

Planning Committee

Held at the Civic Centre, Civic Drive, Greensborough on Tuesday 6 September 2016 commencing at approximately 8.00pm (following the conclusion of the Policy and Services Committee meeting)

Agenda

Stuart Burdack
Chief Executive Officer

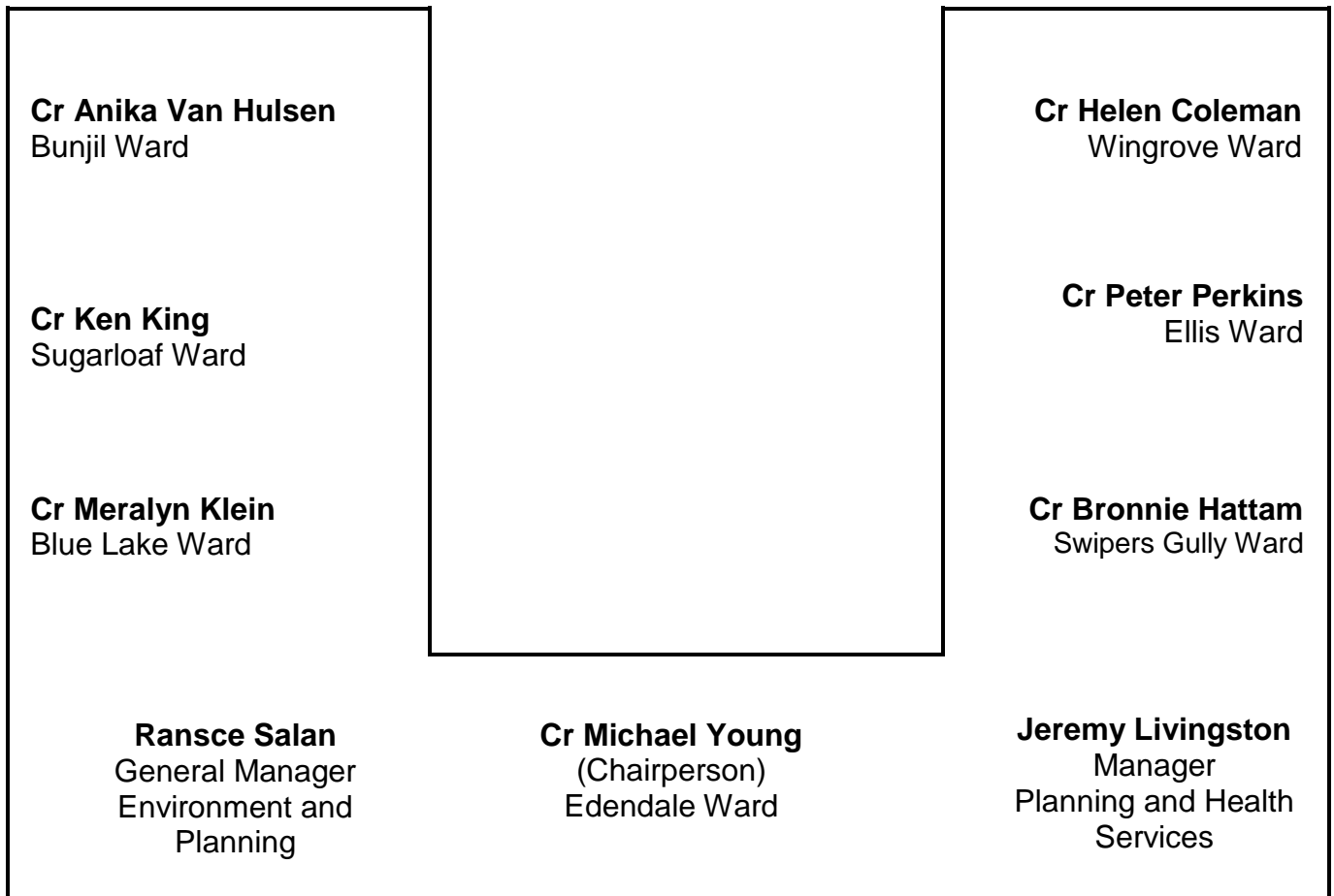
Thursday 1 September 2016

Distribution: Public

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Domin je ka

Planning Committee seating plan



Visitors in the gallery at Committee meetings are:

- Welcome to copies of the various reports which will be considered by this Committee at the meeting. These are on the table in the foyer.
- Welcome to tea, coffee and water. These are on the table in the foyer near the Council Chamber entry.
- Requested to observe Council deliberations quietly in order for Council meetings to run smoothly.
- Advised that an audio recording of this meeting will be made for the purpose of verifying the accuracy of the minutes.

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Planning Committee Meeting to be held Tuesday 6 September 2016 commencing at approximately 8pm (following the conclusion of the Policy and Services Committee meeting)

1. Welcome and apologies

Welcome by the Chair

Members of the public are advised the meeting will be recorded for the purposes of verifying the accuracy of the minutes.

Apologies

Motion

That the apologies be accepted.

2. Disclosure of conflicts of interest

Committee members should note that any disclosure of conflict of interest must be disclosed immediately before the item in which they have an interest.

3. Confirmation of minutes

Confirmation of minutes of the Planning Committee Meeting held on Tuesday 9 August 2016.

Motion

That the minutes of the Planning Committee Meeting held on Tuesday 9 August 2016 be confirmed.

4. Planning Reports

PC.012/16 Construction of 4 double storey dwellings at 8 Brooks Crescent, Diamond Creek

File: B114/00/008P

Distribution: Public

Manager: Jeremy Livingston, Manager Planning and Health Services

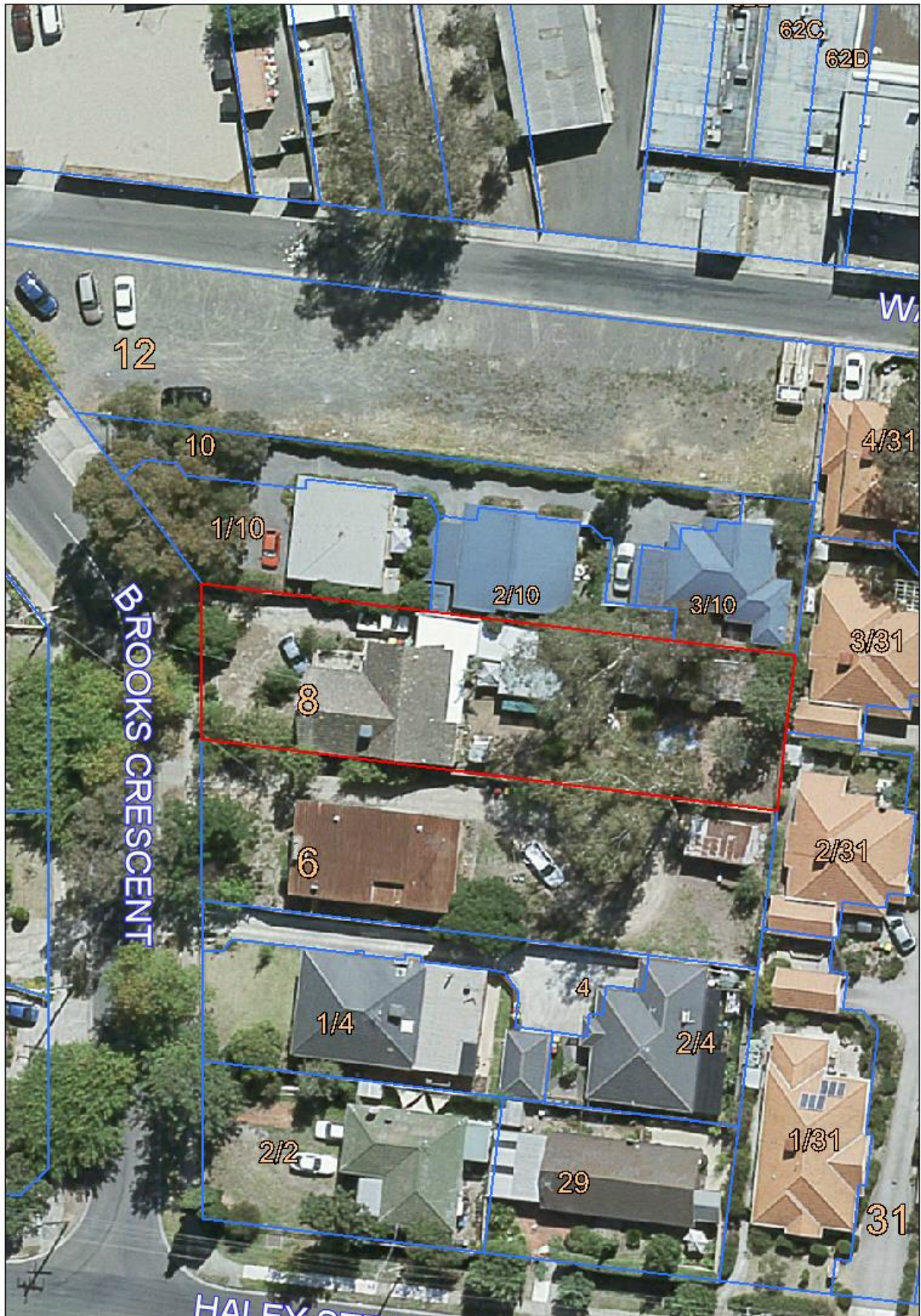
Author: Karen McPherson, Senior Statutory Planner

Application summary

Address of the land	8 Brooks Crescent, Diamond Creek
Site area	891 square metres
Proposal	Construction of 4 double storey dwellings
Application number	246/2016/03P
Date lodged	3 May 2016
Applicant	Daniel DeFazio
Zoning	General Residential
Overlay(s)	Nil
Reason for being reported	More than 5 objections received
Number of objections	6
Key issues	<ul style="list-style-type: none"> • Strategic location (in the context of policy) • Neighbourhood character • Impacts on trees • Compliance with Clause 55 (ResCode) • Car parking
Officer recommendation	Notice of Decision to Refuse to Grant a Permit

4. Planning Reports

PC.012/16 Construction of 4 double storey dwellings at 8 Brooks Crescent, Diamond Creek



4. Planning Reports

PC.012/16 Construction of 4 double storey dwellings at 8 Brooks Crescent, Diamond Creek

Attachments

1. Subject Site and Surrounds
2. Plans 1 - 6

Subject site and surrounds

1. The key features of the subject land and surrounds are as follows:
 - The subject site is particularly described as Lot 3, Block 2 on Plan of Subdivision 013117, Parent title Volume 08087, Folio 878.
 - The subject site is 891 square metres in area, located on the eastern side of Brooks Crescent. The site is currently developed with a single storey brick veneer dwelling with tiled roof located 10.8 metres from the frontage of the site. There are 4 structures within the rear garden, comprising of 2 small sheds, a workshop and garage (with no vehicle access) and a weatherboard bungalow.
 - There is a limited level of vegetation on the site with canopy contributing trees located within the rear garden and one adjacent to the south boundary of the site (within the front setback).
 - Access to the site is via a single crossover located adjacent to the north boundary of the property.
 - The properties to the immediate north and east of the site are developed with multiple dwellings, with those dwellings immediately adjoining the site being single storey. There is however a number of double storey dwellings located within the development on the eastern property. To the south of the site is a similar size allotment that is development with a single dwelling and garage. On the opposite side of Brooks Crescent are smaller allotments (ranging between 399 and 584 square metres) each developed with a single dwelling.

Details of proposal

2. Refer to the attached plans.
3. Features of the proposal include:
 - The proposal is for the construction of four double storey dwellings. The existing dwelling and outbuildings will be removed from the site.
 - Unit 1 is oriented towards Brooks Crescent, whilst Units 2-4 (inclusive) are sited to the rear (east). The internal arrangements of all four dwellings are similar, consisting of an open plan kitchen/dining/living area, a laundry and WC on the ground floor level with the bedrooms on the upper level. Units 2 and 3 are proposed with two bedrooms, whilst Units 1 and 4 are to be three bedrooms.
 - As a result of the number of bedrooms proposed, dwellings 1 and 4 will have two car spaces (Unit 1 a double car garage and Unit 4 a single car garage and tandem space) with single garages proposed for Units 2 and 3.

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- Each dwelling is provided with approximately 40 square metres of secluded private open space.
- The existing crossover adjacent to the northern boundary will be removed and reinstated to a kerb and nature strip.
- A proposed crossover at the southern boundary will provide access to all four dwellings.
- A number of trees are proposed to be removed as part of the application. None of these require planning permission to be removed.
- A landscape plan was submitted with the application that details the planting of a number of trees, shrubs, climbing plants and groundcovers, mainly adjacent to the boundaries of the property.

Planning history

4. There is no relevant planning history with respect to the subject site.

Planning controls

Zoning

5. The subject site is zoned General Residential. The zone seeks to provide for a diversity of housing types and moderate housing growth in locations offering good access to services and transport, and requires development to respect neighbourhood character and implement neighbourhood character policy guidelines.
6. Under this zone, a permit is required to construct two or more dwellings on a lot. A dwelling(s) is an 'as-of-right' (no permit required) use in this zone.

Overlays

7. No overlays apply to the subject site.

Particular provisions

8. Clause 52.06 (Car Parking) applies to the application. This clause seeks to ensure there is the provision of an appropriate number of car parking spaces, that car parking does not adversely affect the amenity of the locality, and that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.
9. The application must also be assessed against the objectives and standards of Clause 55 (ResCode). This clause sets out a range of objectives and standards, which test a design's responsiveness to its site and surrounds, and provides objective tests regarding potential amenity impacts.
10. Clause 65 (Decision Guidelines) outlines general decision guidelines that must be considered when assessing an application. These guidelines include the purpose of the zone or other provision, the orderly planning of the area, and the effect on the amenity of the area.

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Relevant planning policies

11. State Planning Policies which are relevant to this application include:

- Clause 11 – Settlement
- Clause 12 – Environmental and Landscape Values
- Clause 15 – Built Environment and Heritage
- Clause 15.01-1 – Urban Design
- Clause 15.01-5 – Cultural Identity and Neighbourhood Character
- Clause 16.01-1 – Integrated Housing
- Clause 16.01-2 – Location of Residential Development
- Clause 16.01-4 – Housing Diversity

12. The Local Planning Policies which are relevant to this application include:

- Clause 21.05-1 – Settlement and Housing
- Clause 22.01 – Medium Density Housing Policy
- Clause 22.12 – Neighbourhood Character Policy
- Clause 22.14 – Diamond Creek Major Activity Centre Policy

Policy context

13. The planning controls and policies identified above encourage residential development in the General Residential Zone at a range of densities, which includes medium density housing. This intent is also reflected specifically in the purpose of that zone. However, in both State and Local policy, the strength of encouragement for medium density housing is greater the closer the site is located to an activity centre or other commercial and community facilities, and reduces the further the site is located from necessary urban infrastructure.
14. The encouragement afforded by the zone and planning policies is counter-balanced by objectives that require development to be site responsive (i.e. minimise landscape and vegetation impacts), and complementary to desired neighbourhood character.
15. Assessment of the degree of policy support for medium density housing is dependent upon a balancing of these sometimes contradictory policy objectives. In this regard, a flat site with little vegetation located near an activity centre can be seen to have strong policy support for development in the form of medium density housing. A steep, heavily vegetated site, remotely located from services will have a significantly reduced level of policy support for medium density housing development. As each site is generally different, the degree of policy support for medium density housing will often vary depending upon the site's location, its individual characteristics, and its response to neighbourhood character.

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Public consultation

Advertising

16. The application has been advertised by way of the posting of notices to the owners and occupiers of neighbouring properties and the erection of a notice on-site.

Objections

17. As a result of advertising, a total of 6 written objections have been received. These objections can be summarised as follows:

- Car parking is already a problem in this narrow street. It is a very busy road that is constantly blocked by parked cars. Both school buses and public buses run along this section of road. Off-street parking for residents and visitors should be a priority.
- There is no parking on the opposite side of the street to the subject site and therefore additional car parking on this side would exacerbate an existing problem.
- An objector at No. 1/31 Haley Street is concerned about overlooking and overshadowing of their rear garden.
- Concern over drainage. This is already an issue at No. 10 Brooks Crescent which is lower than the subject site.
- The brick wall and small roof on the boundary adjacent to No. 2/10 Brooks Crescent must be retained as part of the development for security and privacy reasons.

Planning application conference

18. A Planning Application Conference (PAC) was not held for this application as the proposal has been identified as having significant issues in its current configuration (notwithstanding the permit applicant’s submission of amended plans prior to the advertising of the planning application in an attempt to address these issues). As such, a meeting would unlikely have resulted in any significant changes to the proposal to address the concerns identified by Council officer and objectors.

Referrals

Internal

19. The application was referred to various business units or individuals within Council for advice on particular matters. The following is a summary of the relevant advice:

Council Unit	Comments
Infrastructure Development Unit	<p>The crossover (and therefore driveway) will need to be offset 1 metre from the property boundary to comply with Council’s Vehicle Crossover Policy.</p> <p>Otherwise, no issues subject to conditions relating to vehicle crossing, driveway construction, driveway stormwater at property boundary, stormwater, on-site detention design,</p>

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	<p>construction works and on-site detention device, and run-off control.</p>
<p>Consulting Arborist</p>	<p>All trees have been correctly identified within the submitted arborist report and Tree Protection Zones (TPZs) and Structural Root Zones (SRZs) are in accordance with Australian Standard 4970-2009.</p> <p>Tree Nos. 4 & 7-10 (inclusive) are proposed for removal. Of these:</p> <ul style="list-style-type: none"> • Tree Nos. 4 & 8-10 (inclusive) have ‘low’ retention value and should not be a constraint on development. Removal of these is therefore supported. • Tree No. 7 has ‘medium’ retention value. Removal and replacement of these is supported. • There will be a major encroachment (greater than 10% TPZ area) to Tree Nos. 2 & 5. • Tree No. 5 is the neighbouring <i>Brachychiton acerifolius</i> (Illawara Flame Tree) at No. 6 Brooks Crescent. This tree should remain viable providing the recommendations of the submitted arborist report are adhered to, i.e.: <ul style="list-style-type: none"> - Driveway laid at or above grade - Driveway of permeable material with no fines and course sand sub-base with geotextile liner - Site preparation (removal of humus/ organic matter) within the TPZ to be undertaken by hand, under arborist supervision - All roots greater than 30mm diameter left unscathed - Roots between 20 and 30mm to be pruned by project arborist • Tree No. 2 is the <i>Quercus palustris</i> (Swamp Spanish Oak) street tree. As noted in the submitted arborist report, this tree has poor structure due to a basal cavity and as such has a relatively short Useful Life Expectancy. The recommendation to remove this tree to facilitate the development is proposed. A Council-approved street tree should be used to replace the tree. If Tree No. 2 is retained, alternative driveway construction measures (as per above regarding Tree No. 5) apply within the TPZ. • There will be a minor encroachment (less than 10% TPZ area) to Tree Nos. 3 & 6. These trees should remain viable with standard TPZ provisions and compensation for the area lost to encroachment.

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	<ul style="list-style-type: none"> • There is no encroachment to Tree No. 1 from the proposed design. <p>All services (which have not been supplied on plans) must be redirected around TPZs and it is critical that contractors are made aware of this requirement. Services that cannot be redirected around TPZs require excavation via directional drilling (boring) under arborist supervision, with minimum depth (i.e. top of bore) at 600mm deep.</p> <p>Where this cannot occur, another root sensitive installation method must be approved by the project arborist, which must be demonstrated to council as an acceptable level of impact to health and longevity.</p>
Landscape Architect	<p>No issues raised with respect to the spacing of the species selected. The landscape plan assessment does not address the plan's assessment against the neighbourhood character considerations required by the planning scheme, as this forms part of the planning assessment undertaken by the statutory planner.</p>
Building Services Team	<p>A building permit will be required for demolition. Potential siting issue with fence due to overall height of fence and lattice screening being 2.4 metres high. The fence will need additional support at the base to ensure it can take the weight of the additional lattice.</p>

External

20. There are no external referral authorities relevant to this application.

Planning assessment

Introduction

21. The following have been identified as the key planning issues in relation to the assessment of this planning application:

- Strategic location (in the context of policy);
- Neighbourhood character;
- Impacts on trees;
- Compliance with Clause 55 (ResCode); and
- Car parking.

22. Assessment of these issues, together with a response to objections received, will be discussed in the remainder of this report.

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Strategic location

23. Clause 21.05-1 (Settlement and Housing) in the Municipal Strategic Statement (MSS) contains an objective to encourage medium density housing with good access to commercial and community services, public transport, open space and other infrastructure, and to discourage medium density housing where access to these facilities is inadequate. The objective is given more direct effect in the Medium Density Housing Policy at Clause 22.01, which encourages medium density housing development to be located close to activity centres or other urban services.
24. Clause 22.14 (Diamond Creek Major Activity Centre Policy) gives effect to the Diamond Creek Major Activity Centre Structure Plan and Leisure Facilities Plan (September 2006). This plan states that higher density housing can and should occur throughout the residential areas of Diamond Creek within walking distance of the activity centre, but must be planned and designed to achieve the preferred future character.
25. The subject site is located 105 metres walking distance from the Main-Hurstbridge Road shopping area, and 242 metres from Diamond Creek Train Station. The subject site is within 832 metres of Diamond Creek Primary School, and 307 metres to the ovals on either side of Main-Hurstbridge Road. Given the distances from these existing services, the subject site is considered to have policy support for medium density development as identified in the MSS and Council's Medium Density Housing Policy.

Neighbourhood character

26. Local policy aims, amongst other things, to ensure that the identified elements that contribute to neighbourhood character are retained and enhanced. This is achieved by managing change and ensuring new development works towards achieving the stated streetscape and character outcomes. The subject site is located within a 'Garden Court' character precinct as identified by the Neighbourhood Character Policy at Clause 22.12, and the preferred character sought within the precinct is set out as follows:
 - *Development is sited so that it nestles into the landform and surrounding vegetation. Buildings maintain the pattern of orientations and setbacks of adjoining properties and the streetscape. Driveways and car storage areas should occupy the minimum functional area.*
 - *Residential development is generally set among indigenous trees, although there are some locations where natives dominate and exotic trees are present. Hillsides of residential development viewed from a distance appear to be lushly vegetated. Garden planting flows uninterrupted to the edge of the roadway.*
 - *There is little physical evidence of the boundary between private and public property at the front of the house, and no solid front fence. Solid side fences may reach the front property boundary.*

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- *The 'public' space between the garden and the roadway is not delineated as a separate space, and includes informal native plantings with some substantial native trees. Many footpaths and verges are informally aligned, but formal footpath-plus-standard-suburban nature strip layouts are common. Roadways are sealed, some with roll over kerbs, some with upstand kerbs.*
27. The design objectives specific to the 'Garden Court' precinct are as follows:
- *To maintain the existing mix of native and exotic vegetation including canopy trees and understorey.*
 - *To maintain and enhance the continuous flow of the garden settings and the openness of the front boundary treatment.*
28. To determine if the density of development proposed is appropriate, Clause 55 (ResCode) provides guidance as to what is reasonable through Clause 55.03-3 (Site Coverage) and Clause 55.03-4 (Permeability). ResCode states that the site coverage must not exceed 60% and that at least 20% of the site must not be covered by impervious surfaces. The proposed site coverage is 41% and the permeability is 35%, which exceeds the relevant standards.
29. However, in order to truly assess the impact of a development on the character of an area, the assessment must take into account more than just the presence of the development when viewed from the street, but also how the new development responds to the constraints and neighbourhood character on surrounding land.
30. The adjoining properties to the north and east, and properties further south along Brooks Crescent accommodate infill development. All of these dwellings are detached and have clear separation between them, allowing some landscape plantings (including canopy trees) to occur throughout the site (and not just along the property boundaries). Unlike the proposed development, the surrounding infill developments allow for building separation in order to provide meaningful landscaping (including canopy tree plantings).
31. In order to adequately reflect the character of the site and surrounds, development should nestle into the land form, and allow for vegetated setbacks and landscaping throughout the site. The retention of existing trees is also of significant relevance.
32. The proposed development of the site will result in a continuous built form at the ground floor level stretching from the front elevation of Unit 1 to the rear elevation of Unit 4, with a minimal rear boundary setback of only 1.2 metres from the eastern (rear) boundary. The dwellings are attached mainly by the garage walls, however Units 3 and 4 share a common wall and therefore present to neighbours as a very large dwelling.
33. In addition dwelling 4 stretches across the rear of the site with only a 1.2 metre setback from the northern (side) boundary of the site. As such, Unit 4 has a setback of 1.2 metres from the rear and northern (side) boundary with the single car garage located on the southern (side) boundary which results in an insufficient area to allow for reasonable landscaping opportunities to occur between the walls of the dwelling and the boundary fencing.

