

12.2	Planning Application P475/2023 for 8 Rawson Avenue, Sunshine
Directorate	City Futures
Director	Kelvin Walsh
Manager	Kristen Gilbert
Attachment(s)	1. Zoning map [12.2.1 - 1 page] 2. Aerial Photo [12.2.2 - 1 page] 3. Considered Plans [12.2.3 - 12 pages] 4. Detailed Assessment [12.2.4 - 36 pages] 5. Proposed Conditions [12.2.5 - 5 pages]

Purpose

For Council to consider planning permit application P475/2023 for alterations to the existing dwelling and construction of two double storey dwellings to the rear at 8 Rawson Avenue, Sunshine, against the provisions of the Brimbank Planning Scheme.

Officer Recommendation

That Council issue a Notice of Decision to Grant Planning Permit P475/2023 for alterations to the existing dwelling and the construction of two double storey dwellings at the rear at 8 Rawson Avenue, Sunshine, subject to the conditions at Attachment 5 of this report.

Background

The subject site is located on the eastern side of Rawson Avenue in Sunshine, with a dual frontage where the rear boundary faces the end of Lorenz Street (refer to **Attachments 1 and 2**). Lorenz Street has a court bowl type configuration. Dual lot frontages are uncommon in the area, with this site and the one to its south being the only examples. The site is regular in shape and generally flat with a frontage of 15.24 metres to Rawson Avenue, a frontage of approximately 10.6 metres to Lorenz Street and a depth of 41.48 metres. The total site area is 632 square metres. The site is currently occupied by a single storey weatherboard dwelling where the rear yard is dominated with covered structures and outbuildings that are proposed to be removed.

The application seeks approval for alterations to the existing dwelling including a new carport and internal alterations, and the construction of two double storey dwellings to the rear facing Lorenz Street (refer to **Attachment 3**). The two double storey dwellings are proposed in a side-by-side layout. The existing dwelling will continue to face Rawson Avenue and have all access from this street.

Matters for Consideration

The site and the surrounding area are located within the General Residential Zone Schedule 1. The predominant housing stock in the area is large single storey dwellings on generous sized allotments, or more recent single and double storey dwellings in the form of medium density housing. Examples of the more recent development are located immediately to the south where there are two single storey dwellings facing Rawson Avenue, and immediately to the north-east where there are four double storey dwellings fronting Lorenz Street.

The application was referred internally to Council's Traffic Engineers, Drainage Engineers and Environmentally Sustainable Design (ESD) Officer. All supported the application

subject to proposed conditions being included on any planning permit that is issued. Council's Waste Services Team supports the application, however initially requested 'no standing' signs along the top of the court bowl to ensure waste vehicles are not obstructed when entering the street to collect the waste. Following further discussions on this matter, they have agreed that this is imperative given the garbage trucks reverse down the street and do not need to turn in the court bowl. This matter is discussed in the Detailed Assessment contained at **Attachment 4**. No external referrals were required.

The Detailed Assessment indicates there is strategic justification and policy support for this application, as well as a high level of compliance with the required objectives and associated standards of Clause 55. It is recommended that the application be approved subject to the conditions at **Attachment 5** to this report.

Community Engagement

The application was advertised on two separate occasions, both times in accordance with the notice requirements of section 52(1)(a) and (d) of the *Planning and Environment Act 1987 (the Act)*. At the end of the first public notification process a total of 12 submissions had been received.

Following the feedback provided in the objections and from officers, the applicant amended the plans under section 57 of *the Act*, with the main change relating to the setback of the proposed dwellings from the Lorenz Street frontage and the entry to Dwelling 2. These plans were then advertised in May 2024 and received three additional objections, all of which were from previous objectors. This means there were objections received from a total of 12 different people.

The main concerns raised were on the grounds of adverse impact on neighbourhood character including removing the safety/function of the Lorenz Street court bowl, overdevelopment, overshadowing, waste pick up, safety issues with additional accesses from Lorenz Street, increased parking along Lorenz Street and lack of adequate parking on site.

The concerns raised by the objectors are discussed in the Detailed Assessment at **Attachment 4** to this report.

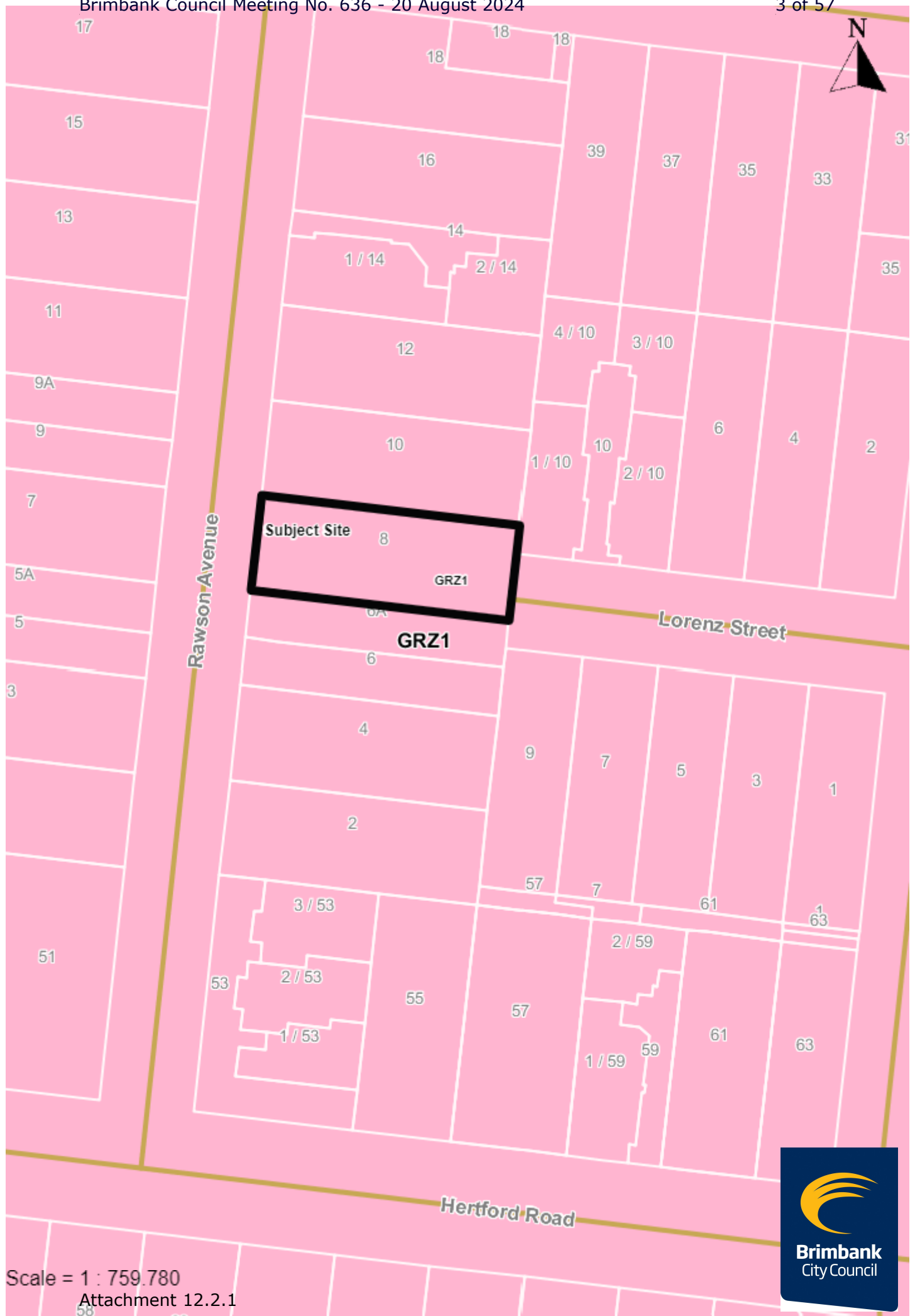
Resource And Risk Implications

Resource requirements can be met within the Annual Budget 2024/2025. There are no Community, Environmental, Financial, Regulatory or Safety risks.

Legislation/Council Plan/Policy Context

This report has been prepared under the relevant guiding principles of the Brimbank Planning Scheme and the *Planning and Environment Act 1987*.

Council officers contributing to the preparation and approval of this report, have no conflicts of interests to declare.



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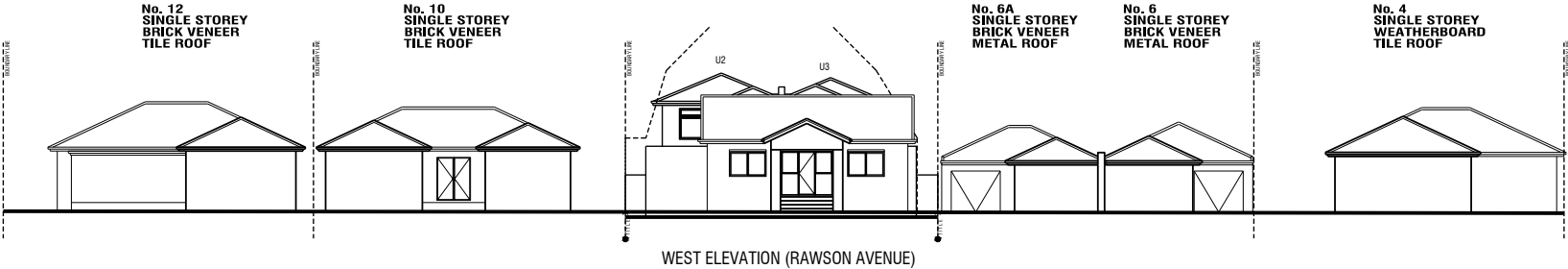
Attachment 12.2.1







EXISTING ELEVATIONS



PROPOSED ELEVATIONS

Attachment 12.2.3

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STREET ELEVATIONS			
UNIT DEVELOPMENT 8 RAWSON STREET, SUNSHINE			SE REV-

RAWSON AVENUE

LORENZ STREET

LEGEND



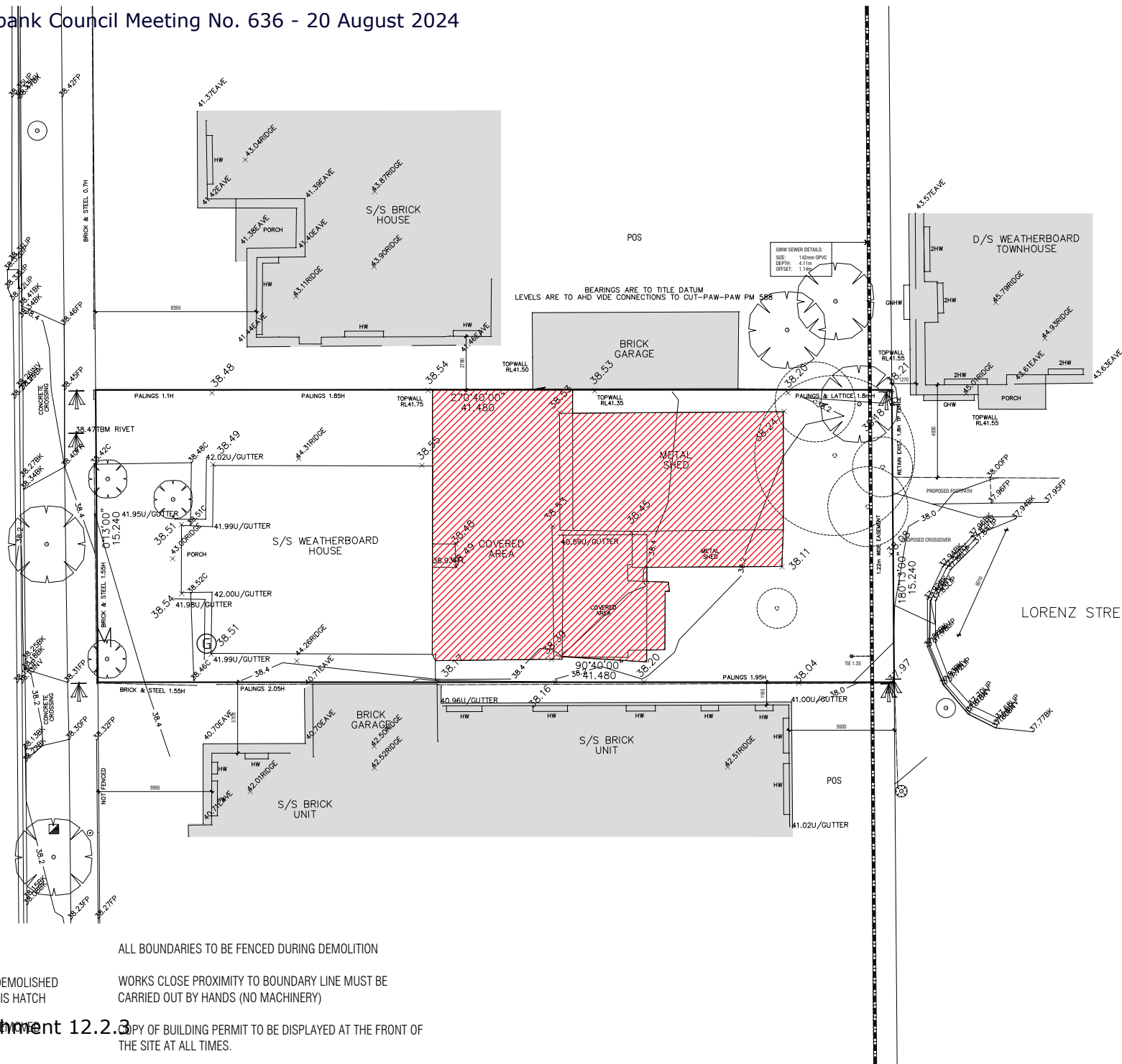
AREA TO BE DEMOLISHED
SHOWN IN THIS HATCH



Attachment 12.2.3
TREES TO BE REMOVED
COPY OF BUILDING PERMIT TO BE DISPLAYED AT THE FRONT OF
THE SITE AT ALL TIMES.

ALL BOUNDARIES TO BE FENCED DURING DEMOLITION

WORKS CLOSE PROXIMITY TO BOUNDARY LINE MUST BE
CARRIED OUT BY HANDS (NO MACHINERY)



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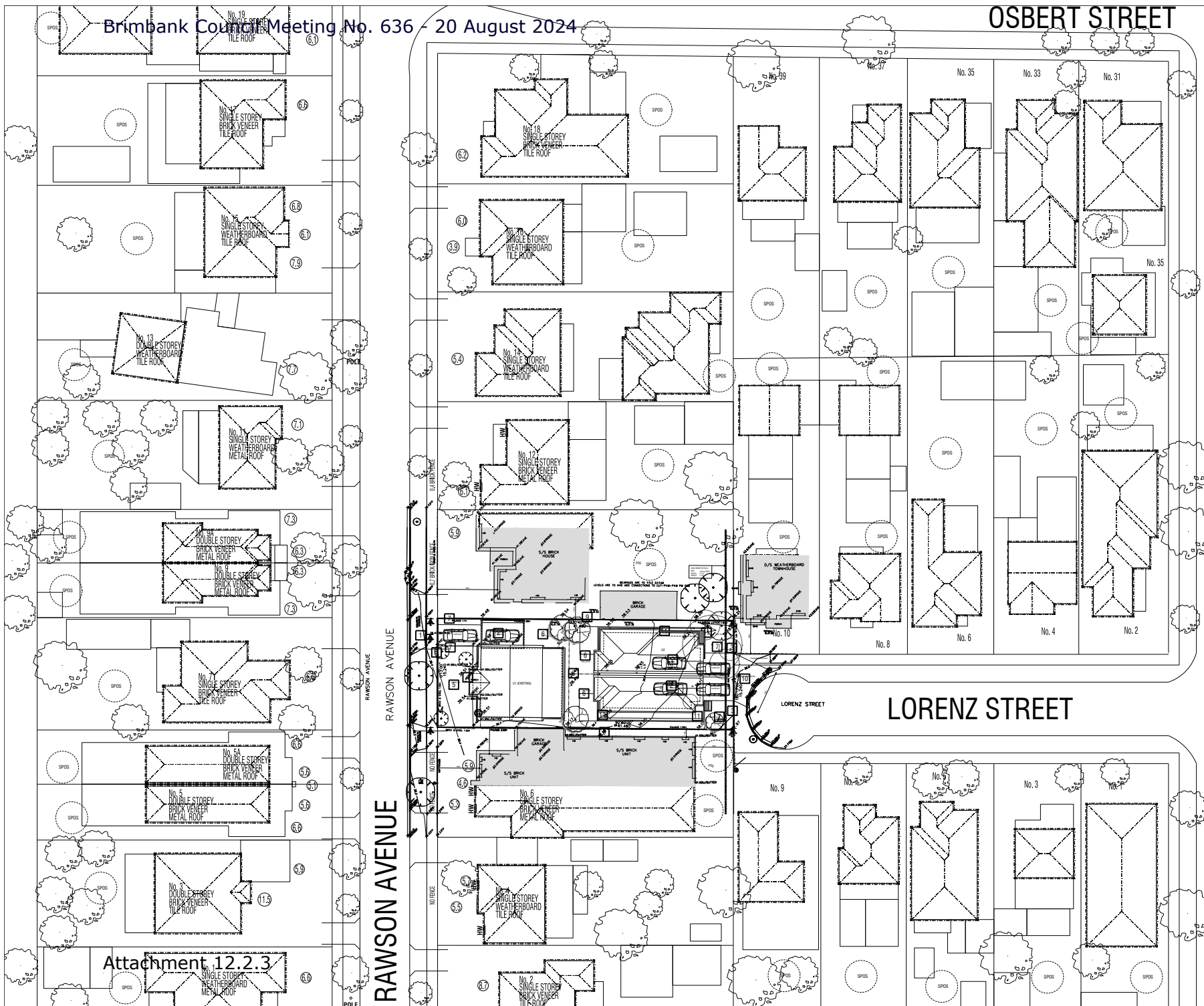
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DEMOLITION PLAN

