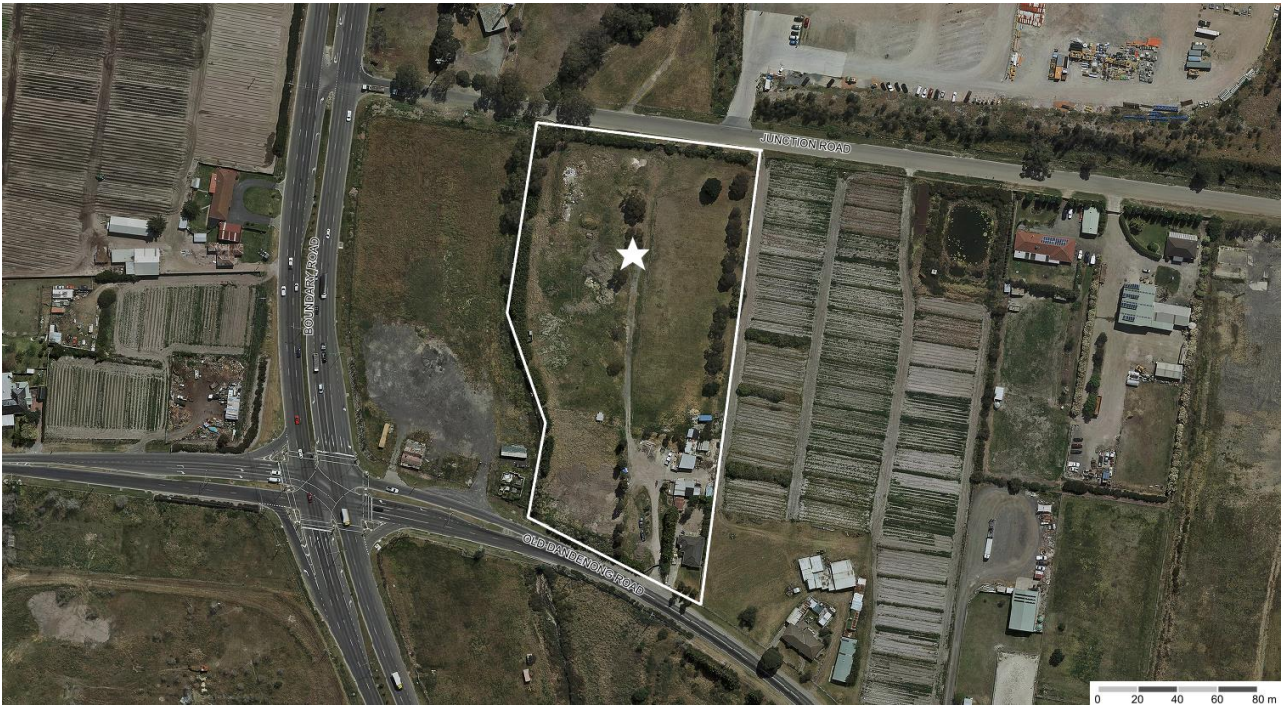


Figure 1. Aerial image showing the whole subject site



Figure 2. Aerial image showing the front portion of the subject site



Figure 3. View of the subject site looking north showing the existing dwelling



Figure 4. View of the Old Dandenong Road street frontage looking west

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

North (rear)	Opposite Junction Road, No. 494-510 Boundary Road – The land is used for a large vehicle storage.
East (side)	No. 302-320 Old Dandenong Road – The land is used for a market garden with associated outbuildings. The site is also occupied by a single storey brick dwelling with a pitched tile roof and low brick front fence, located at the front of the site.

South (front)	Opposite Old Dandenong Road, No. 404-424 Old Dandenong Road – The VicRoads owned land does not appear to have been developed for any purpose and is only occupied by scattered vegetation and a drain which cuts diagonally through the site.
West (side)	No. 468-492 Old Dandenong Road – This site at the corner of Boundary Road and Old Dandenong Road is currently vacant.

3.3 The surrounding area generally comprises of large allotments which are semi-rural in nature and predominantly used for market gardens and other agricultural ‘as of right’ uses, golf courses, rural style living allotments with large dwellings. The Green Wedge land surrounding the site, being located outside the Urban Growth Boundary, has a history of uses (market gardens, extractive industry uses and landfills) which may have resulted in the potential contamination of the land.

4.0 PROPOSAL

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

Description	Demolish the existing dwelling and construct a replacement dwelling in approximately the same location with a slightly larger building footprint. The layout of the dwelling includes an open plan kitchen, living and dining room, a lounge room, three (3) bedrooms (two (2) with walk in wardrobes and ensuites, a bathroom, laundry and an alfresco.
Storeys	Single storey
Maximum building height	5.6 metres
Car parking	Two (2) car parking spaces are provided within an attached double garage.
Front setback	10 metres
Access	Existing gravel vehicle crossover proposed to be utilised. The proposal includes associated works to construct a new driveway to provide access to the proposed garage.
Vegetation removal/retention	No significant vegetation is to be removed as part of the proposal. No significant vegetation located on subject site or on neighbouring properties within close proximity to common boundaries
Building materials	Render and chamfer concrete in monument and basalt colours on the external walls and porch. The proposed skillion roof and driveway construction materials have not nominated as part of the proposal.

5.0 PLANNING PERMIT PROVISIONS

Zone

Clause 35.04-5 Green Wedge Zone, Schedule 2 (GWZ2)

- 5.1 Pursuant to the GWZ2, a planning permit is required to construct a building or construct or carry out works associated with a use in Section 2 (dwelling).
- 5.2 Furthermore, pursuant to the GWZ2, a planning permit is also required to construct a building which fall within the following setbacks:
- 20 metres from any other road (dwelling and garage);
 - 5 metres from any other boundary (rainwater tank); and
 - 100 metres from a dwelling not in the same ownership (dwelling and garage).

Clause 43.02 - Design and Development Overlay, Schedule 5 (DDO5)

- 5.3 Pursuant to Clause 2.0 of DDO5 a planning permit is required to construct a building or construct or carry out works, which exceeds 25 metres in height.
- Furthermore, Clause 2.0 also states *'an application for buildings and works must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the Responsible Authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Federal Department of Transport and Regional Services.'*

Particular Provisions

- 5.4 **Clause 51.02 – Metropolitan Green Wedge Land: Core Planning Provisions** allows for the use of land for a dwelling, provided it is the only dwelling on the land. Therefore, the application complies with this provision.
- 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

1 visitor space for every 5 dwellings

This equates to a parking requirement of **two (2)** spaces for the proposed dwelling.

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 requirements for vehicle movements, access widths, splays and garaging dimensions.

- 5.6 Land Adjacent to a Road Zone, Category 1 or Public Acquisition Overlay for a Category 1 Road: Pursuant to **Clause 52.29** of the Kingston Planning Scheme, a planning permit is required to construct or alter an access to a Road Zone Category 1. Pursuant to Clause 52.29-4, an application must be referred to the Roads Corporation (VicRoads) under section 55 of the Act.

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 12 Environmental and Landscape Values
- Clause 13 Environmental Risks and Amenity
- Clause 15 Built Environment and Heritage

6.2 Local Planning Policy Framework (LPP)

- Clause 21.10 Green Wedge
- Clause 22.04 South East Non Urban Area Policy
- Clause 22.05 Moorabbin Airports Environs Policy

Other

6.3 Kingston Green Wedge Plan (April 2012 – reference document within Clause 21.10 – Green Wedge). The document outlines the current use, conditions and issues effecting the green wedge land. The plan also outlines the future use of the green wedge land.

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 from Melbourne Water. The response from Melbourne Water states that the Authority does not object to the proposal, subject to the inclusion of the condition discussed under section 12 of this report.

8.0 PLANNING CONSULTATION MEETING

8.1 Melbourne Water was contacted by the planning officer on 12 February 2018 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 were received. However, as required by the Policy, Council's planning officer contacted Melbourne Water to discuss the conditions. Melbourne Water provided an updated response explaining the reasoning behind the recommended conditions. This information was forwarded onto the applicant. It should be noted that during the discussion with the Melbourne Water no request was received by the planning officer for a planning consultation meeting to be held.

8.3 The conditions recommended by Melbourne Water are discussed in section 12 of this report.

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 the provision of a landscape plan which includes the planting of vegetation from the Ecological Vegetation Class (EVC) 'Plains Grassy Woodland'.
Roads and Drains	No objection raised, subject to conditions included on any permit issued relating to the construction of the vehicle crossing.
Ecology Consultant (Biosis)	No objection raised. The consultant highlighted that native vegetation does exist on the subject site but this vegetation would not be disturbed by the proposed buildings and works as it is located near the front and side boundaries in the south west corner of the site.
Russell Kennedy and Council's Environmental Consultant (Contamination)	The intention of the internal referrals to Russell Kennedy (lawyers) and Council's Environmental Consultant was to obtain advice in regards to the potential contaminated land which surrounds the subject site. The referral comments are discussed in detail in section 13 of this report.

External Referrals

Department	Section 52/55	Determining / Recommending	Objection	Comments
VicRoads	55	Determining	No objection	Subject to conditions included verbatim within the recommendation
Environment Protection Authority	52	Recommending	Concerns raised	These concerns are discussed in section 13 of this report.

11.0 PLANNING CONSIDERATIONS:

Planning Policy Framework

- 11.1 The Planning Policy Framework sets out the relevant state-wide policies for development at **Clause 11** (Settlement), **Clause 12** (Environmental and Landscape Values), **Clause 13** (Environmental Risks and Amenity) and **Clause 15** (Built Environment and Heritage). 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** (Settlement) seek to promote sustainable growth and development and deliver choice and opportunity through a network of settlements. **Clause 11.01-1R** (Green wedges – Metropolitan Melbourne) places emphasis on the protection of green wedges from inappropriate development and provides strategies to support this objective.
- 11.3 **Clause 12** (Environmental and Landscape Values) directs planning to have consideration of environmental values of natural landscapes as well as the aesthetic qualities of landscape area to ensure their ongoing protection.
- 11.4 **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. **Clause 13.04-1S** (Contaminated and potentially contaminated land) focuses on the use of land which is potentially contaminated, highlighting that land must be suitable for the intended future use and providing strategies to avoid land contamination as well as remediating contaminated land.