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34. Whilst the remaining dwellings are setback between 3 and 3.6 metres from the side (north) boundary of the site, these areas are filled with decking, water tanks, storage areas, clothesline and hard landscaping, resulting in minimal areas being available for a reasonable level of planting, including canopy contributing trees. The landscape plan submitted with the application does propose the planting of a number of trees throughout the site, however the minimal spaces available for the trees to be planted will mean that they are unlikely to reach maturity and if they do they will need to be heavily pruned in order to do so.
35. The existing tree within the front setback is proposed to be retained and further trees and shrubs planted which will enhance the existing vegetated site and the streetscape, however the removal of the limited number of trees on the site and the lack of opportunity for a meaningful level of replanting will result in the neighbouring properties being negatively impacted by a built form that will not be acceptably 'softened' by landscaping. This is not an appropriate design response in the 'Garden Court' character precinct.
36. The four dwellings are proposed as two storey and whilst the application has sought to reduce the area of the upper floors through the submission of amended plans, the proposal will still introduce a built form element into Brooks Crescent and the surrounding area which is not currently evident. There are a number of single storey and two storey dwellings within the development to the rear of the site (No. 31 Haley Street), however these have been positioned in such a way that they are adjacent to an existing carpark, open space and a commercial building, with the single storey dwellings located adjacent to properties with existing single dwellings, thereby reducing any amenity impact on adjoining properties.
37. Whilst it is acceptable in principle to have an element of double storey construction within the proposed development, the design response of having 4 double storey dwellings results in an overall built form that is a dominant feature in the landscape. This, combined with a lack of separation between dwellings, large hard standing surface areas and minimal landscaping opportunities, will create a development that is significantly out of character with the character sought in the 'Garden Court' precinct.
38. The access driveway is proposed to be relocated from adjacent to the northern boundary of the site to the southern boundary of the property. The new location results in the removal of one of the street trees in the road reserve at the front of the property. Council's consultant Arborist did not have an objection to the trees removal due to it having a relatively low useful life expectancy, but recommended that it be replaced by a species of tree approved by Council.
39. The location and design of the driveway also limits the level of landscaping that can occur between the driveway and the proposed dwellings. Small garden beds are proposed at the side of Unit 1, at the front of Unit 3, with no space available for planting to the front or side of Unit 4. For the first 15 metres of the driveway, there is no space for planting due to a 7.5 metre long x 0.5 metre high retaining wall with fencing above. There is then a gap of 7.5 metres (within the TPZ of Tree No. 5) before the retaining wall starts again and extends 32.5 metres to the front of the garage for Unit 4. A garden bed of 0.2 metres to 0.6 metres is proposed for a length

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of 23 metres which provides limited opportunity for any meaningful level of landscaping to occur. Accordingly, the view of the development from the Brooks Crescent and the adjoining property at No. 6 Brooks Crescent will be dominated by built form which is neither a positive or appropriate response to the existing or preferred neighbourhood character of the area.

- 40. The selection of external materials for the proposed dwellings are acceptable, and satisfy Council’s Medium Density Housing and Neighbourhood Character policies.
- 41. In summary, the design and siting of the new dwellings on this site do not adequately reflect the character of the site and surrounds, and are too intensive for this location. The lack of building separation, continuous built form along the entire length of the property, extent of hard standing surface areas and minimal landscaping opportunities results in a proposed development that does not adequately respond to the preferred neighbourhood character in this location.

Impacts on trees

- 42. The proposed development includes the removal of 5 trees throughout the site (Tree Nos. 4, 7, 8, 9 and 10). Of these trees, Tree No. 7 has been identified as a ‘medium’ retention value and Tree Nos. 4, 8, 9 and 10 of ‘low’ retention value. Although there are no planning controls that protect these trees, it is evident that a key component of the character of this site and area are the landscape features, including trees and the contribution they provide to a vegetated neighbourhood character.
- 43. Only one tree (Tree No. 3 – Chinese Hawthorn) which is located within the front setback is proposed to be retained as part of the proposed development. The remaining 6 trees will be removed, with one of these trees (Tree No. 8) already having been heavy pollarded. The landscape plan submitted with the application proposes the planting of 6 trees, only one of which is a canopy contributing tree (*Eucalyptus Melliodora* – Yellow Box) located within the front setback.
- 44. Council’s consulting Arborist also identified that the development impact on Tree Nos. 2 and 5 (Tree No. 2 located within the road reserve and Tree No. 5 located at No. 6 Brooks Crescent) significantly exceeds the requirements of ‘Australian Standard 4970 2009 – Protection of trees on development sites’ by virtue of the location of the proposed crossover and driveway. If a permit was to be issued, it is recommended that a condition be imposed requiring that the driveway, where it is located within the tree protection zones of these trees, be constructed at-grade (no excavation) and of a permeable surface to ensure the ongoing viability of these trees.

Compliance with Clause 55 (ResCode)

- 45. Clause 55 (ResCode) sets out a range of objectives and standards that test a design’s responsiveness to the site and surrounds, and provides objective tests regarding potential amenity impacts. Whilst meeting the specified objectives is mandatory, satisfying the standards can be varied provided that the proposal satisfies the objective.

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46. A detailed assessment of the proposal has been carried out against the requirements of Clause 55 (ResCode) of the planning scheme, and the proposed development meets most of the standards and objectives of ResCode. The exceptions being the neighbourhood character objective (Clause 55.02-1) and landscaping objective (Clause 55.03-8) as outlined in the neighbourhood character assessment above.

Car parking

47. Clause 52.06 (Car Parking) provides car parking rates for different land uses. Under this clause, a dwelling that has up to two bedrooms must be provided with one car space, and a dwelling that accommodates three or more bedrooms must be provided with two car spaces. The proposed development provides the required amount of on-site car parking as the 2 three-bedroom dwellings have been provided with two car spaces (Unit 1 a double car garage and Unit 4 a single car garage with tandem space) and the 2 two-bedroom dwellings have been provided with a single car garage.
48. Clause 52.06 (Car Parking) also stipulates that one on-site visitor car space be provided for every 5 dwellings for development of 5 or more dwellings. No on-site visitor car parking is required to be provided within this development, and none has been provided within the proposed development.

Response to objections received

49. The majority of concerns raised in the written objections received have been discussed in the above assessment. However, a number of additional concerns warrant a direct response as follows.

Overshadowing and overlooking

50. Concern was raised by the objector at No. 1/31 Haley Street that the proposed development would overlook and overshadow their rear private open space. From reviewing the shadow diagrams submitted with the application, it is clear that unreasonable overshadowing will not occur. In relation to unreasonable overlooking, the upper floor window facing towards the rear boundary is for a retreat, and the plans show that the glazing is to be obscure up to a height of 1.7 metres from floor level. In the event that a permit is issued, it is recommended that a condition be included requiring that the obscure glazing be installed to the satisfaction of the responsible authority.

Increased traffic

51. The proposed development incorporates sufficient off-street parking to satisfy the requirements of the planning scheme. Council's Infrastructure Development Unit has raised no issues in regards to an increase in traffic resulting from the proposed development within this residential location. It is recognised that this residential location is expected to increase housing densities in accordance with State and Local Planning Policy.

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Conclusion

- 52. The application seeks approval for buildings and works for the construction of 4 new double storey dwellings. The application was advertised and a total of 6 written objections were received. The key planning issues relate to strategic location (in the context of policy), neighbourhood character, impact on trees, compliance with Clause 55 (ResCode) and car parking.
- 53. Although there is strategic support for additional infill development in this location as stipulated by State and Local planning policy, the proposed development must still respond acceptably to the existing and preferred character of the neighbourhood as sought by the MSS, Council’s Medium Density Housing Policy and Council’s Neighbourhood Character Policy (including the ‘Garden Court’ precinct)
- 54. The proposed development for 4 double storey dwellings results in a built form which is excessive in scale and bulk, and the overall development fails to provide a satisfactory neighbourhood and landscape outcome. Specifically, the proposal comprises inadequate building separation between dwellings, an inappropriate extent of continuous built form along the entire length of the property, excessive hard standing surface areas, and minimal landscaping opportunities. The proposal also does not respond acceptably to the neighbourhood character and landscaping objectives of Clause 55 (ResCode).
- 55. By contrast, an alternate design comprising three dwellings, with an overall reduction in building footprint and hard standing surface areas, would go a long way to satisfying the neighbourhood character and landscaping deficiencies with the current proposal. Such changes are too significant to be addressed via conditions on any permit issued.
- 56. In light of the above planning assessment, the application warrants refusal in its current configuration, as reflected in the officer recommendation which follows.

Recommendation

That the Committee (under delegation from Council) issue a Notice of Decision to Refuse to Grant a Permit to the land at 8 Brooks Crescent, Diamond Creek, for the construction of 4 double storey dwellings, on the following grounds:

- 1. **The proposed development is inconsistent with the character of the neighbourhood in terms of Clause 22.12 (Neighbourhood Character Policy) and specifically the objectives of the ‘Garden Court’ character precinct, due to the lack of separation between the four new dwellings, the limited setbacks from the eastern and northern boundaries, the resultant excessive visual bulk of the built form, and the constrained nature of the areas designated for landscaping (including provision of canopy trees).**

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- 2. The proposal is not responsive to the neighbourhood character objectives set out at Clause 16 (Housing), Clause 22.01 (Medium Density Housing Policy), Clause 22.12 (Neighbourhood Character Policy) and Clause 55.01 (Neighbourhood Character) of the planning scheme in terms a continuous built form down the length of the entire site, the lack of separation between the proposed new dwellings, the minimal side and rear setbacks, the resultant building scale and visual bulk of the new dwellings, as well as the limited opportunities for an appropriate level of landscaping on the site. This will result in a development outcome that fails to respect the existing and preferred character of the neighbourhood as sought by the planning scheme.**
- 3. The proposal is contrary to Clause 65 (Decision Guidelines) of the planning scheme, as the proposed built form will adversely impact on the general amenity of the immediate area, including the more sensitive interface to the north, south and east of the subject land.**
- 4. The proposed development does not meet the objectives of the following ResCode provisions:**
 - a) The development does not adequately respect the existing neighbourhood character or contribute to the preferred neighbourhood character as required by Clause 55.02-1 (Neighbourhood character objective).**
 - b) The extent of built form across the site does not protect the predominant landscape features and allow for appropriate future planting as required by Clause 55.03-8 (Landscaping objective).**



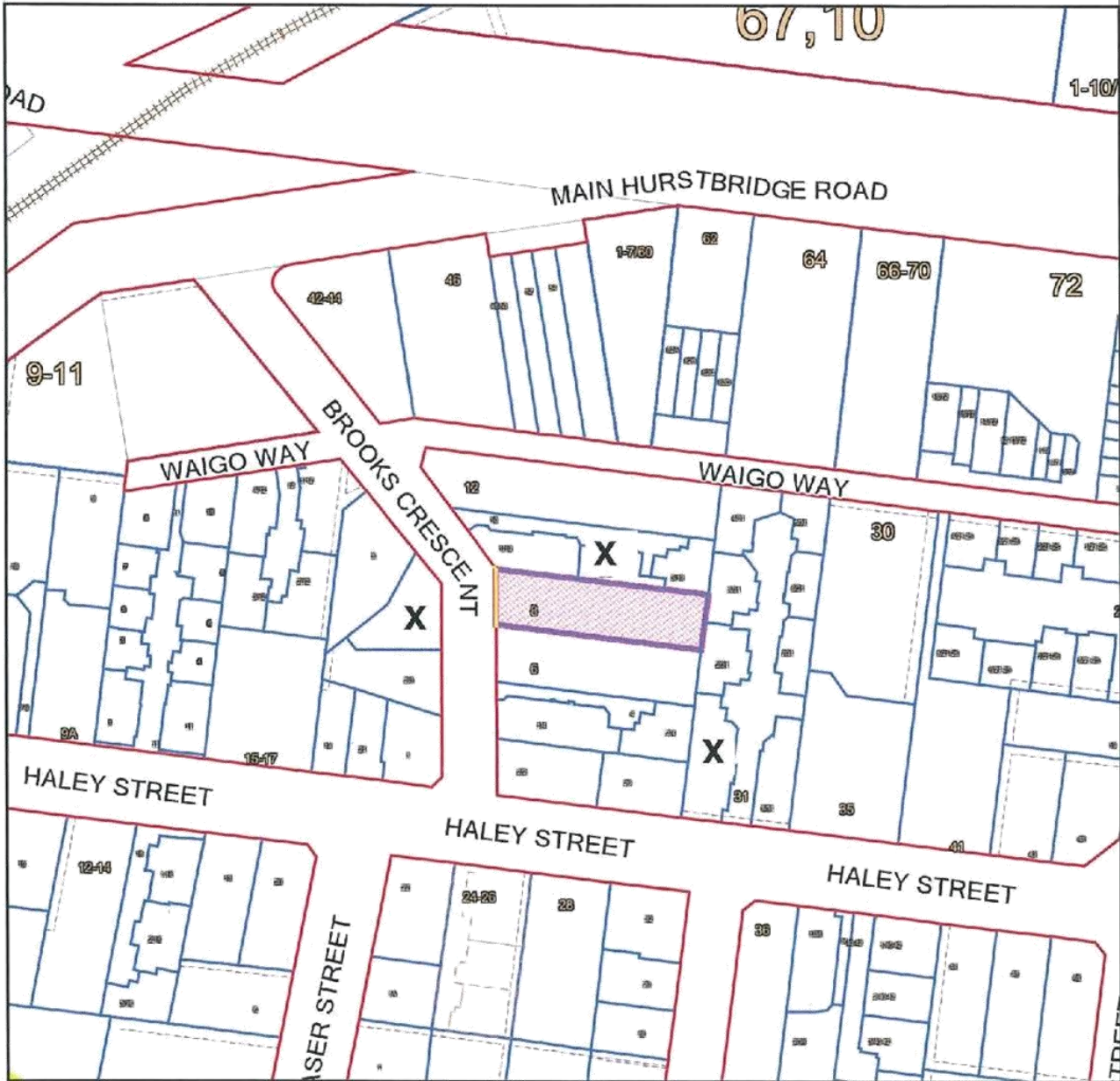
Subject Site and Surrounds

Subject Site: 8 Brooks Crescent, Diamond Creek

File Reference: B114/00/008P

Application Number: 246/2016/03P

Melway's Reference: 12B6



		Nearby Objectors:	3
Subject Site	Objectors	Total:	6

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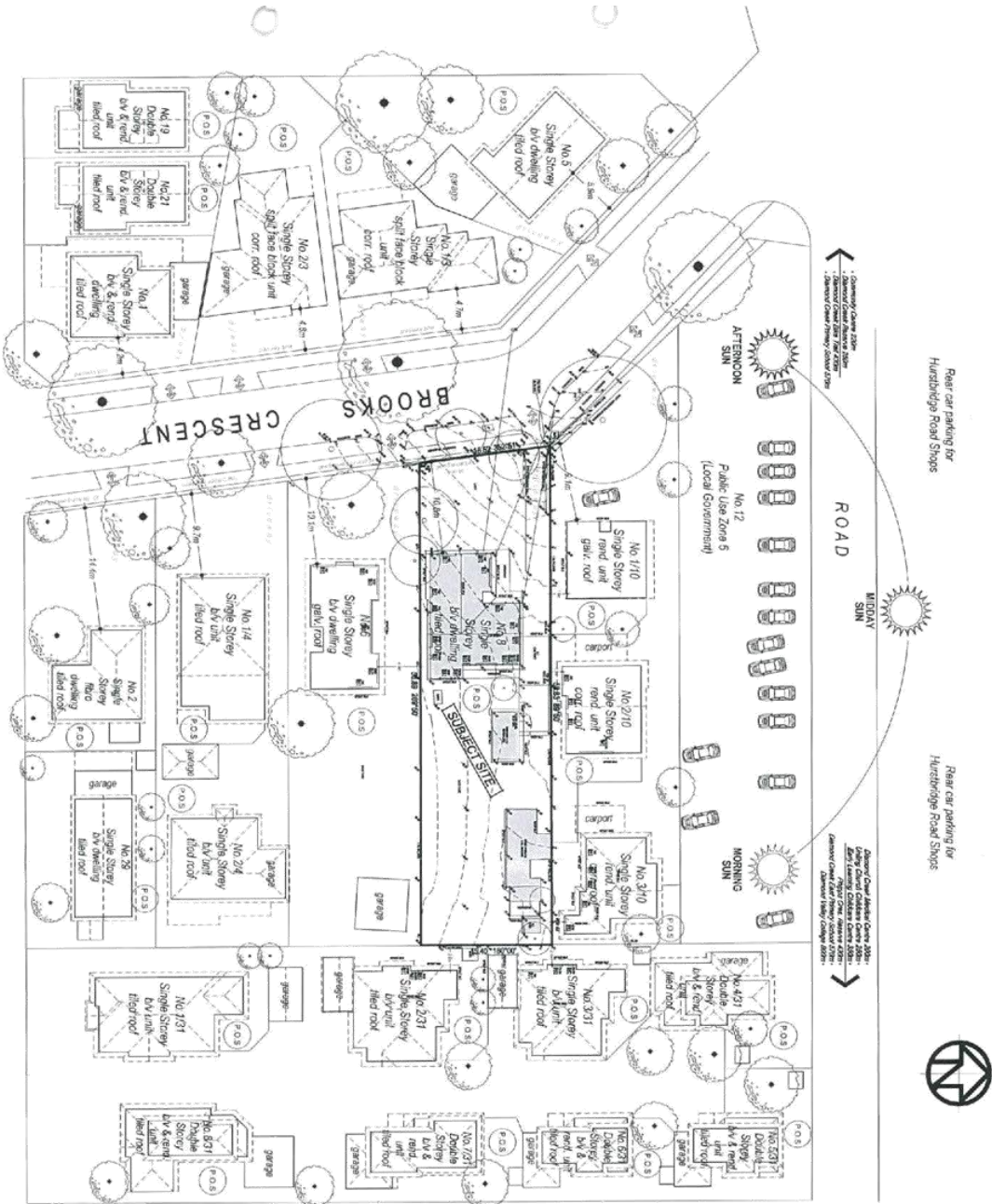
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Map Width:	306.9 m
Produced By:	Planning and Health Services
Responsible Officer:	Karen McPherson
Date:	Friday, 26 August 2016



SITE ANALYSIS
SCALE: 1:250



Plan: **1** of **9**
Application No: **246 2016/03P**
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SITE ANALYSIS

- USE OF SURROUNDING BUILDINGS: NEIGHBOURLY
- NO VARIATION IN SETS & FENES AND
- NO VARIATION IN SETS & FENES AND
- NO OBSTACLES OR CONSTRAINTS: UTIL. SERVICES AVAILABLE IN BROOKS CRESCENT
- VENTILATION & ROOM WINDOWS AS INDICATED
- NO CHARACTERISTIC LANDMARK FEATURES

SITE ANALYSIS LEGEND	
WB	WEATHERBOARD CLADDING
BV	BRICK VENEER
P.O.S	PRIVATE OPEN SPACE
M.W.	HABITABLE ROOM WINDOW
M.P.	LOCATION OF FIRE HYDRANT
M.D.	LOCATION OF STORMWATER DRAIN
V.A.	VERTICAL ACCESS
V.D.	VERTICAL DIRECTION TO DOWNDRAIN
C.C.O.	CONCRETE CROSS OVER



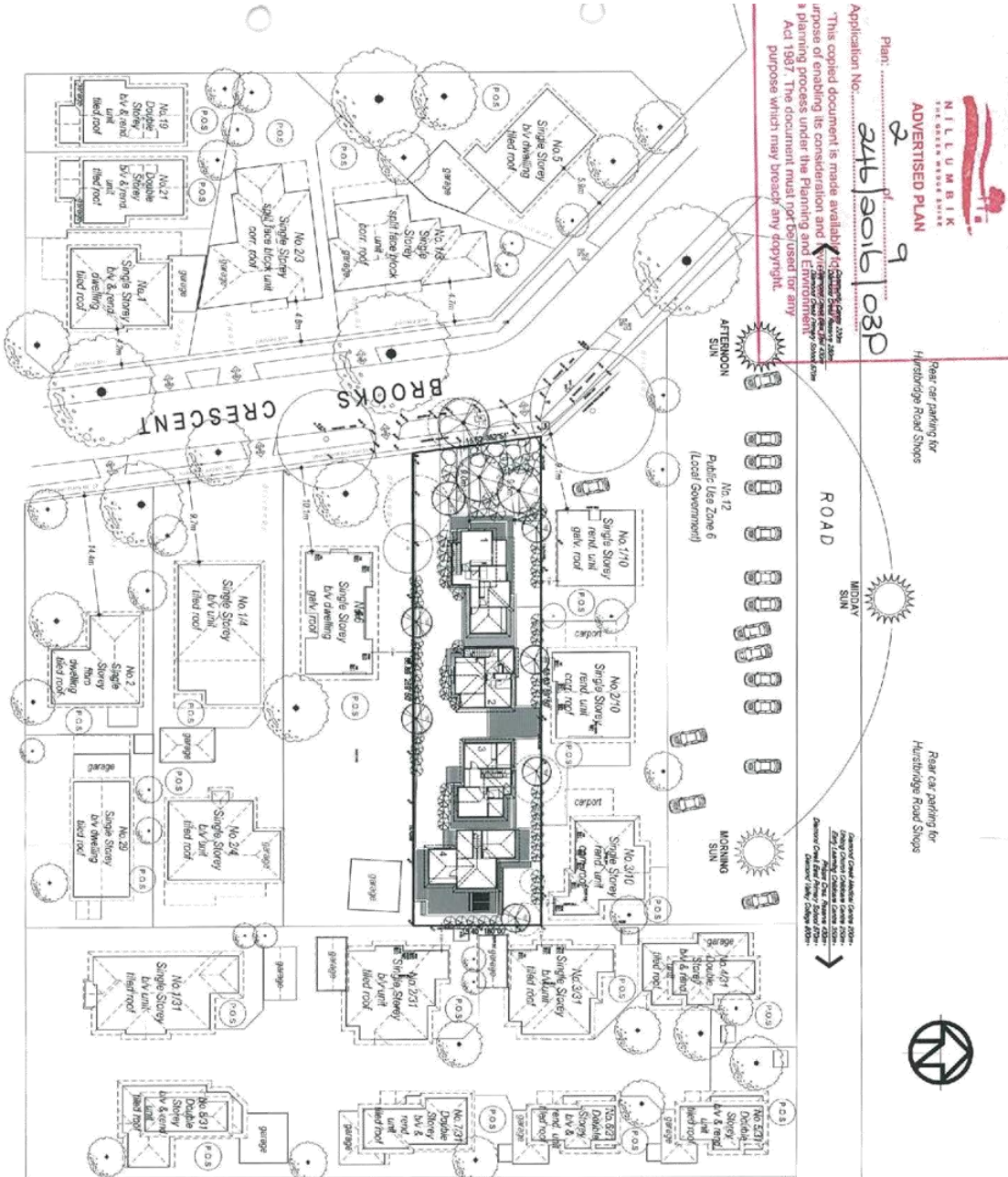
TOWN PLANNING 18054 B



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Application No: 246/2016/03P
Plan: 2

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DESIGN RESPONSE

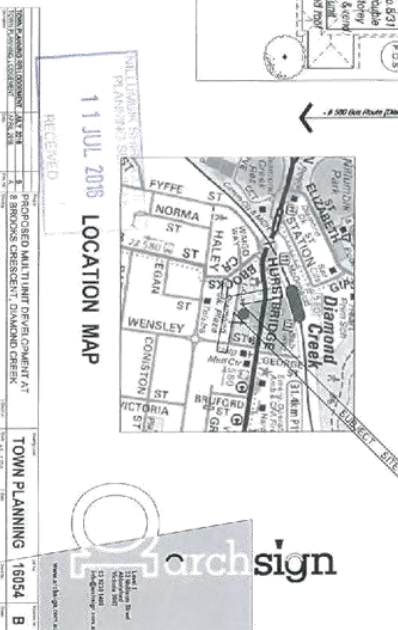
SCALE: 1:250

SITE ANALYSIS LEGEND	
WB	WEATHERBOARD CLADDING
BV	BRICK VENEER
P.O.S	PRIVATE OPEN SPACE
H.M.B	HABITABLE ROOM WINDOW
FP	LOCATION OF FIRE HYDRANT
SD	LOCATION OF STORMWATER DRAIN
VA	VEHICLE ACCESS TO OUTLOOKING
CC	CONCRETE CROSS OVER

DESIGN RESPONSE:

A LIST OF PLANNING ENGINES FOR EACH OF THE OUTLOOKING AREAS HAS BEEN IDENTIFIED AND MATERIALS, COLOURS AND TEXTURES ARE SELECTED TO COMPLEMENT THE SURROUNDING ENVIRONMENT. THE DESIGN RESPONSE IS AS FOLLOWS:

- WOODEN FINISHES OVERLOOKING AREAS: THE DESIGN RESPONSE IS TO USE WOODEN FINISHES OVERLOOKING AREAS TO COMPLEMENT THE SURROUNDING ENVIRONMENT.
- PRIVATE OPEN SPACE: THE DESIGN RESPONSE IS TO PROVIDE PRIVATE OPEN SPACE FOR EACH OF THE DWELLINGS.
- HABITABLE ROOM WINDOWS: THE DESIGN RESPONSE IS TO PROVIDE HABITABLE ROOM WINDOWS FOR EACH OF THE DWELLINGS.
- LOCATION OF FIRE HYDRANT: THE DESIGN RESPONSE IS TO PROVIDE A FIRE HYDRANT FOR EACH OF THE DWELLINGS.
- LOCATION OF STORMWATER DRAIN: THE DESIGN RESPONSE IS TO PROVIDE A STORMWATER DRAIN FOR EACH OF THE DWELLINGS.
- VEHICLE ACCESS TO OUTLOOKING: THE DESIGN RESPONSE IS TO PROVIDE VEHICLE ACCESS TO OUTLOOKING AREAS FOR EACH OF THE DWELLINGS.
- CONCRETE CROSS OVER: THE DESIGN RESPONSE IS TO PROVIDE CONCRETE CROSS OVERS FOR EACH OF THE DWELLINGS.