UNIT DEVELOPMENT
& RAWSON AVENUE
SURROUNDING

DMP
P/L



DESIGN RESPONSE

- EXISTING CROSSOVER TO SERVICE UNIT 1.
- PROPOSED VEHICLE STORAGE FOR ALL UNITS ARE LOCATED BEHIND THE LINE OF THE FRONT DWELLING TO HIDE THE DOMINANCE OF CAR PARKING STRUCTURES FROM THE STREET-SCAPE.
- NEW MAILBOXES FOR ALL UNITS.
- PROPOSED FRONT STREET SETBACK TO DEVELOPMENT IS SYMPATHETIC TO THE ADJOINING NEIGHBOURS.
- LARGE LAWN AREA PROVIDES SPACE FOR LANDSCAPING.
- OPEN SPACES TO UNITS ARE ORIENTED TOWARDS NORTH PROVIDING FUTURE RESIDENCES WITH EXCELLENT SOLAR ACCESS AND NORTH LIGHT. OPEN SPACE ON SITE FOR EACH DWELLING IS DISTRIBUTED TO THE REAR AND THROUGHOUT THE SITE. THE DEVELOPMENT WILL PROVIDE SUFFICIENT PRIVATE OPEN SPACE FOR THE REASONABLE RECREATION, SERVICE AND STORAGE NEEDS OF RESIDENTS. THE PRIVATE OPEN SPACES FOR ALL DWELLINGS ARE LOCATED OFF LIVING AREAS.
- LANDSCAPING LOCATION TO PROVIDE SOFT BUFFER AND SCREENING BETWEEN THE ADJOINING PROPERTIES.
- SETBACKS BETWEEN UNITS AIMS TO RETAIN EXISTING SIGHT LINES WITHIN AND THROUGH THE SITE. THIS WILL ALSO REDUCE VISUAL BULK OF THE NEW DEVELOPMENT.
- THERE ARE NO PROPOSED WALLS TO BE BUILT TO ANY BOUNDARY FOR THIS DEVELOPMENT.
- PROPOSED CROSSOVER ALONG LORENZ STREET LOCATED TO THE REAR OF THE SITE TO PROVIDE VEHICLE ACCESS TO UNIT 2 & 3.
- UPPER FLOOR LEVEL OF DWELLINGS SETBACK FROM SIDE BOUNDARIES TO REDUCE OVERSHADOWING AND VISUAL BULK TO ADJOINING PROPERTIES. UPPER LEVEL FOOTPRINT IS OFFSET WITHIN THE GROUND FLOOR ENVELOPE TO REDUCE VISUAL BULK AND CREATE A MORE GRADUAL TRANSITION BETWEEN THE SINGLE STOREY AND TWO-STOREY BUILDING FORM.

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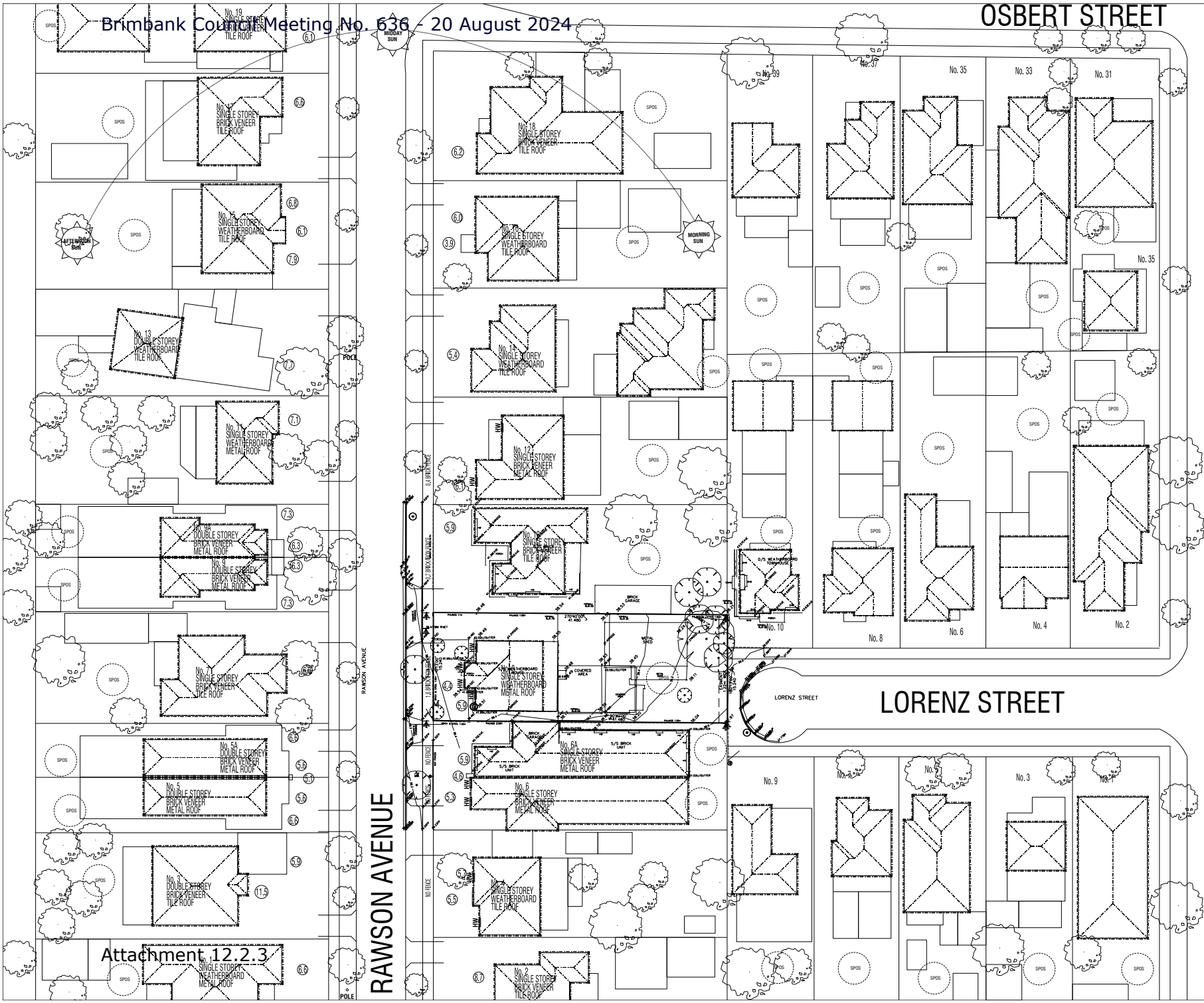
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Rev-	28.02.2024	RESPONSE TO COUNCIL'S RFI
Rev-	30.04.2024	RESPONSE TO COUNCIL'S RFI

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DESIGN RESPONSE

UNIT DEVELOPMENT
8 RAWSON AVENUE, SUNSHINE



Brimbank Council Meeting No. 636 - 20 August 2024

OSBERT STREET

LORENZ STREET

DULCIE STREET

RAWSON AVENUE

Attachment 12.2.3

KEY of 57

P.O.S PRIVATE OPEN SPACE
S.P.O.S SECLUDED PRIVATE OPEN SPACE

HW HABITABLE WINDOWS
 CANOPY TREES

(8.2) BUILDING SETBACKS TO BOUNDARY FENCE LINE
 PHOTO VIEW ANGLE

POLE POWER POLE
PIT PHONE PIT

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NORTH

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Rev-	30.04.2024	RESPONSE TO COUNCIL'S RFI

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NEIGHBOURHOOD AND SITE DESCRIPTION PLAN

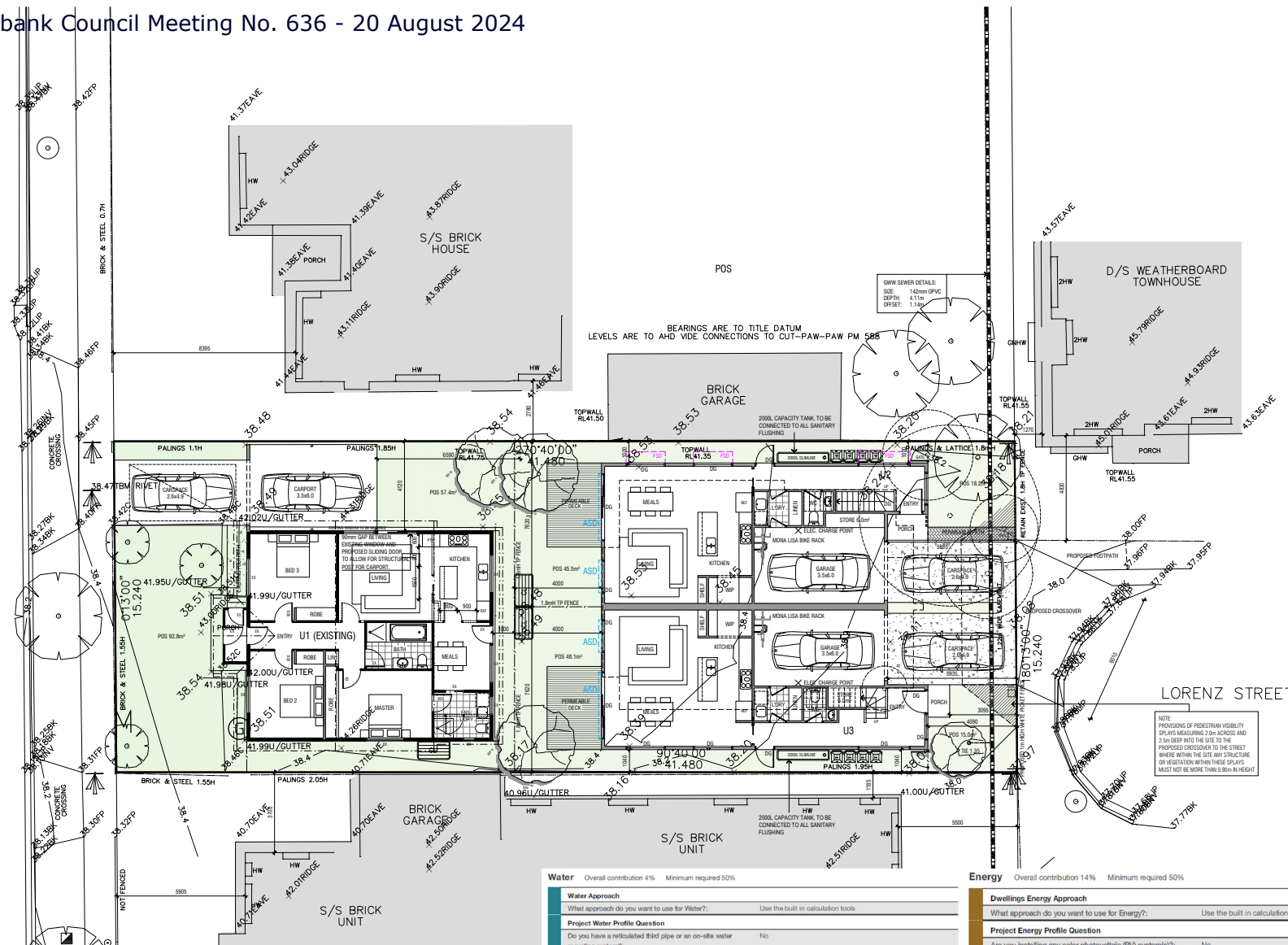
UNIT DEVELOPMENT
8 RAWSON AVENUE, SUNSHINE

AREA SCHEDULE:

UNIT 1 (EXISTING)	
GROUND FLOOR AREA:	110.0 m ²
CARPORT:	23.8 m ²
TOTAL AREA:	14.4 SQ 133.8 m ²
TOTAL POS:	150.2 m ²
UNIT 2	
GROUND FLOOR AREA:	67.3 m ²
FIRST FLOOR AREA:	76.9 m ²
GARAGE:	24.3 m ²
PORCH:	2.2 m ²
TOTAL AREA:	18.3 SQ 170.7 m ²
TOTAL POS:	63.7 m ²
UNIT 3	
GROUND FLOOR AREA:	69.8 m ²
FIRST FLOOR AREA:	65.3 m ²
GARAGE:	22.4 m ²
PORCH:	1.4 m ²
TOTAL AREA:	17.1 SQ 158.9 m ²
TOTAL POS:	61.1 m ²

SITE	
SITE AREA:	632.1 m ²
SITE COVERAGE:	52.6% 332.5 m ²
SITE PERMEABILITY:	40.0% 253.4 m ²
GARDEN AREA REQ:	38.2% 241.9 m ²

RAWSON AVENUE



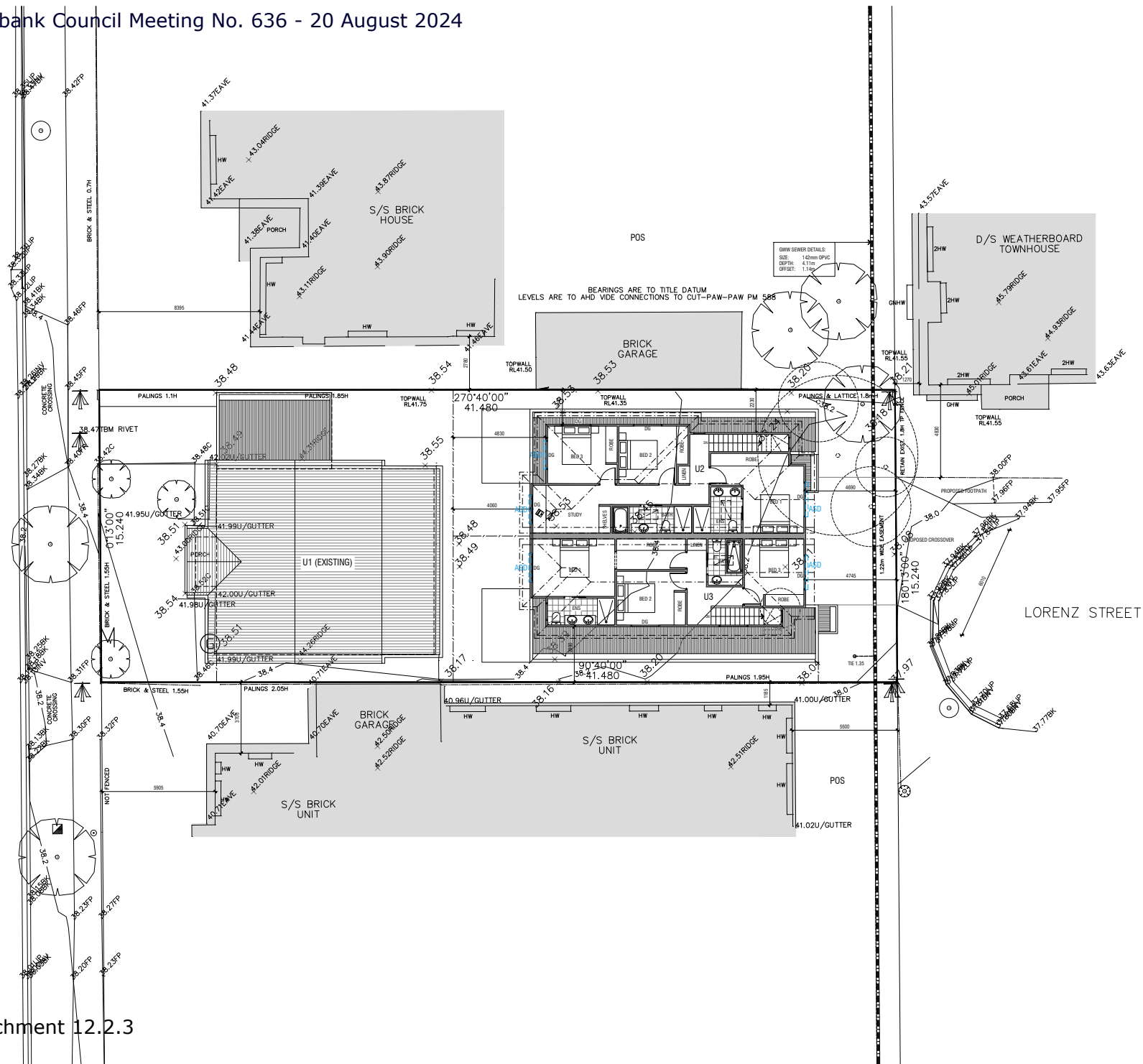
Water Overall contribution 4% Minimum required 50%