- 11.5 **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.
- 11.6 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.
- 11.7 **Clause 15.03-2S (Aboriginal Cultural Heritage)** seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- 11.8 The Subject Land **is** identified in an area of Aboriginal Cultural Heritage Sensitivity, however the Planning Officer has completed the Aboriginal Heritage Planning Tool on the Department of Planning and Community Development (DPCD) website and established that the proposed activity is **exempt** from requiring a Cultural Heritage Management Plan. A copy of the planning questionnaire tool is attached for reference purposes.
- 11.9 It is submitted that the proposed development satisfies the aforementioned State strategies and policy direction. Subject to appropriate conditions on any permit issued, the development itself achieves an acceptable outcome for the site and its immediate abutments.

Local Planning Policy Framework

- 11.10 The City of Kingston's MSS at **Clause 21.10** (Green Wedge) highlights the significant challenges faced in protecting the Green Wedge within the municipality. The overview under **Clause 21.10-1** identifies that Kingston's Green Wedges not only accommodate traditional land uses (agriculture, extraction and open space), but are also spaces that protect the flight paths of Moorabbin Airport and provide a location for a range of urban related uses.
- 11.11 The policy includes objectives which, on balance, are in favour of the protection of the Green Wedge land. Strategies for implementation to uphold these objectives are incorporated after each objective. The following objectives are relevant to this application:
- *To support and maintain the green wedge concept whilst ensuring activities in the Green Wedge are consistent with, and contribute to, optimal long term planning solutions for the whole of the south east metropolitan Green Wedge.*
 - *To protect the use of high quality agricultural land for agricultural purposes.*
 - *To protect the economic and operational viability of Moorabbin Airport aviation activities.*
 - *To protect and enhance environmental values including wetlands, flora and fauna habitats, and drainage functions.*
 - *To protect the Port Phillip and Western Port Catchments in accordance with the 'Port Phillip and Western Port Regional Catchment Strategy'.*
 - *To protect and further develop the scenic and landscape values of the Green Wedge.*

- *To provide for open space links and opportunities for recreation.*
- 11.12 The extent of the south-east non-urban area is identified at **Clause 22.04** (South East Non-Urban Area Policy) and included land within Casey, Frankston, Kingston and Greater Dandenong. These areas are recognised for the pressure placed on them by urban development and acknowledges that a regional approach is required to achieve sustainable land outcomes. Like the abovementioned Green Wedge policy, Clause 22.04 seeks to promote a strategic approach to non-urban land use, with the protection of agricultural land and environmental values sought broadly across the municipalities.
- 11.13 Key objectives relating to the proposed development of the site included in **Clause 22.04-2** are as follows;
- *To encourage sustainable land use practices and provide optimal long term planning solutions for the use and development of land.*
 - *To protect quality agricultural land, and encourage sustainable farm management practices.*
 - *To protect and enhance environmental values including wetlands, flora and fauna habitats and hydraulic functions.*
 - *To protect and further develop the scenic and landscape values of the non-urban area.*
 - *To provide for open space links and opportunities for recreation.*
- 11.14 Furthermore, pursuant to **Clause 22.04-3**, it is policy that:
- *All proposals and planning outcomes:*
 - *Protect and create a high quality rural landscape.*
 - *Protect and create flora and fauna habitats and networks.*
 - *Create public open spaces and open space linkages.*
 - *Result in clear and sustainable urban boundaries.*
 - *Result in an urban form which is of a high design standard and low visual impact.*
- 11.15 The policy directs the development of a structure plan and, whilst primarily seeks to encourage non-urban / agricultural uses, entertains a range of planning opportunities with the policy area, however only where it can be demonstrated that such activities are complementary and subservient to the achievement of the framework plan policies. The future strategic direction for the subject site and the appropriateness of what is proposed is discussed in detail in section 13 of this report.
- 11.16 The application has been assessed against the abovementioned 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. The proposed replacement single storey dwelling would largely occupy the same dwelling footprint as the existing dwelling, thereby avoiding any negative impacts on the existing landscape qualities or agricultural land.
- 11.17 The Moorabbin Airport Environs Policy under **Clause 22.05** recognises the significance of the role played by Moorabbin Airport in the local and regional economy and seeks to ensure that the development of the surrounding land is sensitive to the long term operation of the airport.

11.18 The policy seeks to:

- *To identify areas which are or will be subject to high levels of aircraft noise, including areas where the use of land for uses sensitive to aircraft noise will need to be restricted.*
- *To ensure that the use and development of land within the policy area is compatible with the operation of airports in respect to the impact of aircraft noise on sensitive uses, and is consistent with any approved Australian Noise Exposure Forecast (ANEF) as contained in the appropriate airport strategy or master plan for the airport.*
- *To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in new dwellings and other noise sensitive buildings.*
- *To limit the number of people residing in the area or likely to be subject to significant levels of aircraft noise.*

11.19 It is recommended that the following condition relating to noise attenuation be included in any permit issued to ensure the future residents of the proposed dwelling are not impacted by high levels of aircraft noise:

New buildings must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021 – 1994, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, issued by the Standards Association of Australia, to the satisfaction of the Responsible Authority.

Zoning Provisions

11.20 The primary purposes of the Green Wedge Zone (GWZ) relate to directing the uses which occur on the land to ensure the non-urban landscape character and biodiversity is protected.

11.21 Whilst a planning permit is required to construct buildings and works associated with a dwelling (replacement) in the GWZ the site is currently used for a dwelling and is connected to the relevant services, therefore the development does not result in the introduction of a new use on the land.

11.22 As noted in the previous section of this report, VicRoads provided conditional support to the application which includes conditions relating to the upgrade of the existing crossover. It is also recommended that a condition should be included on any permit issued to ensure the driveway is all-weather (and permeable to meet the Green Wedge Plan guidelines), to ensure the modified driveway is constructed appropriately.

11.23 Overall the proposed dwelling is considered appropriate as it would not adversely affect the environmental values of the green wedge, with the strategic directions of the Green Wedge Plan acknowledging that dwellings exist in the area. The proposed demolition of the existing dwelling and construction of the new dwelling in approximately the same building footprint with similar front and side setbacks would ensure that the remaining green wedge land is not affected by residential intrusions and can be managed to achieve environmental, economic and recreational objectives.

11.24 Due to the location of the proposed dwelling, three (3) variations are sought to the setback triggers under the GWZ. These include, 100 metres from a Road Zone Category 1, 5 metres from any other boundary and 100 metres from a dwelling not in the same ownership. The proposed setbacks of the dwelling are considered appropriate for the following reasons:

- The dwelling has been designed with a single storey form in approximately the same location of the existing dwelling to minimise bulk and impact on the landscape.
- The setback of the proposed dwelling will be in accordance with the Green Wedge Management Plan (2012) design guidelines, which recommends a minimum of 10 metres from the front boundary.

- Whilst the eastern side setback does not align with the Green Wedge Management Plan (2012) design guidelines, the side setbacks proposed are similar to the existing dwelling and therefore, considered appropriate.
- The proposed materials of concrete render and chamfer align with the abovementioned design guidelines and would be appropriate for the site.
- No vegetation is proposed to be removed and the proposed front setback would allow the planting of additional vegetation. Furthermore, it is recommended that a landscape plan be required by way of condition.

11.25 The relevant decision guidelines under the GWZ have been considered for the application. The relevant guidelines include the following:

General issues

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development.*
- *How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.*
- *Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.*
- *Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.*
- *The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.*

Environmental issues

- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.*
- *The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.*

Design and siting issues

- *The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.*
- *The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.*
- *The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.*

11.26 The proposal will be generally in accordance with the above guidelines. As discussed above, the proposed dwelling would be situated in roughly the same building footprint as the existing dwelling which is proposed to be demolished. This will ensure that the proposed dwelling has minimal impact on the road and adjoining properties and does not require vegetation

removal. Appropriate conditions will be included on any permit issued to ensure the proposed dwelling will be connected to services and accessed by an all-weather road. The application has been assessed against the GWZ and it is considered that the proposed use and development is consistent with the purpose of the zoning controls contained within the Kingston Planning Scheme.

Overlay Provisions

- 11.27 The subject site is located within a Design and Development Overlay (Schedule 5).
- 11.28 The proposed single storey dwelling would have an overall building height of 5.66 metres. Therefore, the proposal complies with the maximum building height requirement and does not require a planning permit under Clause 43.02 (Design and Development Overlay).
- 11.29 Whilst a planning permit is not required, Clause 2.0 also states *'an application for buildings and works must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause unless in the opinion of the Responsible Authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Federal Department of Transport and Regional Services.'*
- 11.30 In accordance with the abovementioned clause and given that the proposal is well within the maximum height requirement, it is not considered necessary to refer the application to the Secretary to the Department of Infrastructure and Regional Development.