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PROPOSED MULTIHUNIT DEVELOPMENT AT 8 BROOKS CRESCENT, DIAMOND CREEK
TOWN PLANNING 16054 B



GROUND FLOOR PLAN
SCALE 1:100

Application No: **246/2016/03D**

Plan: **3** of **9**

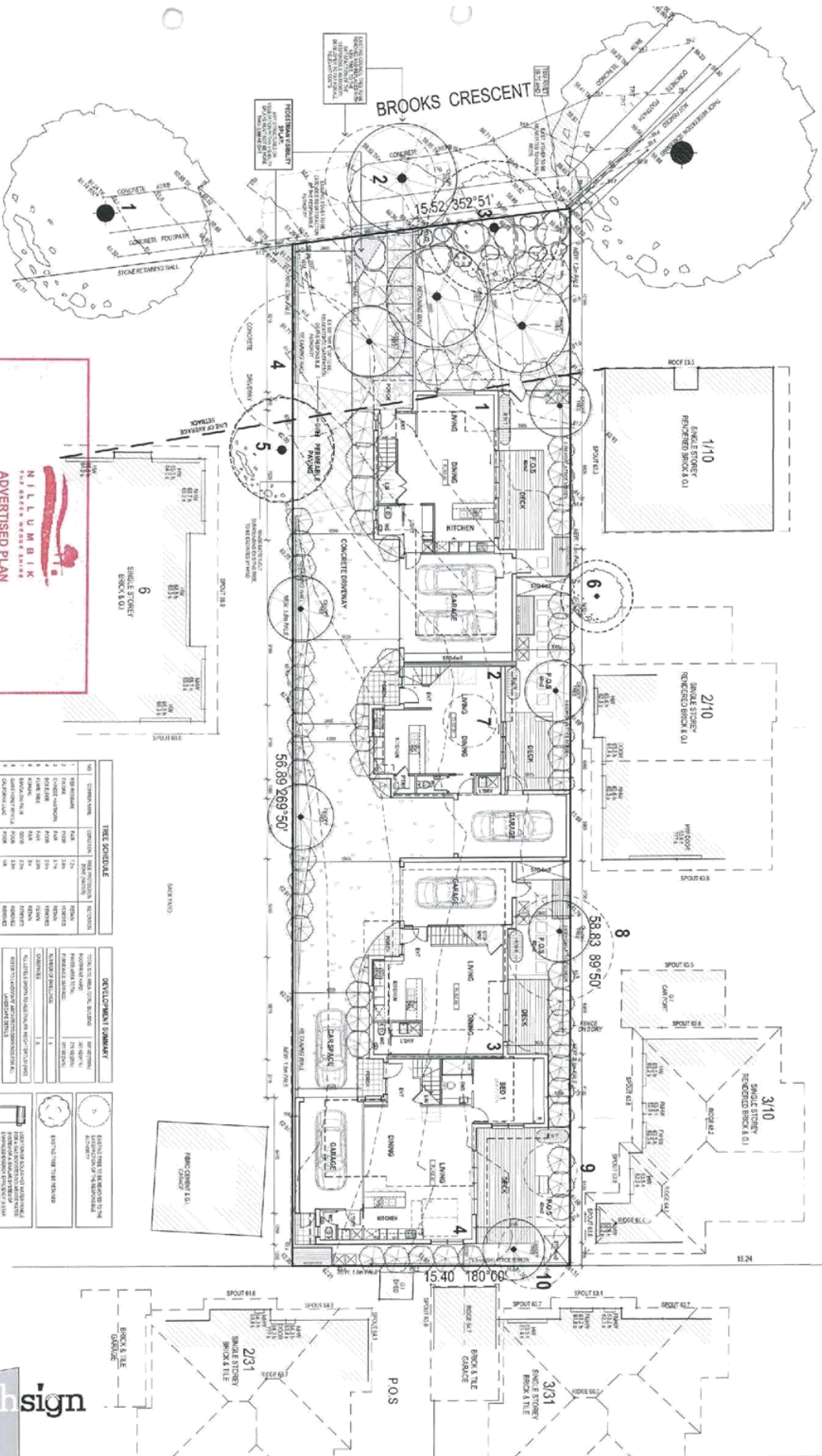
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NO	COMMENT/NOTE	CONTRACT	REVISION	DATE
1	ISSUE FOR PERMIT			15/06/2016
2	FOR APPROVAL			15/06/2016
3	FOR APPROVAL			15/06/2016
4	FOR APPROVAL			15/06/2016
5	FOR APPROVAL			15/06/2016
6	FOR APPROVAL			15/06/2016
7	FOR APPROVAL			15/06/2016
8	FOR APPROVAL			15/06/2016
9	FOR APPROVAL			15/06/2016

NO	DESCRIPTION	DATE
1	ISSUE FOR PERMIT	15/06/2016
2	FOR APPROVAL	15/06/2016
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9	FOR APPROVAL	15/06/2016

NO	DESCRIPTION	DATE
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2	FOR APPROVAL	15/06/2016
3	FOR APPROVAL	15/06/2016
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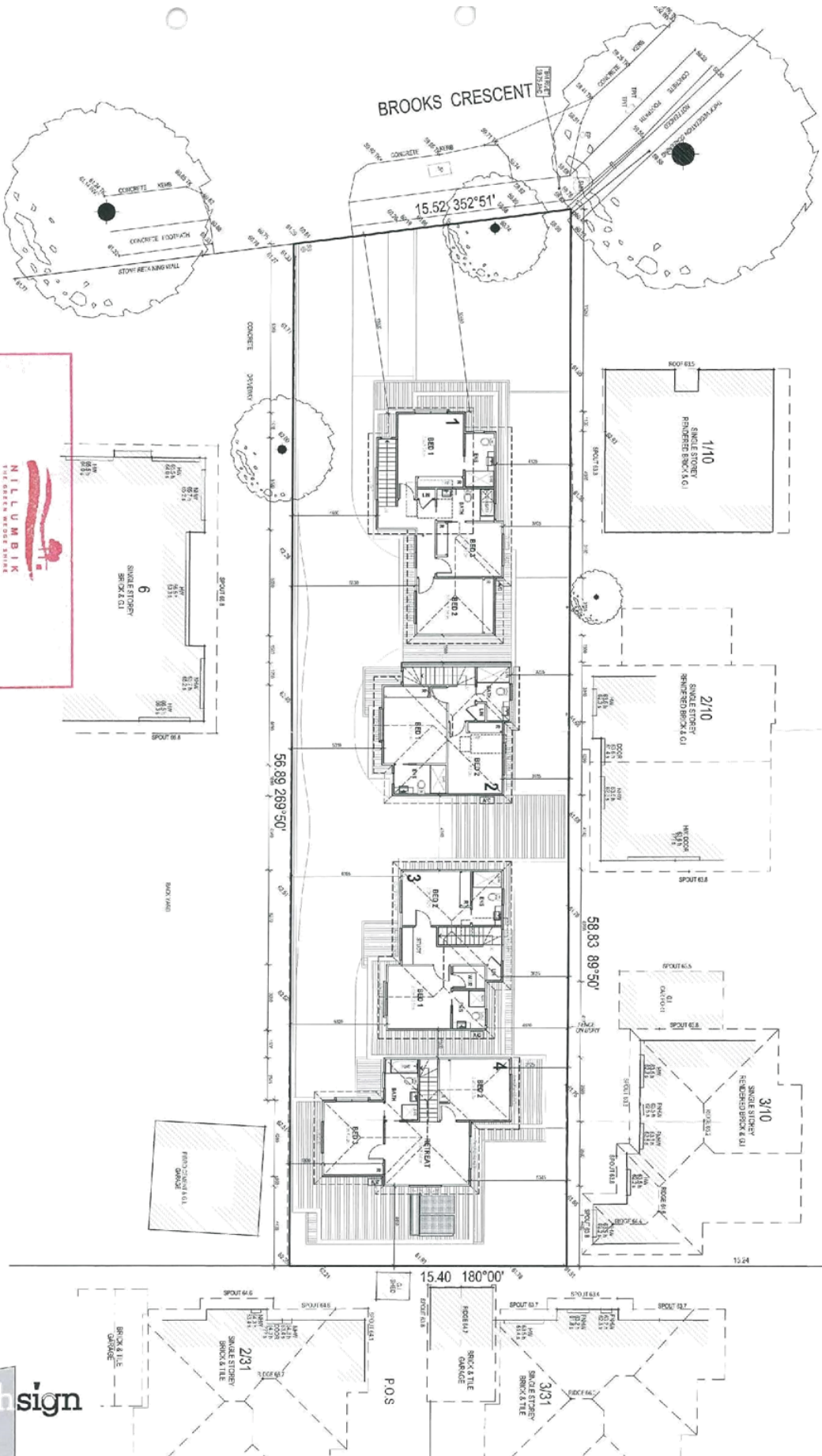
PROPOSED MULTI-UNIT DEVELOPMENT AT 8 BROOKS CRESCENT, DIAMOND CREEK

TOWN PLANNING 16054 B

archsign

11 JUL 2016

FIRST FLOOR PLAN
SCALE 1:100



Application No. **246/2016/030**

Plan: **4** of **9**

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PROPOSED MULTI UNIT DEVELOPMENT AT 8 BROOKS CRESCENT, DIAMOND CREEK


TOWN PLANNING 16054



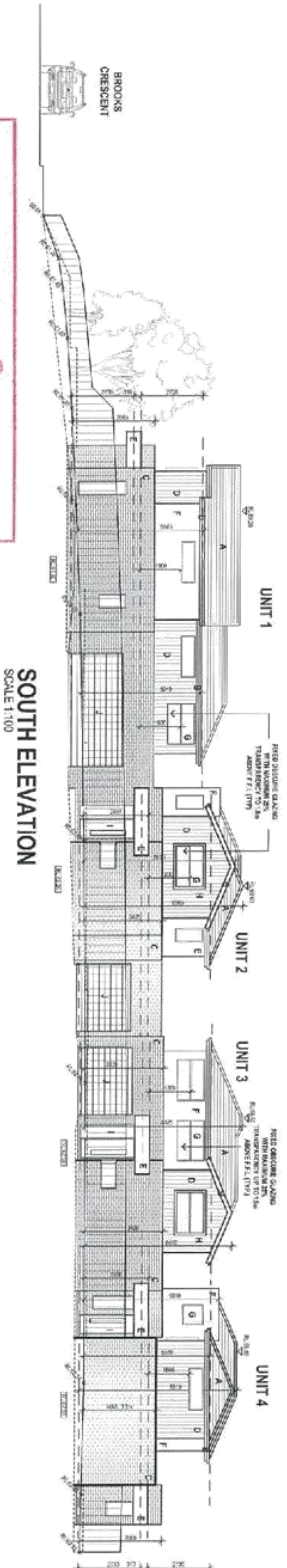
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Plan 5 of 9
Application No: 244/2016/1080

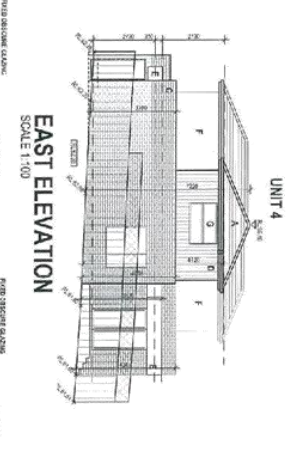
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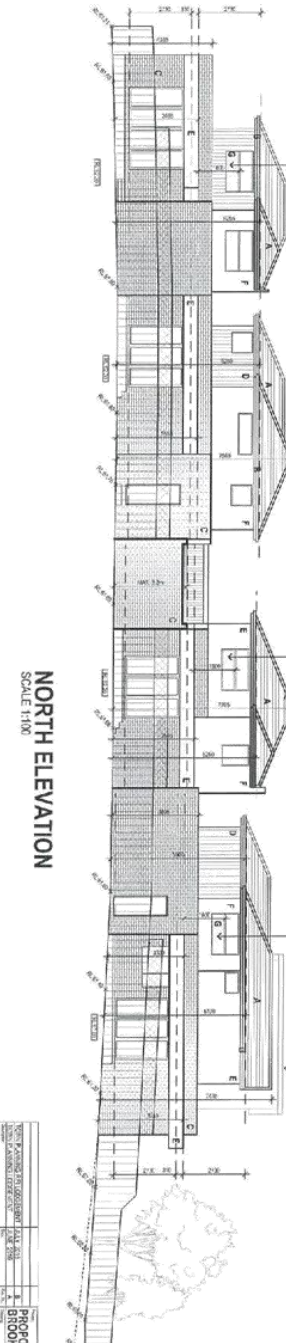
WEST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100


EXTERIOR COLOUR & FINISHES SCHEDULE

REF. / ITEM	DESCRIPTION	COLOR	SUPPLIER / FINISHES
A	COGNATE PAINTWORK	COGNATE GREY	BOUNCE/STYRE
B	WHITE PAINTWORK	WHITE	BOUNCE/STYRE
C	WOOD FINISH	WALNUT	WSP
D	WOOD FINISH	WALNUT	WSP
E	WOOD FINISH	WALNUT	WSP
F	WOOD FINISH	WALNUT	WSP
G	WOOD FINISH	WALNUT	WSP
H	WOOD FINISH	WALNUT	WSP
I	WOOD FINISH	WALNUT	WSP
J	WOOD FINISH	WALNUT	WSP

WILLIAMSON & PARTNERS
PLANNING ARCHITECTS

11 JUL 2016

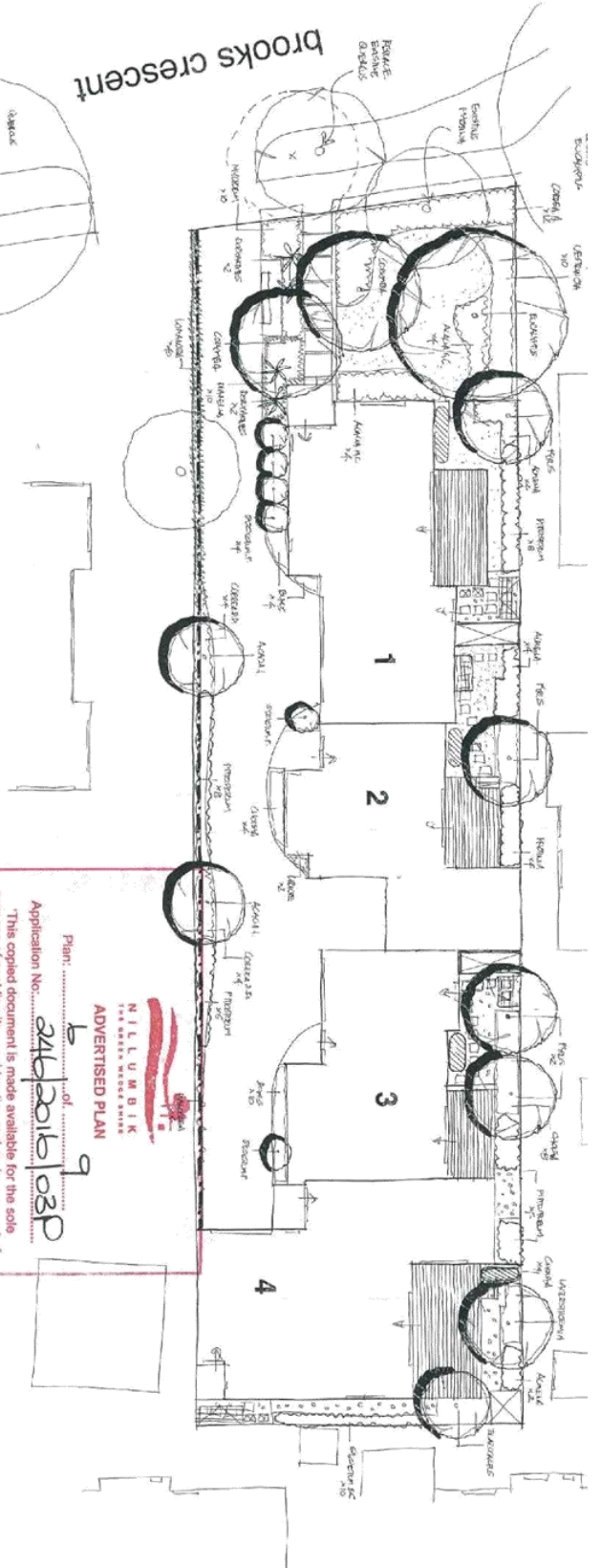
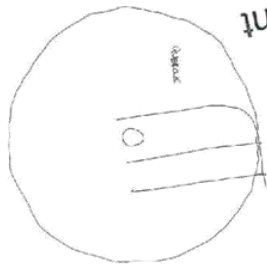
8 BROOKS CRESCENT
DIAMOND CREEK



PROPOSED MULTI-UNIT DEVELOPMENT AT 8
BROOKS CRESCENT, DIAMOND CREEK

TOWN PLANNING 16054

Brooks Crescent



Application No: 2462016/03P
 Plan: 6 of 9
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notes

Existing vegetation
 Existing trees and vegetation to be protected in accordance with Australian standards...
Planting Schedule
 Garden trees, shrubs, small to medium shrubs
 Garden plants, shrubs, small to medium shrubs
Planting Schedule Table:

Botanical Name	Common Name	Quantity	Size
Adiantum species	Wetland Fern	2	500mm
Asplenium species	Wetland Fern	2	500mm
Chamaecyparis species	Wetland Fern	2	500mm
... (many more rows)

key

- lawn
- garden edging
- path
- driveway
- fence
- water tanks
- existing trees
- habitat

Site Preparation and Maintenance notes

Existing trees to be retained...
landscaping plan
 project: 8 Brooks Crescent, Diamond Creek
 client: architect
 scale: 1:100 A1 date: June 2016 sheet: 1 of 1
 habitat

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

File: T026/00/012P

Distribution: Public

Manager: Jeremy Livingston, Manager Planning and Health Services

Author: Eloise Gabriele, Statutory Planner

Application summary

Address of the land	12 Thornton Street, Eltham
Site area	796 square metres
Proposal	Buildings and works to construct two dwellings, fencing and associated vegetation removal
Application number	752/2015/03P
Date lodged	18 December 2015
Applicant	D P Sette
Zoning	Neighbourhood Residential
Overlay(s)	Significant Landscape Overlay (Schedule 2)
Reason for being reported	More than 5 objections received
Number of objections	9
Key issues	<ul style="list-style-type: none"> • Strategic location (in the context of policy) • Neighbourhood character • Vegetation impacts • Compliance with Clause 55 (ResCode) • Car parking, access and traffic
Officer recommendation	Notice of Decision to Refuse to Grant a Permit

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham



4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachments

1. Subject Site and Surrounds
2. Plans 1 - 7

Subject site and surrounds

1. The key features of the subject land and surrounds are as follows:
 - The subject site is described as Lot 1 on Plan of Subdivision 066510. There are no agreements, covenants or easements registered to the title.
 - The subject site is located on the south side of Thornton Street, approximately 127 metres east of its intersection with Bolton Street, Eltham. The site is rectangular in shape, and is 796 square metres in area.
 - This section of Thornton Street is undulating and the subject site is located towards the crest of the street. The topography of the site is relatively flat and the site does not contain any easements.
 - The site features an existing single storey brick veneer dwelling setback 8.5 metres from the frontage. Vehicle access is via an existing gravel crossover and concrete driveway located in the east section of the site. Three trees are located in the front section of the site.
 - The site is located within an established residential area with some on similar sized allotments; however a number of allotments are much larger in size than the subject site. The site is immediately surrounded by residential development consisting of single and double storey dwellings, constructed from a mixture of materials such as brick and weatherboard.
 - The properties immediately adjoining the subject site to the east and west feature single detached dwellings. The adjoining property to the east (No. 14 Thornton Street) is a single storey brick veneer dwelling with a carport and tiled hipped roof. The carport is setback 7.4 metres and the dwelling setback to 11.9 metres from the Thornton Street boundary. The front yard is heavily screened with a mixture of medium shrubs and trees.
 - The adjoining property to the west (No. 10 Thornton Street) features a single storey brick veneer dwelling with a double storey weatherboard level located in the central section of the dwelling. The tiled roof forms are contemporary. The dwelling is setback 5.3 metres and positioned on an angle, towards the subject site with the closest side setback being 2.9 metres. The front and rear yards mainly comprise of medium sized shrubs and trees.

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

- The property to the south features a single storey brick and rendered dwelling and shares a common driveway along its western boundary. There are some examples of infill development located further south of the subject site. Properties located directly opposite the subject site feature predominantly single storey dwellings with predominantly flat and hipped roof forms. One double storey dwelling exists at No. 9 Thornton Street and is setback 11.9 metres from the front property boundary. Generous spacing within gardens has allowed for the retention and establishment of substantial trees. The properties located directly opposite the subject site are heavily screened by vegetation located within their front yards and along the road reserve in the form of canopy trees, small and medium shrubs which form the character of the overall streetscape in this section of Thornton Street.
- The Thornton Street road reserve and public streetscape contains a number of Eucalyptus species amongst indigenous shrubs providing a vegetated context. Thornton Street has unmade curb and channel and no formal footpaths which also contribute to a semi-bush character. As such, on-street parking within vicinity of the site is difficult.
- The subject site is located approximately 290 metres to the north-east of the Bolton Street shops and 1.8 kilometres to the south-west of the Eltham Activity Centre (as the crow flies).

Details of proposal

2. Refer to the attached plans.
3. Features of the proposal include:
 - Construction of 2 double storey dwellings in a side-by-side configuration. The dwellings are mirror images of each other, except that Dwelling 1B features a double carport instead of a double garage.
 - Dwelling 1A is located on the western side and the ground floor of this dwelling will consist of a double carport, an open plan kitchen/living/dining room, butler's pantry, laundry and master bedroom with ensuite and walk-in-robos.
 - The first floor of this dwelling will consist of an additional three bedrooms, bathroom and retreat. The double car garage to the front of the dwelling will access directly off Thornton Street via a proposed crossover and driveway.
 - Dwelling 1A will be setback (as a minimum) 8 metres from the front (northern) property boundary, between 1 and 4.3 metres from the western boundary and a minimum of 7.4 metres from the southern (rear) property boundary.
 - The dwelling will have a maximum height of 6.8 metres above ground level.
 - Dwelling 1B is located on the eastern side and features the exact same floor plans as Dwelling 1A. Dwelling 1B features a double carport and the proposed crossover for this dwelling is located via a proposed driveway located in the same position as the existing driveway.

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

- Dwelling 1B will be setback (as a minimum) 8 metres from the front (northern) property boundary, the carport wall will be located on the boundary and the dwelling setback between 2.3 metres and 3.5 metres from the eastern boundary and a minimum of 7.4 metres from the southern (rear) property boundary.
- The dwelling will have a maximum height of 6.4 metres above ground level.
- Both dwellings will be constructed of face brickwork in 'Red/Brown', selected rendered brickwork in 'Grey' and weatherboards in 'Cream' and will have a Zincalume roof. Feature timber cladding is proposed on the façade and walls of the double car garage.
- There is no separation between the dwellings as they share a common wall. There is 400mm difference in roof separation between the dwellings.
- No front fencing is proposed.
- The proposal seeks to construct a dividing timber paling fence to a height of 2 metres between the boundaries of the proposed dwellings commencing at the end of the dividing wall line to the south boundary.
- The proposal also seeks to construct a solid Colorbond fence to a height of 1.8 metres along the western boundary to the dwelling building line. All other fencing along all other boundaries remain as existing.
- The following vegetation is proposed to be removed:

Tree No.	Botanical Name	Common Name	Origin	Location
2	<i>Melaleuca linarifolia</i>	Snow in Heaven	Australian Native (NSW/QLD)	Subject site
3	<i>Araucaria heyerophyllia</i>	Norfolk Island Pine	Australian Native (Norfolk Island)	Subject site
7	<i>Acacia floribunda</i>	White Sallow Wattle	Environmental Weed	Road reserve
8	<i>Bursaria spinosa</i> x2	Sweet Bursaria	Indigenous	Road reserve

- Of the above trees, Tree No. 8 requires a permit to be removed as it is identified as 'native vegetation' (indigenous to Victoria) pursuant to the Significant Landscape Overlay (Schedule 2).

Planning history

4. There is no relevant planning history with respect to the subject site.

Planning controls

Zoning

5. The subject site is zoned Neighbourhood Residential. Under this zone, a permit is required to construct two dwellings on a lot. The number of dwellings on a lot must not exceed two. A dwelling(s) is a 'no permit required' use in this zone.

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Overlays

6. The subject site is affected by the Significant Landscape Overlay (Schedule 2). The purpose of this overlay is to identify significant landscapes, and to conserve and enhance the character of significant landscapes. A permit is required to construct a building or carry out any works. A permit is also required to remove, destroy or lop any native vegetation (unless specified exemptions are met). The exemptions relevant to this application are environmental weeds and trees not indigenous to Victoria.

Particular provisions

7. Development of two or more dwellings on a lot must meet the requirements of Clause 55 (commonly known as 'ResCode').
8. Clause 52.06 (Car Parking) is relevant to the consideration of this application. This clause seeks to ensure there is provision of an appropriate number of car parking spaces, to ensure that car parking does not adversely affect the amenity of the locality, and to ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.
9. Clause 65 (Decision Guidelines) outlines general decision guidelines that must be considered when assessing an application. These guidelines include the purpose of the zone or other provision, the orderly planning of the area, and the effect on the amenity of the area.