Water Approach	
What approach do you want to use for Water?:	Use the built in calculation tools
Project Water Profile Question	
Do you have a reticulated third pipe or an on-site water recycling system?:	No
Are you installing a swimming pool?:	No
Are you installing a rainwater tank?:	Yes
Water fixtures, fittings and connections	
Showerhead: All	4 Star WELS (>= 4.5 but <= 6.0)
Bath: All	Default or unrated
Kitchen Taps: All	>= 5 Star WELS rating
Bathroom Taps: All	>= 5 Star WELS rating
Dishwashers: All	Default or unrated
WC: All	>= 4 Star WELS rating
Urinals: All	Scope out
Washing Machine Water Efficiency: All	Default or unrated
Which non-potable water source is the dwelling/space connected to?:	
Unit 2	RWT 2
Unit 3	RWT 3
Non-potable water source connected to Toilets: All	Yes
Non-potable water source connected to Laundry (washing machine): All	No
Non-potable water source connected to Hot Water System: All	No

Energy Overall contribution 14% Minimum required 50%

Dwellings Energy Approach	
What approach do you want to use for Energy?:	Use the built in calculation tools
Project Energy Profile Question	
Are you installing any solar photovoltaic (PV) system(s)?:	No
Are you installing any other renewable energy system(s)?:	No
Energy Supply:	Electricity & Natural Gas
Dwelling Energy Profiles	
Below the floor is: All	Ground or Carpark
Above the ceiling is: All	Outside
Exposed sides: All	3
NatHERS Annual Energy Loads - Heat: All	96.0 MJ/sqm
NatHERS Annual Energy Loads - Cool: All	22.0 MJ/sqm
NatHERS star rating: All	6.5
Type of Heating System: All	Gas space
Heating System Efficiency: All	4 Star
Type of Cooling System: All	Refrigerative space
Cooling System Efficiency: All	4 Stars
Type of Hot Water System: All	Gas instantaneous 6 star
Clothes Line: All	Private outdoor clothesline
Clothes Dryer: All	Occupant to install

RAWSON AVENUE



Attachment 12.2.3

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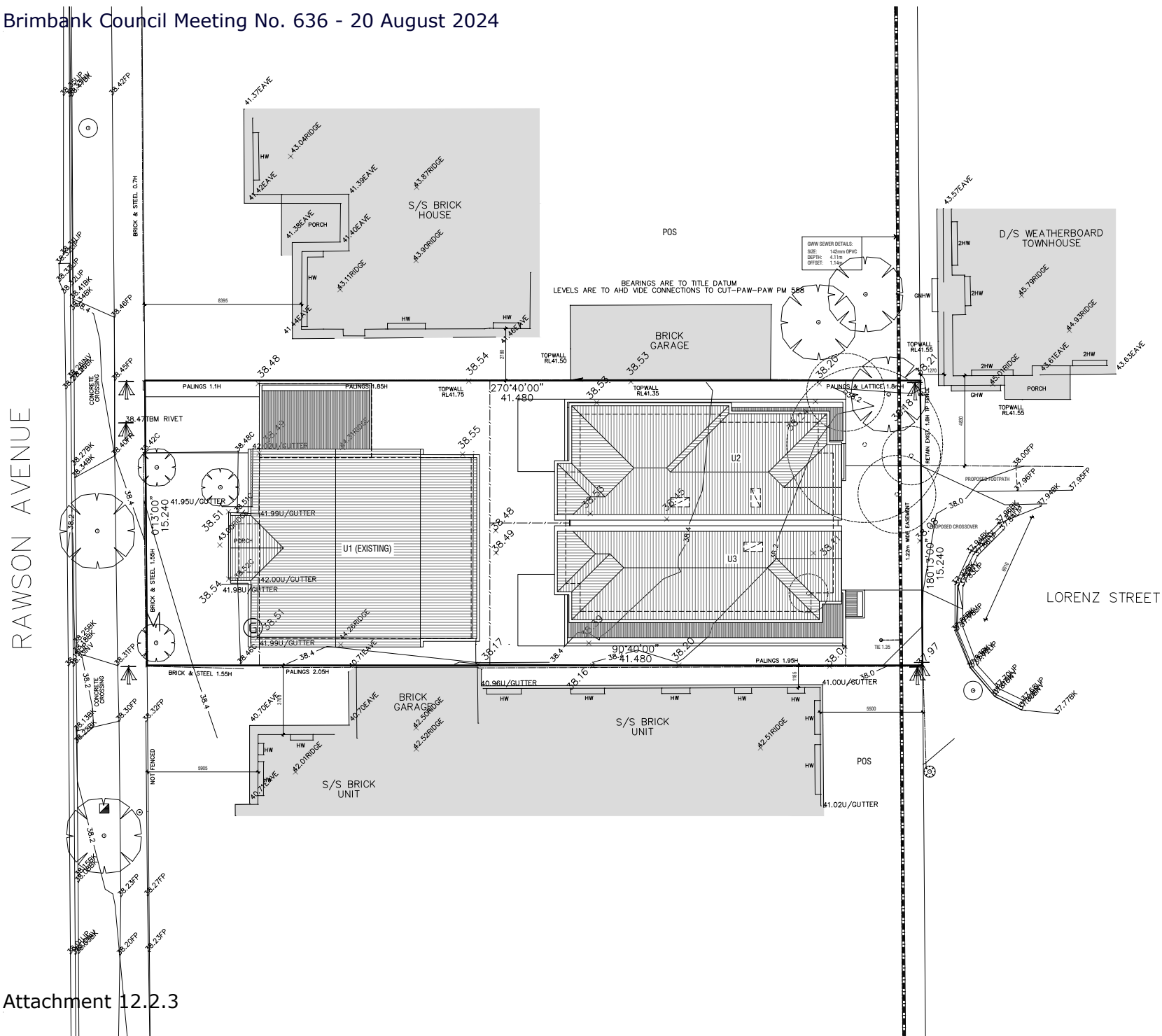
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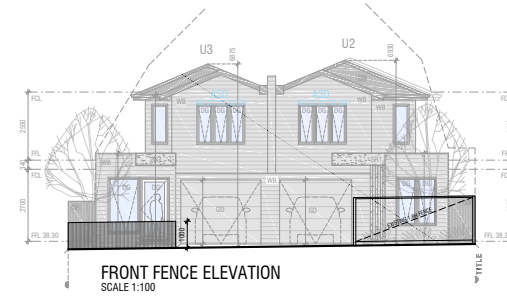
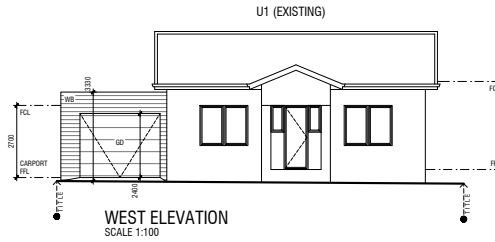
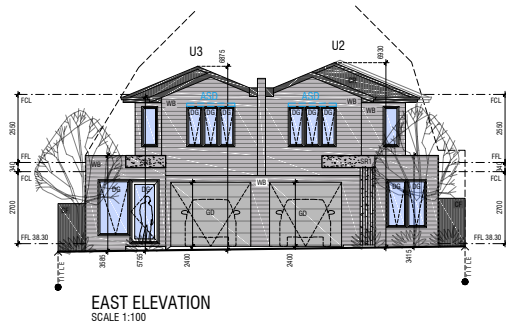
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FIRST FLOOR PLAN

UNIT DEVELOPMENT
8 RAWSON AVENUE
SUNSHINE

TP02
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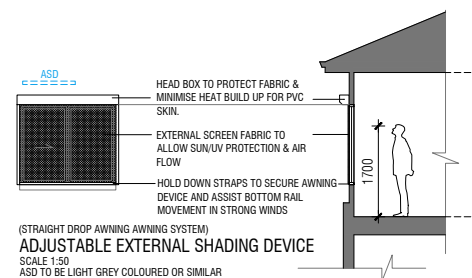
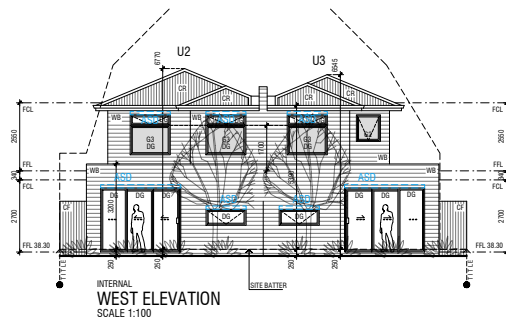
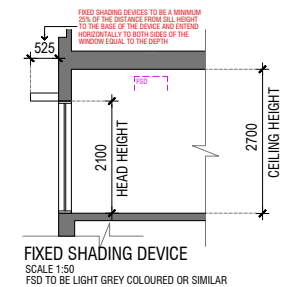
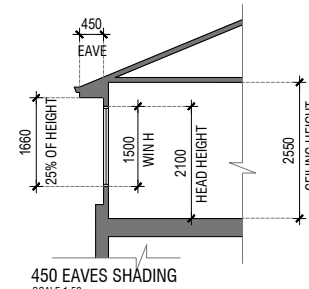
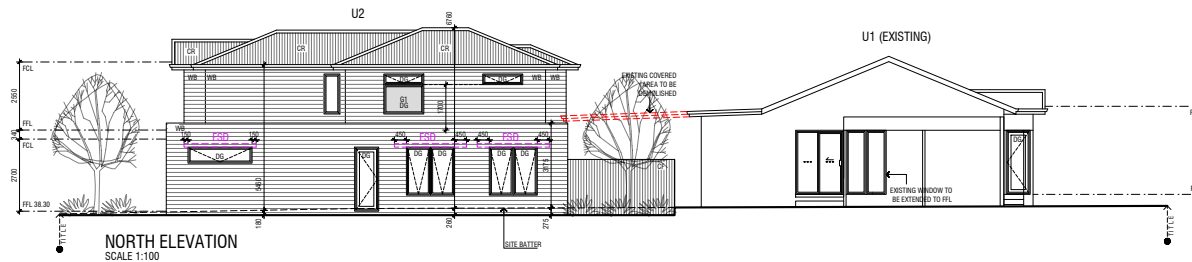
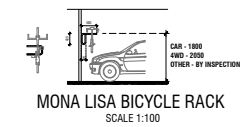
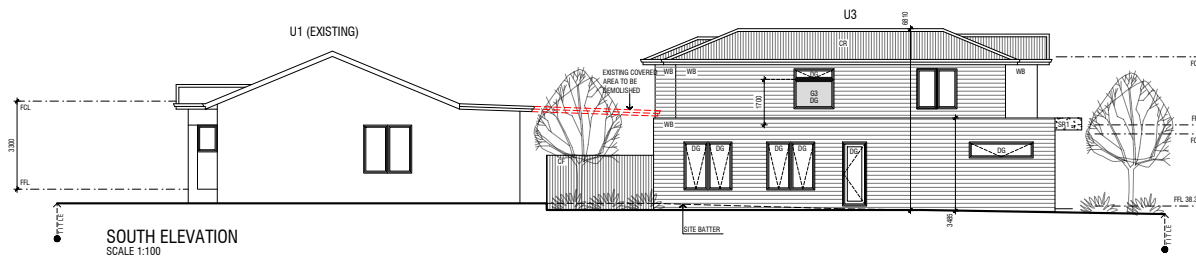


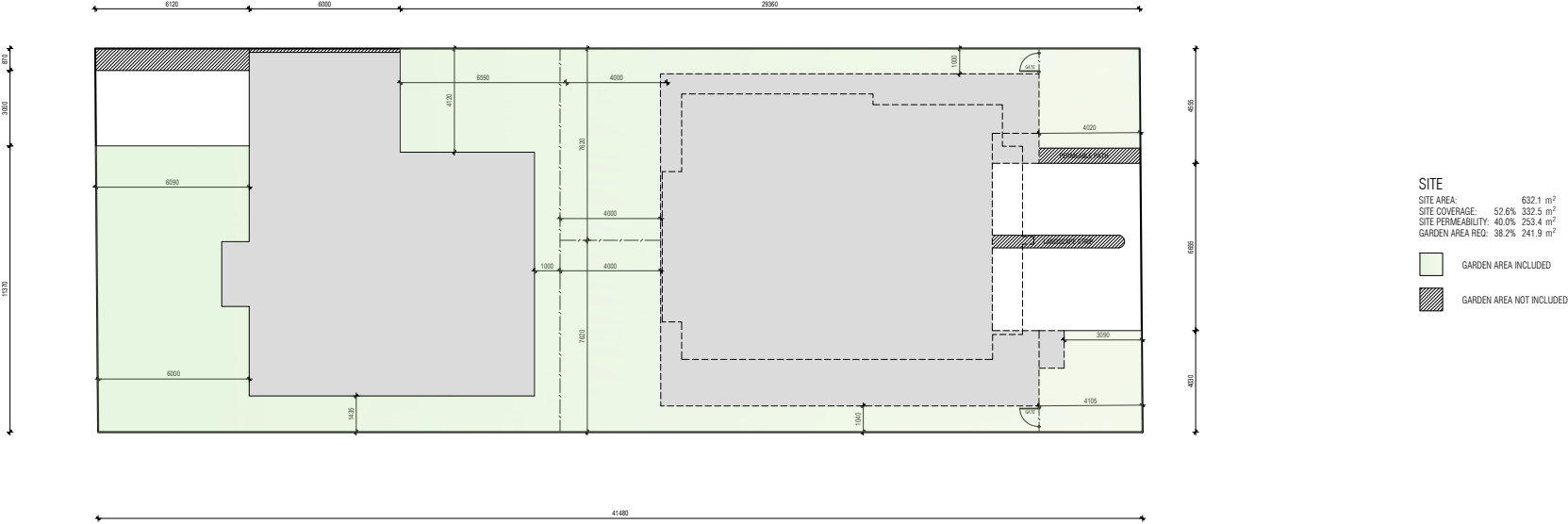


MATERIAL SCHEDULE:

- SR1 SMOOTH RENDER FINISH
- FB FACEBRICK WALL
- GD SELECTED GARAGE DOOR
- WB JAMES HARDIE LINEA CLAD
- G1 OBS GLASS FIXED
- G2 OBS GLASS - 150mm RESTRICTED AWNING
- G3 FIXED OBSCURE GLAZING (NOT FILM) WITH A MAXIMUM TRANSPARENCY OF 25% TO A MINIMUM HEIGHT OF 1.7m ABOVE THE FINISHED FLOOR LEVEL
- CF 1.8m HIGH COLORBOND FENCE
- KR KLIP-LOK ROOF AT 2 DEGREE PITCH
- CR SELECTED COLORBOND ROOF AT 22.5 DEGREE PITCH

ALUMINIUM WINDOWS THROUGH-OUT
COLORBOND GUTTERS, FASCIA'S AND DOWNPIPES





Attachment 12.2.3



NORTH

ALL LEVELS SHOWN ARE TO AHD.