Particular Provisions

- 11.31 **Car parking** - As identified earlier in Section 5.7 of this report, pursuant to **Clause 52.06**, a planning permit is not required as two (2) car parking spaces have been provided within a double garage.
- 11.32 Pursuant to **Clause 52.06-9**, only design standards 2, 4 and 5 apply to an application for the construction of one dwelling on a lot. The proposed car parking and access design has been reviewed and is considered compliant.
- 11.33 **Land adjacent to a Road Zone, Category 1** – Pursuant to **Clause 52.29**, the proposal seeks to alter the internal driveway arrangement, therefore, the application was referred to the Roads Corporation, being VicRoads.
- 11.34 VicRoads provided conditional approval to the application, including a Condition 1 requirement of *'an adequate amount of turning area within site to allow vehicles to enter/exit in a forward direction'*. It is noted that the developments plans provided by the applicant in response to Council's request for further information comply with this condition. Whilst compliance is achieved, Council has not received an updated referral response to remove the Condition 1 from VicRoads. Therefore, it is recommended it be included on any permit issued, as well as all other conditions provided by VicRoads.

12.0 RESPONSE TO GROUNDS OF OBJECTIONS

- 12.1 The recommended conditions on any permit issued provided by Melbourne Water are as follows:
- *Finished floor levels of the dwelling must be constructed no lower than 20.10 metres to Australian Height Datum (AHD).*
 - *Finished floor levels of the garage must be constructed no lower than 19.80 metres to AHD.*

- *Prior to commencement of construction a Site Environmental Management Plan (SEMP) must be submitted to Melbourne Water for approval, specifying relevant actions in a practical way to ensure that they are implemented effectively. The SEMP must include a site map detailing the location and design of all measures including the following:*
 - *Silt fencing*
 - *Access tracks*
 - *Spoil stockpiling*
 - *Trenching locations*
 - *Machinery/Plan Locations*
- *Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.*

12.2 Furthermore, the conditions were provided with the following reasoning:

- *The property is located within close proximity of two of Melbourne Waters assets.*
- *The Old Dandenong Drain, a waterway, is located outside the property along the western boundary approximately 40 metres from the proposed works.*
- *In addition to this the South Eastern Trunk Sewer (3500mm), a reinforced concrete circular sewer, is located in the middle of the property within 20 metres of the proposed works.*
- *The preparation of a Site and Environmental Management Plan (SEMP) is recommended to protect the waterway from potential pollution from the construction of the dwelling entering the waterway.*

12.3 Whilst the subject site is not affected by a flooding overlay, Melbourne Water is a floodplain management authority. Therefore, the proposed conditions recommended by Melbourne Water have been included is this recommendation to ensure that the protection of the surrounding Melbourne Water assets.

13.0 FURTHER CONSIDERATIONS / ANALYSIS

13.1 The remaining matters are responded to as follows:

Future strategic direction

13.2 The Kingston Green Wedge Management Plan was adopted by Council on 27 August 2014 and identifies the values and features of the Green Wedge, the preferred land uses, environmental and natural resources that should be protected, and the needs of the local community.

13.3 Section 4.1 of the Plan identifies that residential land uses are scattered throughout the green wedge. The plan considers the wider benefit of formalising the conditions under which residential development may be appropriate to ensure that the semi-rural spaciousness of larger allotments is achieved. Furthermore, section 4.3 of the Plan highlights under the residential heading that the Plan will '*allow for existing residential uses to remain in the Kingston Green Wedge.*'

13.4 The future land use plan at map 5 of the Plan identifies the subject site partially as open space areas, reserves and recreation and partially as a green wedge low intensity area. It is noted that the area of the site in which the replacement dwelling would be located is classified as green wedge low intensity.

- 13.5 It is clear from the policy that the primary intention for land within non-urban areas is to create and sustain open space for habitat, recreation and improved linkages. Whilst this is the future direction for the land, both policy and the Green Wedge Plan acknowledge the existence of residential land uses within the green wedge and allow for the retention of these existing residential uses. Therefore, it is considered that the proposal would not limit the future possibilities of the site and surrounding land.
- 13.6 The building design guidelines at section 7.5 of the Plan seek to achieve the following within green wedge low density residential (typology 1). The relevant design guidelines are listed as follows:
- *Avoid urban styles of residential development (e.g. large scale buildings with large areas of hard surfaces, and formal garden design and fencing).*
 - *Ensure new dwellings are sited at a distance from boundaries to minimise potential interface issues with adjoining golf course or agricultural uses.*
 - *Require predominantly single storey height for buildings and structures.*
 - *Minimise building footprints and the presence of outbuildings/storage areas, and ensure total building site coverage does not exceed 20%.*
 - *Set buildings back from front and side boundaries a minimum of 10 metres to allow sufficient space for landscaping and vegetation, and to retain a spacious setting.*
 - *Encourage the removal of environmental weeds and planting of appropriate native / indigenous vegetation where possible.*
 - *Encourage the use of vegetation, rather than fencing, to create privacy wherever possible.*
 - *Ensure front boundary fencing and entry gateways are kept to a low height and encourage the use of traditional materials (e.g. timber, post and wire) or transparent materials that allow a view to the property frontage.*
 - *Require that crossovers, garages and driveways are kept to a minimum width and do not dominate the street frontage.*
 - *Minimise areas of non-permeable surfacing.*
 - *Ensure all buildings and structures are designed and oriented to utilise natural light and ensure optimal thermal performance.*
 - *Utilise materials, colours and finishes that best immerse built form within the semi-rural landscape (e.g. timber, render, glazing, stone, brick and iron roofing).*
 - *Encourage the use of indigenous vegetation.*
- 13.7 In relation to the built form proposal, it is considered that the proposed dwelling is appropriate. As noted under section 11.26 of this report, the proposed single storey dwelling includes appropriate front and side setbacks, a recessed garage and a small building footprint which is only slightly larger than the existing building footprint, occupying approximately 1.2% of the subject site. Furthermore, the proposed buildings and works do not include changes to the existing front or side fencing treatments and the single vehicle crossover is retained. As noted previously, it is recommended that conditions be included on any permit issued which require the provision of a landscape plan and a notation requiring a permeable driveway to ensure the proposal aligns with the abovementioned decision guidelines.
- 13.8 On this basis, it is considered that the proposed use and development achieves a reasonable outcome in terms of delivering a semi-rural residential landscape.

Potential contamination

- 13.9 Council records show that the existing dwelling on the subject site was built in the 1960's and it is likely that the demolition and proposed construction of a new dwelling would require significant disturbance to the land, which has remained undisturbed for over 50 years.
- 13.10 The subject site is surrounded by land which was and is currently used for market gardens. Furthermore, Council records show that land within 500 metres of the subject site was used for landfill purposes. Therefore, the land on which the proposal is located may be potentially contaminated. Council's concern about potentially contaminated land, and potential unknown impacts during construction and on further residents should the land be contaminated, was raised with the applicant during the request for further information stage.
- 13.11 Due to the unknown conditions of the land relating to contamination, Council sought advice from the Environmental Protection Authority (EPA), under Section 52 of the Act. The EPA recommended that a Section 53V audit be required by way of condition, stating that *'any developments or works within the recommended buffer may be exposed to potential off-site migration of landfill gas and/or by amenity impacts (odour, dust noise etc.) resulting from the landfill'*.
- 13.12 The advice received from the EPA was then forwarded to Russell Kennedy Lawyers for review. The advice received from Council's lawyers advised that a Section 53V audit would be of limited value as the site is in close proximity to an existing landfill which is now closed. Council's Planning Department agrees with this advice, given that the purpose of a Section 53V audit is to assess the risk caused by 'industrial process or activity waste, substance or noise' (pg. 309, Environmental Protection Act 1970).
- 13.13 Russell Kennedy Lawyers also advised that the subject land appears to have been used historically for extractive purposes and, therefore, the subject land itself may be potentially contaminated. Therefore, it was recommended that a Section 53X audit be required by way of condition, which would assess 'the condition of a segment of the environment' (pg. 310, Environmental Protection Act 1970).
- 13.14 This advice was then referred to Council's Environmental Consultant who agreed with the abovementioned advice, that this requirement of a Section 53X audit is considered appropriate as it would assess the potential for the land to accommodate a residential building, but it may result in substantial costs and delays for the applicant/owner. It was suggested that a tiered conditional approach be adopted to address the contamination concerns.
- 13.15 Given that the applicant did not provide Council with any assessment of the site and potential existing contamination, it is recommended that the following tiered conditions be included on any permit issued which would assess the potential contamination and landfill gas migration risk without imposing unnecessary costs on the applicant, should the land be deemed appropriate for a residential use:
- Prior to the commencement of works (other than works required to comply with this condition), the owner of the land must to the satisfaction of the responsible authority:
 - Engage a professional environmental consultant with demonstrated experience to conduct the following:
 - A preliminary site investigation (PSI) for the entire site which identifies any past or present potentially contaminating activities, provides a preliminary assessment of any site contamination and, if required, provides a basis for a more detailed investigation; and

- Soil and gas sampling on the residential portion of the land where the dwelling and associated works are to be located.
- Implement any recommendations of the preliminary site investigation and sampling. If a risk assessment report is recommended:
 - Engage a professional environmental consultant with demonstrated experience in the assessment of contamination and landfill gas risks to conduct an assessment of the potential for contamination and landfill gas to impact on the development and prepare and submit to the responsible authority the scope of the proposed risk assessment
 - Upon approval of the scope of the risk assessment by the responsible authority, have the consultant conduct the risk assessment and prepare a report to be submitted to the responsible authority which contains the consultant's opinion as to any potential risk associated with land contamination / landfill gas beneath the land and any recommendations for the management or monitoring of the contamination / gas. The consultant must provide an opinion on whether an audit is required under section 53X of the *Environment Protection Act 1970*
- Implement any recommendations of the risk assessment report
- If the risk assessment report recommends an audit under section 53X of the *Environment Protection Act 1970*:
 - engage an environmental auditor appointed under section 53S of the *Environment Protection Act 1970* to prepare and submit to the satisfaction of the responsible authority a scope of the proposed audit
 - have the environmental auditor conduct an audit under section 53X of the *Environment Protection Act 1970* in accordance with the agreed scope
 - implement any recommendations of the audit report.
- If the risk assessment report or audit report requires ongoing management or monitoring, the owner must enter into an agreement under section 173 of the *Planning and Environment Act 1987* with the responsible authority requiring the implementation of any ongoing requirements.
- The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.