Relevant planning policies

10. State Planning Policies which are relevant to this application include:
- Clause 15.01-1 – Urban Design
 - Clause 15.01-5 – Cultural Identity and Neighbourhood Character
 - Clause 16.01-1 – Integrated Housing
 - Clause 16.01-2 – Location of Residential Development
 - Clause 16.01-4 – Housing Diversity
11. The Local Planning Policies which are relevant to this application include:
- Clause 21.05-1 – Settlement and Housing
 - Clause 21.05-3 – Environment, Conservation & Landscape
 - Clause 22.01 – Medium Density Housing Policy
 - Clause 22.12 – Neighbourhood Character Policy

Policy context

12. The planning policies identified above encourage residential development and the strength of encouragement for medium density housing is greater the closer the site is located to an activity centre or other commercial and community facilities, and reduces the further the site is located from necessary urban infrastructure.

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

13. The Neighbourhood Residential Zone (which the subject site and surrounds is zoned) on the other hand seeks to limit opportunities for increased residential development, which is reinforced by the existence of the Significant Landscape Overlay which seeks to achieve a notable vegetative landscape outcome. Development that does occur in this zone should respect the identified and landscape character of the area.
14. The purpose of the Neighbourhood Residential Zone is to restrict housing growth and protect neighbourhood character. This zone represents the lowest scale of intended growth of the three residential zones.

Public consultation

Advertising

15. The application has been advertised by way of the posting of notices to the owners and occupiers of neighbouring properties and the erection of a notice on-site.

Objections

16. As a result of advertising, a total of 9 written objections have been received. These objections can be summarised as follows:
 - The bulky, bold building design is at odds with the neighbourhood; the existing streetscape is lush and green.
 - The proposed dwelling design is not consistent with existing streetscape and compromises neighbourhood character.
 - The proposed design featuring two double garage doors forward of the dwellings, is looming and compromises the park-like appearance of the street, with little opportunity in the design to screen doors from view.
 - The proposed dwellings are exceptionally large (two-4 bedroom dwellings) on the smallest block in the immediate neighbourhood.
 - Wall-to-wall development is not in keeping with neighbourhood character.
 - The design not in line with the streetscape and does not respect scale and proportion of surrounding buildings or the street pattern of pitched roofs and carports.
 - Little room to plant in order to soften the impact of the buildings and double car garages.
 - There is limited space down the side of the buildings for trees and vegetation to grow or provide any character or screening.
 - The height of the proposed dwellings will cast shadow on the dwelling to the east obstructing sunlight.
 - Overlooking and privacy concerns reducing privacy for properties to the rear (south) and east.
 - Minimal storage allocated for each dwelling.
 - Additional demand for street parking will cause issues with passing traffic, limited visibility and a potential hazard for pedestrians.

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

- An additional driveway will further reduce street parking and be detrimental to the streetscape.
- Proposal could potentially house 10 extra vehicles, which would be required to park in Thornton Street.
- Proposal will create further congestion along an already narrow street; all traffic from Thornton Street is required to utilise Bolton Street for access and egress, creating additional stress to Bolton Street.
- Business (home occupation) being conducted at subject site leads to additional traffic in the street.
- There are drainage and stormwater run-off concerns.
- The proposal will compromise sewage facilities and water supply to the locality.
- The proposal will promote undesirable future occupants.
- Increase in noise levels and impact on peace and quiet of the locality.
- The submitted plans do not highlight any proposed energy efficiencies.

Planning application conference

17. A Planning Application Conference (PAC) was held at the Shire offices on 20 July 2016. The meeting was attended by the permit applicant, 5 objector parties and the Ward Councillor. As a result of the meeting, the permit applicant submitted amended plans on 3 August 2016 which included reduced setbacks, change of one double car garage to a double carport, reduced area of the decks, and a reduced footprint of the first floor level.

Referrals

Internal

18. The application was referred to various business units or individuals within Council for advice on particular matters. The following is a summary of the relevant advice:

Council Unit	Comments
Infrastructure Development Unit	No issues raised with respect to the proposal, subject to conditions being placed on any permit issued for the development. These conditions relate to stormwater and drainage management, access and driveway construction.
Consulting Arborist	All trees correctly identified within the submitted arborist report. Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) are in accordance with Australian Standard 4970-2009. Tree Nos. 1 and 2 are recommended for removal due to poor structure. The removal and replacement of Tree Nos. 1 and 2 are considered arboriculturally acceptable.

4. Planning Reports

PC.013/16 Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

	<p><i>Note: As a result of amended plans submitted on 3 August 2016 the application has now sought to retain Tree No. 1 (Willow Myrtle).</i></p> <p>There is a minor encroachment (less than 10% TPZ area) to Tree No.3 from the proposed driveway to proposed Dwelling 1A. Based on the submitted landscape plan, this tree is not going to be retained, although this is unclear as the location on the plan is incorrect.</p> <p>Tree No. 3 is proposed to be removed and assessed as a 'high retention value' tree in the arborist report submitted with the application, however should be assessed as a 'medium retention value' tree. The permit applicant should consider incorporating this tree into the design, if possible.</p> <p>There is minor encroachment (less than 10% TPZ area) to Tree No.4 located on the adjoining property from the proposed garage and driveway to Dwelling 1A. This tree can remain viable provided standard Tree Protection Zone measures and compensation for the area lost to encroachment.</p> <p>There are no Tree Protection Zone encroachments to Tree Nos. 5 or 6 located on adjoining properties.</p> <p>Tree Nos. 7 and 8 are located on the road reserve in front of the property. They are shrubs and their removal and replacement are considered arboriculturally acceptable.</p> <p>Trees to be retained and trees on adjoining properties should be clearly marked with their appropriate Tree Protection Zone boundaries.</p>
<p>Environment and Sustainability Team</p>	<p>Overall, no concerns with the proposed development.</p> <p>Tree Nos. 7 and 8 are located on the road reserve and do not fit into the classification for scattered trees nor do they form a remnant patch for consideration under Clause 52.17 (Native Vegetation). Therefore, there is no consideration required under this clause.</p> <p>In this location, the Bursaria is unlikely to be habitat for Eltham Copper Butterfly. Recommended the replacement of the lost Bursaria with indigenous species on-site as included in the landscape plan to incorporate replacement planting.</p>
<p>Environmental Works Team</p>	<p>The road reserve of Thornton Street where the construction will take place contains remnant patches of Valley Grassy Forest EVC (Ecological Vegetation Class) and scattered indigenous trees, shrubs, grasses and herbs. Little original understorey remains. In the road reserve of the subject site, scattered shrubs such as Sweet Bursaria are present along with indigenous Wallaby-grasses.</p>

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	<p>The assessment found that there are two indigenous shrubs, both Sweet Bursaria, along with several planted native non-indigenous species; this includes a Wattle (an environmental weed). The grass of the road reserve is mostly indigenous.</p> <p>The loss of two Sweet Bursarias will contribute to the decline in local biodiversity and habitat of the local area. The two Sweet Bursarias proposed to be removed, along with scattered native non-indigenous shrubs may only provide habitat to locally common species, which will not be adversely affected by the loss of these two medium shrubs. The shrubs contribute to the local streetscape and amenity of the local area.</p> <p>Where possible, the proponent should avoid the loss of the two Sweet Bursarias.</p> <p>Following design considerations, where losses are non-preventable, landscaping should use species from the Valley Grassy Forest EVC. This should include the planting of at least 8 Sweet Bursarias in the front setback as an informal offset to replace the lost vegetation.</p>
Landscape Architect	<p>There are only four canopy trees of native or indigenous origin on the submitted landscape plan.</p> <p><i>Callistemon sieberi</i> (River Bottlebrush) is not a canopy tree nor is <i>Pyrus calleryana</i> "Capital" (Capital Ornamental Pear). The plan is therefore deficient in the expected number of canopy trees on the site.</p> <p>The side setback of 2.3 to 2.8 metres is a narrow space to grow shrubs that reach 3-4 metres in height. The <i>Goodenia ovata</i> (Hop Goodenia) proposed is problematic on dry sites and only grows to 900mm in height. The <i>Dianella</i> (Flax Lilies) only grows to 400mm in height. The side and rear setbacks need to have tall shrubs that provide visual relief from neighbouring properties and occupants some privacy.</p> <p>Retention of Tree No. 1 (Willow Myrtle) may be problematic as it is well within the splay zone often required for visibility to footpaths and nature strips for vehicles exiting a property.</p>

External

19. The application was referred to the following statutory referral authority for advice on particular matters. The following is a summary of the relevant advice:

Authority	Comments
Department of Environment, Land, Water and Planning (DELWP)	No objections to the proposal, and no conditions requested.

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Planning assessment

Introduction

20. The following have been identified as the key planning issues in relation to the assessment of this planning application:
- Strategic location (in the context of policy);
 - Neighbourhood character;
 - Vegetation impacts;
 - Compliance with Clause 55 (ResCode); and
 - Car parking and traffic.
21. Assessment of these issues, together with a response to objections received, will be discussed in the remainder of this report.

Strategic location

22. Clause 21.05-1 (Settlement and Housing) of the Municipal Strategic Statement (MSS) contains an objective to encourage medium density housing with good access to commercial and community services, public transport, open spaces and other infrastructure, and to discourage medium density housing where access to these facilities is inadequate. The objective is given more direct effect in the Medium Density Housing Policy at Clause 22.01.
23. From a locational perspective, the site is well located to accommodate increased residential densities. The site is located within relatively close proximity to the Bolton Street shopping precinct and a number of community facilities including the Eltham High School, the Eltham Leisure Centre and a number of recreational reserves (although walking is difficult given the hilly terrain and lack of pedestrian paths).
24. Despite these locational attributes, the site (and surrounding area) has been recognised as providing strong neighbourhood character attributes and through the zone, there is now an emphasis on preserving this character by ensuring that development is appropriately modified and to an extent limited. The purpose of the zone strengthens the protection of neighbourhood character, by placing greater weight to neighbourhood character considerations, instead of seeking to achieve an 'even balance' between urban consolidation objectives of the State and Local policies and respecting neighbourhood character.

Neighbourhood character

25. Local policy aims, amongst other things, to ensure that the identified elements that contribute to neighbourhood character are retained and enhanced. This is achieved by managing change and ensuring new development works towards achieving the stated streetscape and character outcomes.
26. The identified key elements of the Significant Landscape Overlay (Schedule 2) are:
- *The visual dominance of native vegetation including substantial indigenous trees and understorey species that creates a bushland character.*

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- *Buildings are obscured from view from the street and are sited with minimal excavation and disturbance to the natural landform.*
- *Dwellings and other buildings are designed and coloured to blend in with the bushland landscape.*
- *Gardens are continuous with roadside and surrounding property vegetation where there are no solid fences and fencing, if present, is usually of post and wire construction.*

27. The landscape character objectives to be achieved include:

- *To provide for housing in a residential location in a bushland setting.*
- *To provide for sensitive siting of buildings and works, access and earthworks by the restoration of native vegetation where considered appropriate.*
- *To provide for conservation and enhancement of the environmental values of the area.*
- *To ensure that the development of land and the removal of native vegetation are not detrimental to the natural environment and character of the area.*
- *To minimise the threats to the natural environment through the unnecessary removal of vegetation in these areas.*

28. The subject site is located within a 'Bush Garden' character precinct as identified by the Neighbourhood Character Policy at Clause 22.12. This policy is associated with the Significant Landscape Overlay (Schedule 2) and sets out the preferred character for the precinct as follows:

- *Development is sited to minimise disruption to landform and vegetation. Buildings maintain the pattern of orientations and setbacks of adjoining properties and the streetscape. Some variation occurs where innovative high density housing has and will develop in areas close to activity centres and transport routes. Driveways and car storage areas should occupy the minimum functional area.*
- *Residential development is set amongst predominantly indigenous trees, although there are some locations where native or exotic trees are present. Hillsides of residential development viewed from a distance appear to be lushly vegetated.*
- *There is little or no physical evidence of the boundary between private and public property at the front of the house, and no solid front fence. Solid side fences stop level with the front of the building.*
- *The public domain includes footpaths and verges that are generally informally aligned. Some exceptions occur where formal standard suburban footpath and nature strip layouts are appropriate. Roadways are mostly sealed with roll over kerb and sometimes no kerb. In some areas, roll over kerb and channels have been constructed to prevent erosion and to protect properties from storm water runoff.*

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29. The design objectives specific to the 'Bush Garden' precinct are as follows:
- *To retain remnant indigenous trees and continue enhancing the landscape setting with indigenous and Australian natives and understorey (where appropriate with other planning requirements including bushfire safety).*
 - *To maintain and enhance the continuous flow of the vegetation of the bush garden landscape.*
 - *To design and site buildings which minimise the risk of loss in a bushfire and landscaping which minimises the spread and intensity of bushfires.*
30. Council's Medium Density Housing Policy requires new development to have regard to the building form and style of surrounding dwellings, and encourage contemporary and innovative design that does not detract from the preferred character of the area.
31. The subject site is 796 square metres in area, and is one of the smaller allotments within this neighbourhood. Most notably, the subject site is shallower in depth compared to neighbouring properties, and this provides some challenges with respect to achieving two dwellings on the land. The size of the proposed future lots as a result of the proposed development would be approximately 398 square metres each. In terms of land size, these future lot sizes would be significantly smaller in area to that of adjoining properties which range from 644 square metres (No. 2/11 Baxter Street) to 1,207 square metres (Nos. 10 and 14 Thornton Street). In terms of the proposed density of development alone, the proposal is inconsistent with the existing lot sizes in the immediate neighbourhood.
32. The proposed development achieves the Clause 55.03-3 (Site Coverage) and Clause 55.03-4 (Permeability) benchmarks of ResCode which stipulate a maximum site coverage of 60% and a minimum pervious area of 20% respectively. Although the proposed development provides a 49% site coverage and 32% permeability, the proposed site coverage is high for a 'Bush Garden' area in Nillumbik, and is high in the context of the surrounding neighbourhood.
33. The character of Thornton Street is of development that is mostly subservient to its bushland setting, with broad open vistas of the surrounding area and undulating topography of the surrounds. Overall, buildings that have a dominant appearance in the broader landscape are not the typical visual characteristic of this neighbourhood.
34. A number of objections raised concern with introduction of double storey dwellings into a streetscape comprising predominantly single storey scale. Whilst double storey built form is an acceptable development response, it is the way the proposed dwellings are 'squeezed' onto the land and their lack of building form articulation and separation that provides an inappropriate response to the local character objectives for a 'Bush Garden' precinct.
35. The lots within Thornton Street and its surrounds are reflective of a continuous landscape where relatively low density development exists within larger lots with generous setbacks and canopy trees and vegetation scattered in and around the predominately single dwelling built form. It is this character that defines and contributes to the strong neighbourhood and landscape character value of the area. This character combined with open nature strips/road reserves and unmade

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footpaths provide the informal 'Bush Garden' feel to the area. In the case of this proposal, the shallow depth of the subject site (compared to neighbouring properties) does not lend itself to being able to achieve these strong landscape characteristics.

36. The proposed development will be sited side-by-side on the land. The location of the proposed double car garage and double carport located at the front of the development presents as almost boundary to boundary development. The garage wall of Dwelling 1A is setback from the west boundary by 1 metre. The resulting side setbacks of both dwellings vary slightly with the majority of the side setback of the ground floor of Dwelling 1A to the east boundary being 3.2 metres and the setback of Dwelling 1B to the west boundary being 2.8 metres. The ground floor setback to the rear (south) boundary is 7.4 metres. The side setbacks, combined with a double storey built form which extends across the majority of the ground floor layout (except for the entry, garage and carport) will have an appearance of continuous building lines which is contrary with the established residential character of the area, which comprises openness and separation between built forms.
37. The idea of design and visual bulk from a neighbourhood character perspective is not to limit design variety and innovation, but to ensure that the design of the proposed building is respectful to neighbourhood character. The proposed development offers very little in regards to dwelling separation across the lot. Contrary to the desired future character of the 'Bush Garden' precinct, this proposed development will present as a highly dominant element within the streetscape and adjoining properties with continuous built form separated only by minimal side setbacks. The massing and siting of the proposed built form in this manner is not characteristic of the modest footprint and low density character of surrounding development. This lack of articulation, together with its siting and the size of the subject site (particularly its lack of depth) makes the dwellings overly prominent in the landscape.
38. The proposed double storey dwellings provide generous upper floor areas comprising 3 bedrooms, a retreat and one bathroom. Although the upper floor component of the development is generally recessed from the ground floor level, there are areas where there are no recessionary elements to the upper floor. Overall, any recessive setbacks are minimal, and lack meaningful articulation. This is reflective in that the upper floor levels are recessed by a maximum of 1.5 metres to both the eastern and western elevation and a minimum recession of 500 millimetres.
39. The rear (south) elevation of the proposed development also provides for minimal recession at the upper floor level which results in unreasonable visual bulk that will be dominant in appearance when viewed from abutting properties.
40. The proposal's ability to provide a vegetative landscape outcome to enhance the 'Bush Garden' precinct is severely problematic. The extent of development across the site leaves little opportunity for meaningful landscape planting either side of the proposed development, particularly canopy trees that strongly contribute to the surrounding 'Bush Garden' character.

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41. Proposed planting along these side setbacks (setback 2.8 to 3.2 metres) is limited with one exotic tree (Capital Ornamental Pear). Although this type of selection might be suitable for the restricted space available, it does not provide the type of landscaping required in order for the vegetation on the site to play a more dominant role within the landscape, as well as providing visual relief to the proposed built form.
42. Similarly, the size of the rear yards are not overly large to provide sufficient substantial tree planting to assist with the proposed development's integration into the 'Bush Garden' setting. The rear yards for each dwelling propose planting for one native canopy tree and small shrubs.
43. The submitted landscape plan shows the 4 proposed canopy trees being a mix of natives (Lightwood, Narrow leaved Peppermint and Red Box) with two exotic trees (Capital Ornamental Pear). The submitted landscape plan also identifies 2 River Bottlebrush's, however these are not considered canopy trees. Council's Landscape Architect identified that the proposal lacks compliance with the desired canopy tree requirement as identified by the 'Bush Garden' precinct (5 canopy trees). Whilst the proposal identifies the planting of 4 native canopy trees (two at the front of the site and one located in each rear corner), the proposal lacks the area available to provide for meaningful landscaping across the site to reflect the significant vegetated context of this 'Bush Garden' setting.
44. The proposed dwellings achieve a front setback of 8 metres, however the two proposed driveways (as well as the associated car parking facilities) reduce the amount of area available for meaningful landscaping that can be achieved in the front setback. This outcome will interrupt the prevailing pattern of dwellings along the street which are well nestled into their respective properties through generous front and side setbacks.
45. The provision of car parking facilities (double carport and double garage) within the frontage are in opposition to the design objectives of the Neighbourhood Character Policy, and will be visually dominant due to their location forward of the dwellings and not a recessive feature of the development. The preferred character and neighbourhood character guidelines for the 'Bush Garden' precinct specifically stipulate that car storage areas should occupy the minimum functional area, and car parking facilities should be located behind the line of the dwelling or in the rear yard. The car parking areas (garages or carports) should not dominate the site when viewed from the street. The location of the car parking facilities will be a significant visual feature of the building when viewed from the street, and due to the reduced area for landscaping (due to the additional crossover) the proposed landscaping will not achieve in softening the car parking facilities located in front of the dwellings.
46. The usable width of the frontage for creating an entrance to the proposed dwellings is reduced due to the additional crossover in the western section of the road reserve. Clause 55.03-9 (Access objective) of ResCode seeks to ensure the number and design of vehicle crossovers respects the neighbourhood character. Standard B14 of this objective identifies that the width of accessways should not exceed 33% of the street frontage. The proposal achieves 30% of the street frontage occupied by accessways. This value achieves the technical standard by the minimal margin. Whilst the standard is achieved, the proposal must meet the objective.

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47. In order to create an additional crossover, native vegetation must be removed from the road reserve, which results in a section of the road reserve significantly devoid of any vegetation. This outcome is a departure from the desired future character to ensure that there is little or no physical evidence of the boundary between private and public property, loss of continuous landscape and from the characteristic 'Bush Garden' setting within Thornton Street.
48. Furthermore, this item was a key concern raised in most written objections from adjoining properties and residents located in Thornton Street. The informal road alignment, curb and channel and undulating topography in this section of Thornton Street significantly reduces the opportunity for visitor car parking in the immediate vicinity of the subject site. The written objections identified that the additional crossover and increase in the number of vehicles from the proposed development will result in dangerously congested street conditions for road users and pedestrians and the construction of another driveway from Thornton Street would further decrease car parking opportunities within the street and is not in keeping with the neighbourhood character.
49. Overall, the proposed building materials and colours for the development and fencing are generally earthy tones and muted in colour. However, the proposed development includes the highly reflective roof material of 'Zincalume' for the roof of the dwellings, garage and carport. The highly reflective material is not a preferred building material in a 'Bush Garden' precinct as it produces highly reflective qualities which create a visual intrusion and is not supported for this proposal.
50. The application includes a 1.8 metre high Colorbond fence along the western boundary with No. 10 Thornton Street. The proposed fence ceases at the building line of the proposed dwellings which aligns with the edge of the carport located at No. 10 Thornton Street, and will not protrude forward of the façade of the proposed dwellings or dwelling located on the adjoining property. The proposed fence is partly replacing an existing timber paling fence and will be located between buildings. The dividing fence between the dwellings is generally in keeping with the type and style of boundary type fencing in this area. Overall, the length, height and location of this Colorbond side fence and dividing fence will not significantly detract from the neighbourhood character of the locality.
51. Although from a neighbourhood character perspective there are no fundamental issues with the actual design of the proposed development (with the exception of the dominance of car parking facilities along the front elevation and the proposed roofing material), the proposed development is not site responsive to this particular land and location in terms of its siting and lack of meaningful landscaping opportunities. On a larger site with a greater site depth, the proposed development may be able to appropriately respond to the neighbourhood character objectives of the planning scheme. However, with the size constraints presented with the subject site, the proposed development does not respond appropriately to the Significant Landscape Overlay and Neighbourhood Character Policy.

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Vegetation impacts

52. The proposal requires consideration under the Significant Landscape Overlay (Schedule 2) for the removal of native vegetation (2 x Sweet Bursarias) from the road reserve to accommodate accessways for the proposed development.
53. The 'Bush Garden' precinct of Council's Neighbourhood Character Policy specifically aims to retain remnant indigenous trees and to continue enhancing the landscape setting with indigenous and Australian natives and understorey.
54. Whilst the other vegetation removal on the subject site does not require a planning permit pursuant to the planning controls that affect the site, local policy at Clause 22.01 (Medium Density Housing Policy) and Clause 22.12 (Neighbourhood Character Policy) emphasises the importance of retaining existing vegetation and providing a good level of replacement planting.
55. The arborist report submitted with the application provides an assessment of the vegetation across the site and on the road reserve. The report indicates varying retention values from 'high retention' to 'low retention' value ratings for vegetation on the subject site and the road reserve. In total, it is proposed to remove 2 trees on the subject site and 3 shrubs on the road reserve. Of these, 2 shrubs on the road reserve is the only native vegetation with others being exotics or environmental weeds.
56. Council's consulting arborist and the applicant's arborist identify that the Sweet Bursarias located on the road reserve are a poor specimen, and arboriculturally their removal is supported. However, Council's Environmental Works Team has identified that the loss of the Sweet Bursarias will contribute to the decline of local habitat for the area (however may only provide habitat to locally common species, which will not be adversely affected by the loss of these medium sized shrubs). The removal of the road reserve vegetation will not achieve the preferred future character for the 'Bush Garden' precinct as the resultant loss of this vegetation will result in the subject site being completely devoid of vegetation on the road reserve, reducing the continuous vegetated context that exists directly adjoining and across the subject site.
57. The proposal only seeks to retain one tree/shrub on the subject site (Tree No.1, Willow Myrtle) located in the front of the subject site. It is unclear from the submitted plans as to whether this tree can be successfully retained in the proposed development, as the submitted arborist report identifies this tree as 'structurally unsound' and recommended for removal. Council's Landscape Architect also queried the retention of the Willow Myrtle as it is within the 'splay zone' often required for visibility for vehicles exiting a property.
58. The proposal includes the removal Tree No. 3 (Norfolk Pine) located in the front of the subject site and has been assessed as a 'medium retention' value tree (assessed in the submitted arborist report as 'high retention' value). This tree also provides considerable existing landscape character due to its canopy width and coverage and both arborist's agreed its retention should be incorporated into the design of the proposed development.

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59. Council's consulting arborist identified that the proposed development remains outside of the Tree Protection Zones of all other trees to be retained, including vegetation on the adjoining properties and considered that no other trees are likely to be impacted by the proposed development.

Compliance with Clause 55 (ResCode)

60. Clause 55 (ResCode) sets out a range of objectives and standards that test a design's responsiveness to the site and surrounds, and provides objective tests regarding potential amenity impacts. Whilst meeting the specified objectives is mandatory, satisfying the standards can be varied provided that the proposal satisfies the objective.

61. The proposed development meets most of the standards and objectives of ResCode. The proposed front, side and rear setbacks meet Standard B6 (Front Setbacks), Standard B18 (Walls on boundaries) and Standard B17 (Side and rear setbacks) respectively. As outlined previously, the development also achieves acceptable site coverage and permeability outcomes against ResCode requirements.

62. The overshadowing cast by the development generally falls within the boundaries of the site. Some additional overshadowing occurs to the properties located east and west, however the overshadowing falls within only part of the existing private open space. In this instance, the proposed development will not result in the secluded private open space of adjoining properties being unreasonably overshadowed and the proposal satisfies Standard B21 (Overshadowing) of ResCode.

63. The overlooking requirements of Clause 55.04-6 and Standard B22 have been met within the development by proposing opaque glazing to 1.7 metres above floor level for first floor south-facing windows, and highlight windows located at a height of 1.7 metres above floor level for habitable windows.