PROVISIONS

Rev: 11/05/2023 TOWN PLANNING SUBMISSION

Rev: 16/05/2024 RESPONSE TO COUNCIL'S REP

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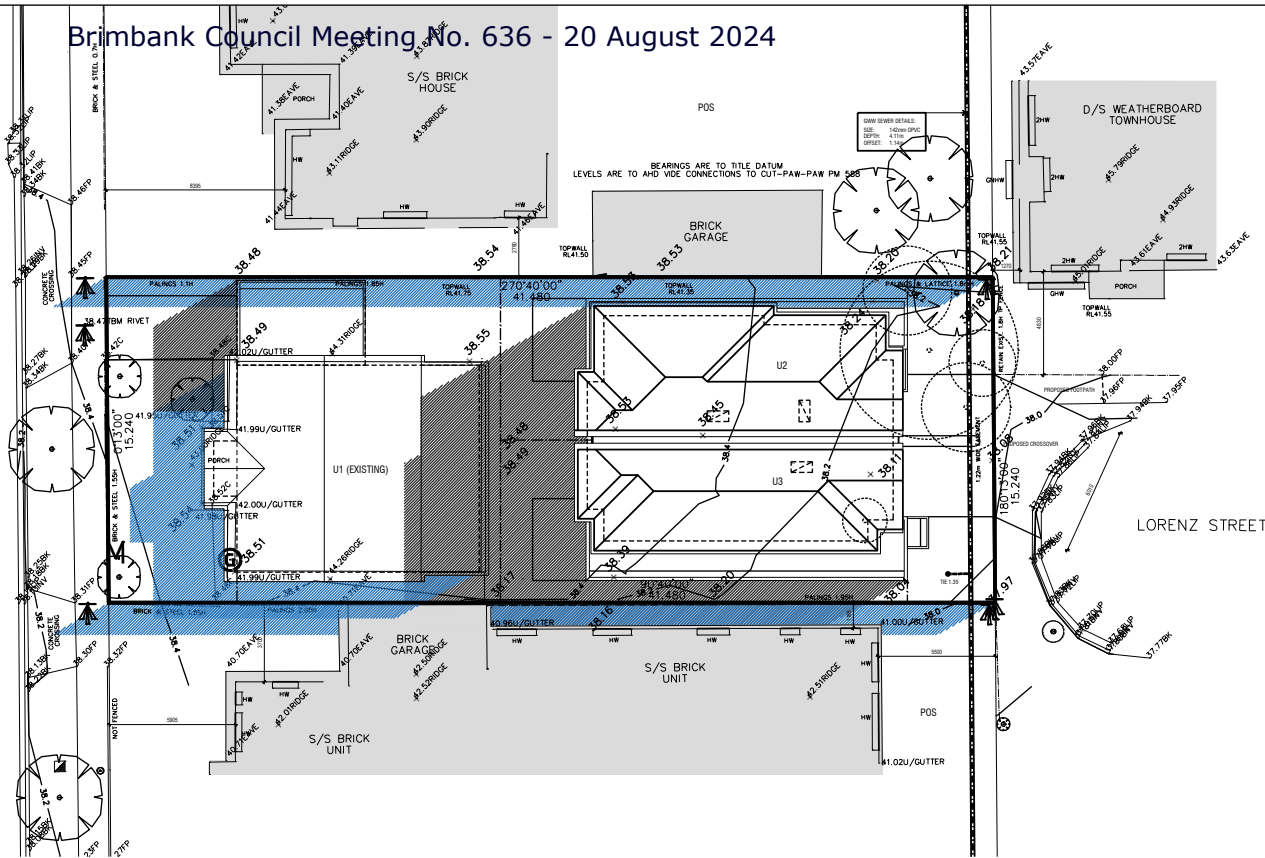
GARDEN AREA PLAN

UNIT DEVELOPMENT
8 PARKSON AVENUE
SUNSHINE

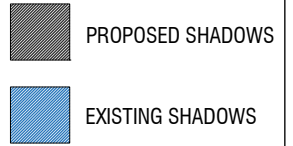
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RAWSON AVENUE



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LEGEND



SHADOW DIAGRAM 9AM
22nd OF SEPTEMBER

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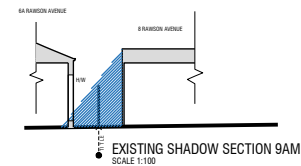
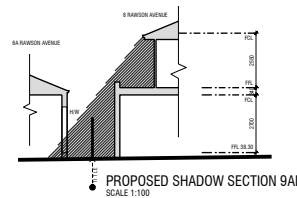
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PROPOSED SHADOW DIAGRAM

UNIT DEVELOPMENT
8 RAWSON STREET, SUNSHINE

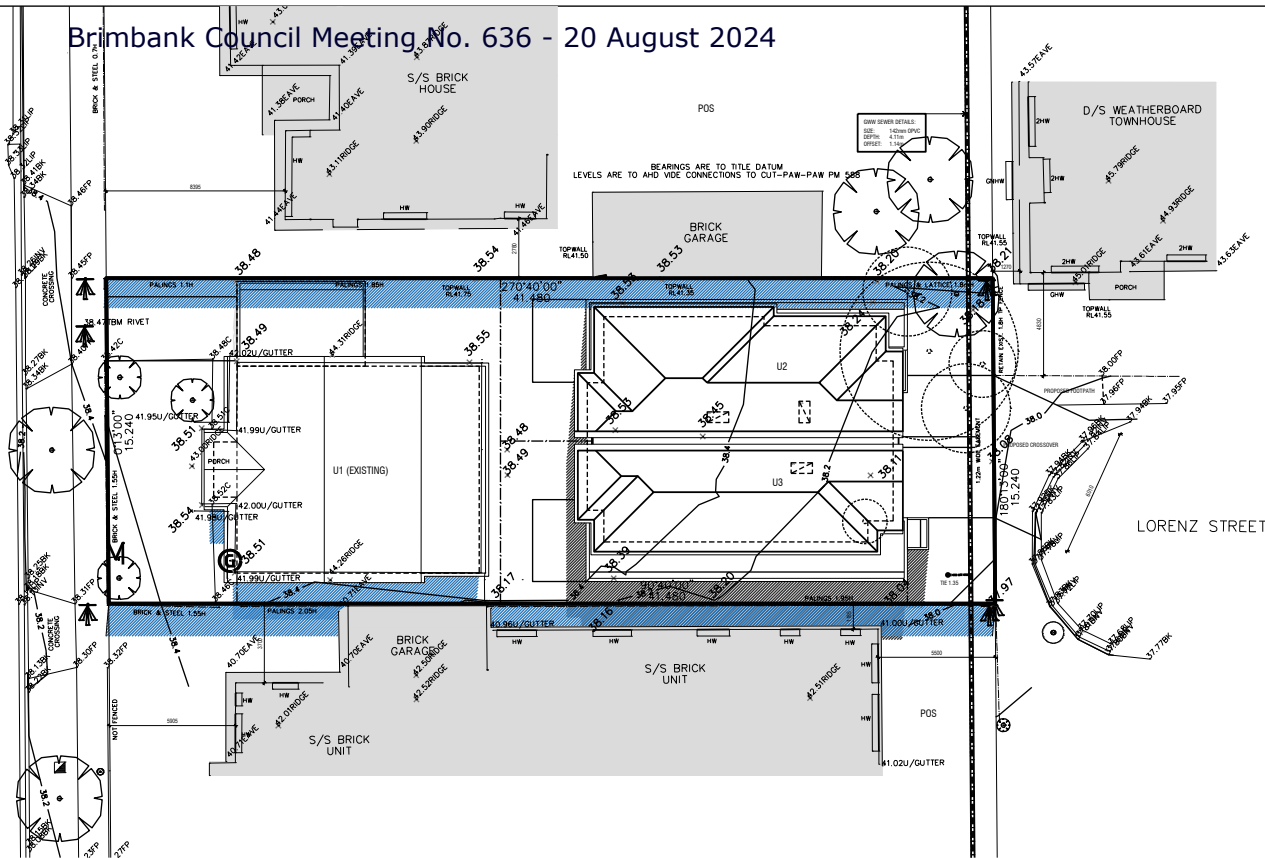
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Attachment 12.2.3

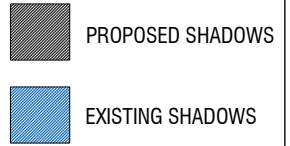


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RAWSON AVENUE



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SHADOW DIAGRAM 12PM
22nd OF SEPTEMBER

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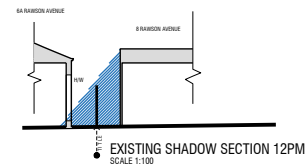
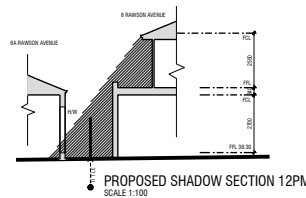
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PROPOSED SHADOW DIAGRAM

UNIT DEVELOPMENT
8 RAWSON STREET, SUNSHINE

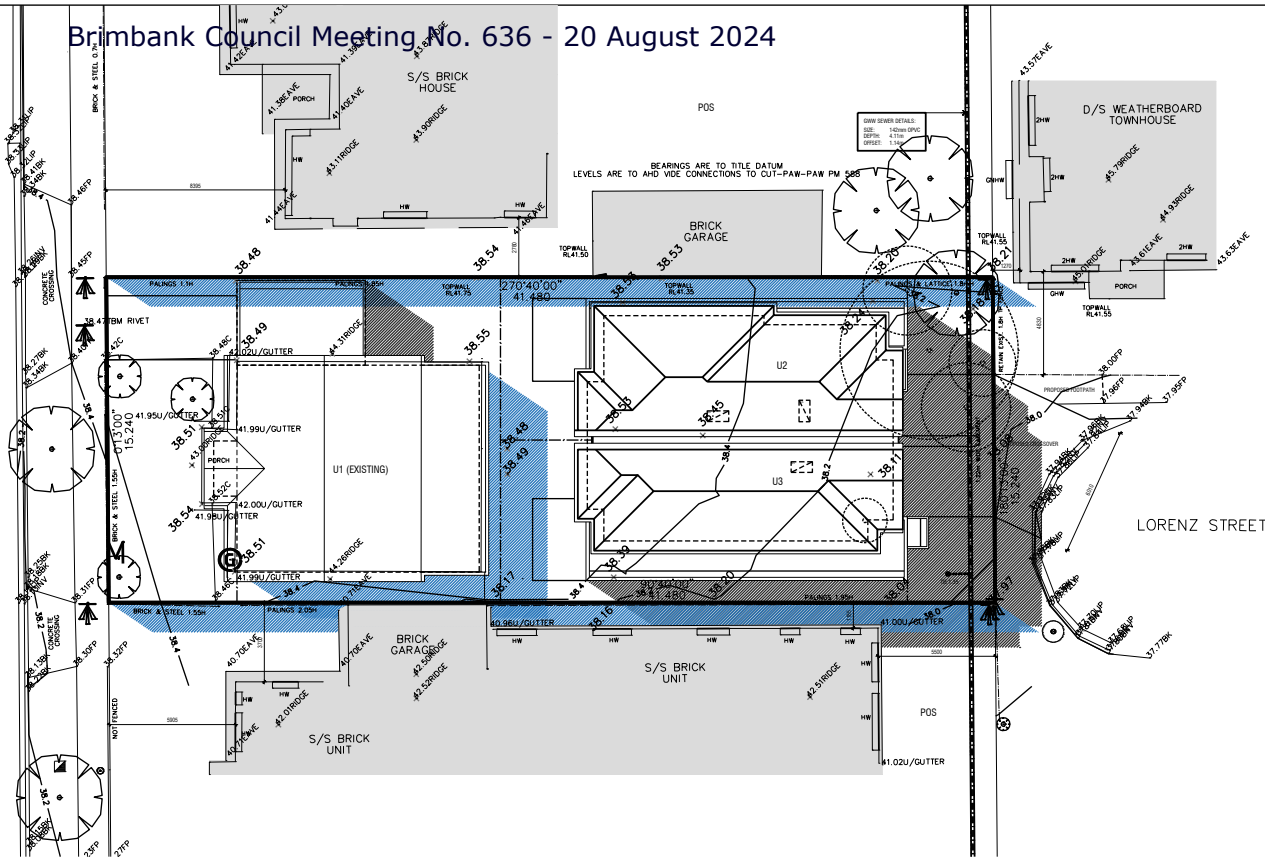
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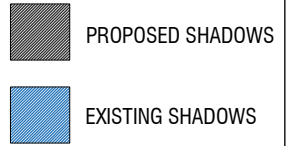


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RAWSON AVENUE



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LEGEND



SHADOW DIAGRAM 3PM
22nd OF SEPTEMBER

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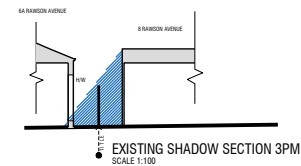
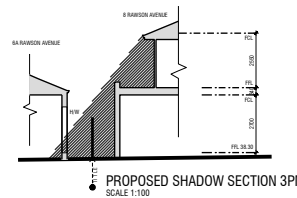
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PROPOSED SHADOW DIAGRAM

UNIT DEVELOPMENT
8 RAWSON STREET, SUNSHINE

SD03
REV-

Attachment 12.2.3



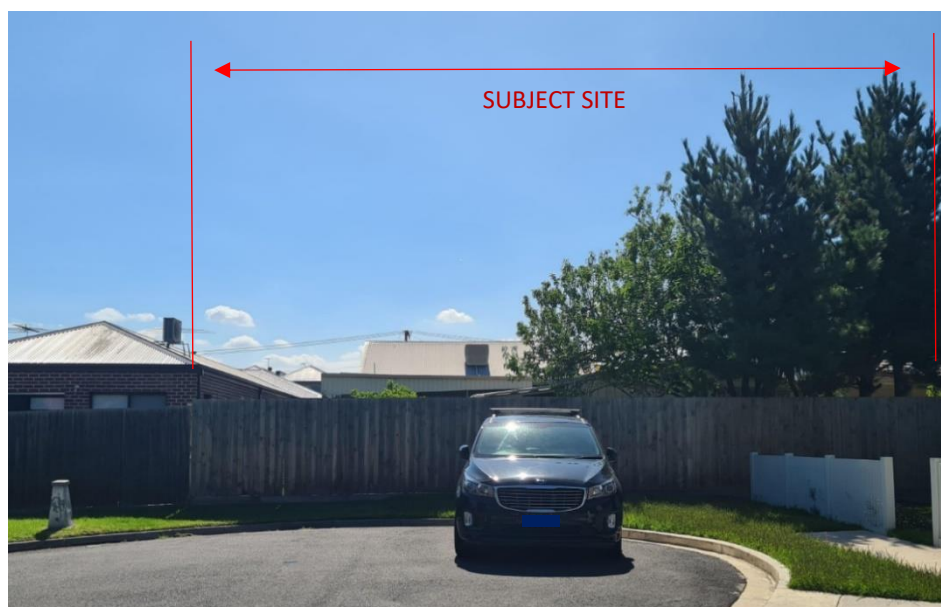


Detailed Assessment

Application Number:	P475/2023								
Location:	8 Rawson Avenue, Sunshine								
Proposal:	Alterations to the existing dwelling and construction of two (2) double storey dwellings to the rear								
Applicant:	Planning & Design								
Have all fees been paid?	<table> <tr> <td>Planning Application Fees</td><td>Yes</td></tr> <tr> <td>Public Notice Fees</td><td>Yes</td></tr> <tr> <td>Section 57 Fees</td><td>Yes</td></tr> <tr> <td>Metropolitan Planning Levy Certificate provided?</td><td>N/A</td></tr> </table>	Planning Application Fees	Yes	Public Notice Fees	Yes	Section 57 Fees	Yes	Metropolitan Planning Levy Certificate provided?	N/A
Planning Application Fees	Yes								
Public Notice Fees	Yes								
Section 57 Fees	Yes								
Metropolitan Planning Levy Certificate provided?	N/A								
Zoning/Overlay:	General Residential Zone Schedule 1 Development Contributions Plan Overlay Schedule 2.								
Adjoining Zoning/Overlay:	All surrounding land is zoned General Residential Zone and is affected by a Development Contributions Plan Overlay Schedule 2.								
Potential Contamination:	A detailed history search of the subject site has not revealed any industrial or potentially polluting uses. No further assessment is required.								
Proximity to former Land Fill sites:	The site is located outside the recommended buffer distance from the nearest former landfill. Accordingly, no landfill gas assessment of this site is required prior to the proposed development.								
Cultural Heritage Management Plan:	Although the site is located within an area designated as being of Aboriginal Cultural Heritage Significance, a Cultural Heritage Management Plan (CHMP) is not required. The development is for the construction of two new dwellings, creating a total of three dwellings. Pursuant to Regulation 10 – <i>The construction of 3 or more dwellings on a lot or allotment is an exempt activity if the lot or allotment is—</i> <i>(a) not within 200 metres of the coastal waters of Victoria, any sea within the limits of Victoria or the Murray River;</i> and <i>(b) less than 0.11 hectares.</i> The site is not located within 200m of a specified location, and has an area less than 0.11 hectares (1,100sqm).								
Restrictive Covenant:	No covenant is registered on the title.								
Section 173 Agreement:	There is no Section 173 Agreement registered on the title.								
Planning History:	There are no previous planning permits or refusals issued for this site.								
Site Inspection Date:	A site inspection was carried out on 5 January 2024 and again on 2 July 2024.								



NearMap aerial image dated May 2024



View of subject site from Lorenz St on 5 January 2024.

Considered Plans:

Advertised Documents and Plans – all received on 30 April 2024.

The main plans are included in **Attachment 3** to this report.

Permit Required Pursuant to:

Definition of Use

Pursuant to Clause 73.03 of the Brimbank Planning Scheme the proposed use is defined as a dwelling.

Use

Pursuant to the table at Clause 32.08-2 under the General Residential Zoning provision, a dwelling is a Section 1 Use and **does not** require a planning permit.