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.

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 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 at No. 290-300 Old Dandenong Road Dingley, 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. The plans must be substantially in accordance with the advertised plans prepared by Revbuild Building Design and Drafting, Job No. TSOLD8, Drawing No. TP03-TP12 inclusive, dated 07 December 2018, submitted to Council on 10 December 2018, but modified to show:
 - a. an adequate amount of turning area within site to allow vehicles to enter/exit in a forward direction;
 - b. the surface material of all driveways / accessways nominated as an all-weather permeable surface, or similar;
 - c. a full colour palette, finishes and building materials schedule for all external elevations and driveways of the dwelling; and
 - d. 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) The delineation of all garden beds, paving, grassed area, retaining walls, fences and other landscape works;
 - iv) A range of plant types from ground covers to large shrubs and trees, provided at adequate planting densities with the species chosen to comprise of the plant species listed in the *Department of Sustainability and Environment, EVC/Bioregion Benchmark for Vegetation Quality Assessment, Gippsland Plain bioregion* for the ecological vegetation class *Plains Grassy Woodland*;
 - v) In addition to the plants above, at least one (1) *Eucalyptus camaldulensis* (River Red Gum) (2) in the front setback between the driveway and the property boundary with Old Dandenong Road;
 - vi) 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;
 - vii) Notes regarding site preparation, including the removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.

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.

Noise Attenuation

4. New buildings must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021 – 1994, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, issued by the Standards Association of Australia, to the satisfaction of the Responsible Authority.

Infrastructure and Road Works

5. 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.
6. Property boundary and footpath levels must not be altered without the prior written consent from the Responsible Authority.

VicRoads

7. Prior to the commencement of the occupation of the buildings hereby approved, the existing crossover must be upgraded and be:
 - a. Formed to such levels and drained so that they can be used in accordance with the plan.
 - b. Treated with an all-weather seal or some other durable surface.
8. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (eg. by spilling gravel onto the roadway).
9. Vehicles must enter and exit the land in a forward direction at all times.

Melbourne Water

10. Finished floor levels of the dwelling must be constructed no lower than 20.10 metres to Australian Height Datum (AHD).
11. Finished floor levels of the garage must be constructed no lower than 19.80 metres to AHD.
12. Prior to commencement of construction a Site Environmental Management Plan (SEMP) must be submitted to Melbourne Water for approval, specifying relevant actions in a practical way to ensure that they are implemented effectively. The SEMP must include a site map detailing the location and design of all measures including the following:
 - Silt fencing
 - Access tracks
 - Spoil stockpiling
 - Trenching locations
 - Machinery/Plan Locations
13. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services Team.

Environmental Audits

14. Prior to the commencement of works (other than works required to comply with this condition), the owner of the land must to the satisfaction of the responsible authority:
 - a. Engage a professional environmental consultant with demonstrated experience to conduct the following:
 - i) A preliminary site investigation (PSI) for the entire site which identifies any past or present potentially contaminating activities, provides a preliminary assessment of any site contamination and, if required, provides a basis for a more detailed investigation; and

- ii) Soil and gas sampling on the residential portion of the land where the dwelling and associated works are to be located.
 - b. Implement any recommendations of the preliminary site investigation and sampling. If a risk assessment report is recommended:
 - i) Engage a professional environmental consultant with demonstrated experience in the assessment of contamination and landfill gas risks to conduct an assessment of the potential for contamination and landfill gas to impact on the development and prepare and submit to the responsible authority the scope of the proposed risk assessment.
 - ii) Upon approval of the scope of the risk assessment by the responsible authority, have the consultant conduct the risk assessment and prepare a report to be submitted to the responsible authority which contains the consultant's opinion as to any potential risk associated with land contamination / landfill gas beneath the land and any recommendations for the management or monitoring of the contamination / gas. The consultant must provide an opinion on whether an audit is required under section 53X of the *Environment Protection Act 1970*.
 - c. Implement any recommendations of the risk assessment report.
 - d. If the risk assessment report recommends an audit under section 53X of the *Environment Protection Act 1970*:
 - i) Engage an environmental auditor appointed under section 53S of the *Environment Protection Act 1970* to prepare and submit to the satisfaction of the responsible authority a scope of the proposed audit;
 - ii) Have the environmental auditor conduct an audit under section 53X of the *Environment Protection Act 1970* in accordance with the agreed scope; and
 - iii) Implement any recommendations of the audit report.
 - e. If the risk assessment report or audit report requires ongoing management or monitoring, the owner must enter into an agreement under section 173 of the *Planning and Environment Act 1987* with the responsible authority requiring the implementation of any ongoing requirements.
 - f. The owner/operator under this permit must pay the reasonable costs of the preparation, execution and registration of the section 173 agreement.

Completion of Works

15. Prior to the occupation of the dwelling 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 dwelling 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.

**City of Kingston
Planning Committee Meeting**

Agenda

20 March 2019

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:** 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.
- Note:** Prior to the commencement of the development, you are required to obtain the necessary Health Department approval for a wastewater treatment system on the land, if required.
- 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.

OR

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

1. The proposal does not meet the strategies, objectives and policies of Clause 21.10 (Green Wedge) and Clause 22.04 (South East Non-Urban Area Policy) of the Kingston Planning Scheme.
2. The proposal does not align with the purpose or decision guidelines of Clause 35.04 (Green Wedge Zone) of the Kingston Planning Scheme.

Appendices

Appendix 1 - KP-2018/699 - 290-300 Old Dandenong Road Dingley Village -
Considered plans (Ref 19/26605) [↓](#)

Appendix 2 - KP-2018/699 - 290-300 Old Dandenong Road Dingley Village - CHMP
planning questionnaire (Ref 19/34144) [↓](#)

Author/s: Rochelle Reinhardt, Statutory Planner
Reviewed and Approved By: Nicole Bartley, Team Leader Statutory Planning
Ian Nice, Manager City Development

4.6

KP-2018/699 - 290-300 OLD DANDENONG ROAD DINGLEY VILLAGE

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ADVERTISED PLANS
Documentation May
Be Subject to Copyright



NOT FOR CONSTRUCTION

		Description TOWN PLANNING 2	Date 07/12/2018	DRAWING STATUS: TSOLDB	Client TSOMAROPULOS	DESIGN RESPONSE [A3]
					Job No. TSOLDB	

ITE:
LE SHOWN ON THIS PLAN IS ONLY APPROXIMATE AND SHOULD NOT BE USED
R EITHER DIMENSIONS OR POSITION.
BLDG'S STRACKS WILL NEED TO BE ASSESSED IN A/W SURVEY PLAN AND

ADVERTISED PLANS
Documentation May
Be Subject to Copyright

DEMOLITION NOTE:

GENERAL: REMOVE WALLS, WINDOWS, DOORS, JOINTS, ROOF, EAVES, FINISHES ETC. AS SHOWN IN BROWN LINE AND MAKE GOOD TO ADJACENT SURFACES TO BE REINSTATED AS REQUIRED.
REMOVE TREES, FENCING, LANDSCAPING, OUTBUILDINGS AND ALL SITE WORKS NOT REQUIRED. SCRAPE, LEVEL, CLEAR AND MAKE GOOD AS REQUIRED FOR NEW WORK. REMOVE ALL DEBRIS AND EXCESS SPILL. REPAIR AND MAKE GOOD EXISTING FLOOR, AND REMOVE ALL PROTRUDING FINISHES PRIOR TO TREATMENT OF FLOOR. FILL ANY PENETRATION THROUGH FLOOR WITH MATERIAL TO MATCH ADJACENT SURFACES.
ALL ON SITE DEMOLITION WORKS ARE TO COMPLY WITH RELEVANT OCCUPATIONAL HEALTH AND SAFETY REGULATORY REQUIREMENTS. ALL ON SITE DEMOLITION WORKS ARE TO COMPLY WITH RELEVANT LOCAL AUTHORITY CODES AND REGULATIONS.
ALL SCAFFOLDING, HOARDING AND PROTECTION SYSTEMS ARE TO COMPLY WITH LOCAL AUTHORITY REQUIREMENTS.
BUILDER TO ENSURE ALL NECESSARY PERMITS AND PERMISSIONS HAVE BEEN OBTAINED PRIOR TO THE COMMENCEMENT OF DEMOLITION WORKS.
CONTRACTOR SHALL ACQUAINT HIMSELF WITH ALL SERVICES, REGULATORY REQUIREMENTS AND SPECIFICATIONS PRIOR TO COMMENCEMENT OF WORKS.

SERVICES: WHERE REQUIRED TO DO SO, PERMANENTLY OR TEMPORARILY TERMINATE, STOP, SEAL ANY SERVICE NOT REQUIRED, TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY AND IN ACCORDANCE WITH ALL RELEVANT REGULATIONS.
REMOVE AND SEAL ALL SERVICES NO LONGER REQUIRED IN ACCORDANCE WITH THE REGULATIONS OF AND TO THE SATISFACTION OF THE AUTHORITIES HAVING JURISDICTION OVER THEM.
ALL PIPES AND CONDUITS SHALL BE REMOVED. TAKE EVERY PRECAUTION TO PREVENT DAMAGE TO OR INTERFERENCE TO EXISTING 'LIVE' SERVICE LINES LIKELY TO REMAIN OR BE NEAR EXISTING ADJOINING BUILDINGS.
GIVE NOTICE TO THE RELEVANT AUTHORITIES AND ALLOW THEM FACILITIES FOR REMOVING ANY FITTINGS, FITTINGS OR SERVICES WHICH MAY BELONG TO THEM.