64. In relation to private open space, Dwelling 1A will have 121 square metres of private open space and Dwelling 1B will have 110 square metres of private open space. The proposal exceeds the 40 square metres minimum area required by ResCode (Standard B28).

65. However, there are a small number of shortcomings with ResCode compliance. Clause 55.03-5 (Energy efficiency objective) seeks to achieve and protect energy efficient dwellings and ensure that the orientation and layout of development makes appropriate use of daylight and solar energy. The proposed development is designed as such that living areas are located solely to the south side of the development, with each dwelling receiving solar access from windows facing the afternoon (west) and morning (east) sun. The only rooms receiving direct north-facing solar access is the study and toilet located on the ground floor and one bathroom located on the upper floor level. It is recognised that due to the orientation of the subject site the existing dwelling features south-facing private open space with limited rooms achieving north-facing solar access, however the existing arrangement on the subject site is more conducive for the existing private open space to receive solar access.

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66. The development does not meet the objective and Standard B29 (Solar access to open space objective) which seeks to allow solar access into the secluded private opens space of new dwellings. Standard B29 identifies that the private open space should be located on the north side of the dwelling, and the southern boundary of the secluded private open space should be set back at least $(2+0.9h)$ metres, where 'h' is the height of the wall.
67. In calculating this formula based on the proposed wall height for Dwelling 1B is 6.2 metres, the proposal should achieve a 7.6 metre setback from the south boundary. Based on a wall height of 6.5 metres for Dwelling 1A, the proposal should achieve a 7.9 metre setback from the south boundary. The secluded private open space for both dwellings is setback only 7.4 metres from the south boundary and located on the south side of the dwellings.
68. Whilst the location of the south-facing private open space is not an outcome dissimilar to the existing arrangement, the setback of the secluded private open space from the wall on the north does not meet Standard B29. The solar access is further reduced by the proposed 3 metre dividing brick wall located between the dwellings for part of the boundary and a 2 metre high paling fence for the remainder of the internal boundary which further reduces the potential morning/afternoon sunlight that the private open space could otherwise receive. It is considered that the private open space for the proposed dwellings will be substantially in shadow which will ultimately decrease the amenity and usability of this area. This space will also be restricted in regards to meaningful landscaping, considering the loss of northern light. The useability and amenity of the secluded private open space based on the sunlight it will receive does not meet the objective and relevant standard of ResCode.
69. Finally, as assessed previously, the extent of built form across the site (and with a dominance of car parking facilities along the development's frontage) does not protect the preferred built form character and the predominant landscape features and allow for appropriate future planting as required by Clause 55.03-8 (Landscaping objectives).

Car parking, access and traffic

70. Clause 52.06 (Car Parking) provides car parking rates for different land uses. Under this clause, a dwelling that accommodates three or more bedrooms must be provided with two car spaces. The clause also stipulates that one on-site visitor car space be provided for every 5 dwellings for development of 5 or more dwellings.
71. The proposed development provides the required amount of on-site car parking as each of the dwellings are provided with two on-site car spaces (a double car garage and carport). On-site visitor car parking is not required to be provided within this development as only two dwellings are proposed.
72. With respect to traffic generation, Council's Infrastructure Development Unit is satisfied that the increase of traffic, which would be negligible for an additional two dwellings on the land, could be effectively and safely accommodated within the surrounding road network.

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73. Objectors also raised concerns regarding the home occupation business currently being conducted at the subject site and the business contributing to excess traffic and parking problems in Thornton Street. Clause 22.11 (Home Occupation) seeks to ensure that the amenity of the neighbourhood is not adversely affected by an occupation conducted on or from a dwelling; this includes the effect of any vehicle parking on the amenity and character of the street. Whilst these concerns are being raised as part of an objection to the proposed development, these concerns have been referred to Council's Planning Investigations Team to further establish whether the parking of vehicles associated with the home occupation adversely affects the amenity of the neighbourhood.

Response to objections received

74. Concern was raised by objectors in relation to views being inhibited by the proposed development. A loss of a view is not a relevant planning consideration as recognised by the planning scheme, and as such cannot be considered as part of the assessment of this application.

75. Concerns were raised regarding stormwater management for the proposed development. Council's Infrastructure Development Unit has not identified any concerns with stormwater retention within the site, subject to standard conditions in the event that a permit is issued.

76. In relation to concerns regarding overloading other utility services, the applicant/developer would be required to enter into agreements with the specific providers who will indicate whether there is provision for the new dwellings to connect to existing infrastructure, or whether the developer is required to upgrade existing services.

77. Concerns were raised in relation to an increase in noise levels from the proposed development. The subject site is situated within an urban environment. Residential land use generally does not emit excessive levels of noise. As with all residential development, dwelling occupants must comply with the Environment Protection Authority guidelines regarding residential noise.

Conclusion

78. The application seeks to construct two dwellings, fencing and associated vegetation removal. The application was advertised and 8 written objections were received. The key planning issues relate to strategic location, neighbourhood character, vegetation impacts, the development's response to Clause 55 (ResCode) and car parking and traffic.

79. The subject site is zoned Neighbourhood Residential, which seeks to limit opportunities for increased development and proposed development must manage and ensure that the identified characteristics of the relevant neighbourhood character policy are respected, implemented and adopted. The zoning and presence of the Significant Landscape Overlay seeks development that respects the existing and preferred neighbourhood and landscape character of the area as detailed in the 'Bush Garden' character precinct of the Neighbourhood Character Policy.

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80. Whilst it is acknowledged that the maximum number of dwellings that can be developed is two under the zone, the constraints of the size of the site, dwelling layout, design response and lack of meaningful landscaping opportunities do not achieve the landscape character objectives of the 'Bush Garden' precinct. Furthermore, this assessment reveals inadequacies with the proposal's ability to achieve the preferred neighbourhood character objectives in a locality that continues to strongly maintain and display the key characteristics of a 'Bush Garden' landscape. This is also demonstrated by the highly prominent car parking facilities along the frontage of the proposed development.
81. The proposal also fails to achieve internal amenity standards as required by ResCode regarding solar access and fails to achieve an adequate response to Council's Neighbourhood Character Policy and Clause 55 objectives regarding the siting and design of vehicle access for the development. The proposal also creates additional amenity impacts for the surrounding residents through the proposed access arrangements.
82. In light of the above planning assessment, the application does not warrant support and should be refused, as reflected in the officer recommendation which follows.

Recommendation

That the Committee (under delegation from Council) issue a Notice of Refusal to Grant a Permit to the land at 12 Thornton Street, Eltham, for the buildings and works to construct two dwellings, fencing and associated vegetation removal, on the following grounds:

- 1. The proposal does not meet the purpose of the Neighbourhood Residential Zone (Schedule 7) as it does not respect the identified neighbourhood character and landscape characteristics of the adopted neighbourhood character guidelines of the planning scheme.**
- 2. The proposal does not meet the character objectives of the Significant Landscape Overlay (Schedule 2) as it fails to provide for the sensitive and site-responsive siting of development within a vegetative landscape setting.**
- 3. The proposal does not meet the design objectives of the 'Bush Garden' precinct of the Neighbourhood Character Policy (Clause 22.12) as it does not minimise the disruption to the vegetation character, does not provide for sufficient area for replanting throughout the site and car parking facilities within the front setback will result in a visually prominent built form element.**
- 4. The development presents unacceptable impacts to existing vegetation within the road reserve and fails to meet the objectives of the Significant Landscape Overlay (Schedule 2).**
- 5. The proposed development and vegetation removal does not meet the objectives of the following ResCode provisions:**

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- a) **The development does not adequately respect the existing neighbourhood character or contribute to a preferred neighbourhood character as required by Clause 55.02-1 (Neighbourhood Character objectives).**
- b) **The extent of built form across the site does not protect the predominant landscape features and allow for appropriate future planting as required by Clause 55.03-8 (Landscaping objectives).**
- c) **The development is not oriented to make appropriate use of daylight and solar energy as required by Clause 55.03-5 (Energy efficient objective).**
- d) **The development does not allow adequate solar access into the secluded private open space of the dwellings as required by Clause 55.05-5 (Solar access to open space objective).**
- e) **The additional crossover does not comply with Clause 55.03-9 (Access objective) as the additional crossover does not respect the preferred neighbourhood character and does not maximise the retention of on-street car parking spaces.**

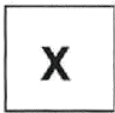
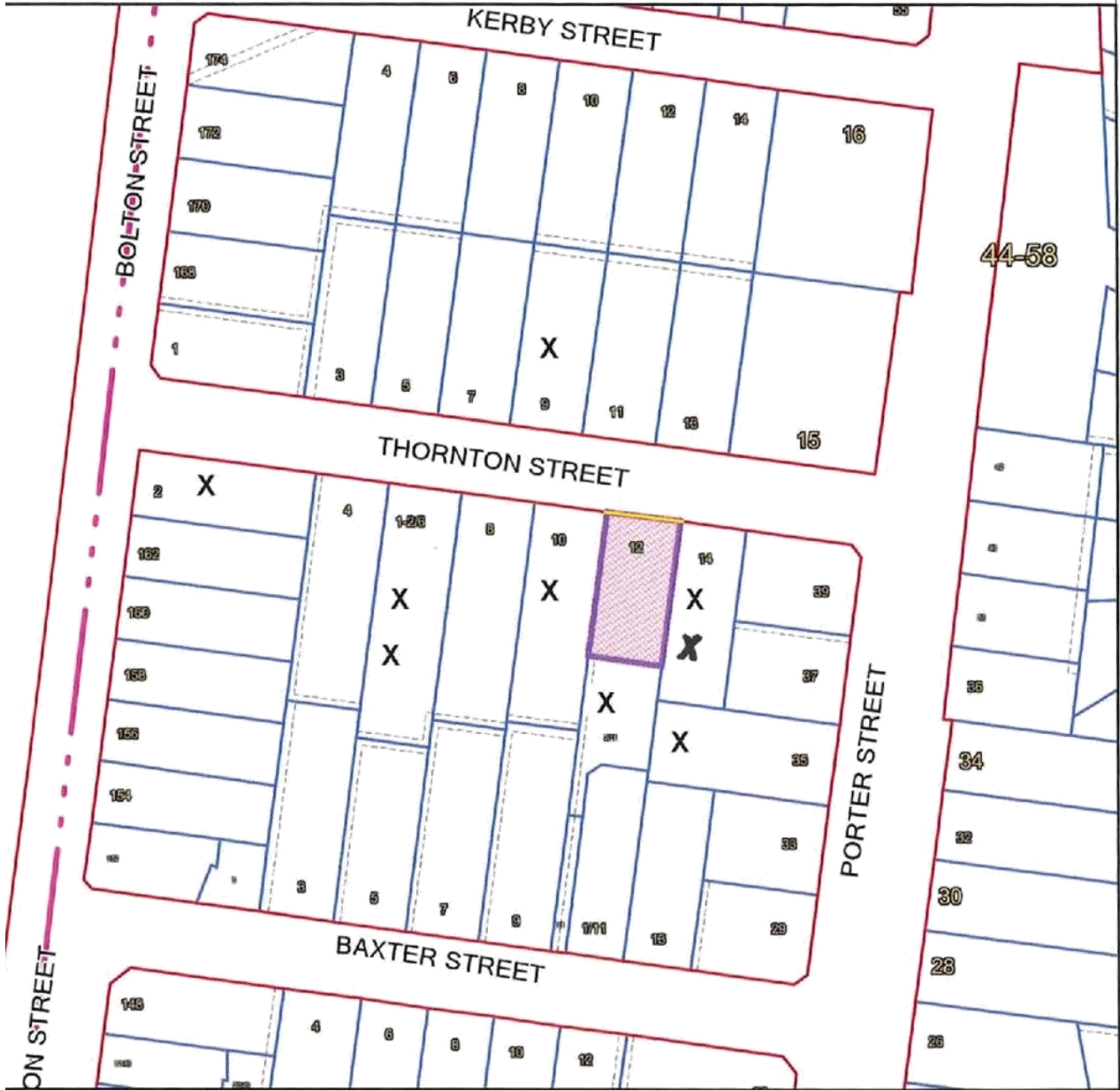
Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment



SUBJECT SITE AND SURROUNDS

Subject Site:	12 Thornton Street Eltham	File Reference:	T026/00/012P
Application Number:	752/2015/03P	Melway's Reference:	21G9



Nearby Objects:	9
Total:	9



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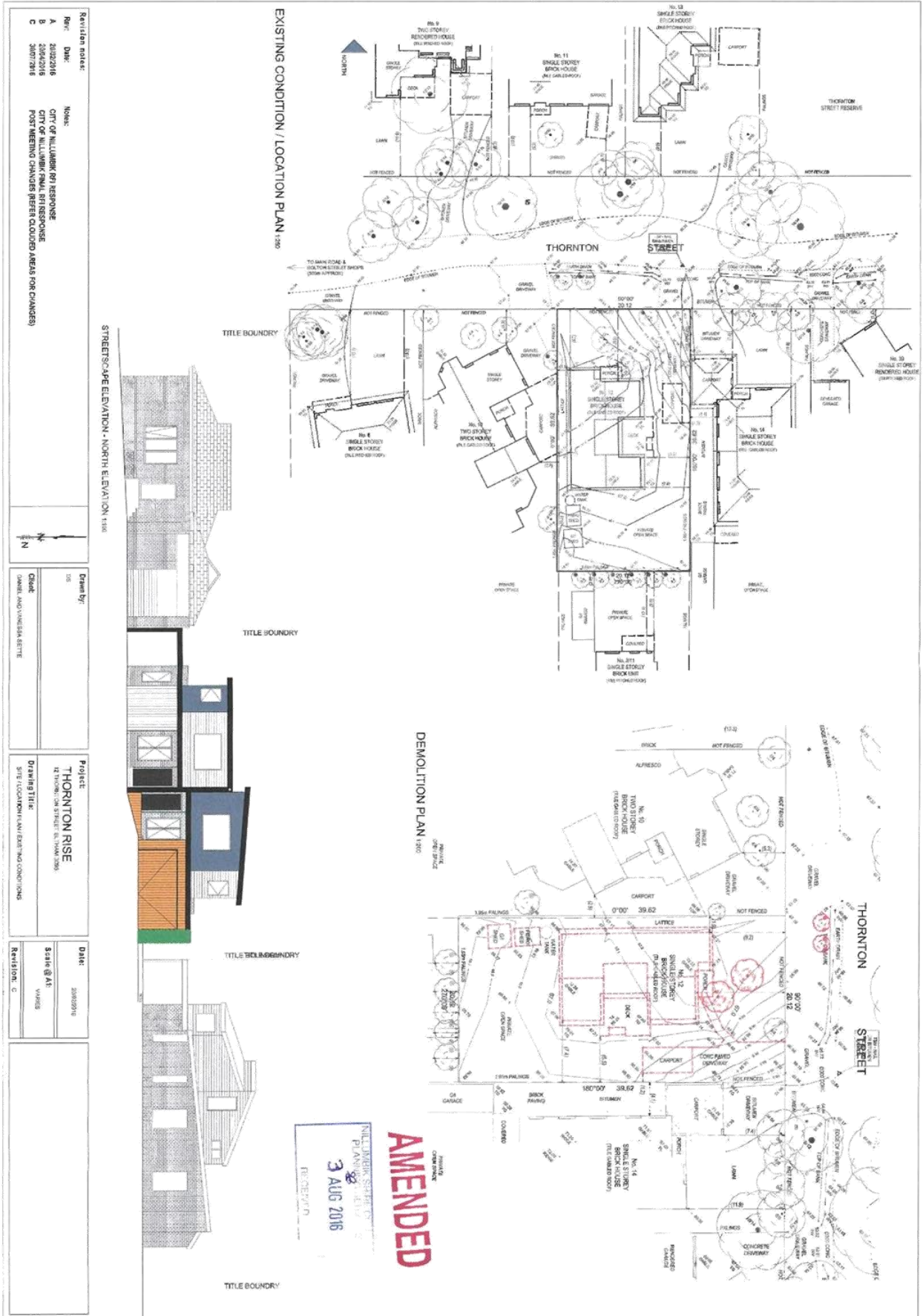
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Map Width:	306.7 m
Produced By:	Planning and Health Services
Responsible Officer:	Katrina Ross
Date:	Tuesday, 16 August 2016



Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment



Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment

NEIGHBOURHOOD & SITE DESCRIPTION PLAN
 FOR PROPOSED DEVELOPMENT
No. 12 THORNTON STREET
ELTHAM 3095
LOT 1 ON LP 66510
MELWAY 21 G9

LEGEND

△	BENCH MARK
X	LEVEL
○	TREE
○	SPECIES/HEIGHT
○	ELECTRICITY POLE
○	ELECTRICITY POLE & LIGHT
○	STAY WIRE POLE
○	TELEPHONE PIT
○	FIRE HYDRANT
○	WATER METER
▭	BUILDING
▭	SECOND STOREY
▭	GROUND/FLOOR
▭	STORY WINDOWS
▭	PERGOLAS/ANNEX
▭	ROOF/GUTTER
▭	SKED
▭	DRIVEWAY/DOOR
▭	INVERT OF SHAUN
▭	FENCE
▭	BRICK FENCE
▭	INVERT OF PIPE
▭	BUILDING STRAKE
▭	NOT FENCED

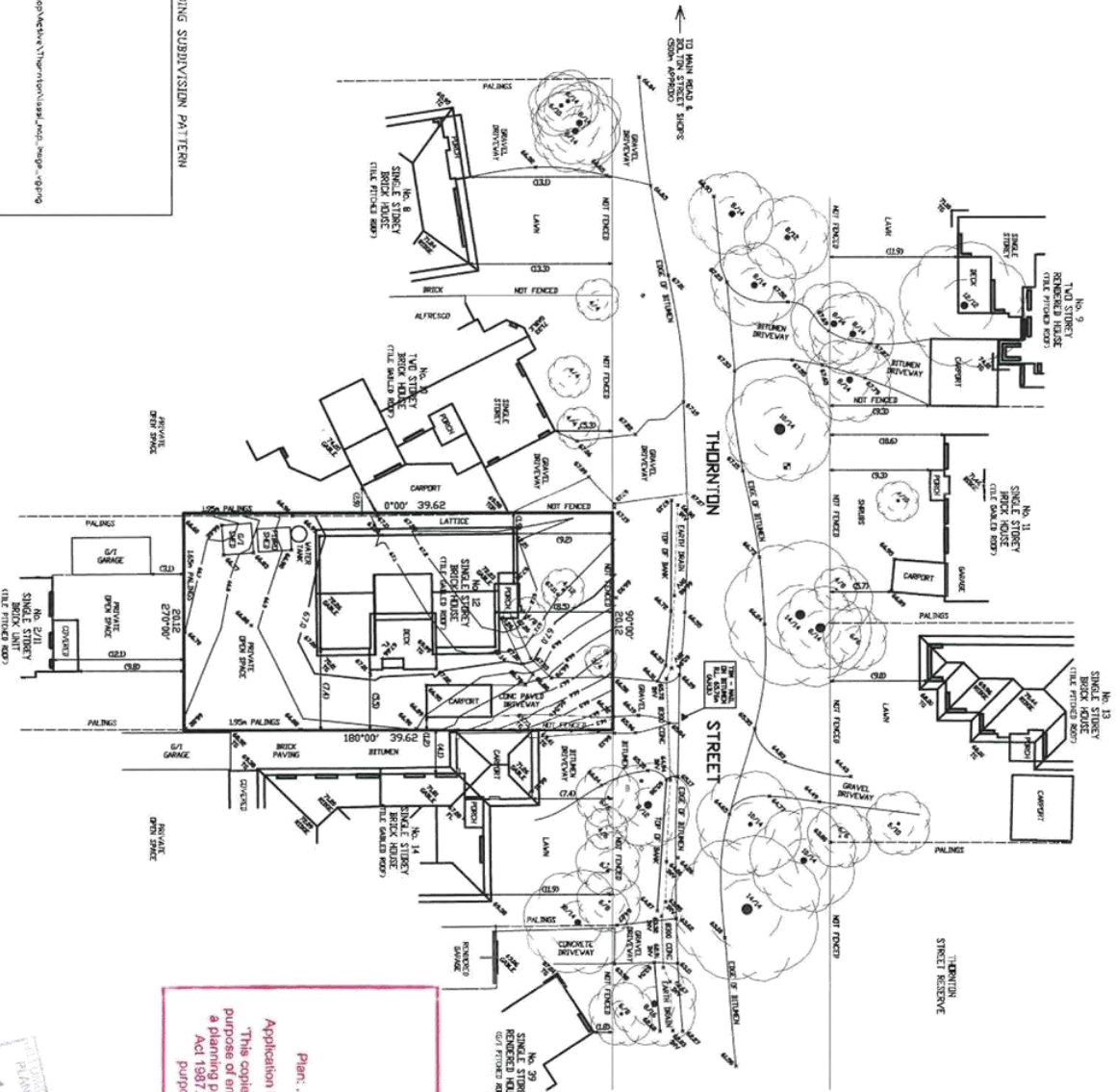
NOTATIONS

SCALE 1:1000
 0 1 2 3 4 5 6 8 10m

LEVELS SHOWN ARE TO AUSTRALIAN HEIGHT DATUM
 VERTICAL CURVES ARE TO AUSTRALIAN HEIGHT DATUM
 THE 10M AND 5M LEVELS SHOULD BE VERIFIED BEFORE ANY SITE EXCAVATION
 TYPE OF SURFACE TO BE CONSTRUCTED
 F.V. - FLOOR LEVEL, T.F. - TOP OF STRUCTURE
 I.N.V. - INVERT, S.S. - SURFACE SETBACK IS 6m
 THESE DESCRIPTIONS SHOULD BE VERIFIED
 ALL VERTICAL MEASUREMENTS DIMENSIONS SHOWN
 ON THIS PLAN - ARE UNLESS OTHERWISE STATED

SURROUNDING SUBDIVISION PATTERN

Customer Name: \Users\j\Documents\Thornton\1211\1211.dwg
 Date: 12/11/2015



N.I.L.L.U.M.B.I.K.
 THE GREAT WHEEL SHIRE
ADVERTISED PLAN
 Plan: 1 of 13
 Application No.: 758 2015 103P

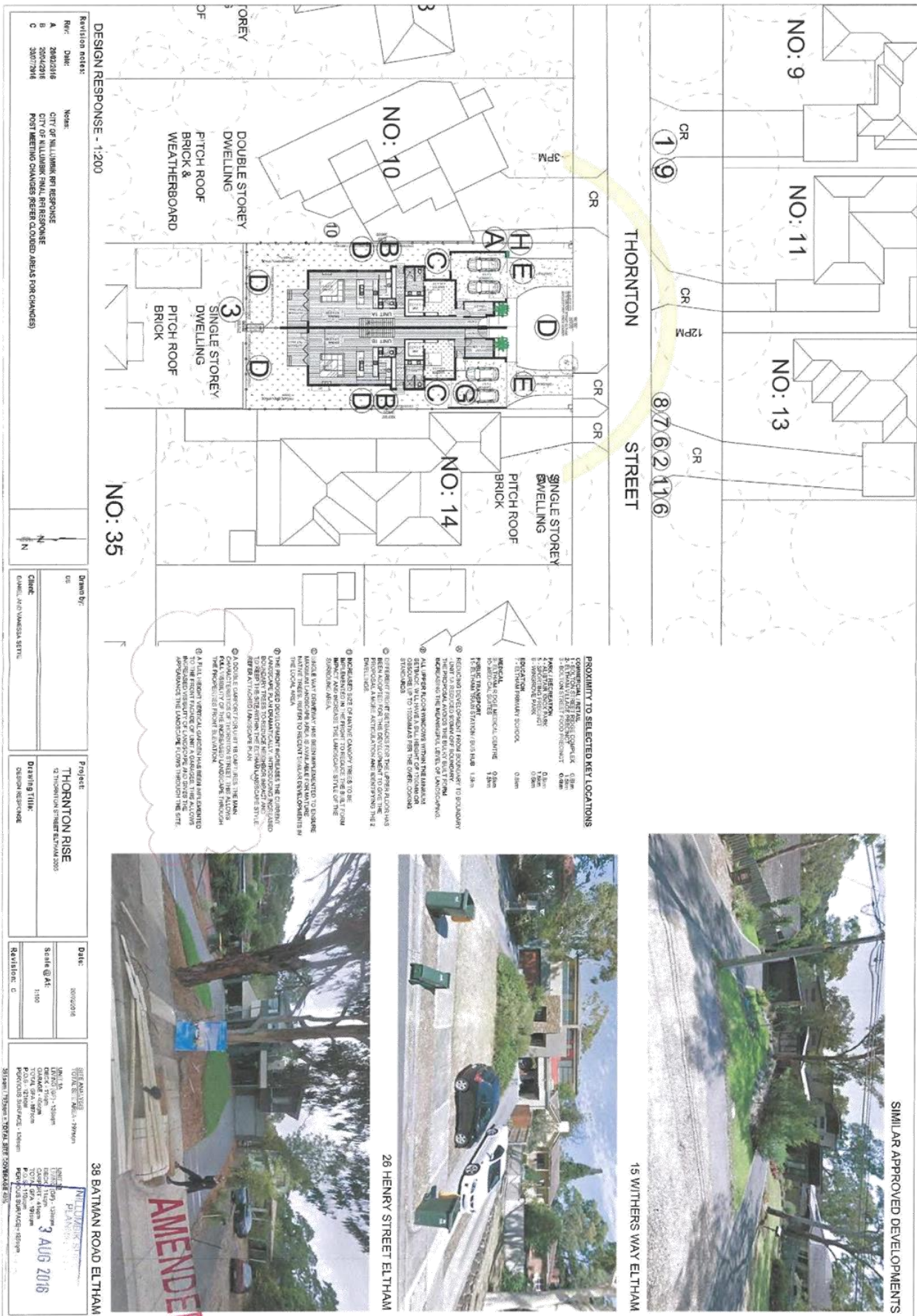
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B & S SURVEYS
 LAND SURVEYORS
 PO BOX 4502, MELB CITY, 3086
 EMAIL: info@bssurveys.com.au
 TEL/FAX: 9074 1144
 MOBILE: 0411 791 782
 REF: 8889/15
 DATE OF SURVEY: 09/12/2015