Development

A planning permit **is required** pursuant to Clause 32.08-6 under the General Residential Zoning provision to:

*Construct a dwelling if there is at least one dwelling existing on the lot.
Construct two or more dwellings on a lot.*

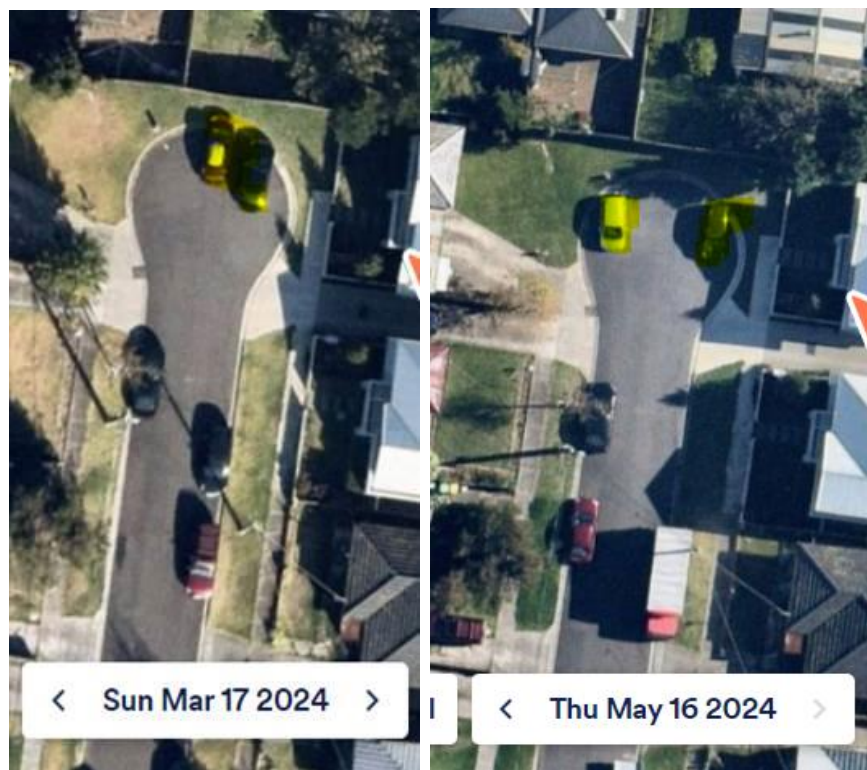
The development must meet the requirements of Clause 55.

	<u>Overlay:</u> A Development Contributions Plan Overlay applies to the site and whilst this does not trigger the need for a planning permit, any permit issued must include conditions to give effect to the approved Development Contributions Plan. <u>Other:</u> Clause 52.06 – Car parking establishes car parking rates, and provides design guidelines for car parking spaces and accessways.
Proposal Details:	The proposal involves works to the existing dwelling (internal works and the construction of a new carport) and the construction of two double storey dwellings to the rear of the lot, with access from Lorenz Street. The plans and elevations are provided in Attachment 3. <u>Existing Dwelling</u> Works to the existing dwelling include the demolition of two roofed elements located to the rear of the dwelling, one of which extends to the northern side boundary. The remaining demolition works involve the removal of two outbuildings. The structures to be demolished have a larger footprint than the dwelling that is to be retained. The existing dwelling contains three bedrooms. The demolition of internal walls will enable the creation of an L-shaped open plan living area positioned to the northern side and rear of the dwelling. New works to the dwelling include the construction of a carport with a roller door for security, with the carport positioned in line with the front wall of the dwelling. The carport will be provided with a tandem car space. A flat roof screened by a brick parapet wall to the front elevation will be supported by four posts. The carport will be located on the northern side of the dwelling and will be accessed via the existing crossover. A sliding door and window will be installed to the new living room, positioned adjacent to the carport. The fixed glazing shall be positioned under the flat roof to the carport, with the sliding door located to the unroofed wall. The remnant driveway paving will be removed and replaced with grass and landscaping. A new internal fence shall be installed 1m from the rear wall of the dwelling to separate the land associated with this dwelling from that of the proposed dwellings. <u>Proposed Dwellings</u> Two double storey attached dwellings are proposed to be constructed to the rear portion of the lot, both with frontage to Lorenz Street. The interface with Lorenz Street is a court bowl configuration. Each new dwelling is provided with both vehicle and pedestrian entry from Lorenz Street. Dwelling 2 contains an entry positioned to the side of the porch with a window for surveillance from the hall provided within the front wall. Dwelling 3 provides a covered entry positioned under a projecting porch with a side window providing surveillance from the hall. A double width crossover is proposed to be constructed to provide access to a double width driveway providing access to the two single side by side incorporated garages and tandem car spaces. Each garage has direct access into the dwelling via the laundry. The single width driveways are separated by a landscape bed for the majority of their depth.

	The ground floor layouts of Dwellings 2 and 3 are similar. The ground floor provides an open plan living area with windows on two external walls. Access to the rear yard will be via sliding doors located in the rear elevation. The secluded private open space has a depth of 4m with additional open space located along the side setback and front yard. The first-floor levels have individual designs. Each dwelling contains a total of 3 bedrooms, one with an ensuite and a central bathroom. Dwelling 3 contains an open study which is too small to be converted into an additional bedroom. First floor walls are setback from the side boundaries, with sheer double storey elements proposed to each façade and the central portion of each rear elevation. The building forms are contemporary. Wider cladding boards in a horizontal arrangement are proposed for both ground and first floor wall finishes, posing a lightweight appearance to both levels of the buildings. The front porches will be cantilevered and finished in render. The roofs present centrally positioned matching gables at the first-floor level to the façade. All remaining first floor roof elements are hipped and constructed in metal cladding. The limited ground floor roof elements are flat and will be screened by parapet walls.
Site & Surrounds:	<u>Subject Site</u> The subject site is located on the east of Rawson Avenue and the majority of the rear boundary faces directly onto Lorenz Street. The dual street frontage of the lot is unusual. The subject site is regular in shape, generally flat and has a frontage of 15.24m, a depth of 41.48m and a total site area of 632sqm. A 1.22m wide drainage and sewerage easement occupies the rear boundary for its full length. The existing dwelling is to be retained, with works outlined in the 'Proposal' section above. The dwelling is typical of original buildings within the locality, presenting a simple form and site layout that provides side access and a larger rear yard that is currently dominated by covered structures and outbuildings. <u>Surrounding Area</u> The site has interfaces with two streets, being Rawson Avenue and Lorenz Street. Each street presents a varied character. Within Rawson Avenue, original buildings were modest in their floor area. Many buildings retain their original configuration while a smaller number contain rear additions. Many lots contain multiple outbuildings located in the rear yard, positioned along one side boundary. One anomaly is No. 13 Rawson Avenue which contains a dwelling with an offset alignment and presents a double storey element constructed to the rear of the original building. The site to the south, being No.6A Rawson Avenue is the only other lot with a partial interface to Lorenz St. This lot does not provide access to Lorenz Street, with vehicle access to the incorporated garage provided from Rawson Avenue. The site has been redeveloped with two single storey side by dwellings with an extended building length and mirror image layout.

	A similar form of redevelopment is present at No's. 5 and 9 Rawson Avenue on the opposite side of the road, where double storey attached dwellings are present. Each of these dwellings contains an incorporated single garage with tandem space located on the side boundary. The first-floor footprints are notably shorter than the extensive ground floor elements. To the north, No. 14 Rawson Avenue is the only example of an infill development where the original building was retained with a second dwelling constructed to the rear. Lorenz Street contains mostly single dwellings with similar characteristics to the original dwellings within Rawson Avenue. A mix of brick and timber dwellings are present, with hipped and gable forms identified. Roof materials are tiles or galvanised iron. Site layouts provide a dwelling with side driveway, low front fence and landscaping in the front setback. A double storey addition is present to the front of the dwelling located at No. 3 Lorenz Street. Infill development is present in the form of two double storey dwellings fronting the street at Nos. 8 and 10 Lorenz Street, with two single storey dwellings located to the rear of the consolidated site. All four dwellings share a centrally positioned accessway. The front elevations of the double storey dwellings present sheer double storey walls with first floor gable elements. Ground floor walls are constructed in brick and rendered finishes, with first floor walls finished in lightweight materials.						
Notification:	As it was considered that the proposal may cause material detriment, the application was advertised to owners and occupiers of adjoining properties in accordance with Section 52 of the <i>Planning and Environment Act 1987</i>. Advertising was undertaken by the following means: <table data-bbox="507 1227 853 1332"> <tr> <td>On Site Notice</td><td>Yes</td></tr> <tr> <td>Mail</td><td>Yes</td></tr> <tr> <td>Newspaper</td><td>No</td></tr> </table> Objections: Yes No. 12 (Note - one objector submitted an individual objection and is part of a joint objection. These have been counted as two separate objections). The amended plans were readvertised, and updated comments from three original objectors were received emphasising that the amended plans do not address the main concern of access from Lorenz Street. The objections are summarised as follows: • Court bowl / cul du sac issues • Lorenz Street parking / traffic • Waste bins storage and collection • Planning considerations • Neighbourhood character • General amenity issues • Other – Commercially based, breaches Charter of Human Rights	On Site Notice	Yes	Mail	Yes	Newspaper	No
On Site Notice	Yes						
Mail	Yes						
Newspaper	No						

	Further details on each summarised point and an assessment against the grounds of objection are provided under <i>Officer's Comments</i> later in this report.
Referrals:	The application was referred to the following departments. Internal: <u>Traffic:</u> Council's Traffic Engineering Unit supports the application subject to the following conditions: <i>CC01B: Car Park Construction – Residential</i> <i>CC03: Vehicular Crossings</i> <i>CC04: Vehicle Crossing Naturestrip and Footpath Reinstatement</i> <i>CC07: Determining Infrastructure in Road Reserve</i> <i>Vehicle crossing splays to be annotated on plans 1200mm required</i> <u>Drainage:</u> Council's Drainage Engineering Unit supports the application subject to the following conditions: <i>EC01: Access to Site</i> <i>EC02: Stormwater Retention</i> <i>EC03: Drainage and Sewerage Connection</i> <i>EC05: Services to be Shown</i> <i>Standard conditions regarding Kerbs</i> <i>Vehicle Crossings</i> <u>Waste Services</u> Council's Waste Services have confirmed that there is already difficulty for garbage trucks to turn around in the cul de sac of Lorenz Street due to the narrow nature of it. An additional two units would make it more difficult for a truck to turn around if cars are parked within the cul de sac. A suggestion is to make the cul de sac section of this street a 'no standing zone' either permanently or on bin days (which in this case is a Tuesday). Their preference is for a permanent 'no standing zone'. The comments from Waste Services were relayed to Council's Traffic Engineers who advised that there are a number of options including: - Waste Services to send a letter to residents advising not to park in the street and obstruct truck movements on bin days. - No standing signs for the top portion of the cul de sac at the cost of the developer – including mail outs, consultation and signage. - Enforcement when cars are parked illegally. <u>Assessment:</u> Given the above comments, Planning officers had a look at the parking situation in the past year and where cars are currently parking. The aerial images below are from NearMap and any cars parked in the cul de sac are highlighted in 'yellow'



On street parking should be available for visitors rather than residents who ideally should park on their property. The images have not been taken on bin collection day, so it is unknown whether cars are parked in the cul de sac of these days.

The new double crossover proposed as part of the application at the top of the court will take away an area where residents are currently parking. It is likely they are parking there because there are currently

no crossovers at the end of the cul de sac so vehicles parking there are not blocking access to any properties.

The current application raises a concern that some of the on-street parking would no longer be available at the cul de sac part of the street. This is an issue with most cul de sacs where the curvature of the bowl limits car parking.

The configuration of the court bowl does not actually allow for any vehicles to park in the court bowl however the aerials indicate that this is currently happening. Creation of access to the proposed development will not result in the reduction of official car parking spaces within Lorenz Street. Further, the creation of access from the court bowl will not prevent vehicles legally conducting multiple manoeuvres within the court bowl to exit the street in a forward direction.

Crossovers are commonly allowed at the head of the court and such arrangement will have no impact on the ability of trucks to turn.

Further investigation following Planning Forum

Following the Planning Forum where it was outlined by the objectors that the garbage truck currently reverses down Lorenz Street to collect the bins, and that all bins were collected from the northern side of the street, Planning Officers undertook discussions with Waste Services Officers who confirmed that this was the case. They advised that this was to prevent the garbage trucks having to reverse out onto Dulcie Street if they were unable to turn around at the end of Lorenz Street, because Dulcie Street tends to be a busy road.

Waste Services advised that they believe that there was the ability to place some additional bins on the northern side of the court bowl (even when the proposed crossover is constructed) without obstructing any crossovers. They advised that the arms on the garbage trucks can reach out from the side of the vehicle so the bins did not necessarily need to be in line with the straight section of the court.

Waste Services still advised that it is their preference that the court bowl itself was a "no standing" zone, but acknowledged that this was not imperative given that the trucks do not currently turn around in this area. Council's Traffic Engineers were also involved in this discussion and agreed that this was not imperative and that they were satisfied with the response from Waste Services.

ESD Officer

Council's ESD Officer supports the application subject to the following conditions:

Drawings

Revise the drawings to provide the following to the satisfaction of the responsible authority:

The following should be detailed on the plans (floor, elevation, landscape and roof plans where possible):

- (1) Provide at least one openable sash in the first-floor stair window, with remote operation if out of reach.
- (2) Note all windows can be locked open.
- (3) Note electric vehicle charging electrical (32 Amp. minimum)

	(4) Provide a WSUD Plan in the main drawing set, annotate tank connection to all toilets and irrigation in each dwelling, and remove reference to raingardens. <i>SDA</i> Amend the SDA to provide the following to the satisfaction of the responsible authority: (5) Revise text in the body of the SDA (not appendices) to remove duplicate information, and provide clear commitments to the following: (a) electric vehicle charging electrical will be a minimum Level 2 (32 Amp. minimum) (b) rainwater tanks will be connected to all toilets and irrigation in each dwelling. (c) timber is to be sourced from sustainably managed sources that hold third party verification is sought (e.g. FSC/PEFC 'Responsible Wood'). (6) Provide space heating and cooling which has energy efficiency which is rated within one star of the best available and adjust BESS accordingly. (7) Provide LED lighting with best practice efficiency and remove reference to fluorescent lighting. (8) Include a full copy of the published BESS report within the SDA after revision to include: (a) Use 5-star minimum efficiency for gas heating, and 4 stars to represent an average rating for heat pumps heating or cooling. (b) Changes triggered by other conditions. (9) Provide a recycling target to ensure waste avoidance, reuse and recycling of materials during demolition and construction. <i>STAND ALONE CONDITION</i> The performance of any Water Sensitive Urban Design (WSUD) device must be monitored and maintained such that it continues to meet Best Practice standards. In the event that the device fails to meet Best Practice standards it must be repaired or replaced with an alternate at the cost of the owner/operator to the satisfaction of the Responsible Authority. External: The application was not required to be referred externally. Discussion on Referral Advice The above mentioned conditions should be included on any permit issued. Discussion on the Waste Services response is included above, including their further response following the Planning Forum.
Planning Scheme Requirements:	Municipal Planning Strategy <u>Clause 02 – Municipal Planning Strategy</u> Clause 02.03-4 – Built Environment and Heritage Clause 02.03-5 – Housing Planning Policy Framework <u>Clause 15 – Built Environment and Heritage</u> Clause 15.01-1S – Urban Design Clause 15.01-2L – Building Design

	Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan (20-minute city) Clause 15.01-5 – Neighbourhood Character Clause 15.01-2L-02 – Environmentally Sustainable Development (ESD) <u>Clause 16 – Housing</u> Clause 16.01-1 – Housing Supply(if 3 or more dwellings) Clause 16.01-2 – Housing Affordability <u>Clause 19 – Infrastructure</u> Clause 19.03-3S – Integrated Water Management Zoning Provisions Clause 32.08 – General Residential Zone Schedule 1 Overlay Provisions Clause 45.06 – Development Contributions Plan Overlay Schedule 2 Particular Provisions Clause 52.06 – Car Parking Clause 53.18 – Stormwater Management in Urban Development Clause 55 – Two or More Dwellings on a Lot and Residential Buildings General Provisions Clause 65 – Decision Guidelines Clause 66.02 – Use and Development
Comparison against Planning Controls:	Municipal Planning Strategy <u>Clause 02.03 – Settlement</u> - <u>Clause 02.03-4 – Built Environment and Heritage</u> Built environment <i>Strategic directions:</i> • <i>Encourage, innovative built form, configuration and design in areas where a change in character is encouraged.</i> • <i>Support development that incorporates durable and weather resistant building materials.</i> • <i>Facilitate the delivery of attractive, safe, high amenity neighbourhoods that have a strong sense of identity.</i> - <u>Clause 02.03-5 – Housing</u> Residential development <i>Strategic directions:</i> • <i>Encourage increased residential development in and around activity centres that are well serviced by public transport, services and community facilities.</i> <i>Encourage medium density development in incremental changes areas, as shown on the Housing map.</i> <i>Planning is to anticipate 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.</i> <u>Assessment</u> The location of this site within the General Residential Zone provides in principal support for a medium intensity of infill residential development that is an appropriate design, having regard to the design provisions contained within the scheme. The inclusion of the land within the General Residential Zone reflects the level of access future occupants of the site would have in relation to physical and social infrastructure and services.

The site has a typical lot area with dimensions that match those of the adjoining and nearby sites. It is the interface with a road to the rear of the site being Lorenz Street that creates an unusual feature of the lot – a characteristic that is only shared with No.6A Rawson Avenue to the south of the site.

In summary, this site has an unusual opportunity due to the dual street frontages and the proposal utilises this opportunity to create dwellings with frontage to each street.

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

Planning Policy Framework

Clause 15 – Built Environment and Heritage

- Clause 15.01-1L – Urban Design - Brimbank

Strategies

Encourage low-level planting adjacent to windows, fencing and pathways to define private and public land.

Encourage landscaping design that complements that landscape treatments of adjoining public spaces.

Encourage landscaping that enhances pedestrian safety, provides clear sight lines and does not create concealed spaces.

Ensure outdoor spaces are design to be safe, accessible and adaptable so that they can be used by different age groups and for different purposes.