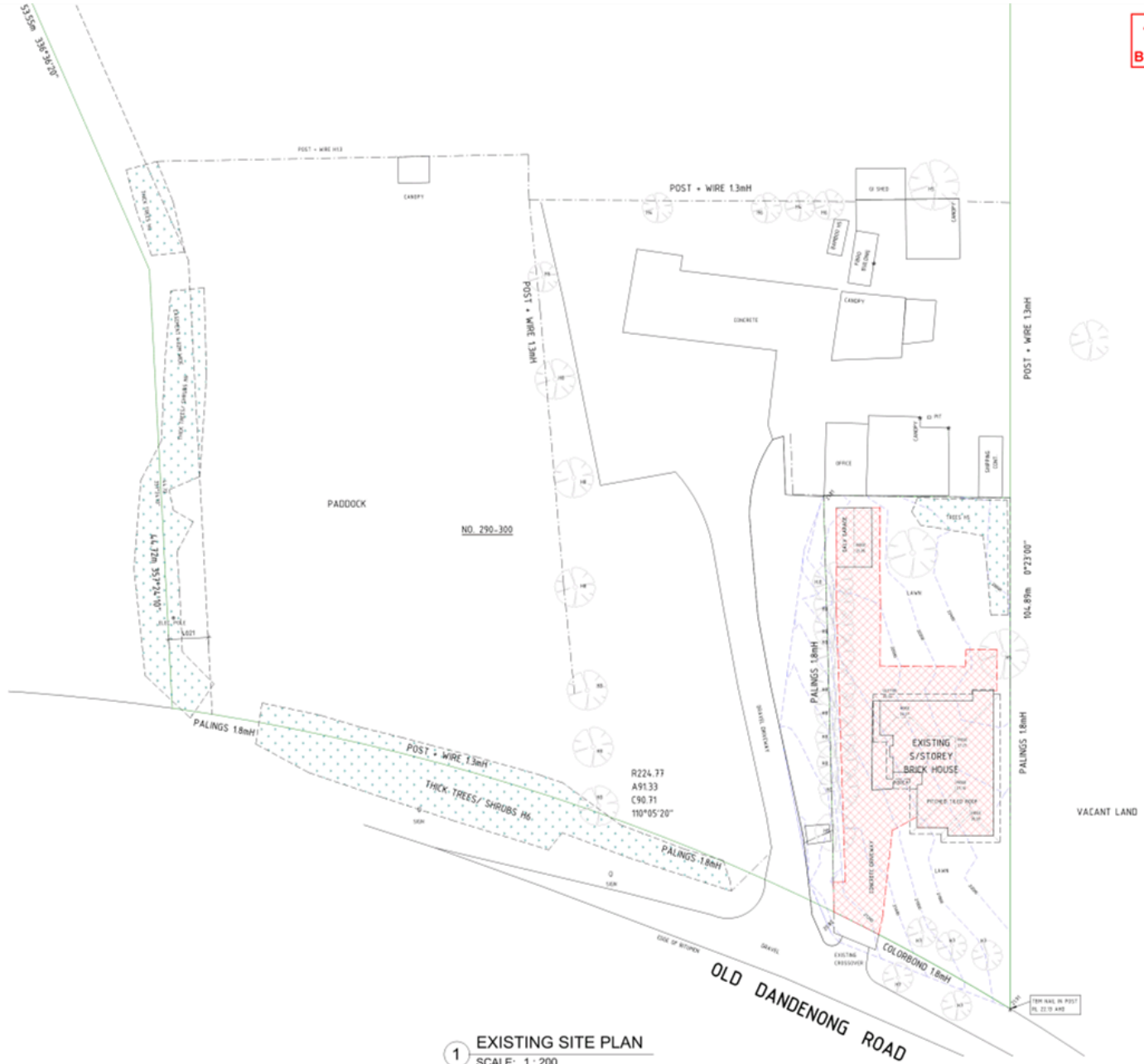
AVOIDANCE OF DAMAGE: PULLING DOWN IS TO BE CARRIED OUT IN SUCH A MANNER AS TO CAUSE AS LITTLE INCONVENIENCE AS POSSIBLE TO THE ADJOINING OWNERS AND THE GENERAL PUBLIC.
THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY CLAIMS WHICH MAY ARISE FROM THE DISREGARD OF THIS CLAUSE.
DORMIS IS TO BE KEPT WELL WATERED DURING THE WORK TO PREVENT DUST ARISING. NO BURNING OFF SHALL BE CARRIED OUT ADJACENT TO THE SITE.

PROTECTION: PROVIDE ALL NECESSARY PROTECTION FOR EXISTING ADJOINING BUILDINGS AND PROPERTY, AND ALL SCREENS AND OTHER PROTECTION NECESSARY TO PROTECT THE ADJOINING OWNERS AND THE GENERAL PUBLIC. AFTER ADAPT AND MAINTAIN ALL SUCH TEMPORARY WORKS AS MAY BE NECESSARY FROM TIME TO TIME AND FINALLY CLEAR AWAY AND MAKE GOOD ALL DISTURBED.
THE CONTRACTOR SHALL BE HELD SOLELY RESPONSIBLE FOR THE SAFETY OF THE EXISTING ADJOINING BUILDINGS AND PROPERTY AND THE SUFFICIENCY OF ALL TEMPORARY WORK.

SAFETY: BUILDER TO PROVIDE SATISFACTORY SAFETY METHODS TO SATISFY ONE'S STATE GOVERNMENT WORK PLACE SAFETY REQUIREMENTS, IF REQUIRED, SCAFFOLDING TO COMPLY WITH APPROPRIATE SAFETY REQUIREMENTS.
WHERE REQUIRED, PROVIDE SATISFACTORY PROPPING OF ROOFS AND WALLS TO AREAS OF DEMOLITION IN ACCORDANCE WITH DEMOLITION CODES AND WITH OCCUPATIONAL HEALTH AND SAFETY REGULATIONS.

DEMOLITION LEGEND:

-  BUILDING AND TREE TO BE DEMOLISHED
-  BUILDING AND TREE TO BE RETAINED



1 EXISTING SITE PLAN
SCALE: 1 : 200

	Client	TSOMAROPOULOS	EXISTING SITE PLAN (A1)
	Drawn No.	TSOLDB	Date
DRAWING STATUS: TOWN PLANNING 2	Date 07/12/2018	Drawn By TSOLDB	Scale 1:200

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FOR FLOOR COVERINGS REFER TO BUILDERS SPECIFICATIONS
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GEND - SITE SURVEY	
□	QUALITY
■	VEGETATION
▨	SIDE ENTRY PIT
▲	VALVE
○	LIGHT POLE
✱	TRAPING LIGHT
W	WATER METER
□	WELL
□	TELEPHONE PIT
+	POSTER POLE
—	SEW
—	WATERWAST
□	DRAINAGE PIT
+	STEEL PIT
—	ROAD METER

GEND - PLAN NOTE	
1	HABITABLE ROOM WINDOWS
1	NON-HABITABLE ROOM WINDOWS
0	PRIVATE OPEN SPACE
06	SECURED PRIVATE OPEN SPACE
05	HOT WATER SYSTEM
11	RAIN WATER TANK
11	RAIN WATER HEAD
0	DOWNPIPS
0	OBSCURE GLASS
0	METER BOX

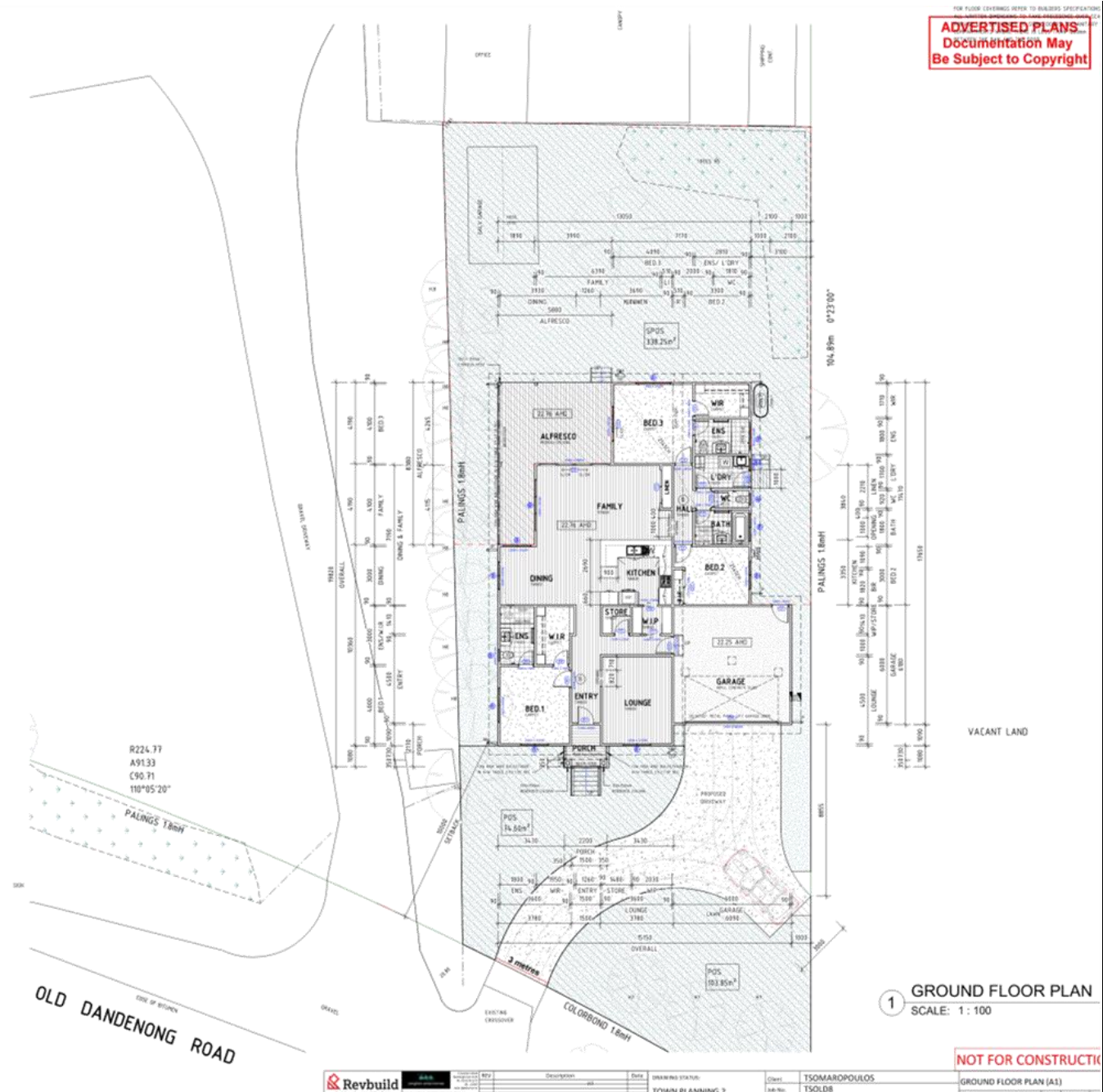
AREA SCHEDULE		
Name	Area(sqnl)	SG Ft
LOT 2 SITE AREA	20732.34 m ²	223163
SITE AREA(APPROX)	865.47 m ²	93.36
GROUND FLOOR	181.72 m ²	19.56
TOTAL HOUSE AREA	181.72 m ²	19.56
GARAGE	37.28 m ²	4.01
PORCH	4.91 m ²	0.43
ALFRESCO	32.56 m ²	3.50
TOTAL BUILDING AREA	255.56 m ²	27.51
DRIVEWAY (APPROX)	86.69 m ²	9.33