18 DEC 2015

Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment



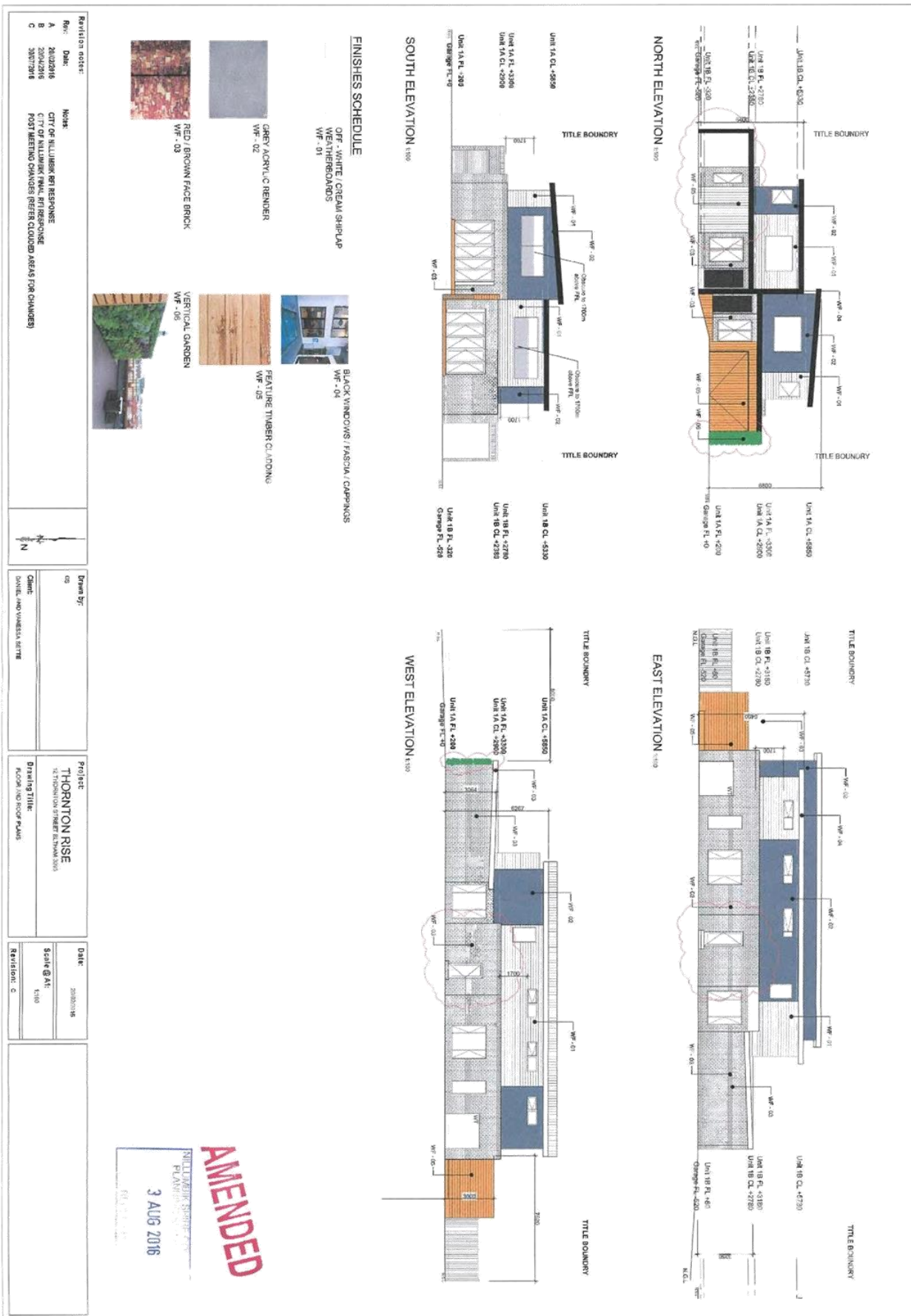
Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment



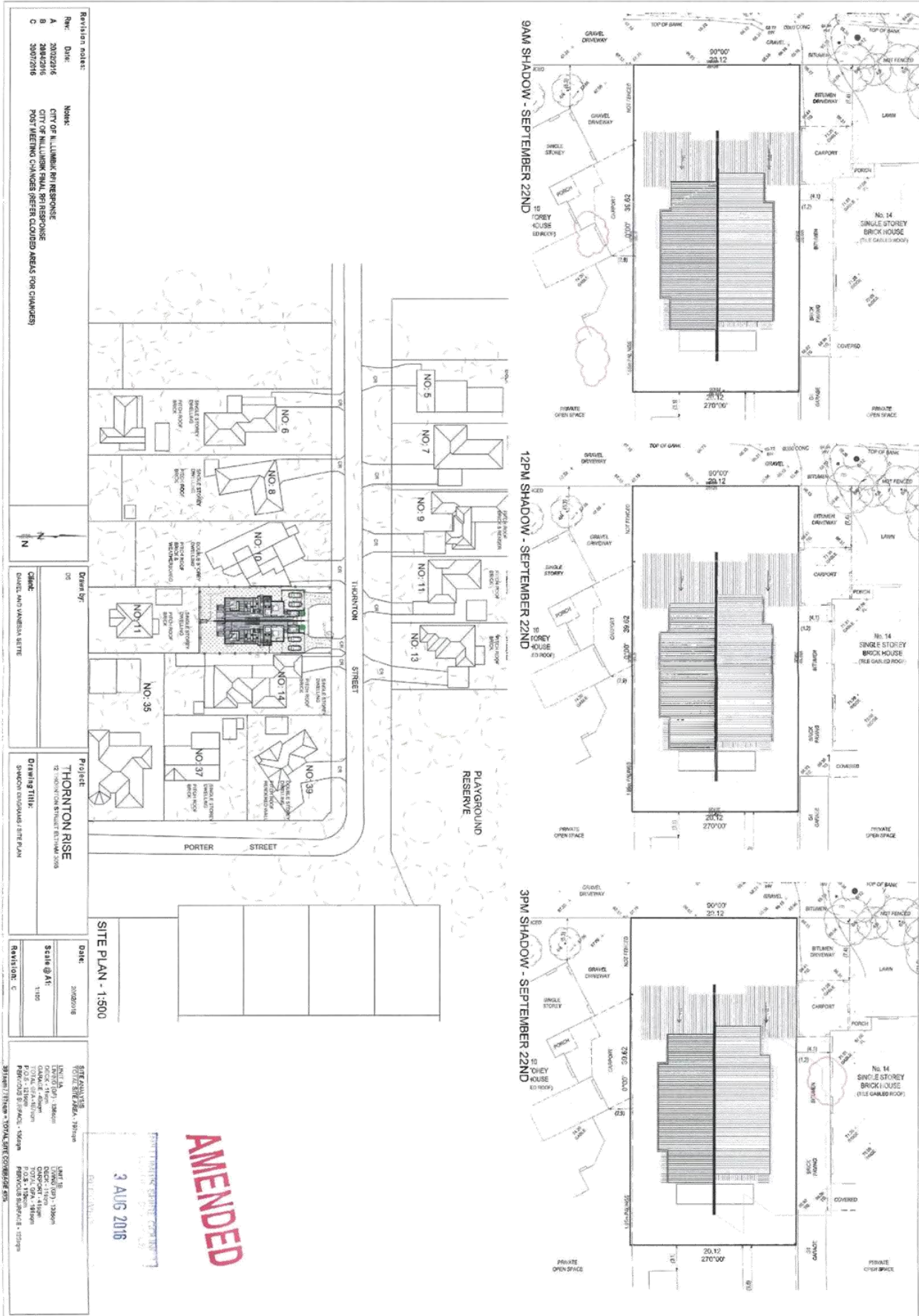
Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment



Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment



Buildings and works to construct two dwellings, fencing and associated vegetation removal at 12 Thornton Street, Eltham

Attachment

Landscape Plan

Specifications

Site Preparation

Site preparation shall include the removal of all existing vegetation, structures, and materials within the site boundaries. The site shall be cleared and graded to a uniform level, and any existing drainage channels shall be maintained or replaced as necessary. The site shall be prepared in accordance with the following specifications:

- Removal of all existing vegetation, structures, and materials within the site boundaries.
- Clearing and grading of the site to a uniform level.
- Maintenance or replacement of existing drainage channels as necessary.
- Preparation of the site in accordance with the following specifications:

Planting

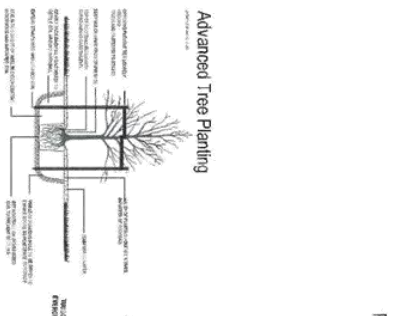
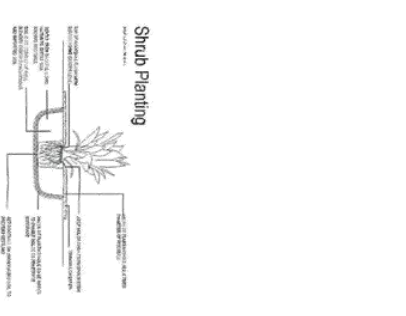
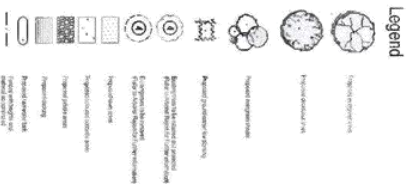
Planting shall be carried out in accordance with the following specifications:

- Planting shall be carried out in accordance with the following specifications:
- Planting shall be carried out in accordance with the following specifications:

Planting Schedule

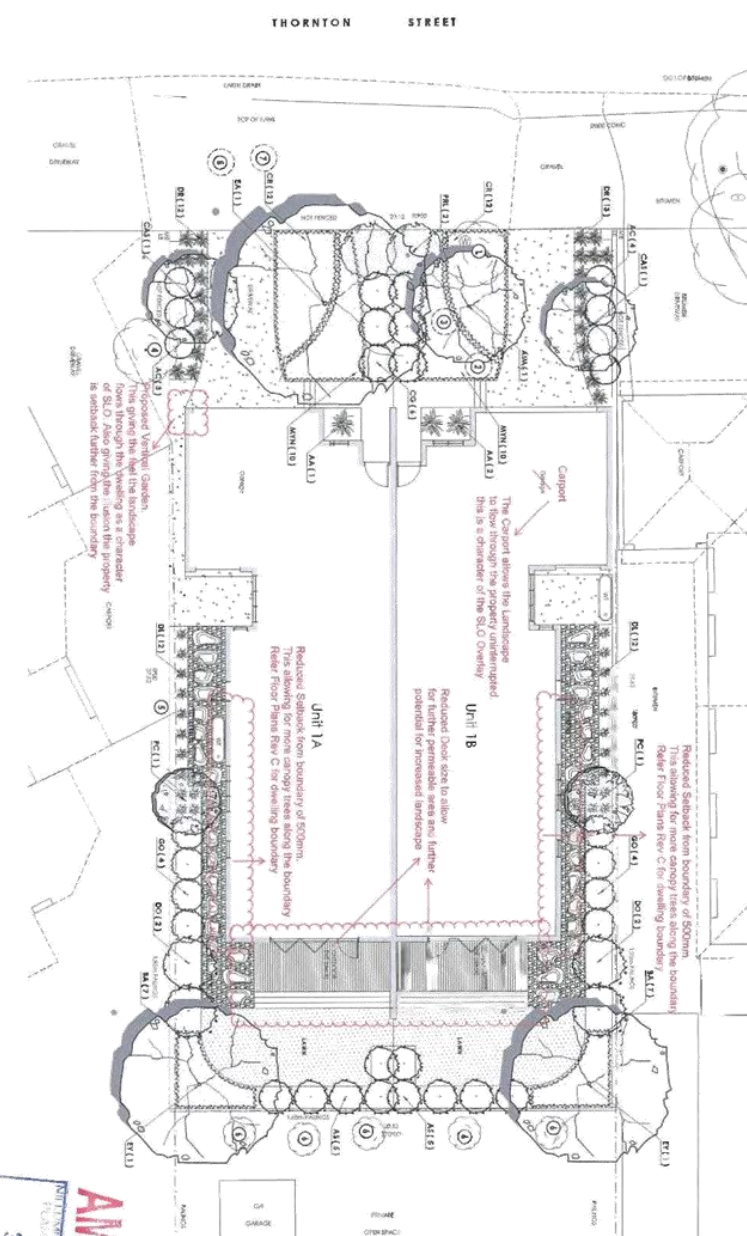
Planting shall be carried out in accordance with the following specifications:

- Planting shall be carried out in accordance with the following specifications:
- Planting shall be carried out in accordance with the following specifications:



Plant Schedule

NO.	DESCRIPTION	QTY	UNIT	WORKS
1
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30



AMENDED

3 AUG 2016

REVISION 3

KEYSTONE ALLIANCE

LANDSCAPE ARCHITECTS

120/122 STURTEVANT STREET, SUITE 101, ELTHAM, VIC 3203

TEL: 03 9397 1234

WWW.KEYSTONEALLIANCE.COM.AU

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

File: A043/00/027P

Distribution: Public

Manager: Jeremy Livingston, Manager Planning and Health Services

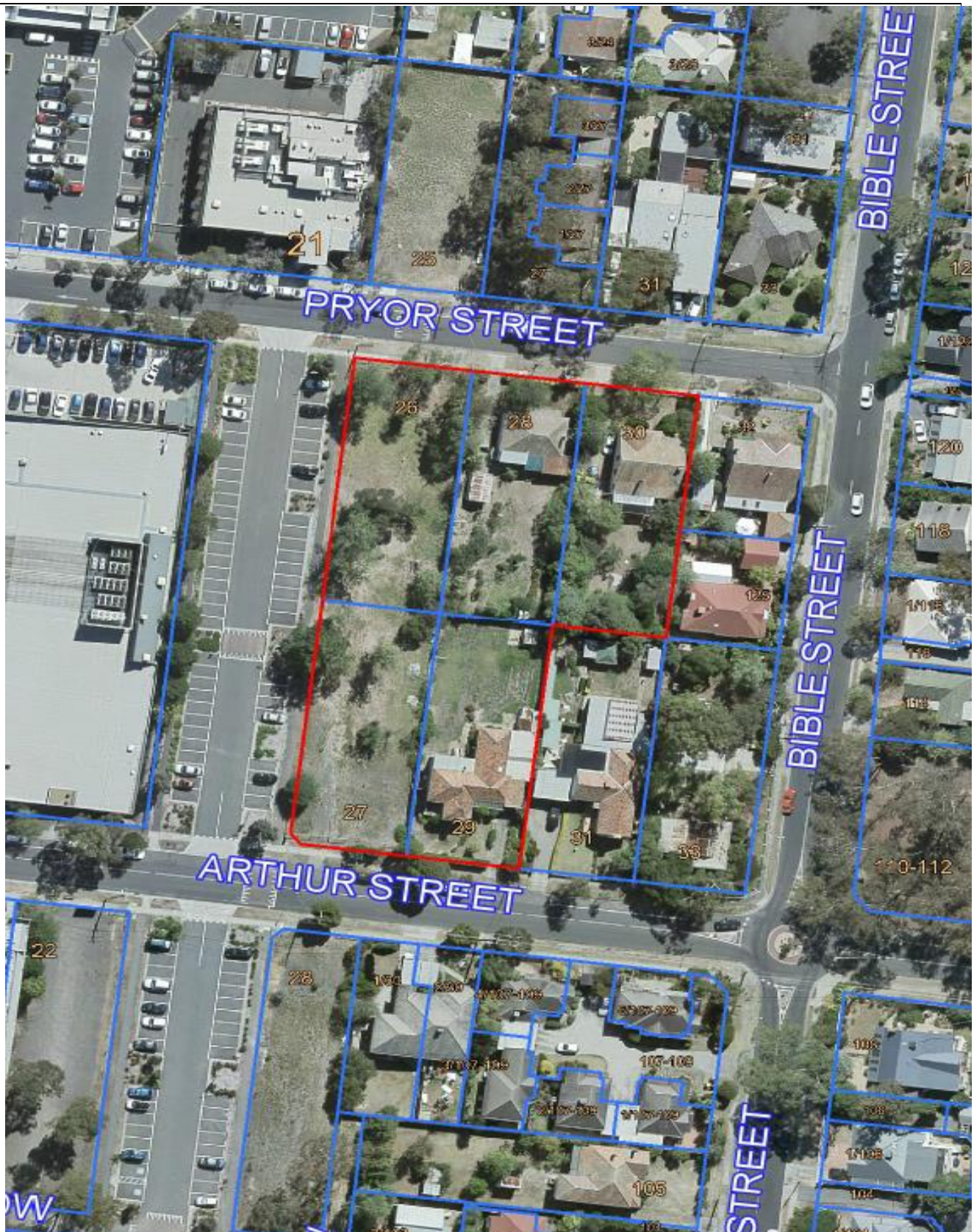
Author: Katrina Ross, Senior Statutory Planner

Application summary

Address of the land	27 & 29 Arthur Street and 26, 28 & 30 Pryor Street, Eltham
Site area	5,046 square metres
Proposal	Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street; vegetation removal, car parking reduction and associated works
Application number	303/2015/03P
Date lodged	30 June 2015
Applicant	Taouk Architects
Zoning	Activity Centre (Schedule 1)
Overlay(s)	Significant Landscape Overlay (Schedule 1)
Reason for being reported	More than 5 objections received More than 5 dwellings
Number of objections	176 (plus one letter of support)
Key issues	<ul style="list-style-type: none"> • Strategic merit for higher density development • Built form and neighbourhood character • Internal amenity • Access, traffic and car parking • Vegetation and landscaping • Compliance with Clause 55 (ResCode) • Sustainability • Waste collection
Officer recommendation	Issue of a Notice of Decision to Grant a Permit

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works



4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachments

1. Subject Site and Surrounds
2. Plans 1 to 38

Subject site and surrounds

1. The key features of the subject land and surrounds are as follows:
 - The subject site, which is located within the Eltham Activity Centre, consists of five titles of land: 27 & 29 Arthur Street and 26, 28 & 30 Pryor Street, Eltham. The combined land size is approximately 5,046 square metres. The site has three road frontages, with a frontage to Circulatory Road of 96 metres, Arthur Street of 39 metres and Pryor Street of 61 metres.
 - No. 26 Pryor Street and No. 27 Arthur Street are both affected by Section 173 Agreement AL220760G which restricts the use of the land to residential only, restricts any vehicle access from Circulatory Road, and requires that any car parking provided for the site must be located within property boundaries. No. 28 Pryor Street is affected by Covenant 1473155 which restricts stone or clay extraction other than for the purposes of foundations.
 - Nos. 28 and 30 Pryor Street and No. 29 Arthur Street all contain existing dwellings. No. 26 Pryor Street and No. 27 Arthur Street are both vacant. Each lot has a single crossover for vehicle access.
 - The land has a moderate fall from the eastern boundary down to the western boundary, with a fall of 5.6 metres over 61.11 metres (1:10 gradient) on the Pryor Street front boundary.
 - The site contains 48 scattered trees that are generally introduced species or considered to be weeds within Nillumbik, as identified by Council's Environmental Weed List. No. 29 Arthur Street is generally free of vegetation.
 - Fencing on the property frontages varies. Fencing along the two vacant properties abutting Circulatory Road consists of post-and-wire fencing with an approximate height of 1.2 metres. Fencing on the three properties that contain dwellings consists of low solid brick with pillars or low post-and-wire.
 - The surrounding area varies significantly with single detached dwellings on the properties to the east. Circulatory Road is to the west which provides permit car parking for the commercial tenants in Eltham. Directly to the west of Circulatory Road is the rear of the Woolworths development which provides an inactive interface to the east. To the north of the subject site is the Eltham Police Station, vacant land (with planning approval for a four storey, 25 apartment development) and residential properties. To the south of the site, on the

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

opposite side of Arthur Street, is a unit development, other residential properties and a vacant lot (with a planning proposal to be considered at a forthcoming VCAT hearing for the construction of 10 three-storey dwellings). In the surrounding area, the commercial centre and surrounds contains a multitude of varying uses including supermarkets and other retail premises, churches, primary schools and kindergartens, community services, medical offices, public transportation (including the Eltham Train Station) and leisure and recreation facilities.

Details of proposal

2. Refer to the attached plans.
3. Features of the proposal include:
 - The proposal involves the demolition of three dwellings and the construction of 105 dwellings over three building footprints. The plans refer to Building 1 which is orientated towards Pryor Street and contains two building footprints (referred to hereon as Building 1 West and Building 1 East) and Building 2 is orientated towards the Arthur Street frontage. Basement car parking is provided under each building.
 - Building 1 West has frontages to both Circulatory Road and Pryor Street. The building is four storeys with the fourth floor contained within the roof space. The building has a maximum height of 13.09 metres. The building is setback a minimum of 5.56 metres from the Circulatory Road kerb, 2.19 metres from the western property boundary, 7.72 metres from the Pryor Street curb and 3.2 metres from the northern property boundary. A recession is provided centrally along the Circulatory Road elevation increasing the setback to 8.86 metres. This building contains 29 apartments consisting of 9 one-bedroom apartments, 16 two-bedroom apartments and 4 three-bedroom apartments.
 - Building 1 East has a frontage to Pryor Street and consists of three storeys with the third storey contained within the roof form. The maximum building height of this building is 10.2 metres. The minimum setback from the Pryor Street curb is 7.27 metres and from the property boundary is 3.39 metres. The setback to the residential properties that adjoin to the east is 3 metres at the ground level, increasing to a minimum of 4.5 metres on level 2. This building contains 31 apartments consisting of 6 one-bedroom apartments, 22 two-bedroom apartments and 3 three-bedroom apartments.
 - Car parking is to be located in the basement with access provided via a ramp under Building 1 West. The basement contains 64 standard car parking spaces, a car charging station for electric vehicles, two disabled car parking spaces, 54 bicycle parks, areas for waste bin storage, service areas and storage cages for each of the apartments. This building also provides 12 visitor bicycle parking spaces at ground floor level.

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

- Building 2 has frontages to both Circulatory Road and Arthur Street and is four storeys at the western end of the building (Circulatory Road), reducing to three storeys at the eastern end. The building footprint has adopted a 'H-Plan' configuration with large indents in the eastern and western frontages. The building is proposed to contain 45 apartments consisting of 15 one-bedroom apartments, 27 two-bedroom apartments and 3 three-bedroom apartments.
- The maximum building height of Building 2 is 12.1 metres reducing down to 9.1 metres on the eastern elevation at the northern end. The minimum setback from the Arthur Street curb is 5.52 metres increasing to a setback of 8.75 metres, and the minimum setback from the Arthur Street property boundary is 1.8 metres for one section, however is generally 4.9 metres. The minimum setback to the common boundary with the adjoining residential properties to the east is 3 metres at ground floor level, increasing to 5.8 metres at the roof storey level. The building is setback a minimum of 5.59 metres from the Circulatory Road kerb, and 1.9 metres from the western property boundary, increasing to a maximum setback of 10.9 metres in the indent.
- The car parking for Building 2 is contained within a two level basement and the basement provides 46 standard car parking spaces for the apartments, 36 bicycle parks, two disabled car parks, a car charging station for electric vehicles, waste bin storage areas and storage cages. This building also provides 12 visitor bicycle parking spaces at ground floor level.
- Building 1 East and Building 1 West are separated by a communal area that runs on a north-south axis. This area is 9 metres wide (not including apartment terraces) at ground floor level, increasing to 11 metres at the upper roof level and provides landscaping, private open space for the ground floor level apartments, communal seating areas, a shade shelter, a barbeque and an area for on-site composting.
- As the site has three road frontages, the buildings have generally been designed so that apartments are orientated to the perimeter of the site or to internal courtyards.
- Generally, apartments externally facing at ground floor level have pedestrian access while the other apartments are accessed via communal pedestrian entry points and the lifts. Apartments that have direct access from within the basement carpark have been provided with an air lock and a disabled lift has been provided at the main building entry for Building 2 for level access from Arthur Street.
- All of the 48 trees on-site are proposed for removal, along with one street tree on the Pryor Street road reserve. The tree proposed for removal on the road reserve is Tree No. 26 which is dead. In total, 35 of the trees proposed for removal require a permit, with 20 of those trees considered to be weed species. Of the 35 trees that require a permit for removal, 34 of these trees have been

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

assessed as having a 'low' retention value. Only one tree (Tree No. 21 – *Eucalyptus rubida* – Candlebark) is of 'medium' retention value. Tree No. 15 (*Eucalyptus cladocalyx* – Sugar Gum) is native to South Australia and has been classified as hazardous. As such, it can be removed without a permit.