Encourage lighting along pedestrian pathways.

Policy Guidelines:

- *Using indigenous, drought tolerant species in landscapes areas.*
- *Avoiding the use of species identified as environmental weeds.*

Assessment:

The scheme seeks development that takes the site characteristics into consideration, as well as the neighbourhood character considerations which require the design response to have appropriate regard for the nearby building and development forms.

The neighbourhood character considerations reflect the varied scale of development presented to each of the street interfaces, the public realm and in the wider surrounding area. The scheme seeks development that respects the characteristics of development in the locality and dwellings in single and double storey buildings with traditional layouts and incorporated car parking facilities. The scheme also seeks to achieve development that presents appropriate building bulk and highly articulated buildings to the street and adjoining properties. The neighbourhood character is created by the original relatively modest buildings and more recent infill developments where double storey building form presented to the street is typical (8-10 Lorenz Street).

- Clause 15.01-2L – Building Design

Strategies

- *Incorporate external services and equipment such as storage, plumbing, heating, ventilation and lift over-runs into the building design and conceal them from public view.*
- *Encourage unobtrusive waste collection and storage areas that are screened from the street and accessible by waste collection vehicles.*
- *Encourage covered car parking spaces to be located behind the front façade of dwellings.*
- *Provide for landscaping opportunities within front and side setbacks and between dwellings in new developments.*

Assessment:

The proposal utilises high quality materials and ensures the development is oriented toward the street. The design and scale of the proposed development is such that it will contribute positively to the streetscape and character of the area. The double storey and attached building elements are present in both adjoining streets. The use of lightweight materials at both building levels will create an infill development with a softened appearance, creating a new contemporary building form in the locality.

- Clause 15.01-2L-02 – Environmentally Sustainable Development

This policy complements a range of non-statutory measures aimed at encouraging environmentally sustainable development through energy performance, integrated water management, indoor environment quality, transport, waste management and urban ecology. The overarching objective is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Strategies

Facilitate development that minimises environmental impacts.

Encourage environmentally sustainable development that:

- *Is consistent with the type and scale of the development.*
- *Responds to site and opportunities and constraints.*
- *Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimises environmental impacts.*

Reduce urban heat island effects through building design, landscape design, water sensitive urban design and the retention and provision of canopy and significant trees.

A Sustainable Design Assessment (SDA) was submitted and the plans include the recommendations of the environmental report.

- Clause 15.01-5L Neighbourhood character

The objective is to recognise, support and protect neighbourhood character, cultural identity and sense of place to ensure that development responds to its cultural identity and contributes to existing and preferred neighbourhood character.

Strategies

Orient development to address the street frontage.

Preserve or enhance the landscape character by:

- *Ensuring access ways are located to minimise any impact on street trees.*
- *Ensuring driveways and hard stand areas do not dominate the frontage of dwellings.*
- *Encouraging the retention and planting of new canopy trees, especially within front setbacks.*

Ensure secluded private open space is located behind the front façade of dwellings.

Policy guidelines (consider as relevant):

- *Providing no more than one vehicle crossover per site frontage.*

Assessment:

The construction of a carport to the side of the existing dwelling is typical of development on single dwelling lots. The development retains the Rawson Avenue streetscape character, resulting in minimal change being proposed albeit with the double storey dwellings having a limited level of visual intrusion. There is no opposition to further double storey dwellings being developed in the locality, subject to an appropriate level of amenity being retained for the adjoining properties and an acceptable quality of design being provided.

The creation of two additional dwellings in the rear portion of the site with access to Lorenz Street creates an efficient site layout with the benefit of providing each dwelling with direct street frontage and private vehicle access. The double storey nature of the new dwellings creates a lower site coverage and replicates the general form and scale of nearby infill developments. The existing boundary fence fronting Lorenz Street will be replaced by two double storey dwellings fronting the street.

Clause 16 – Housing

- Clause 16.01-1L – Housing Supply - Brimbank

Strategies

Increase the amount of housing and a mix of dwelling types in and around the Sunshine Metropolitan Activity Centre, where there is good access to services, facilities and transport.

Assessment

The development provides one dwelling with a single floor level that could be modified to provide accommodation for a person/s of limited mobility.

The proposed dwellings contain bedrooms only at the first floor level, and could not be occupied by a person/s of limited mobility. These dwellings are capable of providing accommodation for families, with each dwelling having three bedrooms plus a separate study. The site is within a reasonable walking distance from the Sunshine Campus of Victoria University, Sunshine Harvester Primary School and the Sunshine Town Centre.

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

Zoning and Overlay Provisions

Clause 32.08 – General Residential Zone (Schedule 1)

Purpose:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The purpose of the zone (as listed above) is considered throughout the assessment of this report.

Clause 32.08-1 – Neighbourhood Character Objectives

This clause states that the Schedule must contain neighbourhood character objectives to be achieved for the area, however no objectives are currently included in the Schedule.

Clause 32.08-4 – Construction or extension of a dwelling or residential building

This clause was introduced into the planning scheme on 27 March 2017 via VC110 and specifies the following requirements:

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot, must provide the minimum garden area at ground level as set out in the following table:

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

The subject site is 632sqm, requiring a minimum garden area of 30%. A garden area of 32% has been set aside for this allotment, meeting the minimum requirements.

Clause 32.08-7 – Requirements of Clause 55

Clause 32.08-5 list specific requirements within Schedule 1 which overrides the following standards of Clause 55 (ResCode):

B13 (landscaping) and
B28 (private open space).

The provision states that if a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 55 applies.

Clause 32.08-10 – Maximum building height for a dwelling or residential building

This clause specifies the following requirements:

A building must not be constructed for use as a dwelling or a residential building that:

exceeds the maximum building height specified in a schedule to this zone; or

contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

the building height must not exceed 11 metres; and

the building must contain no more than 3 storeys at any point.

As there is no height specified in the schedule to the zone, the maximum building height therefore should not exceed 11 metres and contain no more than 3 storeys at any point.

The proposal has a maximum building height of 6.9m and contains no more than 2 storeys, meeting the requirements specified above.

Clause 32.08-13 - Decision Guidelines

The relevant decision guidelines within the General Residential Zone states:

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of this zone.*
- *The objectives set out in a schedule to this zone.*
- *Any other decision guidelines specified in a schedule to this zone.*
- *The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.*
- *For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.*

No roof mounted solar panels have been identified on the adjoining buildings.

In addition to the above, the following decision guidelines are stipulated within the Schedule to the zone:

- *Whether the development provides for an appropriate transition in built form, scale and height to the adjoining Neighbourhood Residential Zone or Residential Growth Zone.*
- *The extent to which the proposed building or works assists in respecting and enhancing the character of the area.*
- *The extent to which the proposed buildings or works retain existing canopy trees and create new opportunities for landscaping and adequate space for canopy tree planting.*
- *The extent to which the proposed built form reflects prevailing side setbacks, where applicable.*
- *The layout and appearance of areas set aside for car parking, access and egress and the location of any proposed off-street car parking.*

- *Whether garages and carports are located behind the façade of the proposed development.*
- *Whether a variation to the requirements of part 2.0 would result in a loss of on or offsite amenity.*

The above decision guidelines have been considered throughout this report, in particular against the objectives and standards of ResCode.

Note that no 'design objectives' have been set in the schedule to the zone at this time.

Clause 45.06 - Development Contributions Plan Overlay (Schedule 2)

The purpose of the Development Contributions Plan Overlay is:
To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

It applies to all new development that results in additional demand units, meaning the levy amount is based on the proposed increase in the number of dwellings on a site.

The site is located within a specified charge area as detailed at Clause 1 of the Schedule. The contribution amounts are current as at 30 June 2016 and will be adjusted annually on July 1 each year to cover inflation, by applying the Consumer Price Index for Melbourne (All Groups) as published by the Australian Bureau of Statistics.

A condition will be included on any permit to issue requiring the payment of the development contribution, in accordance with the requirements of this overlay.

The application has been assessed against the relevant zoning and overlay provisions and it is considered that the proposed development is consistent with the purpose of the zoning and overlay controls contained within the Brimbank Planning Scheme.

General Provisions

Clause 65.01 requires that before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The extent and character of native vegetation and the likelihood of its destruction.*
- *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.*

- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*
- *The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.*
- *The impact the use or development will have on the current and future development and operation of the transport system.*

The relevant matters set out in s60 of the Act are:

- (1) *Before deciding on an application, the responsible authority must consider—*
- (a) *the relevant planning scheme; and*
 - (b) *the objectives of planning in Victoria; and*
 - (c) *all objections and other submissions which it has received and which have not been withdrawn; and*
 - (d) *any decision and comments of a referral authority which it has received; and*
 - (e) *any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development; and*
 - (f) *any significant social effects and economic effects which the responsible authority considers the use or development may have.*
- (1B) *For the purposes of subsection (1)(f), the responsible authority must (where appropriate) have regard to the number of objectors in considering whether the use or development may have a significant social effect.*

The application has been assessed against the Decision Guidelines, in particular Clause 65.01 (Approval of an Application or Plan) of the Planning Scheme and section 60(1) and (1B) of the Act, and it is considered that the proposed development meets the relevant decision guidelines contained within this section of the Brimbank Planning Scheme, subject to certain conditions being included on any planning permit issued (these conditions are outlined throughout this report).

Whilst it is noted that there are 12 objections to this planning application, the grounds of objection raised relate predominantly to amenity considerations, neighbourhood character, car parking and traffic concerns. None of these items specifically relate to significant social effects.

Particular Provisions

Clause 52.06 – Car Parking

Clause 52.06-5 sets out the following requirements for car parking on site:

- 1 car space to each 1 or 2 bedroom dwelling;*
- 2 spaces to each 3 or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms);*
- And*
- 1 visitor's space to every 5 dwellings (for development of 5 or more dwellings), unless the land is located within the Principal Public Transport Network Area, then no visitor space required.*

The proposal includes the following car parking spaces in accordance with the standard requirement:

Dwelling 1 (existing dwelling) contains 3 bedrooms and is provided with 2 car spaces in the form of a single carport and tandem car space.
Dwelling 2 contains 3 bedrooms and is provided with 2 car spaces in the form of a single garage and tandem car space.
Dwelling 3 contains 3 bedrooms and is provided with 2 car spaces in the form of a single garage and tandem car space.

In relation to the garage doors, where a tandem space is provided in front of the carport or garage to each dwelling, the garage door has been notated on the plans as a panel lift door.

Another important consideration to note is that pedestrian access and storage cupboard doors of Dwellings 2 and 3 do not open inwards into the garage.

The car parking provision also includes design standards that car parking spaces and accessways must meet. These standards are outlined under Clause 52.06-9.

The accessway and car parking provisions comply with the design standards, and Council's Traffic Engineer has raised no objections to the layout subject to conditions of permit.

The proposed layout is therefore considered to be acceptable in terms of traffic safety and has support from Council's Traffic Engineer subject to conditions.

Other design standards for car parking are carried out as part of the assessment against Clause 55 (see assessment below).

Clause 53.18: Stormwater Management in Urban Development

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- *Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.*
- *The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.*
- *Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.*
- *Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.*
- *The capacity of the drainage network to accommodate additional stormwater.*
- *Whether the stormwater treatment areas can be effectively maintained.*
- *Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.*

The application included Environmental Sustainable Design information which has been reviewed by Council's ESD Officer and Engineering Department in accordance with the decision guidelines above and will form part of the endorsed plans.

Clause 55 – Two or more dwellings on a Lot and Residential Buildings

		Clause 55 sets out “objectives” for a number of design components. All “objectives” must be met. “Standards” are also included and these should be met unless it is demonstrated that compliance with the objectives has been achieved. However where a development meets standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is deemed to meet the objective for that standard. Where standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32 is met the decision guidelines for that standard do not apply to the application. Below is an assessment against the standards of Clause 55.
Clause 55: Two or More Dwellings on a Lot and Residential Buildings		
B1	Neighbourhood Character	<u>Objective</u> <i>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</i> <i>To ensure that development responds to the features of the site and the surrounding area.</i> <u>Assessment</u> The site and surrounds were described in detail earlier in this report. The analysis identified: • The characteristics of original single dwellings on regularly shaped lots. • The emerging character of infill development being double storey attached dwellings in a side by side layout. • Limited double storey additions to original dwellings. • Limited infill development where the original building was retained and the rear portion of the site developed. • Limited presence of consolidated sites, with the land at No.8-10 Lorenz Street the only example with a combination of double and single dwellings developed. The new works to the existing dwelling will create a covered and secured car space positioned to the side of the dwelling, with the garage door positioned within a brick parapet wall. The original dwelling which presents typical characteristics of single dwellings will be retained. The two dwellings will have direct street frontage and present a side by side, double storey attached building form. Each dwelling contains a direct outlook onto the street from the entry with multiple habitable room windows at the first floor level of the facade. A shared double width crossover is positioned centrally on the site boundary, with a central landscape bed separating the driveways. Variations proposed to this development include the use of lightweight materials for all walls at both levels of each dwelling. This breaks the typical presence of some form of face brickwork at the ground floor level of infill developments. Another variation is the provision of individual designs for each dwelling, rather than the typical mirror image of nearby dwellings within infill developments. In this context, the proposal is considered to present appropriate interfaces to the two streetscapes, the numerous adjoining dwellings and the public realm. The provision of additional double storey building form in a site layout that has regard to the dual frontage of the lot and

		the identified neighbourhood character elements has been developed in this efficient layout and design response. Complies
B2	Residential Policy	<u>Objective</u> <i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i> <i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</i> <u>Assessment</u> The application was accompanied by a written statement which addresses all the requirements contained within the Brimbank Planning Scheme, in particular the provisions of Clause 55. Complies
B3	Dwelling Diversity	<u>Objective</u> <i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</i> <u>Assessment</u> This standard only relates to 10 or more dwellings. N/A
B4	Infrastructure	<u>Objective</u> <i>To ensure development is provided with appropriate utility services and infrastructure.</i> <i>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</i> <u>Assessment</u> The subject site is located within an existing residential area and will be able to connect to reticulated services, including sewerage, drainage, electricity. Complies
B5	Integration with the Street	<u>Objective</u> <i>To integrate the layout of development with the street.</i> <u>Assessment</u> The dwellings have been sited and orientated, within the constraints of the site and 1.8m high fencing separating the front of dwelling 2 and Unit 1, 10 Lorenz St, to face the respective street with unobscured covered entries. Complies
B6	Street Setback	<u>Objective</u> <i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</i> <u>Assessment</u> The design response does not fit into any of the scenarios established under the numerical requirements of this standard. The adjoining dwelling (1/10 Lorenz St) is located on a site that has a front boundary to Lorenz Street that is positioned 90° to the proposed front boundary of the subject site.

		With the front boundaries having a varied alignment (ie; 1/10 Lorenz St orientated south; proposed dwelling 2 facing east), the provisions of the numerical requirements cannot be used to assess the proposed development. The decision guidelines for this standard which are: <i>Before deciding on an application, the responsible authority must consider:</i> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The design response. • Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots. • The visual impact of the building when viewed from the street and from adjoining properties. • The value of retaining vegetation within the front setback. There are no preferred neighbourhood character provisions that apply. The proposal has a front setback of 4m to each front wall of Dwellings 2 and 3, with the porch of Dwelling 3 encroaching into this setback for a depth of 1m. The centrally positioned double driveway will also provide pedestrian access to the entry of Dwelling 3 with Dwelling 2 provided with a pedestrian path. The remaining land will form landscaping positioned at either side of the site interface with Lorenz Street. The front setback proposed has the capacity to contain an appropriate level of landscaping, including an opportunity to introduce a central landscape bed between the two side by side driveways to be accessed from the double width crossover. The double storey scale and form of the development is similar to that of the interface created by the two dwellings fronting Lorenz St on the adjoining lot at No.10 where a central shared driveway provides access to the 4 dwellings developed on the site. Assessment against the objective is also relevant, where dual outcomes are required to be met: <i>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</i> The development is considered to create an outcome where the front setback of the new dwellings creates the opportunity for appropriate car parking and landscape facilities to be created, including the provision of a central landscape strip between the two single width driveways. The attached building form, creation of a tandem car parking arrangement with use of a shared, centrally positioned double width crossover are considered to constitute an efficient site layout. Complies with objective
B7	Building Height	This standard is replaced with the maximum building height provisions specified in the zone requirements. Refer to earlier assessment under the zoning section of this report.