PROPOSED DWELLING		
SITE AREA:	865.47m ²	29.53%
SITE COVERAGE:	255.56m ²	29.53%
PERMEABILITY:	299.70m ²	34.63%
GARDEN AREA:	251.20m ²	60.30%
POS:	178.45 m ²	20.61%
SPOS:	338.25 m ²	39.10%

EARTHWORKS	
Cut Estimate (m ³)	Fill Estimate (m ³)
26.43	0.00

Window Schedule				
No.	Height	Width	Family and Type	Comments
01	1460	1450	AWNING - 2 P. AWNING - 2P 0T 04 - 1860x1450	100
02	1200	1450	AWNING - 2 P. AWNING - 2P 0T 03 - 1200x1450	100
03	1200	1450	AWNING - 2 P. AWNING - 2P 0T 03 - 1200x1450	100
04	1030	850	1 PANEL 0 TRANSCOM AWN. AWNING - 1P 0T 03 - 1030x850	100
05	1030	850	1 PANEL 0 TRANSCOM AWN. AWNING - 1P 0T 03 - 1030x850	100
06	900	1450	1 PANEL 0 TRANSCOM AWN. AWNING - 1P 0T 01 - 900x1450	100
07	880	1810	AWNING - 2 P. AWNING - 2P 0T 18 - 880x1810	100
08	1860	2650	AWNING - 3 P. AWNING - 3P 0T 11 - 1860x2650	100
09	1200	1450	AWNING - 2 P. AWNING - 2P 0T 03 - 1200x1450	100
10	1200	1450	AWNING - 2 P. AWNING - 2P 0T 03 - 1200x1450	100
11	1030	850	1 PANEL 0 TRANSCOM AWN. AWNING - 1P 0T 03 - 1030x850	100
12	900	1810	AWNING - 2 P. AWNING - 2P 0T 600x1810	100
13	1460	1450	AWNING - 2 P. AWNING - 2P 0T 04 - 1460x1450	100

Door Schedule				
No.	Height	Width	Family and Type	Comments
01	2100	820	EXTERNAL - ENTRY XNG; EXTERNAL DOOR XNS 820	
02	2400	4800	GARAGE - PANEL LIFT - Clad C/Bond Panel Door with Motor (Double) - 2400 x 4800	
03	2040	820	EXTERNAL - PLAIN; EXTERNAL DOOR PLAIN 820	
04	2040	820	EXTERNAL - PLAIN; EXTERNAL DOOR PLAIN 820	
05	2100	1810	EXTERNAL - SLIDER - 2 P. DOOR - SLIDER 2P 08 - 2100x1810	
06	2100	3584	Sliding 4 Panel L - 2100x3584	
07	2040	820	INTERNAL - H&L; Internal Door - 2040 x 820 H/L	
08	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
09	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
10	2040	820	INTERNAL - H&L; Internal Door - 2040 x 820 H/L	
11	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
12	2040	820	INTERNAL - H&L; Internal Door - 2040 x 820 H/L	
13	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
14	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
15	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
16	2040	820	INTERNAL - H&L; Internal Door - 2040 x 820 H/L	
17	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
18	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
19	2100	720	INTERNAL - H&L; Internal Door - 2040 x 720 H/L	
20	2100	720	INTERNAL - CAV SLIDER; Internal Single Cavity Sliding Door - 2040 x 720	
21	2134	1718	INTERNAL - SLIDER - 2 PANEL Sliding - 2 Panel Robe 2040	
22	2134	1718	INTERNAL - SLIDER - 2 PANEL Sliding - 2 Panel Robe 2040	



1 GROUND FLOOR PLAN
 SCALE: 1: 100

NOT FOR CONSTRUCTION

	444 Building Design & Drafting	877 Description	Date	DRAWING STATUS: TOWN PLANNING 2	Client: TSOMAROPoulos	GROUND FLOOR PLAN (A1)
					Job No: TSOLDB	Date: 07/12/2018

JUMP AND VENTILATION

ROOF VENTILATION TO ALL HABITABLE ROOMS THROUGH BOTH WINDOWS, NO BEAMS, WITH AN OPENABLE SIZE NOT LESS THAN 1/8 OF THE FLOOR AREA OF THE ROOM CONCERNED PROVIDE NATURAL LIGHT TO ALL HABITABLE ROOMS THROUGH WINDOWS HAVING A LIGHT TRANSMITTING AREA OF NOT LESS THAN 1/8 OF THE FLOOR AREA OF THE ROOM CONCERNED BORROWED LIGHT NO INSTALLATION FURNISHINGS BEING ARE TO COMPLY WITH AUST. BUILDING CODES

DOORS: HUMAN IMPACT

GLAZING TO DOORS AND SIDE LIGHTS SHOULD BE ALL FULLY-TEMPERED 6 TO 10MM THICK ANNEALED GLASS, BETWEEN 0.9M TO 2.1M MINIMUM IN ANNEALED GLASS, SIDE LIGHTS TO BE SAFETY GLAZED IN ACCORDANCE WITH AUST. STANDARD 1088

WINDOWS: HUMAN IMPACT

GLAZING TO WINDOWS WHERE THE SIZE IS LESS THAN 500MM ABOVE JOINT LEVEL SHOULD BE GLAZED AS FOLLOWS:

7 TO 8.3M MINIMUM THICK ANNEALED GLASS, BETWEEN 0.9M TO 2.1M MINIMUM IN ANNEALED GLAZING LARGER AREAS OF GLAZING ARE TO BE SAFETY GLAZED IN ACCORDANCE WITH AUST. STANDARD 1088

LASHING

ALL WINDOWS AND EXTERNAL DOOR OPENINGS ARE TO BE FLASHED ALL ROUND

FINISHES SCHEDULE

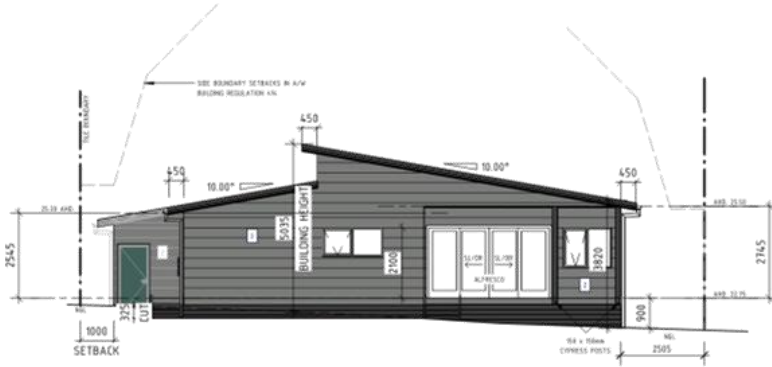
MARK	MATERIAL	HATCH PATTERN	COLOUR
1	RENDER	[Hatch]	MONUMENT
2	CHAMFER	[Hatch]	BASALT

ROOF/GUTTER/FASCIA: BASALT

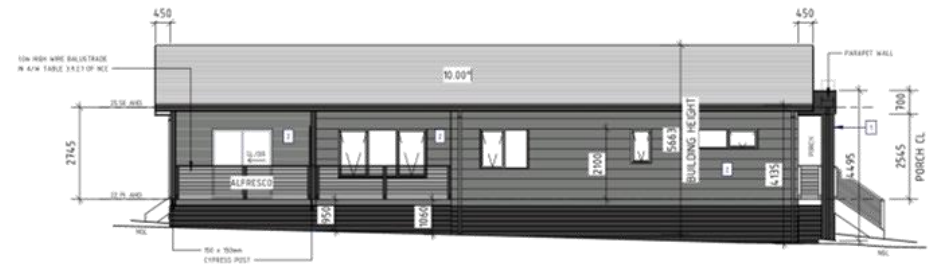
Builders can vary the FFL without the approval of the clients in terms of the terrace protection and drainage design.