- Landscaping is proposed around the perimeter of the entire site and within courtyards and within planter boxes. The landscaping consists of a selection of native plants along with shade tolerant non-natives.
- Building materials consist of the extensive use of feature stone cladding, concrete render in 'White on white' and 'Monument' (dark grey), timber cladding with a shiplap profile in Ironbark or Spotted Gum, balustrading in clear glazing, black powder-coated metal battens to be used on balustrading, timber battens in Ironbark or Spotted Gum to be used on balustrades and screening, composite aluminium cladding in Alucobond 'Indiana Copper' to be used under the eaves on balcony roofs, feature fins and basement garage doors in a perforated metal cladding in 'Surfmist' (off-white), and Colourbond roofing in 'Monument' (dark grey).
- A car parking reduction of 22 car spaces is being sought which includes the full visitor component of the car parking requirement, and one resident car parking space. All car parking spaces for the dwellings have been provided within basement car parking areas.

Planning history

4. There is no relevant planning history with respect to the subject site.

Planning controls

Zoning

5. The subject land is zoned Activity Centre (Schedule 1). The purpose of the Activity Centre Zone (Schedule 1) includes encouragement of a mix of uses and intensive development of the activity centre as a focus for business, shopping, working, housing, leisure, transport and community facilities, and to deliver housing at higher densities to make optimum use of facilities and services with good urban design and attractive, safe, pleasant, walkable and stimulating environments.
6. Under this zone:
 - A permit is required to construct two or more dwellings on a lot.
 - A dwelling use is a 'no permit required' use.
 - The development of dwellings must meet the requirements of Clause 55 (ResCode).
 - A permit is not required to construct a fence within 3 metres of a street associated with two or more dwellings on a lot or a residential building provided it does not exceed the maximum height specified in Clause 52.06-2.

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

7. The site is identified within Precinct 2, as specified by the zone. The relevant precinct objectives to this proposal seek to provide a transition in built form scale between the core commercial area and adjoining residential areas, and to encourage consolidation of residential lots for well-designed integrated residential developments. The precincts set individual height and setback requirements that are to be met in order to meet the transition in built form.
8. Amendment C106 was gazetted by the Minister for Planning on 11 August 2016 which introduced the Activity Centre Zone (Schedule 1) and replaced the previous Residential Growth Zone and Design and Development Overlay (Schedule 6) which applied to the site. The new Activity Zone applies to the assessment of this planning application and is 'policy neutral' in its translation from the previous corresponding planning scheme provisions.

Overlays

9. The subject land is affected by the Significant Landscape Overlay (Schedule 1). Under this overlay, a permit is required to:
 - Construct a building or carry out works within 5 metres from the base of a substantial tree.
 - Remove, destroy or lop any substantial tree.
10. A substantial tree is defined under the overlay as a tree that exceeds 6 metres in height or has a trunk circumference greater than 0.5 metre measured at 1 metre above ground level.

Particular provisions

11. Clause 52.06 (Car Parking) applies to the application. This clause seeks to ensure there is the provision of an appropriate number of car parking spaces; that car parking does not adversely affect the amenity of the locality; and that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.
12. Under the provisions of Clause 52.17 (Native Vegetation), a permit is required to remove, destroy or lop native vegetation on land which, together with all contiguous land in one ownership has an area greater than 0.4 hectares. The purpose of this provision is to ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:
 - Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
 - Minimise impacts on Victoria's biodiversity from the removal of native vegetation.
 - Where native vegetation is permitted to be removed, ensure that an offset is provided in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

- To manage native vegetation to minimise land and water degradation.
 - To manage native vegetation near buildings to reduce the threat to life and property from bushfire.
13. Clause 52.34 (Bicycle Facilities) sets out statutory requirements for the provision of bicycle facilities on a site. Clause 52.34-3 specifies the bicycle spaces for different land uses.
14. Development of two or more dwellings on a lot must meet the requirements of Clause 55 (commonly known as 'ResCode').
15. Clause 65 (Decision Guidelines) outlines general decision guidelines that must be considered when assessing an application. These guidelines include the purpose of the zone or other provision, the orderly planning of the area, and the effect on the amenity of the area.

Relevant planning policies

16. State Planning Policies which are relevant to this application include:
- Clause 11.01 – Activity Centres
 - Clause 15.01 – Urban Environment
 - Clause 15.01-2 – Urban Design Principles
 - Clause 15.02 – Sustainable Development
 - Clause 16.01-2 – Location of Residential Development
 - Clause 16.01-4 – Housing Diversity
17. The Local Planning Policies which are relevant to this application include:
- Clause 21.05-1 – Settlement and Housing
 - Clause 21.05-3 – Environment, Conservation and Landscape
 - Clause 21.05-4 – Economic Development
 - Clause 21.05-5 – Infrastructure
 - Clause 22.01 – Medium Density Housing Policy
 - Clause 22.07 – Eltham Major Activity Centre Policy
 - Clause 22.12 – Neighbourhood Character Policy
18. The Local Strategic documents which are relevant to this application include:
- Eltham Major Activity Centre Structure Plan (August 2004)
 - Eltham Major Activity Centre Design Guidelines (February 2014)
 - Eltham Major Activity Centre Car Parking Strategy Report (June 2013)

4. Planning Reports

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Policy context

19. The planning controls and policies identified above encourage residential development within the Eltham Activity Centre at a higher density of housing. This intent is specifically reflected in the purpose of the Activity Centre Zone, which seeks to facilitate new housing growth and diversity, which includes increased housing densities, through medium to high density housing development. The Eltham Activity Centre, together with the Diamond Creek Activity Centre, have been identified as the primary geographical locations to provide higher density forms of housing within the Shire. Both State and Local planning policy also encourage developments within activity centres that reduce the dependency on motor vehicle usage and the level of car parking required for each dwelling.
20. The encouragement afforded by this zone and relevant planning policies is tempered by objectives that require development to be site responsive, and complementary to desired neighbourhood character and the Eltham Major Activity Centre Design Guidelines.
21. Strong support for the proposal is provided by the following State and Local strategic planning documents:
 - The existing State Planning Policy Framework, particularly to the extent that it implements objectives relating to the consolidation of Major Activity Centres for commercial uses and housing.
 - The Local Planning Policy Framework, notably the Municipal Strategic Statement (MSS) and Clause 22.07 (Eltham Major Activity Centre Policy), to the extent that the proposal reinforces the role of the Eltham Activity Centre.
 - The Eltham Major Activity Centre Structure Plan (August 2004) and the Activity Centre Zone (Schedule 1) as these documents seek development that provides more substantial housing density between Dudley and Cecil Streets.

Public consultation

Advertising

22. The application has been advertised by way of the posting of notices to the owners and occupiers of neighbouring properties, the erection of 7 notices on-site and a notice in the local Leader newspaper. The application has been advertised twice as the application was re-advertised due to the plans being amended by the permit applicant (in response to concerns raised by Council officers) following the initial advertising process.

4. Planning Reports

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Objections

23. As a result of the two advertising processes, a total of 176 written objections have been received, along with one letter of support. These objections can be summarised as follows:

- Four storey development is inappropriate for Eltham. Intensive development is inappropriate for Eltham. Eltham is losing its character and changing too much.
- The proposal is an overdevelopment of the site. The buildings will be visually prominent across the valley. Development does not fit under the existing tree canopy.
- The proposal is not consistent with the 'Green Wedge'.
- The character of the development is inconsistent with the surrounding development pattern. The proposal does not provide a good interface between the commercial and residential areas of Eltham. The development has no architectural appeal.
- The buildings setbacks are not large enough. The development is not site responsive.
- The proposal fails to comply with the requirements of the Design and Development Overlay (Schedule 6). The fourth storey is not within the roof space.
- Not enough landscaping has been provided and there are not enough open spaces provided. Landscaping proposed is not consistent with the 'Eltham character'. The development will result in a loss of wildlife in the area. The building indents for landscaping are not large enough.
- One bedroom apartments are inappropriate. There is no need for the number of dwellings proposed. The proposal does not suit the existing demographic of the area.
- The bedrooms are not large enough and some apartments are less than 50 square metres. The configuration of apartments is not ideal and the use of saddleback windows is inappropriate.
- The parking provided for the future residents of the development is inadequate and will cause further constraints on surrounding streets and in commercial car parks. Train commuters already take up the street parking. A lack of visitor parking will further add to parking issues in the town centre. The train station car park is always full.

4. Planning Reports

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- Additional traffic in the area will cause further delays, roads are already at capacity and there are lengthy delays at the roundabout in Fitzsimons Lane. Bible Street is already too dangerous and will be made worse. Pedestrians will be at risk from fatalities by speeding vehicles. Additional traffic will be dangerous for children attending the nearby primary school.
- The trains are already overcrowded and additional residents will exacerbate the issue.
- Too many apartments will result in short term rentals and transient residents who will not integrate into the community.
- Sublet dwellings will have 10-15 residents each. The crime rate within the area will increase. The dwellings will become slums.
- Noise created by future residents will be unacceptable. There will be noisy steps at all times of the day and night.
- The development will block any future ability for the commercial area of Eltham to expand.
- There is not enough pedestrian access to the building from ground level.
- Internal corridors are pokey. The dwellings will not receive enough light. Residents will not be able to dry their laundry.
- Over-bonnet storage is inappropriate.
- The liveability of Eltham will be impacted.
- The development will result in increased pollution and greenhouse gas emissions. There is a lack of sustainability measures incorporated into the design.
- The proposal has not been designed with the elderly in mind. Dwellings are not accessible for the disabled.
- There is no provision for waste bins or compost areas.
- Eltham will be unable to cope with increased stormwater and drainage issues.
- The existing services will not be able to cope with the additional population – electricity/water/gas/telecommunications/sewerage. Water pressure will decrease for existing residents. The internet will become slower.
- There is a significant bushfire risk to the area and increased development is not appropriate.
- There will be increased strain on the services of the CFA. The building will be hard to evacuate in an emergency event.
- The development will decrease land values in the area.

4. Planning Reports

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- The public open space contribution fee will not be adequate.
- Council is concerned with profits rather than the residents of Eltham. The rates are too high.
- The notification process with the residents has not been extensive enough.
- The use of copper could look too orange and the font is too big for the building names located on the front elevations of the buildings.
- The art may appear tacky rather than creative.
- Planter box depths are not shown on the development plans.
- External lighting will impact the neighbourhood.
- There will be issues with contractor vehicles during construction period.
- The excavation will affect the foundations of the adjoining dwellings.
- The eastern boundary fence is not high enough to provide privacy to the adjoining residents.

Planning application conference

24. A Planning Application Conference (PAC) was not held for this application as based on the volume of written objections received, the diversity of concerns outlined in the written objections, and the permit applicant’s preference to pursue the proposal as reflected in the re-advertised plans (currently being considered), it was determined that a meeting would unlikely result in the achievement of any compromises or agreements. It is noted that to achieve the outcomes sought by the majority of the written objections received would require substantial changes to the proposal.

Referrals

Internal

25. The application was referred to various business units or individuals within Council for advice on particular matters. The following is a summary of the relevant advice:

Council Unit	Comments
Consulting Urban Designer	<p>The proposal has dwellings facing both Arthur Street and Pryor Street which will ensure good street integration.</p> <p>The buildings are closer to each street than the neighbouring buildings to the east, however the zone and planning policy clearly encourage a change to the character of this precinct. The Activity Centre Zone (Schedule 1) provides design objectives and defines the preferred character of this precinct. It encourages new development to be set back a minimum of 5.5 metres from roadway kerbs. The proposal largely complies with this, with the only exception being the architectural fins. Notably,</p>

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	<p>the policy allows minor works such as architectural features to be constructed within any setback area provided they are designed and located to the satisfaction of the responsible authority. Given the modest nature of the encroachment and their integration with the broader design, they are considered acceptable.</p> <p><u>Neighbouring Properties</u></p> <p>Private open spaces are located along all interfaces with adjoining properties. This will provide for good separation and opportunity for landscaping.</p> <p>Notably, the basement car parking is well setback from the eastern boundary which will allow for reasonably sized trees to be planted.</p> <p>The eastern setback is proposed to be planted with Dwarf Yellow Gum trees that will reach a height of 7 metres at maturity and Blueberry Ash and Weeping Lilly Pilly trees that will reach a mature height of 8 metres and 15 metres respectively. This will provide a landscape buffer between the proposal and the adjoining residential property at No. 31 Arthur Street. It is also consistent with the objectives of the Significant Landscape Overlay.</p> <p><u>Vehicular Access</u></p> <p>One vehicular access is proposed on each street frontage. Therefore, the proposal will reduce the number of crossovers and resultant disruption of the footpath. Car parking will be provided at two basement levels. This will minimise the impact on the public realm.</p> <p><u>Pedestrian Access</u></p> <p>The primary entry to Building 1 is via a central courtyard that can be accessed from Pryor Street or along the footpath adjacent to Circulatory Road. Building 2 has its primary entrance on Arthur Street and individual entries to most of the ground floor apartments facing the surface car park. This is consistent with the Activity Centre Zone, which encourages legible pedestrian entrances demarcated by strong architectural and landscape features.</p> <p>Most of the apartments that face Arthur and Pryor Street at ground level have individual street entries and overall, the proposal will provide a high level of integration with the street and activation of all three public realm interfaces.</p>
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	<p><u>Building Separation</u></p> <p>The proposal incorporates three separate buildings above ground. The two buildings jointly referred to as Building 1 are 9 metres apart from each other. This is sufficient space to avoid the need for privacy screens and to provide adequate daylight and a sense of outlook for the inward facing apartments.</p> <p>The balconies of Apartments 26, 27, 20, 34, 35 and 45 have been moved and the apartments reconfigured to ensure that the balconies below are not unreasonably overhung. This will provide better amenity to the balconies and living rooms of Apartments 5, 11, 12, 19, 20, 26, 27 and 34.</p> <p>The layouts of Apartments 15 and 31 in Building 2 have been reconfigured to improve the internal amenity of the living rooms.</p> <p>The appropriate reconfigurations have been made to avoid intervisibility between bedroom 1 of apartment 39 and bedroom 1 of Apartment 40 in Building 2 by introducing highlight windows and a 9 metre separation. This will prevent internal overlooking.</p> <p><u>Built Form Scale and Massing</u></p> <p>The site is within the Eltham Activity Centre and it is also within approximately 300 metres of the Eltham Train Station. The site is located in the Residential Interface Precinct (Precinct 2) identified in the Activity Centre Zone and Clause 22.07 (Eltham Major Activity Centre Policy), and abuts the commercial core to the west (Precinct 1). The planning policy framework supports medium density development within the activity centre, in particular Clauses 11, 21.04, 21.05, 22.01 and 22.07 identify activity centres as appropriate locations for medium density residential development. At the same time, State and Local planning policy requires development to have regard for local character (Clauses 15.01, 16.01 and 21.05).</p> <p>Although the site has a residential interface to the east characterised by single storey dwellings, it is within an area where change is encouraged, as are those dwellings. Therefore, the form of new development should contribute to the creation of the new character sought in this part of the activity centre rather than responding to the existing character.</p> <p><u>Height</u></p> <p>The top floor of Buildings 1 and 2 have been deleted in order to reduce the height of the eastern building in the northern part of the site and the eastern half of Building 2 to comply with the mandatory height limit. Pitched roofs have now been incorporated by locating the top level of buildings 1 and 2 within the roof space. This is consistent with the requirements of the</p>
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	<p>Activity Centre Zone.</p> <p><u>Residential Interface</u></p> <p>The proposal complies with ResCode’s Standard B17 along residential interfaces. There is room for substantial landscaping along the eastern boundary of Building 1 which will further ameliorate the visual impact of the proposal. The eastern façade of Building 1 is articulated with varying setbacks. This will help maintain the amenity of the adjoining properties and ensure appropriate ‘breathing space’. Building 2 is also articulated with varying setbacks and a significant central break, which will allow for landscaping.</p> <p><u>Detailed Design</u></p> <p>The proposal is well-designed and has a cohesive architectural composition. It achieves a good balance between unifying the three buildings and achieving individuality. The street facades are broken up by varying setbacks and the use of framing elements and different materials. This will provide for visual interest at pedestrian level and contribute positively to the visual amenity of the area, as sought by the Activity Centre Zone (Schedule 1).</p> <p>It appears that the proposal incorporates a combination of natural materials in the form of stone and timber, and more contemporary elements in crisp white render and dark metal cladding. This responds appropriately to the Significant Landscape Overlay’s (Schedule 1) call for “earthy, muted tones, natural building materials and innovative design”.</p>
<p>Infrastructure Development Unit</p>	<p>The 90-degree parking bays meet the required dimensions in accordance with the planning scheme with a 6.4 metre aisle.</p> <p>The car spaces located adjacent to solid obstructions (wall and storage respectively) have been increased in width by 300mm to 2.9 metres as required, except for car spaces 1 and 45 in Basement 1 which have only been increased by 250mm. This is considered to be acceptable in this instance.</p> <p>The dimensions of the parallel communal charging space in Basement 2 is 0.5 metres shorter than that required by Clause 52.06-8 of the planning scheme, but given that most electric vehicles are of a smaller size this is considered acceptable.</p> <p>The locations of columns are in accordance with the requirements of Clause 52.06-8.</p> <p>The development generates a technical statutory bicycle parking requirement of 33 bicycle spaces. Provision has been made in the basement and common areas for bicycle parking, with sufficient space to accommodate the resident and visitor bicycle</p>

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	<p>parking requirements. The proposed bicycle parking meets this requirement with 90 resident spaces provided and 24 visitor spaces.</p> <p>The proposed crossovers onto Pryor Street and Arthur Street meet the Nillumbik Crossover Policy. Some services will need to be relocated at the cost of the permit holder to allow for the installation of the crossovers.</p> <p>The proposed ramp grades and transitions, and minimum headroom (2.4 metres) are in accordance with the requirements of the Clause 52.06-8.</p> <p>The accessways have proposed widths of 6.4 and 6.0 metres respectively, sufficient to accommodate two-way travel, which is considered satisfactory.</p> <p>In accordance with Clause 52.06-8, an area extending at least 2.0 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage should be clear of visual obstructions over 900mm in height (including landscaping), to provide a view of pedestrians on the footpath of the frontage road. These areas have been provided.</p> <p>The development generates a statutory parking requirement of 136 spaces. As a total of 114 on-site car spaces plus two charging station car spaces are proposed, a reduction of 22 car spaces is required.</p> <p>A traffic and car parking report accompanying the application has justified the reduction in car parking sought based on public transport, bicycle parking, visitor parking being typical in the evenings, multi-purpose trips and availability of alternative car parking in the area.</p> <p>The reduction of visitor car parking is also in line with the Eltham Major Activity Centre Car Parking Strategy Report (June 2013).</p> <p>It is considered that the majority of visitor car parking generated by the proposed development will be in the evenings and on the weekends when there is available car parking in the Circulatory Road, which is directly adjacent to the subject site.</p> <p>On the basis of all the above, the reduction in car parking sought is supported.</p> <p>It is expected that the proposed development will generate in the order of 630 trips per day based on six trips per day to each apartment. (Pryor Street - 378 trips per day and Arthur Street – 270 trips per day).</p> <p>The immediate surrounding road network has sufficient capacity to accommodate the increase in traffic volumes. Arthur Street is classified as a collector road with traffic volumes of</p>
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	<p>approximately 3,450 vehicles per day. Pryor Street is currently classified as an access road but with the future intention of it being a collector road once an intersection upgrade has been undertaken at Main Road in line with the Eltham Structure Plan. It carries approximately 3,000 vehicles per day. Taking into account the existing road volume and the expected additional volume generated by the proposed development, both of these streets will continue to have volumes below those expected for a collector road.</p> <p>An amended Waste Management Plan is required for the collection of waste from within the site. No Council service can be provided. The amended plan must revise the expected waste estimates, as values have been underestimated, detail that waste collection is to occur from within the building and that all waste collection vehicles are to enter and exit the site in a forwards direction. Adequate areas have been set aside for bins.</p> <p>Provision has been made to the apartments of the proposal such that they can be made accessible to people with limited mobility, as the apartments are all single level living accessed via lifts and the provision of disabled car parking spaces.</p> <p>In addition to the above, stormwater management, drainage and run-off control conditions have been requested to be imposed on any permit issued.</p>
<p>Consulting Arborist</p>	<p><u>Tree Nos. 1 and 2, 27, 29 (Arthur Street and Pryor Street naturestrip trees)</u></p> <p>Providing the footpath is kept intact and that Tree Protection Zone fencing is established on the naturestrip and it encompasses the width of the Tree Protection Zone, there should be no impact to these trees.</p> <p><u>Tree No. 3 (Car park to east)</u></p> <p>The roots for this tree extend into the subject site and it requires protection from works. Works are proposed within the Tree Protection Zone of Tree No. 3 and encroach on greater than 10% of the Tree Protection Zone area. The project arborist should be consulted regarding the design adjacent to this tree in order to ensure the tree can be successfully retained.</p> <p>The project arborist's assessment is disagreed with in that Tree Protection Zone encroachment is 17.6%. The proposed lower ground floor works for Building 2 have a major encroachment to Tree No. 3, including Structural Root Zone encroachment (refer drawing TPA09). Conditions have been provided for construction within the Tree Protection Zone which has been included within the recommendation.</p>

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	<p><u>Trees Nos. 25 and 26 – (Pryor Street naturestrip)</u></p> <p>Tree No. 25 is moribund (close to death) and Tree No. 26 is dead. Council should consider removal and replacement of these street trees. Protection is not required.</p> <p>The Tree Management Plan adequately addresses protection of Tree No. 25 and Tree No. 26 is proposed for removal. Removal of this tree is supported.</p> <p><u>Tree No. 28 (Pryor Street naturestrip)</u></p> <p>The roots for this tree extend into the subject site and it requires protection from works. Works are proposed within the Tree Protection Zone of Tree No. 28 and appear to encroach on greater than 10% of the Tree Protection Zone area. The project arborist should be consulted regarding the design adjacent to this tree in order to ensure the tree can be successfully retained.</p> <p>The proposed ground floor works for Building 1 have a major encroachment to Tree No. 28, including Structural Root Zone encroachment (refer drawing TPA04). It is recommended that conditions be included on any permit issued requiring the paving to be constructed of a permeable material at or above grade to ensure successful retention of the tree due to the buildings and works proposed within the Tree Protection Zone.</p> <p><u>Tree No. 37 (No. 32 Pryor Street)</u></p> <p>There are actually two <i>Fraxinus angustifolia</i> (Narrow-leaved Ash) located here. The roots of these trees most likely extend into the subject site and they require protection from works:</p> <ul style="list-style-type: none"> • The DBH (Diameter at breast height) of Tree No. 37 in the arborist report is incorrect. It has a DBH of 35cm. The Tree Protection Zone for this tree is 4.2 metres and the Structural Root Zone is 2.3 metres. The tree is approx. 0.7 metres from the boundary fence. • <u>Tree A</u> has a DBH of 31cm. The Tree Protection Zone for this tree is 3.7 metres and the Structural Root Zone is 2.1 metres. The tree is approximately 1.1 metres from the boundary fence. <p>Works are proposed within the Tree Protection Zone of Trees No. 37 and Tree A and appear to encroach greater than 10% of the Tree Protection Zone areas, however basement plans have been modified to reduce Tree Protection Zone encroachment to an acceptable level.</p> <p>The submitted Tree Management Plan adequately addresses the trees and the Tree Protection Requirements (Section 6) are supported.</p>
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Landscape Architect	The amended Landscape Plan has been reviewed and there are no issues with the amendments to the proposal.
Consulting Landscape Architect	<p><u>Soil and Plant Volumes</u></p> <p>There has been limited research on planter volumes for sustainable tree growth in Australia; however work has been completed by Professor Nina Bassuk whose work gives an indication of soil volumes required for plant growth. This research bases plantings on 1 square metre of tree canopy requiring 0.6 cubic metres of growth medium. There is general acceptance that by planting trees as groups within a single planter there is some benefit to be gained, that is, each tree does not require the 0.6 cubic metres per square metre of canopy. There does not appear to be a consensus on the difference made, however we will assume that the trees when planted as a group require 66% of the original soil volume.</p> <p>The plans show planter boxes with a soil depth of 600mm, and considering the volume required for each tree and the number of trees proposed, the proposed planting schedule remains unviable. However, if the soil depth is increased to a depth of 1000mm, then the planting has a greater level of viability. Planter volumes only become acceptable when the planters are 1 metre deep.</p> <p><i>(Note: the applicant has now increased the depth of all planter boxes to 1000mm via the latest advertised plans to address the Consulting Landscape Architect's above comments).</i></p> <p>The following should be recognised:</p> <p>Additional plantings provided within each planter will also place demands on the soil volume available, for example shrubs and ground-covers, and this is likely to reduce tree growth.</p> <p>Above podium planters will require irrigation. We generally recommend the use of moisture sensing devices within planting mixes to allow automatic control of irrigation programs.</p> <p>One way of allowing canopy cover to marry with soil volumes would be to reduce proposed tree quantities. Planter boxes 5, 6, 7 and 8 contain multiple trees where a smaller number could be used, alternatively the same number can be used, but it should be recognised that mature size will be smaller.</p> <p>Increasing the depth of planters is of little value since tree roots generally do not explore those depths. Strictly speaking, most root growth is within the top 600mm of soil, but where soil volumes have an open, porous character, root growth can extend deeper into the soil.</p>