B8	Site Coverage	Objective <i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i> Numerical requirements <i>The site coverage should not exceed 60%.</i> Assessment The proposal incorporates site coverage of 52%. The site coverage respects the neighbourhood character. Complies
B9	Permeability	Objective <i>To reduce the impact of increased stormwater run-off on the drainage system.</i> <i>To facilitate on-site stormwater infiltration.</i> Numerical requirements <i>The site area covered by the pervious surfaces should be at least 20%.</i> Assessment The proposed development results in 40% of the site area being covered by pervious surfaces in accordance with the standard. This is considered sufficient to reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration. Complies
B10	Energy Efficiency	Objective <i>To achieve and protect energy efficient dwellings and residential buildings.</i> <i>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</i> Assessment No roof mounted solar panels have been identified on the adjoining buildings. The proposal has given due consideration to the orientation of the lot and provides an appropriate layout to make appropriate use of solar energy where possible. The existing dwelling will be provided with a north facing window and sliding door to the open plan living area, providing increased access to daylight and ventilation. In relation the new dwellings, eaves are provided to all first-floor windows for protection from the summer sun. Ground floor windows are not covered with eaves, providing increased access to daylight with the walls setback 1m from the side boundaries. The provision of windows and openings to two external walls of the open plan living areas will be provided with increased access to daylight and cross ventilation. First floor bathrooms located centrally are provided with skylights to compensate for the rooms not having a window on an external wall. Windows adjacent to the stairs will provide daylight to the central halls. Complies

B11	Open Space	Objective <i>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</i> Assessment There is no communal private open space provided in or adjacent to the development. N/A
B12	Safety	Objective <i>To ensure the layout of development provides for the safety and security of residents and property.</i> Assessment The development has been designed to take into account safety and security, with the entries to each new dwelling being visible from the street and for dwelling 2 & 3, a window adjacent to the front entrance providing surveillance over the driveway and visitors arriving at the site. The covered entries will provide shelter for the future residents and visitors. Additional security and convenience have been created through the provision of direct access to Dwellings 2 and 3 from the incorporated garage, and the sliding door adjacent to the carport of the existing dwelling will form the same function. Complies
B13	Landscaping	Objective <i>To encourage development that respects the landscape character of the neighbourhood.</i> <i>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</i> <i>To provide appropriate landscaping.</i> <i>To encourage the retention of mature vegetation on the site.</i> Numerical requirements The schedule to the General Residential Zone specifies the following requirement in relation to this standard: <i>A minimum of 1 medium-sized tree of 6-12 metres (at maturity) should be provided in the front setback.</i> <i>A minimum of 1 small to medium sized tree up to 6 metres (at maturity) should be provided in private or secluded private open space greater than 25 square metres in area.</i> <i>Planting to be provided along the length of any driveway.</i> <i>Where new building bulk visually impacts on adjoining dwellings, a landscaped vertical screen should be provided.</i> Assessment The proposed development will allow for appropriate landscaping to enhance the neighbourhood character and amenity of adjoining and future residents. A new landscape bed will be created along the northern boundary and along the driveway to the carport. This will increase the landscaping presented to Rawson Avenue. Three of the four trees present in the rear portion of the site are proposed to be removed, with the tree to be retained located in the

		north-east corner of the lot. The semi-mature street tree located in the Rawson Avenue naturestrip will also be retained. Tree planting will be required in the rear yard of each dwelling as well as within the front setback of the new dwellings. Landscaped front setbacks will be provided to dwellings 2 & 3 fronting Lorenz St. The land located on either side of the shared driveway to be created to Lorenz Street will provide landscaping that will form an attractive outlook from the dwelling entries. A condition of permit will also require the introduction of a landscape strip between the tandem parking spaces to soften the appearance of the development as viewed from Lorenz St. A detailed landscape plan will be required as a condition on the permit specifying the requirements above. Complies subject to conditions
B14	Access	<u>Objective</u> <i>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</i> <u>Numerical requirements</u> <i>The width of accessways or car spaces should not exceed:</i> • <i>40 per cent of the street frontage where the width of the street frontage is less than 20 metres,</i> <i>No more than one single-width crossover should be provided for each dwelling fronting a street.</i> <u>Assessment</u> The car parking facilities for the existing dwelling will be accessed via the existing single crossover to Rawson Avenue. A 6m wide double width crossover is proposed to Lorenz Street, increasing in width to 6.6m at the property boundary. The new crossover occupies 39.5% of the frontage of the site. The following considerations apply to the variation sought: • The double width crossover is positioned centrally with the design response creating landscaping within the site and in the naturestrip to the southern side of the crossover. The landscaping will soften the appearance of the wider crossover and corresponding driveways. • All original crossovers within Lorenz Street are double width, in a configuration where each dwelling is provided with a single crossover joined with the crossover to the adjoining dwelling. • The new crossover to No.10 Lorenz Street is single width and positioned centrally to the site's frontage. This crossover is connected to the northern side of the court bowl and is the only crossover to the court bowl. It is considered that the number and design of the proposed vehicle crossovers respect the neighbourhood character. The provision of an increased naturestrip width and landscaping to the front boundary will reinforce the residential character of the development and prevent cars from parking in the cul de sac.

		Complies Unit 1 Variation sought and supported Unit 2 and 3
B15	Parking Location	Objective <i>To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments.</i> Numerical requirements <i>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</i> Assessment The position of driveways within the development will not create parking areas adjacent to habitable room windows of a separate dwelling within the development. The proposed car parking is considered convenient for resident's vehicles and ensures that the statutory required parking spaces are fully contained within the confines of the site. Complies
B17	Side and Rear Setbacks	Objective <i>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i> Numerical Requirements <i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</i> <i>At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</i> <i>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</i> <i>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</i> Assessment Based on the wall heights of 3.45m at the ground floor level and 5.2m at the first-floor level, the required setbacks in this instance are: 1m at the ground floor level and 1.48m at the first-floor level. The dwellings are setback a minimum of 1m at the ground floor level and 1.6m at the first-floor level from the side and rear boundaries in accordance with the standard. It is considered that the height and setback of the proposed buildings respect the neighbourhood character and limits the impact on the amenity of the dwellings.

		Complies
B18	Walls on Boundary	Objective <i>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</i> Numerical Requirements <i>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</i> <i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or;</i> <i>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</i> <i>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</i> <i>A building on a boundary includes a building set back up to 200mm from a boundary. The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</i> Assessment In this instance the length of the carport structure permitted to be located on the northern boundary is 17.8m. The proposed carport structure on the northern boundary is 6m in length and are a height of 3.3m to the parapet of the façade in accordance with the standard. Complies
B19	Daylight to Existing Windows	Objective <i>To allow adequate daylight into existing habitable room windows.</i> Numerical requirements <i>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky.</i> Assessment All existing windows will maintain a minimum 3m² light court in accordance with the standard. The development will have no impact on daylight access to 1/10 Lorenz St and the proposed development is separated from 10 Rawson St by a driveway and brick garage. It is considered that adequate daylight is provided into existing habitable windows. Complies

B20	North Facing Windows	<u>Objective</u> <i>To allow adequate solar access to existing north-facing habitable room windows.</i> <u>Numerical requirements</u> <i>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</i> <u>Assessment</u> A total of five north facing habitable windows are located to the south of the site. The windows setback 1.19m from the boundary. The windows are not covered with an eave. The ground floor wall of Dwelling 3 is required to be setback 1m from the boundary. The first-floor wall of Dwelling 3 is required to be setback 1.96m from the boundary. The southern walls of Dwelling 3 are setback 1m from the shared boundary at the ground floor level, and 2.88m from the first-floor level in accordance with the standard. <u>Complies</u>
B21	Overshadowing Open Space	<u>Objective</u> <i>To ensure buildings do not significantly overshadow existing secluded private open space.</i> <u>Numerical requirements</u> <i>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September. If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</i> <u>Assessment</u> The proposal complies with the numerical standards above. The dwelling to the south contains secluded private open space located along the rear boundary, beyond the rear wall of the extended footprint of the dwelling. The open space has a depth of 5.5m. Whilst shadow plans indicate that the shadow cast by the development create a minor increase in shadow beyond that cast by the existing fence at 3pm on the equinox, the secluded private open space of the dwelling to the south will maintain sunlight access in accordance with the requirements of this standard. <u>Complies</u>
B22	Overlooking	<u>Objective</u> <i>To limit views into existing secluded private open space and habitable room windows.</i> <u>Numerical Standards</u> <i>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9</i>

		<i>metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</i> <i>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</i> <i>Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</i> <i>Have sill heights of at least 1.7 metres above floor level.</i> <i>Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</i> <i>Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</i> <i>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.</i> <i>Screens used to obscure a view should be:</i> <i>Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</i> <i>Permanent, fixed and durable.</i> <i>Designed and coloured to blend in with the development.</i> <i>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</i> <u>Assessment</u> A site cut along the internal north-south boundary will result in the ground level of the proposed dwellings being lowered slightly. The site cut and resultant altered ground levels are indicated on the plans and elevations. The proposal has incorporated the following mitigation measures in accordance with the standard: <u>Northern boundary interface</u> At the ground floor level, visual barriers comprise fences and lattice with a height of 1.8m, a 3.3m high garage wall and a fence with a height of 1.85m. These structures will provide an appropriate visual barrier between the dwellings at the ground floor level. At the first-floor level, two-bedroom windows are proposed. The windows are screened with one window containing fixed obscure glazing to a height of 1.7m above finished floor level with clear and openable glazing above. The second window is a highlight window with a sill height of 1.7m above finished floor level with clear openable glazing. A window provided at the landing of the stairwell is non-obscured. Whilst the garage provides limited screening, a condition of permit will require the window to comprise the use of a fixed external screen that satisfies the overlooking requirements of Standard B22.
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		<u>Eastern boundary interface</u> This interface has an outlook onto Lorenz St. At the ground floor level, the boundary shared with No.10 Lorenz St will retain a portion of 1.8m high fencing providing privacy between the dwellings at the ground floor level. At the first-floor level, two habitable room windows are proposed. The window to Dwelling 2 is a distance of 7.5m from the ground floor habitable room window of 1/10 Lorenz and 8.6m from the first-floor habitable room window. A fixed external screen will be required along the dwelling 2, bedroom 1 window to accord with Standard B22 to address overlooking. <u>Southern boundary interface</u> The boundary fences have heights of 1.95m and 2.05m and are positioned either side of a garage with a wall height of 2.3m. At the first-floor level, one habitable room window is proposed to bedroom 2. The window is provided with fixed obscure glazing to a height of 1.7m above finished floor level with clear openable glazing above. A further window is located over the stairwell as opposed to the landing which will not be screened. The location of the window limits views into the adjoining habitable room windows. <u>Internal boundary interface</u> Dwellings 2 and 3 each contain a rear deck with a floor level elevated 0.25m above the natural ground level. The floor level of the decks will be the same as the buildings floor level. However, these are cut in lower than the ground level of Unit 1. At the first-floor level, the rear elevations of Dwellings 2 and 3 contain a total of three habitable room windows. Each of these windows is provided with fixed obscure glazing to a height of 1.7m above finished floor level with clear openable glazing above. Complies subject to conditions
B23	Internal Views	<u>Objective</u> <i>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</i> <u>Assessment</u> The proposal has incorporated the following in accordance with the standard (see numerical requirements of Standard B22 above). The construction of 1.8m fences between the dwellings and privacy screens will create appropriate visual barriers at the ground floor level. It is considered that the measures in place limit views into the secluded private open space and habitable room windows of dwellings within the development. Complies
B24	Noise Impacts	<u>Objective</u> <i>To contain noise sources in developments that may affect existing dwellings.</i> <i>To protect residents from external noise.</i> <u>Assessment</u>

		The noise generated from the development will be similar to what can reasonably be expected within a residential area. No external noise sources have been identified. Complies
B25	Accessibility	<u>Objective</u> <i>To encourage the consideration of the needs of people with limited mobility in the design of developments.</i> <u>Assessment</u> The standard relates to dwelling entries of the ground floor of dwellings to be accessible or able to be easily made accessible to people with limited mobility. The dwelling entries can be easily made accessible to people with limited mobility. Further, the single floor level of accommodation with the creation of open plan living could provide accommodation for a person/s of restricted mobility if bathroom design is DDA compliant. Complies
B26	Dwelling Entry	<u>Objective</u> <i>To provide each dwelling or residential building with its own sense of identity.</i> <u>Assessment</u> The dwelling entries are easily identifiable from the street and provide a good sense of individual address to the dwellings. Complies
B27	Daylight to New Windows	<u>Objective</u> <i>To allow adequate daylight into new habitable room windows.</i> <u>Numerical Requirements</u> <i>A window in a habitable room should be located to face:</i> <i>An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</i> <i>A verandah provided it is open for at least one third of its perimeter, or</i> <i>A carport provided it has two or more open sides and is open for at least one third of its perimeter.</i> <u>Assessment</u> All new habitable room windows have been provided with a 3m² light court in accordance with the standard. The lack of eaves to the ground floor windows of Dwellings 2 and 3 ensure this outcome is achieved. In relation to the existing dwelling, the installation of a north facing glazed sliding door will provide increased access to daylight to the reconfigured open plan living area, improving the amenity of occupant of this dwelling. It is considered that the proposal has been designed to allow adequate daylight into new habitable windows. Complies
B28	Private Open Space	<u>Objective</u>

		<i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i> <u>Numerical Requirements</u> The schedule to the General Residential Zone specifies the following requirement in relation to this standard: <i>An area of 40 square metres, with one part of the private open space to consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 4 metres. Secluded private open space should not be located in the front setback of a dwelling or residential building and should have convenient access from a living room.</i> <u>Assessment</u> The proposed dwellings are provided with the following areas of private open space in accordance with the standard: Dwelling 1: 150sqm (secluded area is 29sqm with a minimum dimension of 4m) Dwelling 2: 60sqm (secluded area is 45sqm with a minimum dimension of 4m) Dwelling 3: 57sqm (secluded area is 46sqm with a minimum dimension of 4m) It is considered that private open space has been provided for the reasonable recreation and service needs of the dwelling and each has convenient access from their respective living rooms. Complies
B29	Solar Access to Open Space	<u>Objective</u> <i>To allow solar access into the secluded private open space of new dwellings and residential buildings.</i> <u>Numerical Requirements</u> <i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</i> <u>Assessment</u> It is considered that the development has been designed to allow adequate solar access into the secluded private open space of the dwellings. Complies
B30	Storage	<u>Objective</u> <i>To provide adequate storage facilities for each dwelling.</i> <u>Numerical Requirements</u> <i>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</i> <u>Assessment</u> Each new dwelling has access to at least 6 cubic metres of storage space which is incorporated into the garage, outside the clearance area for parked vehicles. As the storage areas are incorporated as additional floor space outside the clearance area and will not contain doors, the storage facilities are considered to pose an acceptable facility for future occupants.

		The existing dwelling is not provided with storage facilities. A condition of permit will require this facility to be provided along the internal rear boundary. It is considered that the development incorporates adequate storage facilities. Complies subject to conditions – Dwelling 1
B31	Design Detail	<u>Objective</u> <i>To encourage design detail that respects the existing or preferred neighbourhood character.</i> <u>Assessment</u> The retention of the original dwelling fronting Rawson Avenue and the construction of an attached carport with a brick parapet wall is typical of development in the locality. Original residential development in the locality present limited detailing, with weatherboard or brick walls covered by tiled hipped roofs. Recent infill developments present articulation created through the use of more varied materials, with each level of the building being treated differently. Each building level is provided with a hipped roof constructed of tiles which ensures the proportion of walls to roof is appropriate and that sheer double storey walls are created. This form of development is present on the adjoining site at No.10 Lorenz Street, where four dwellings of double and single storey scale have been constructed. The development proposes the introduction of a greater level of detail to the façade of each dwelling through the creation of individual designs containing similar elements and a staggered front wall design. The articulation creates a development which has a 'lighter' visual presence at the ground floor portion of the ground floor level of each dwelling within the duplex building form. The use of a gable at the first-floor level of each dwelling replicates the element present on the original building. The remaining first floor roof elements are hipped. The setback of each single garage behind the front wall and cantilevered first floor ensures the garages are not visually dominant within the façade. The staggered building line of each dwelling at both levels create visual interest that is combined with the relatively equal proportions of front walls to the garage widths. The building form presents an alternative façade design to a conventional side by side layout with a mirror image. Variation between the layout and appearance of the dwellings creates individual identities, while the duplication of elements and materials creates a cohesive building form. Complies
B32	Front Fences	<u>Objective</u> <i>To encourage front fence design that respects the existing or preferred neighbourhood character.</i> <u>Assessment</u>

		The existing front fence to Rawson Avenue is to remain. A low front fence to the Lorenz Street front of Dwelling 3 is proposed in accordance with the existing neighbourhood character which consists of a variety of front boundary treatments. Complies
B33	Common Property	<u>Objective</u> <i>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</i> <i>To avoid future management difficulties in areas of common ownership.</i> <u>Assessment</u> No common property is proposed. N/A
B34	Site Services	<u>Objective</u> <i>To ensure that site services can be installed and easily maintained.</i> <i>To ensure that site facilities are accessible, adequate and attractive.</i> <u>Assessment</u> Bin areas, clotheslines and mailboxes are provided to each dwelling. The electrical meter boxes will be required to be appropriately treated to Council's satisfaction. Complies subject to conditions
Officer Comments:		<u>Response to grounds of objection</u> Court bowl / cul de sac issues <i>Lorenz Street contains a court bowl, at the end of which it is proposed to provide vehicle access to the new dwellings within the development. This would alter the way the existing court bowl currently functions and remove the ability for some car parking within the court bowl. According to the objectors, the cul du sac characteristic was an attraction for many residents when purchasing property. The objectors do not want vehicle access to the new dwellings provided from Lorenz Street. At present children play in the court and the proposed development would impact on their ability to do so.</i> Lorenz Street parking / traffic <i>Increased traffic in Lorenz Street would create a reduced level of amenity, with car parking considered by residents to be at capacity. When vehicles park on both sides of the street access past parked vehicles is dangerous, and would restrict emergency vehicle access. When vehicles park too close to driveways access is restricted, creating a reduced level of amenity. There is already a high demand/shortage of parking available within the street, and the development would worsen this situation. Mobility and health issues of existing residents would be exacerbated by increased traffic and parking issues associated with the development. Tandem spaces will not be used adding to car parking demand / pressure on Lorenz St.</i> <u>Response</u> The interface between the rear boundary and the cul du sac has always had the capacity for the creation of vehicle access to the site because the site has legal abuttal to Lorenz Street. This opportunity was created by the original subdivision configuration.