Parapet Heights May Change during construction due to Roof Truss Manufacturers construction issue design, other building heights may alter in accordance to remain within building regulations

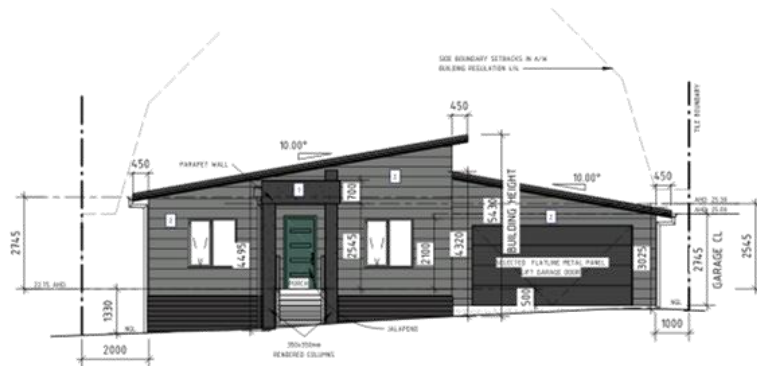
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2 NORTH ELEVATION
SCALE: 1: 100



1 WEST ELEVATION
SCALE: 1: 100



4 SOUTH ELEVATION
SCALE: 1: 100



3 EAST ELEVATION
SCALE: 1: 100

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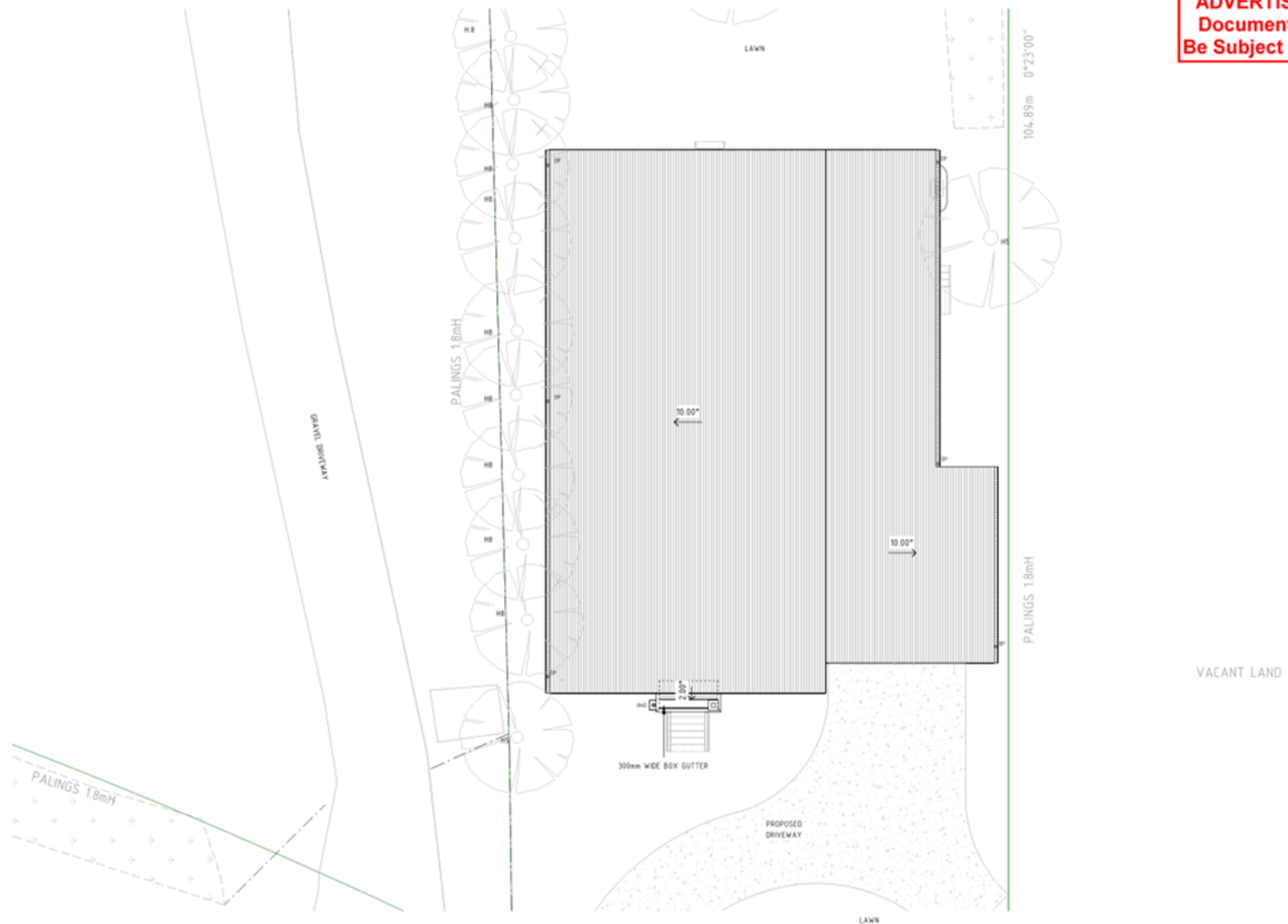
REV	Description	Date

DRAWING STATUS:
TOWN PLANNING 2

Client: **TSOMAROPOULOS**
Job No: **TSOLD8**
Address: **LOT 2, No.290-300 OLD DANDENONG**

ELEVATIONS (A2)	
Date	07/12/2018
Drawn By	THANH
A2	TP08

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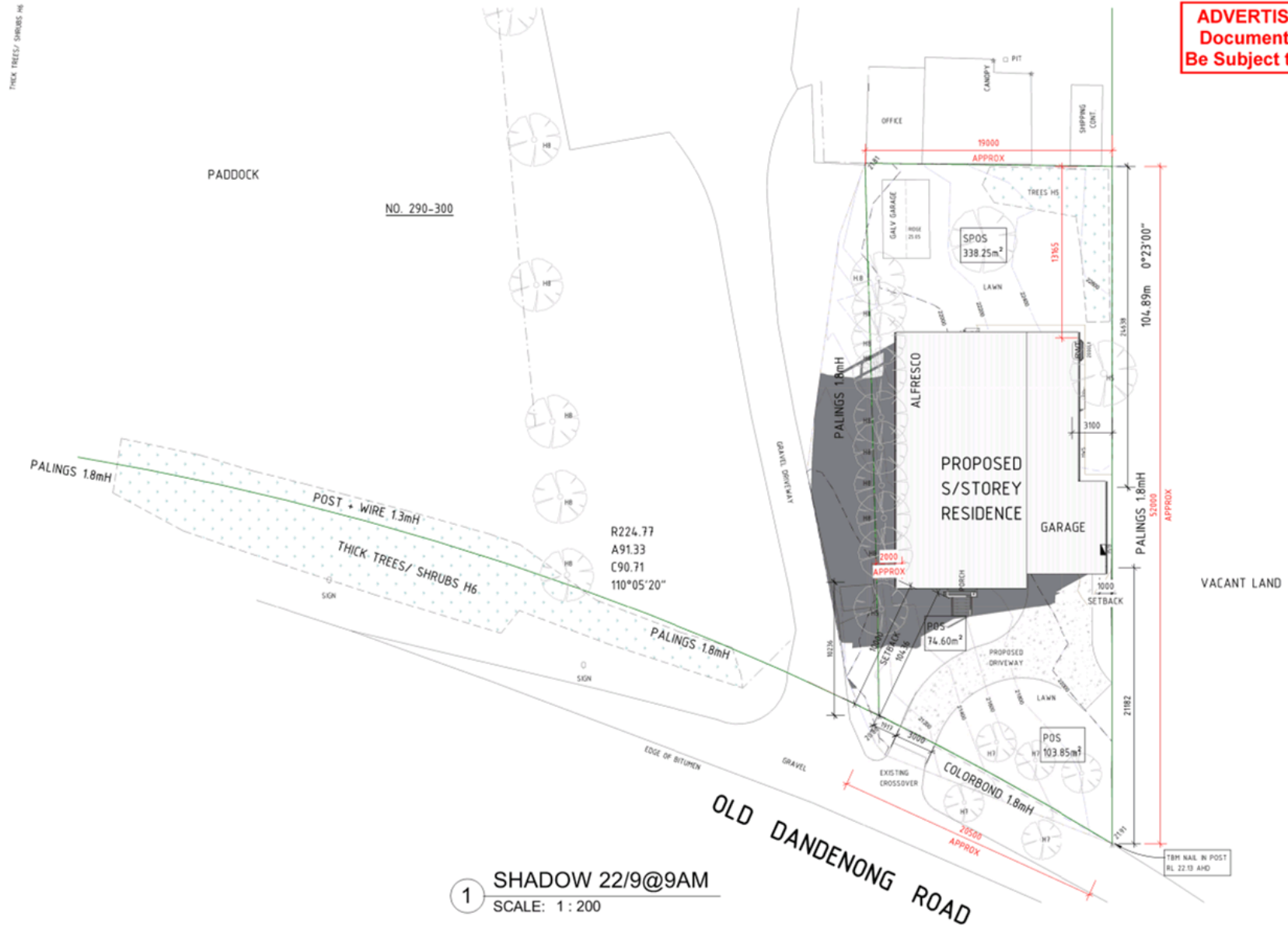


1 ROOF PLAN
SCALE: 1 : 100

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		<small>Revbuild has been established since 1988 and is a family owned business. We are a leading provider of building design and drafting services in Victoria, Australia. We are a member of the Australian Institute of Building Design Practitioners (AIBD).</small>	REV	Description	Date	DRAWING STATUS:	Client	TSOMAROPOULOS	ROOF PLAN (A2)			
						TOWN PLANNING 2	Job No.	TSOLD8	Date	07/12/2018	A2	TP09
							Address	LOT 2, No.290-300 OLD DANDENONG			Drawn By	THANH