Council's Traffic Engineers have not raised concerns regarding the increased traffic volume that would be generated by the development, with the road network having the capacity to cater for the additional demand, noting that it is only for two additional dwellings.

An increase in traffic may result in some increased delays associated with vehicle movements which is considered to be acceptable in an urban context.

The proposed site layout provides one centrally positioned double width driveway to Lorenz Street. The site has the right to create access to Lorenz St without the need for planning approval. The approval required would be a crossover permit processed by the Engineering Department.

The configuration of the court bowl does not really allow for any vehicles to park in the court bowl, despite the convenience enjoyed by those who currently do it. Therefore the creation of the new access will not reduce the parking entitlement within the court bowl or prevent vehicles legally conducting multiple manoeuvres to exit the street in a forward direction.

The court bowl will provide the opportunity for vehicles parked within the garages or tandem spaces of Dwellings 2 and 3 to carry out a multiple point reversing manoeuvre and exit the street in a forward direction. The function of the court bowl would apply to the future dwellings, as well as being retained by occupants/visitors of existing dwellings.

The access arrangements for the development will be designed and constructed to current design standards. The provisions accept single garages with a tandem space for a development of this nature.

Accessible parking permits are issued by Council. If necessary, residents can request the creation of an Accessibility on-street parking bay and the installation of 'hockey stick' line marking to the side of each driveway to ensure adequate clearance is provided to enable vehicles to enter and exit properties.

In the event of access being obstructed, Council's Local Laws Officers can be requested to investigate complaints.

Waste bins storage and collection

The street already has limited capacity for waste bin storage, and additional bins will exacerbate this situation.

Response

As previously discussed in the referral section of this report, this is a legitimate issue given that residents all have to place their bins on the northern side of the street because Council's garbage trucks reverse down the street to collect the waste. A double crossover at the end of the cul de sac as proposed will not impact the trucks from doing this, and Council's Waste Services team are satisfied that there is sufficient room on the northern side of the court bowl for some additional bins on collection day.

Planning considerations

The proposal does not comply with ResCode (a Clause 55 table with comments was provided).

The proposal does not comply with various provisions of the PPF.

Dispute assessment provided in the applications written submissions, particularly in relation to the potential impact on Lorenz St residents.

Response

The application was accompanied by a written submission. Whilst this has been considered as part of this officer assessment, officers have undertaken a full and detailed independent assessment of the application against the relevant provisions of the Brimbank Planning Scheme, as detailed throughout this report. Overall, the proposal is considered to pose an appropriately designed infill development that takes advantage of the dual street frontage of the site, whilst limited the impact on neighbours.

The assessment of neighbourhood character is a subjective matter, and it is noted that the development has greater connection with Lorenz Street than Rawson Avenue where a single dwelling on a smaller lot will be established.

In relation to ResCode (or Clause 55), variations have been identified against Standard B14 – Access, with Standard B6 – Street setback considered to have no applicable numerical requirements. Conditions relating to additional privacy measures will ensure the development does not create overlooking into the protected areas of the adjoining dwellings.

This report has identified the proposed relationship between the development and Lorenz Street and Rawson Avenue. Overall, the proposal is considered to present an outcome that achieves a level of compliance with the various provisions of the Planning Scheme that justifies support for the proposal.

Neighbourhood character

*Development is not 'sympathetic' to existing building form.
The court character of Lorenz St would be changed / lost.
Loss of existing vegetation cannot be replaced.*

Response

Neighbourhood character is subjective. Its assessment requires consideration to be given to all existing building forms, and identify any inconsistencies in subdivision, building forms, materials, and the layout of buildings.

Planning Officers have provided comments on the existing neighbourhood character in the various sections of this report, determining that the design response is found to be both 'respectful of' and 'sympathetic to' the existing neighbourhood character, which includes the bulk, height and appearance of the adjoining infill development that contains two double storey dwellings fronting the street.

In relation to landscaping, while existing vegetation is proposed to be removed the conditions of permit would require the planting of semi-mature canopy trees within the front and rear setbacks of each dwelling in addition to garden beds.

General amenity issues

*Overshadowing and its impact on landscaping.
Increased noise.*

Response

	The shadow plans indicate that a minor increase in shadow on the rear yard of the dwelling to the south (6 Rawson) will still result in compliance with the relevant standard of ResCode. These concerns were submitted by a party that is not located to the south of the site. The level of noise that is likely to be generated by future occupants is expected to be appropriate for activity within an urban area and not dissimilar to noise generated by any other residential property. Other <i>Development is commercially based and has no regard to the impact on Lorenz St residents.</i> <i>Breaches the Charter of Human Rights (2006) Victoria in relation to rights of existing residents of Lorenz St to maintain their amenity</i> <i>Want site fully redeveloped with vehicle access limited to Rawson Avenue.</i> <u>Response</u> There are no planning controls that prevent developments being based on commercial considerations. Planning considerations include amenity for future and existing residents and neighbourhood character elements of the locality and the assessment of the proposed site layout and building design. The potential amenity impacts have been considered throughout this report, and it has been concluded that there will be little if any material detriment to the amenity of existing residents from the proposed development. One area of concern is however the construction phase of the development and the impact on Lorenz Street of construction vehicle parking, deliveries to the site, etc. As a result it is recommended that a condition be placed on any approval for a Construction Environmental Management Plan (CEMP) to be prepared and followed for the duration of the construction. In particular the CEMP should address the following additional matters: (a) Vehicle parking for all construction workers and visitors during the demolition and construction phase must be along Rawson Avenue, not Lorenz Street. (b) All demolition material must be removed from the site via Rawson Avenue, not Lorenz Street. (c) Where possible, all construction materials and equipment must be delivered to the site from Rawson Avenue, not Lorenz Street. In circumstances where this is not possible, delivery vehicles must not block driveways to existing properties in Lorenz Street, and must park there for the minimum time possible to complete the delivery.
Conclusion and Recommendation	A comprehensive and detailed assessment of the application has been undertaken against the provisions of the Brimbank Planning Scheme. On the merits of the proposal, it is recommended that the proposal be supported and that a Notice of Decision to Grant a Planning Permit be issued subject to the conditions listed within Attachment 5 to this report.

**Proposed Conditions:****Amended/Endorsed Plans**

- (1) Before the development starts, amended plans and reports to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans and reports will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans and reports must be generally in accordance with the plans and reports submitted with the application (received by Council on 30 April 2024) but modified to show:
 - (a) Provision of a 6m³ storage shed located in the secluded private open space of Dwelling 1.
 - (b) Provision of at least one openable sash in the first-floor stair windows for both Dwellings 2 and 3, with remote operation if out of reach.
 - (c) Notation on floor and elevation plans that all windows are able to be locked open.
 - (d) Notation on floor plans that the electric vehicle charging point must be a minimum 32 AMP.
 - (e) A fixed external screen to meet the design requirements of Standard B22 to the following windows:
 - (i) Dwelling 2 first floor north-facing landing window; and,
 - (ii) Dwelling 2 first floor east-facing bedroom 1 window.
 - (f) A WSUD Plan in the main drawing set, annotating the water tank is connected to all toilets and irrigation in each dwelling, and removing reference to raingardens.
 - (g) Amendments to the SDA to provide the following to the satisfaction of the Responsible Authority:
 - (i) Revise text in the body of the SDA (not appendices) to remove duplicate information, and provide clear commitments to the following:
 - Electrical vehicle charging will be a minimum Level 2 (32 Amp minimum).
 - Rainwater tank will be connected to all toilets and for irrigation purposes in Dwellings 2 & 3.
 - Timber is to be sourced from sustainability managed sources that hold third party verification is sought (e.e. FSC/PEFC 'Responsibility Wood').
 - (ii) Provide space heating and cooling which has energy efficiency which is rated within one star of the best available, and adjust BESS accordingly.
 - (iii) Provide LED lighting and remove reference to fluorescent lighting.
 - (iv) Include a full copy of the published BESS report within the SDA after revision to include:
 - Use 5 star minimum efficiency for gas heating, and 4 star to represent an average rating for heat pumps heating or cooling.
 - Any changes triggered by other conditions.
 - (v) Provide a recycling target to ensure waste avoidance, reuse and recycling of materials during demolition and construction.
 - (h) A landscape plan in accordance with Condition 3.
- (2) The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Landscaping

- (3) Prior to the endorsement of plans, and commencement of development, a landscape 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. The plan must be drawn to scale with dimensions. The landscaping plan must be generally in accordance with the proposed development plan but must show:
- (a) A minimum of 1 medium-sized tree (minimum 2 metres tall when planted and 6-12 metres at maturity) in each of the front setbacks of Dwellings 1, 2 and 3;
 - (b) Areas of lawn and garden beds delineated on the plans. All proposed vegetation planting must be contained within a garden bed and mulched accordingly;
 - (c) Permeable concrete pavers provided to the pedestrian path to Dwelling 2;
 - (d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant; and,
 - (e) Changes as per conditions 1 (a), (b) and (g) of this permit.

All species selected must be to the satisfaction of the Responsible Authority.

- (4) Prior to the commencement of Occupation, unless otherwise agreed in writing with the Responsible Authority landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority.
- (5) The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority. This includes the replacement of any dead, diseased or damaged plants.
- (6) A cash bond for \$1,500, plus a non-refundable 5% service charge of \$75 (Total of \$1,575), shall be lodged with the Responsible Authority prior to the collection of endorsed plans to ensure the completion and establishment of landscaped areas. This cash bond will only be refunded after a 13 week establishment period beginning when the Responsible Authority is satisfied with the completed landscaping works, provided that the landscape is being maintained to the satisfaction of the Responsible Authority.

Construction Management Plan

- (7) Prior to works commencing, a Construction Environmental Management Plan (CEMP) must be submitted to and approved by the Responsible Authority. When approved, this CEMP will form part of this permit. The CEMP must be in accordance with Council's CEMP template and guidelines. The approved CEMP must be implemented at all times, to the satisfaction of the Responsible Authority. In particular the CEMP must address the following additional matters:
- (a) Vehicle parking for all construction workers and visitors during the demolition and construction phase must be along Rawson Avenue, not Lorenz Street.
 - (b) All demolition material must be removed from the site via Rawson Avenue, not Lorenz Street.
 - (c) Where possible, all construction materials and equipment must be delivered to the site from Rawson Avenue, not Lorenz Street. In circumstances where this is not possible, delivery vehicles must not block driveways to existing properties in Lorenz Street, and must park there for the minimum time possible to complete the delivery.

Street Tree Protection

- (8) A fenced tree protection zone (TPZ) must be established and maintained using methods set out in AS4970-2009 "Protection of Trees on a Development Site" for the entire duration of the works onsite for the street trees to Rawson Avenue and Lorenz Street. TPZ fencing must be in place prior to any works onsite including any demolition.
- (9) No mechanical excavations are to occur within the TPZ or structural root zone (SRZ) of any existing street trees, including for service connections.
- (10) The nature strips must not be used for the storage or delivery of any building materials.

Development Contribution Levy

- (11) A Development Contribution in accordance with the approved Development Contributions Plan must be paid to Brimbank City Council.

The Development Infrastructure Levy (DIL) must:

- (a) Be paid prior to the commencement of any development or works on the land or prior to Statement of Compliance (SOC) for the subdivision of the land associated with the development permit, whichever comes first; OR
- (b) When a staged subdivision is sought, be paid prior to the issue of a Statement of Compliance based on the net increase in the number of new dwellings within each stage.

The Community Infrastructure Levy (CIL) must be paid prior to the issue of a building permit under the *Building Act 1993*.

The total amount payable will be dependent on the levy amount at the time of payment, as the levy amount is adjusted annually based on the Consumer Price Index (CPI).

Car Parking

- (12) Before the occupation of the development starts, the areas set aside for the parking of vehicles and driveways as shown on the endorsed plans must be:
 - (a) Constructed in concrete or asphalt;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) Drained; and,
 - (d) Maintainedall to the satisfaction of the Responsible Authority.
- (13) Car spaces, access lanes and driveways must be maintained, kept free of obstructions, and remain available for vehicle parking and movement at all times.
- (14) Prior to the commencement of the development hereby approved, vehicular crossings must be constructed to the road to suit the proposed driveways in every location shown on the endorsed plans to the satisfaction of the Responsible Authority. A Vehicle Crossing Permit must be obtained from Council's Engineering Department prior to any works commencing on the site.
- (15) The owner/developer is responsible for determining the location of any road infrastructure or non-road infrastructure in the road reserve (e.g. pits, poles, water mains, gas mains, telecommunications cables etc.) that could be affected by the installation of the new crossovers or related works.

Any existing road infrastructure or non-road infrastructure located within or adjacent to the new crossovers must be altered, relocated or reconstructed to the satisfaction of the Responsible Authority and/or the relevant utility provider or infrastructure manager at the expense of the owner/developer.

Engineering

- (16) Access to the site and ancillary road works must be constructed in accordance with the requirements of the Responsible Authority.
- (17) Prior to the commencement of the development, a legal point of discharge is to be obtained. A stormwater drainage plan showing how the site will be drained from the property boundary to the stated point of discharge must be submitted to and approved by the Responsible Authority.
- (18) An on-site stormwater drainage retention/detention system must be installed on the subject land to the satisfaction of the Responsible Authority.
- (19) The entire development site must be connected to the existing underground drainage and sewerage systems to the satisfaction of the Responsible Authority.
- (20) The crossovers must be located and constructed to the satisfaction of the Responsible Authority in accordance with plans approved by the Responsible Authority. The plans submitted must show all services within the road reservation including power poles, drainage pits, Telstra pits, trees, road humps, bus stops and any other road infrastructure or asset that may hinder or impact on the operation of the crossover.
- (21) Protective kerbs (of a minimum height of 150mm) must be provided to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas and to control drainage flows.

Water Sensitive Urban Design

- (22) The performance of any Water Sensitive Urban Design (WSUD) device must be monitored and maintained such that it continues to meet Best Practice standards. In the event that the device fails to meet Best Practice standards it must be repaired or replaced with an alternate at the cost of the owner/operator to the satisfaction of the Responsible Authority.

Multi Unit Residential Development

- (23) Obscured, fluted or similar glazing must not be used on the front elevation of any dwelling hereby approved.
- (24) All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- (25) The walls on the boundary of the adjoining property shall be cleaned and finished to the satisfaction of the Responsible Authority.
- (26) Provision must be made on the land for the storage of waste and recycling bins in a location that is not visible from the street to the satisfaction of the Responsible Authority.

- (27) Prior to the occupation of the dwellings hereby permitted all side, rear and internal fencing must be provided to a minimum height of 1.8m above the finished ground level (except where visibility splays are required toward the front of the site) and be in good condition to the satisfaction of the Responsible Authority. The owner of the subject land must pay all costs associated with the construction / modification of the fences, to the satisfaction of the Responsible Authority.

Time Limit – Development

- (28) This permit will expire if one of the following circumstances applies:
- (a) The development is not started within two years of the date of this permit,
 - (b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or:

- (a) Within six months afterwards for commencement, or
- (b) Within twelve months afterwards for completion.

Notes

- (1) ***This is not a Building Permit.*** Please consult a Building Surveyor and ensure that a Building Permit is obtained prior to the commencement of works.
- (2) ***Building Surveyor Note:*** A siting assessment has already been undertaken and therefore an assessment under Part 5 of the Building Regulations 2018 is not required.
- (3) Approval must be obtained from Council's Engineering Department (Phone: 9249 4000) for the construction or alteration of any vehicle crossings prior to the commencement of any works on the site.
- (4) Prior to any works commencing on site, an Asset Protection Permit must be obtained from Council's Engineering Department (Phone: 9249 4000).
- (5) Mailboxes must be dimensioned, located and orientated to accord with the relevant [Australia Post Guidelines](#) as updated from time to time.
- (6) A copy of this permit and the endorsed plans must be provided to all builders and contractors who are to work on the site so that they are aware of the conditions to which this approval is subject.
- (7) If there is a change in ownership or any change in detail of the payee for the landscape bond, a 'Transferral of Bond' form can be obtained from Council's City Planning Unit (9249 4000) ensuring the details of new payee of the landscape bond are transferred to the application.
- (8) Please refer to Council's website at: <https://www.brimbank.vic.gov.au/building-and-planning/development-contributions-plan> to calculate the indicative Development Contribution Plan (DCP) levy and to request a DCP invoice.