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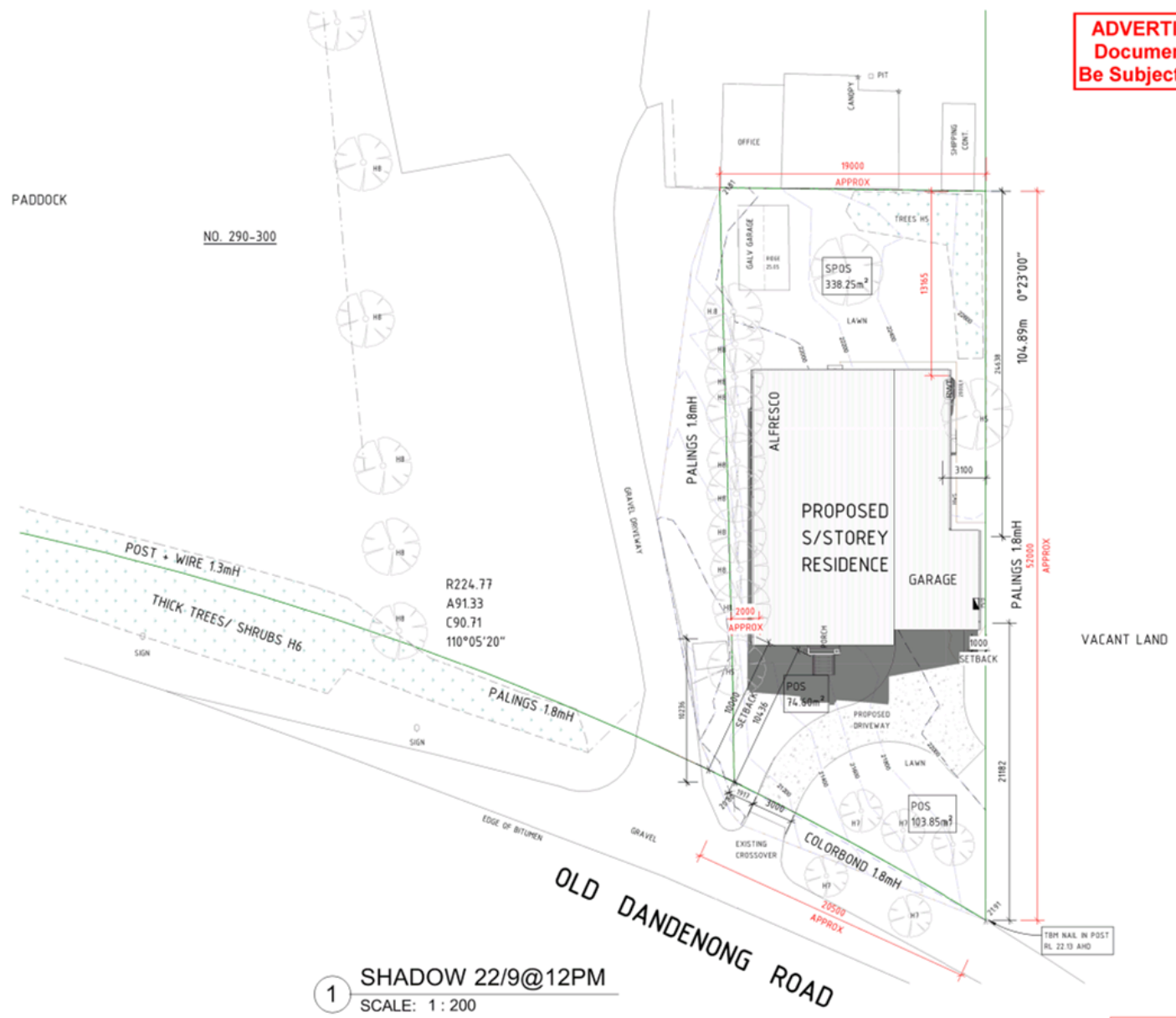


1 SHADOW 22/9@9AM
SCALE: 1 : 200

NOT FOR CONSTRUCTION

	Description TOWN PLANNING 2	Date 07/12/2018	DRAWING STATUS: TOWN PLANNING 2	Client TSOMAROPOULOS	SHADOW DIAGRAM 1 (A2) Date 07/12/2018 Drawn By THANH
	REV Description Date	Job No. TSOLD8	Address LOT 2, No.290-300 OLD DANDENONG	Job No. TSOLD8	
	Description Date	Address LOT 2, No.290-300 OLD DANDENONG	Job No. TSOLD8	Job No. TSOLD8	

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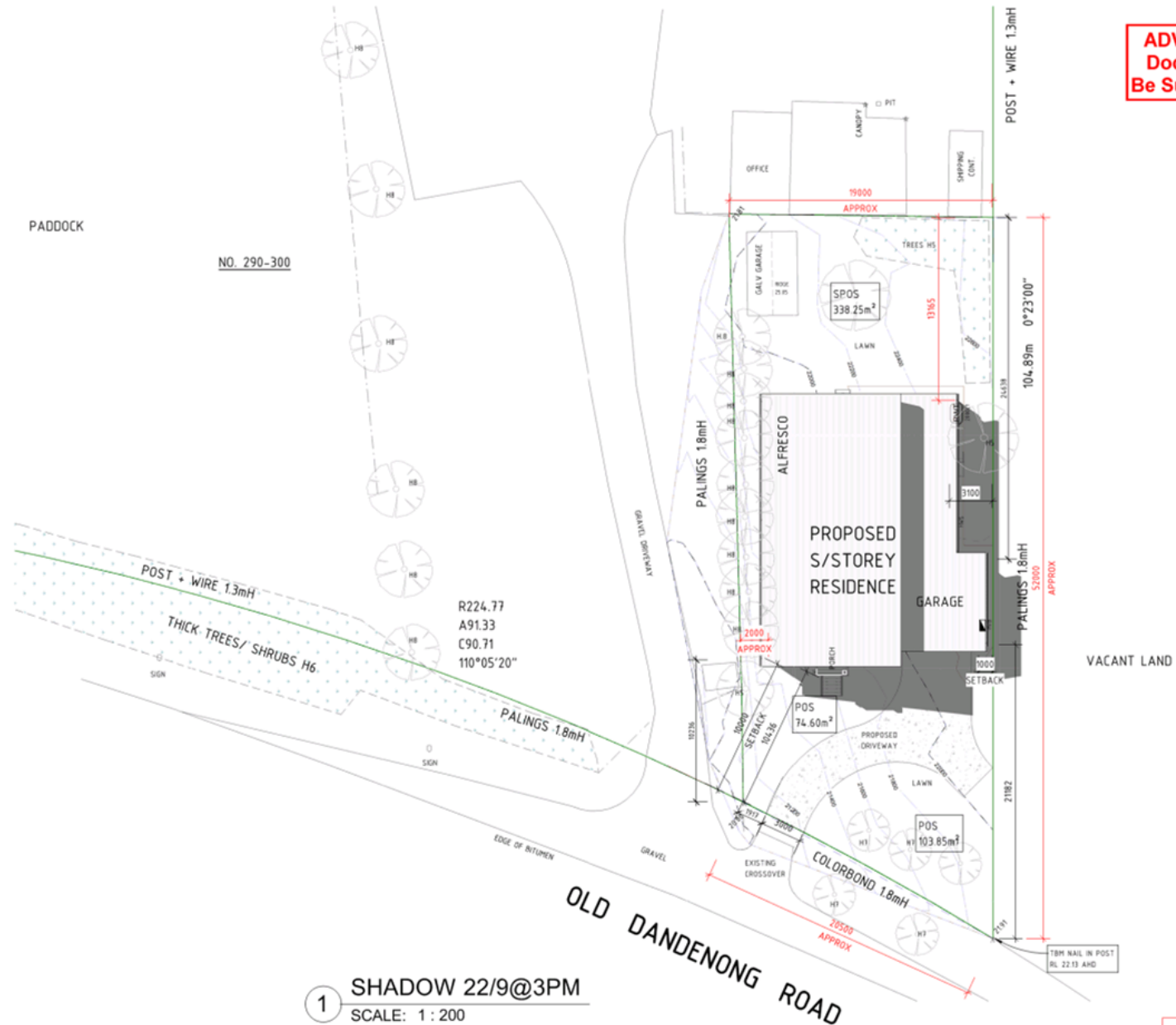


1 SHADOW 22/9@12PM
SCALE: 1 : 200

NOT FOR CONSTRUCTION

		REV Description Date	DRAWING STATUS: TOWN PLANNING 2	Client	TSOMAROPOULOS	SHADOW DIAGRAM 2 (A2)	
				Job No.	TSOLD8	Date	07/12/2018
				Address	LOT 2, No.290-300 OLD DANDENONG	Drawn By	THANI

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1 SHADOW 22/9@3PM
SCALE: 1 : 200

NOT FOR CONSTRUCTION

		REV Description Date	DRAWING STATUS: TOWN PLANNING 2	Client TSOMAROPOULOS	SHADOW DIAGRAM 3 (A2)
	Job No. TSOLD8	Date 07/12/2018	Address LOT 2, No.290-300 OLD DANDENONG	Drawn By THANH	A2 TP12
	TBM NAIL IN POST RL 22.13 AHD				



Department of
Premier and Cabinet

Process List

Project Name: Old Dandenong

Project Location:

Date: 19-Feb-2019

	QUESTION	ANSWER
Question 1	Is the proposed activity , or all the proposed activities, exempt?	Yes
Answer:	<p>ON THE BASIS OF THE ANSWERS YOU HAVE ENTERED</p> <p>YOU ARE NOT REQUIRED BY THE REGULATIONS TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN FOR THIS PROJECT</p>	