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	<p>Increasing soil volumes may have significant impact upon loadings on the slab structure.</p> <p><i>(Note: plant volumes have been decreased within the planter boxes via the latest advertised plans in accordance with concerns raised).</i></p> <p><u>Plant Selection</u></p> <p>The plant selection contains material able to tolerate shade including flax lily (<i>Dianella cvs.</i>), Kaffir lily (<i>Clivia miniata</i>) and Liriope (<i>Liriope muscaru</i>). However, the area where shade is likely to exercise significant impact on plant growth is to the southern end of the internal courtyard and here the upper canopy planting comprises Little Spotty Brittle Gum (<i>Eucalyptus mannifera 'Little Spotty'</i>) and Little Snowman Snow Gum (<i>E. Pauciflora 'Little Snowman'</i>) underplanted with Tussock grass (<i>poa morrissii</i>) and Nafray Swamp Foxtail (<i>Pennisetum alopecuroides 'Nafray'</i>).</p> <p>It is considered that a response to the increasing levels of shade would be appropriate. Not only will there be shade from the built form to the east and west, but additionally there will be shade from trees planted within the raised planters further north. Planting palettes should reflect this which is not the current situation.</p> <p>Tree selections that will perform better further into the shade include Taxta that are naturally native to rainforest environments where they naturally experience shade. Among these are the <i>Ficus rubiginosa</i> and <i>Syzygium floribundum</i>. Also recommended is the use of Blueberry Ash (<i>Elaeocarpus reticulatus</i>), Quandong (<i>E. Eumundi</i>), Native Frangipai (<i>Hymenosporrum flavum</i>), Firewheel tree (<i>Stenocarpus sinuatus</i>), Hill's Grevillea (<i>Grevillea hillianana</i>) and Ivory Curl (<i>Buckinghamia celsissima</i>) together with Australia's native Figs within shade environments.</p> <p><i>(Note: Species selections have been amended via the latest advertised plans to reflect the above advice).</i></p> <p><u>Soil</u></p> <p>There are no notes on the plans in relation to the growing medium proposed. This is vital to the success of above podium planters.</p> <p>Media for use in these planters must be durable enough that it does not significantly decompose over the life of the planting. To that end, a medium based in a sandy soil with some organic supplementation is recommended. These media are quite heavy (a saturated density of 2.2t/square metres could be assumed for a plate 1 metre deep) and the building design must reflect this and the fact that the tree itself will, with maturity, achieve</p>
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	<p>considerable weight.</p> <p>Typically a suitable profile would be as follows:</p> <ul style="list-style-type: none"> • 0-300 mm organic enriched sand or loamy sand • 300-1000 mm sand or loamy sand • drainage layer – a proprietary system such as Atlantis is recommended. <p><u>Irrigation</u></p> <p>Irrigation notes appear to relate to design and operation prior to hand-over. Given the extent to which planting is in raised planters and the vital role of the irrigation system, there would be value in seeking a clearer and more detailed maintenance notation than one simply saying ‘watering (with recycled water if necessary)’. Something that addresses regular inspection and flushing of the system, checking for leaks, monitor the performance of the soil moisture sensor and time clock switching mechanism of the irrigation might be valuable.</p> <p><u>Maintenance</u></p> <p>Maintenance is similarly limited to notations relating to works pre-hand over. There is value in including a requirement for the appointment of a specialist contractor with knowledge of maintenance of above podium gardens including fertilizer programs, plant replacement strategies and health and safety in relation to raised planters.</p> <p><u>Comments regarding amended soil volumes increased to 1000mm and reduced tree planting:</u></p> <p>Plate 1 has a volume of 16.2 cubic metres. There are a total of three trees proposed with a requirement of approximately 24 cubic metres. I suggest the use of three <i>Tristaniopsis Laurina</i> gums as a copse (small group of trees) with a recognition that they will not grow to become full size canopy trees but will achieve an acceptable level of cover.</p> <p>Plate 2 now contains no trees.</p> <p>Plate 3 has a volume of 13 cubic metres with a tree needing 12.5 cubic metres. This is appropriate.</p> <p>Plate 4 now contains no trees.</p> <p>Plate 5 and Plate 6 each provide 17 cubic metres of soil with trees requiring in the order of 12 cubic metres. This should be appropriate.</p> <p>Plate 7 and Plate 8 now contain no trees.</p> <p>Plate 9 and Plate 10 each provide 13 cubic metres of soil with a</p>
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	<p>tree demanding approximately 6 cubic metres of soil. This is appropriate.</p> <p>Plate 11 provides a total volume of 73 cubic metres an appropriate volume for the trees proposed.</p> <p>In summary, the soil volumes provided, combined with the reduced number of tree planting proposed, is appropriate. It is suggested to add conditions on any permit issued relating to soil mixes and maintenance programmes for the project.</p>
<p>Environmental Planning Officer</p>	<p>There are native trees present – Tree Nos. 1, 21, 27 and 29.</p> <p>Trees Nos. 1, 27 and 29 are street trees and have been planted, therefore are exempt from requiring a permit for removal under Clause 52.17 (Native Vegetation).</p> <p>Tree No. 21 is a native but found outside its natural range. Given the location of this tree, the size of it, and the lack of other trees similar to this in the vicinity, I am satisfied that this tree has also been planted, and is therefore exempt from requiring a permit for its removal.</p> <p>There is therefore no vegetation removal that requires a permit under Clause 52.17 (Native Vegetation). There are no environmental/biodiversity issues with the proposed development.</p> <p>Suggested conditions would be to incorporate some indigenous planting into the landscaping to try and compensate for the loss of tree cover.</p>
<p>Strategic Planning Team</p>	<p>The subject land comprises a large, central and highly visible section of Precinct 2 (Residential Interface) of the Eltham Activity Centre and consequently, the future use and development of the site will be particularly significant to progressing the activity centre objectives for the Eltham Activity Centre. Consistent with the Eltham Major Activity Centre Structure Plan, Council’s strategic objective for the site is that it provide well-designed medium density housing which contributes to housing diversity and supports the preferred character for the Eltham Activity Centre</p> <p>The following aspects of the proposal are consistent with strategic policy for the subject land and the wider Eltham Activity Centre:</p> <ul style="list-style-type: none"> • Use of the site for a mixture of medium density housing. The proposed mixture of housing (31 one-bedroom apartments, 65 two-bedroom apartments and 9 three-bedroom apartments) supports the strategic objectives of promoting housing diversity and affordability.

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	<ul style="list-style-type: none"> • The location of all car parking underground. Particular attention must be taken regarding the presentation of the entrances of the underground car parking to the streets, as a poor presentation may significantly undermine the amenity and character of the streets. The use of wood panelled automatic doors or similar would be the preferred option. • The apparent retention of building heights within the specified limits. • The distinct level of separation between two buildings as seen from Pryor Street (north elevation). • The frontage of entrances, windows and balconies to the land's three street frontages, which should strongly assist in providing the development with a good sense of street address and engender good engagement with and passive surveillance of the street. <p>The additional changes made on the plans received on 20 June 2016 have made improvements to the proposal. Importantly, the visual bulk of the building from the western and southern elevations appears to have been further reduced by an increase in the gap between the buildings on the western elevation and by a more varied application of external materials on key elevations.</p> <p>Notwithstanding the above, it is important that the proposed planting of vegetation in the recessed areas along the western elevation will be effective in breaking up the bulk of the building and supporting the preferred vegetated character of the activity centre.</p> <p>There is a concern that too many trees are proposed in the recessed areas on the western elevation. If so, this could result in there being several stunted trees that fail to reach an adequate height and breadth to break up the building mass, rather than having one good significant sized canopy tree which performs the role.</p> <p>It is also noted that the landscape plan proposes 'evergreen trees' in these recessed areas, which may mean non-native trees are proposed. The Significant Landscape Overlay (Schedule 1) has a strong emphasis on indigenous canopy vegetation (in support of the Structure Plan).</p> <p>The proposed development is worthy of approval, subject to concerns regarding landscaping being addressed.</p>
<p>Sustainability Officer</p>	<p>A Sustainability Management Plan (SMP) has been provided with the application.</p> <p><u>Natural Daylighting</u> – Previous concerns appear to have been</p>

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	<p>addressed with the removal of apartments and inclusion of new windows.</p> <p><u>Thermal Comfort</u> – The fixed shading to most north-facing windows is now adequate. Windows without an eave deep enough to exclude at least 50% of summer sun should be fitted with adjustable external shading devices.</p> <p>There is still no evidence of any adjustable shading to the west and east facades of either building. “Climate responsive shading design” has not been demonstrated in this application. The result will be high use of mechanical cooling in warmer months with a significant detrimental impact on the overall energy efficiency of the development.</p> <p>These buildings will be located in an elevated and unobstructed position with large expanses of glazing to the east and west. Double glazing and internal blinds is not sufficient to minimise impact of direct sunlight entering the building.</p> <p>The inclusion of very dark building materials such as roofing and wall paint/cladding will add to the cooling requirements of the building compared with lighter colours.</p> <p><u>Air Pollutants</u> – Previous concerns have been addressed through the amended design.</p> <p><u>Energy Efficiency</u> – The solution for hot water and inclusion of a solar PV system to offset emissions from the gas consumption is an unusual alternative, but it is good that some effort to reduce greenhouse gas emissions has been made.</p> <p><u>Water Efficiency</u> - Previous concerns have been addressed through the amended design.</p> <p><u>Transport</u> – The proposal provides a car charging station in each building along with adequate visitor and resident bicycle parking.</p> <p><u>Waste Management</u> – Details of the designated space provided for on-site communal gardening and composting should be incorporated into the Sustainability Management Plan. Information such as the size, location and purpose of this space should be included.</p> <p><u>Adaptability</u> – The application now addresses issues of adaptability and liveability within the complex, offering 9 apartments with modifications that meet the Livable Housing Design Guidelines published by Livable Housing Australia.</p>
<p>Building Services Team</p>	<p>A building permit is required for the development.</p>

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External

26. The application was referred to the following statutory referral authority/authorities for advice on particular matters. The following is a summary of the relevant advice:

Authority	Comments
Public Transport Victoria (PTV)	No objection to the granting of a permit, and no conditions provided.

Planning assessment

Introduction

27. The following have been identified as the key planning issues in relation to the assessment of this planning application:

- Strategic merit for higher density development;
- Built form and neighbourhood character;
- Internal amenity;
- Access, traffic and car parking;
- Vegetation and landscaping;
- Compliance with Clause 55 (ResCode);
- Sustainability; and
- Waste collection.

28. Assessment of these issues, together with a response to objections received, will be discussed in the remainder of this report.

Strategic merit for higher density development

29. For the past 15 years, State Planning Policy has identified the Eltham Activity Centre as a metropolitan activity centre. This is currently reflected in the State Government’s ‘Plan Melbourne’ metropolitan strategy. State Planning Policy outlines an objective to build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres. This is supported by a key strategy of providing different types of housing, including forms of higher density housing.

30. Given the significant roles that activity centres (such as Eltham) have in accommodating increased development, they are a focus of major urban change. Indeed, the purpose of the Activity Centre Zone is to encourage a mixture of uses and the intensive development of the activity centre to support sustainable urban outcomes that maximise the use of infrastructure and public transport, and to create good urban design. A key consideration of this planning application is whether the

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proposed development meets these strategic directions for the Eltham Activity Centre.

31. The subject site is located within the Eltham Activity Centre on the residential interface of the centre, and is situated approximately 300 metres from the Eltham Train Station. The site therefore has excellent access to commercial facilities, public transport and community infrastructure. The proposed development is consistent with both State and Local planning policies where greater residential housing densities are encouraged and considered to be appropriate close to and within identified activity centres.
32. The Activity Centre Zone (Schedule 1) seeks to provide housing at increased densities in buildings up to and including four storeys; encourage a diversity of housing types in locations offering good access to services and transport including activity areas; and encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth. The zoning of the land clearly supports the type of development proposed.
33. As such, the subject site is afforded very strong strategic support for higher density development within the Eltham Activity Centre.

Built form and neighbourhood character

34. Amendment C106 was gazetted on 11 August 2016 and applies a suite of urban design, landscaping and land use provisions to implement the strategic objectives of the Eltham Major Activity Centre Structure Plan for the site and the wider Eltham Town Centre. Key features of the Activity Centre Zone (as they relate to this application) are to:
 - Encourage more intensive development in a variety of high quality forms and design responses that respond to the Eltham form and character, including by using a range of Eltham style building materials, such as wood, stone and other natural finishes;
 - Require development to respect the local topography, including clear height limits (4 to 3 storeys across the site), satisfying setback requirements and being suitably stepped down a slope;
 - Provide medium density housing at the subject site in support of the objective to improve housing diversity, density and affordability in close proximity to the activity centre;
 - Optimise the development potential of the Activity Centre by ensuring that individual sites are developed to their highest and best use;

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- Integrate with and support the functionality and appearance of the Eltham Town Centre by such means as having a strong sense of address to key streets, supporting pedestrian movement and minimising the visual intrusion of car movements and car parking; and
 - Create a lively and people based centre with civic and community spaces that enhance community interaction and general health and wellbeing, accommodating a wide variety of community functions including the display of community art and artefacts which reflect the artistic and cultural aspirations of the community.
35. The subject site is located within the Eltham Activity Centre, within the residential interface to the commercial core. The Activity Centre Zone (Schedule 1) and the Eltham Major Activity Centre Design Guidelines provide a framework that directs the future built form and character anticipated for the increased development density, which is beginning to occur within the centre of Eltham. The Activity Centre Zone (Schedule 1) segments the centre of Eltham into precincts. The subject site falls within two precincts:
- Precinct 2C of which No. 26 Pryor Street and No. 27 Arthur Street fall into; and
 - Precinct 2A which Nos. 28 and 30 Pryor Street and No. 29 Arthur Street fall into.
36. Precinct 2 signifies the residential interface and seeks to provide a transition in built form between the core commercial area and adjoining residential areas. The Eltham Major Activity Centre Policy at Clause 22.07 promotes *“an increase in the amount and diversity of housing by providing medium density housing, particularly that suited to one and two person households”*.
37. The Significant Landscape Overlay (Schedule 1) states that *“the Eltham Town Centre has a distinctive character which in part is defined by the integration of the built form and vegetation, particularly canopy trees, which should be preserved and enhanced. The Eltham Town Centre is also a designated area of high change, where the development potential of sites is to be realised in accordance with the Eltham Major Activity Centre Structure Plan. Future development should thus seek to strike a balance between the retention and planting of vegetation and the accommodation of higher intensity development”*.
38. As such, the decision guidelines to the Significant Landscape Overlay (Schedule 1) require the consideration of whether existing vegetation restricts the site from realising its development potential in accordance with the Structure Plan. Where vegetation removal is proposed to allow for development, a landscaping schedule should occur which draws from the valued aspects of the existing character and provides landscaped setbacks that reinforce the appearance of vegetation dominating private allotments when viewed from the street.

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39. The following is a summary of how the proposed development responds to the Precinct Requirements contained within the Activity Centre Zone (Schedule 1):

Design Guideline	Complies?	Comment
Specific to Precinct 2A (Nos. 28-30 Pryor Street and No. 29 Arthur Street)		
Maximum building height must not exceed 10.5 metres.	Complies	The maximum building height within this precinct is 10.2 metres as shown on the north elevation of Building 1 East.
Building should not exceed three storeys.	Complies	The building does not exceed three storeys.
The top storey should be contained in the roof space.	Complies	The third storey is contained within the roof space.
The building's front setback should be a minimum of 5.5 metres from the roadside kerb.	Complies	The building footprints comply with the 5.5 metre setback.
Specific to Precinct 2C (No. 26 Pryor and No. 27 Arthur Street which abut Circulatory Road)		
Maximum building height should not exceed 14 metres.	Complies	This comfortably meets this discretionary height limit with a maximum height of 13.09 metres (as shown on the cross-section for Building 1 West) and 11.7 metres for Building 2.
Building should not exceed four storeys.	Complies	The building does not exceed four storeys.
The top storey should be contained in the roof space.	Complies	The fourth storey is contained within the roof space.
The building's front setback should be a minimum of 5.5 metres from the roadside kerb.	Complies	All three frontages comply with the 5.5 metre setback from curb of each road.
Third storey should be setback 3 metres from the first floor frontage	Variation sought	The proposal meets the upper floor setback on the Pryor Street and Arthur Street elevations, however it

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		is seeking a variation from the Circulatory Road setback of 1.4 metres. The variation is considered appropriate as Circulatory Road is not considered to be a primary road and is essentially a car park. Additionally, the building is highly articulated on this frontage and the visual impact is considered acceptable. The variation is also appropriate given that the proposed development along this section comfortably achieves the discretionary height limit for this Precinct as mentioned above.
Objectives common to both Sub-Precincts		
Buildings should be designed to preserve views from adjoining residential properties to the treed hilltops to the west.	Variation sought	It is acknowledged that the development of a three and four story building will block views to the west of the sites to the east that contain one or two storey dwellings. A pragmatic approach should be taken through this transition period as a new development pattern is occurring. It would be unreasonable to require the development to reduce its height when it meets the mandatory height requirement in order to allow views for the undeveloped sites adjoining. This pragmatic approach has been adopted by the Victorian Civil and Administrative Tribunal (VCAT) in other planning approvals issued for apartment development within the Eltham Activity Centre, including the approved four storey development next to the Eltham Police Station at No. 25 Pryor Street.
Buildings with larger footprints should be designed with split levels to	Complies	The site is sloping and the buildings have been designed to

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respond to the natural topography.		make use of the slope.
Main pedestrian entrances should be clearly legible from the street and demarcated with strong architectural and landscape features.	Complies	The main pedestrian access to the buildings are from Arthur Street and Pryor Street and each entrance is demarcated clearly.
New development should appear to have a domestic quality and respond to the residential character of the area.	Complies	The proposed design is residential in nature, and the top storey is located within the mansard roof form. This helps to provide a domestic quality and keep the height modest for such a development. The roof is pitched and is well articulated, and balconies provide both visual interest and articulation to help to activate the street frontages. The building incorporates design features and colours and materials that are consistent with the theme set by the Eltham Activity Centre Design Guidelines.
Developments sited alongside boundaries should be massed in a staggered manner to avoid overlooking of adjacent properties and reduce overshadowing impacts.	Complies	The elevations which are orientated towards the Arthur and Pryor Street frontages are well articulated and have varying setbacks. Upper floor apartments have minimum setbacks of 4.5 metres from the shared boundary providing equitable development opportunities to the adjoining sites if they are developed in the future. Conditions are recommended to be placed on any permit issued to ensure that no overlooking will occur to adjoining properties to the east in accordance with Clause 55 (ResCode).
Building siting should provide the opportunity for open space areas and allow for canopy tree landscaping to be integrated with the total development.	Complies	Provision has been made for the inclusion of canopy trees within all street setbacks.
On-site car parking should be sited to	Complies	Car parking will be located in the

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the side and rear of dwellings behind the front façade.		basement level and will not be visible from the street.
New development should provide for open landscaped front yards and avoid high solid fencing.	Complies	No significant front fencing is proposed. Apartments that have courtyards facing Arthur and Pryor Streets have courtyards that provide landscaping along both street frontages.

40. Pursuant to the sub-precincts in the Activity Centre Zone, height limits, setback and roof requirements are prescribed. Precinct 2A has a mandatory roof height that cannot exceed 3 storeys and a maximum building height of 10.5 metres with the third storey to be contained within the roof space only. Precincts 2C has a discretionary height limit where buildings should not exceed four storeys and the maximum building height should not exceed 14 metres. As noted above in the table, the proposed development meets the mandatory height requirement of 10.5 metres for Precinct 2A and comfortably meets the discretionary height requirement of 14 metres in Precinct 2C, with a maximum roof height of 13.09 metres for Building 1 and a maximum height of only 11.7 metres for Building 2. Additionally, all of the required street setbacks of 5.5 metres from the roadside kerbs have been met. As the Eltham Activity Centre Design Guidelines require, a pitched roof has been incorporated into the design and the upper floors also have been incorporated into the Mansard roof typology.
41. The proposal is seeking a variation to the discretionary requirement for the third floor setback from the Circulatory Road frontage, where the Activity Centre Zone (Schedule 1) seeks a preferred setback of 3 metres from the first floor level. The variation of 1.3 metres is considered acceptable as the frontage is highly articulated and provides visual interest. The balconies and additional recession of the fourth floor help to reduce the overall appearance of bulk. The variation is also appropriate given that the proposed development along this section comfortably achieves the discretionary height limit set by the zone.
42. As commented by Council’s Consulting Urban Designer, the proposal is considered to achieve a high architectural and urban design response to residential development within an area of change within the Eltham Activity Centre. The proposal has addressed all three street frontages well with apartments designed to face each of the street frontages, with open spaces provided for around the development allowing for landscaping and canopy tree planting. While the setbacks permitted within the Activity Centre Zone are not as expansive as the lower density residential areas to the east, the proposed level of planting will contribute to the achievement of the preferred character of the area through the planting of canopy trees.

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43. The three individual building footprints and the breaking up of the building with large indents also allow for additional planting within the setbacks. The separation of the buildings allows for planting within the internal courtyards, providing internal amenity to residents and a softer visual line through the development when viewed from Pryor Street. The setbacks and internal courtyards have been provided with a comprehensive landscaping schedule that will help to deliver a softened interface between the hard scape of the commercial district to the west, which is predominately constructed of concrete with flat roof forms and the residential areas to the east which are lower in built form.
44. The buildings have been designed to be highly articulated with varying setbacks which help to break up the built form and provide good visual interest. The use of a mixture of natural materials including stone and timber are consistent with the Eltham Activity Centre Design Guidelines. In particular, the stone feature walls and the use of stained timber vertical framing both help to create an appropriate visual response that complements the characteristics sought by the design guidelines. Materials and colours on all elevations have been broken up to provide interest and reduce the appearance of bulk. The use of stone on the lower two levels help to create a domestic feel with the upper floors of the proposed development to be constructed of lighter materials such as render and timber. As such the upper floor levels do not appear as 'heavy' in visual appearance.
45. Generally, the materials proposed are considered to be consistent with the requirements of the Significant Landscape Overlay (Schedule 1), however the extensive use of 'White on white', while providing a good contrast to the dark roof, is not considered to be muted. There is also the concern that the white render will look dirt stained and will very quickly detract from the overall appearance of the building, contributing to an unmaintained appearance. As such, it is recommended that a condition be included on any issuing permit that the white colour be amended to a more earthy or darker colour.
46. While there are sheer two storey walls at ground level, the Activity Centre Zone (Schedule 1) and the Eltham Major Activity Centre Design Guidelines allow this with the permitted setback requirements. The requirement states that for the first two floors a setback of 5.5 metres from the roadside kerb is preferred, with only the third floor of buildings within Precinct 2C seeking an additional setback. The most prominent instance of this is a two storey wall on the southern elevation of Building 2 facing Arthur Street. The wall is to be constructed of stone which is considered to be a visually appealing material with an uneven surface and texture, and this is considered appropriate. Landscaping will also be provided in front of this wall thereby helping to soften its impact on the street. It is also worth noting that there is a building on the opposite side of Arthur Street (No. 20 – occupied by Anytime Fitness), which is a large black building which has a similar wall height with minimal setbacks.

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47. Minimal fencing has been proposed throughout the development with courtyard fencing for the ground floor apartments facing Arthur and Pryor Street being set back from the property boundary. Where fencing has been provided along Circulatory Road, the heights have been kept to a minimum to maintain the visual permeability of the development and to encourage the passive surveillance of Circulatory Road. To ensure that high fences are not erected by future residents of the development, undermining the visual integrity of the development and removing the integration with the street, it is recommended that on any permit issued there be a requirement for a Section 173 Agreement to be entered into that restricts any additional fencing other than that approved than that approved under this permit application on the boundaries of Arthur and Pryor Streets and Circulatory Road.
48. The proposal meets the objective regarding reducing the visibility of car parking, as the basement car parking will not be visible from street view. The basement carpark doors are proposed to be constructed of a perforated metal material finished in 'Surfmist' (an off-white colour). Council's Strategic Planning Team has suggested that timber basement carpark doors would be preferable, however this would not allow visual permeability or air ventilation. Surfmist is not considered a muted colour and may make the garage doors stand out visually, and therefore it is recommended that a condition be included on any permit issued seeking a darker are more muted colour consistent with the design guidelines.
49. Pedestrian access to the buildings is considered to be good with level access provided to the Pryor Street entry and a wheelchair lift provided for the Arthur Street access to bypass the four steps. Additionally, most of the dwellings at ground level have been provided with their own individual entries helping to create street presence and strengthening the sense of address.
50. Through the use of balconies and use of individual pedestrian entries to dwellings at ground floor, it is considered that the proposal will make a positive contribution to the activity, safety and passive surveillance of the adjacent roads. The provision of medium density housing within an activity centre encourages walking to amenities, as well as balconies overlooking the three road frontages providing opportunities for passive surveillance.
51. The proposal has shown indicative art on the elevations which does help to break up the building, and is consistent with the objectives of the Activity Centre Zone. However, as the art is indicative, it is recommended that conditions on any permit issued require detailed plans of the art. Gum leaves are not considered an appropriate response as they are considered to be a more 'tokenistic' gesture rather than a considered response to the activity centre's design guidelines and Eltham's artistic heritage.

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- 52. The proposed built form is consistent with the design guidelines of the activity centre in that the development provides a high standard of urban design as well designed site responsive architecture. The development does not present any blank facades to pedestrian activity areas or the abutting road frontages, and provides a transition in built form from the commercial core to the residential areas to the east.
- 53. Overall, the subject site is in a location where a new built form is encouraged in response to urban consolidation policy. This precinct presents an opportunity to contribute to urban consolidation due to its location within the Eltham Activity Centre, its proximity to public transport and commercial and community services. The proposed layout of the development will make a positive contribution to the public realm and the proposed scale of the development is consistent with the preferred and mandatory height requirements specified by the Activity Centre Zone. The detailed design of the proposal is generally good and meets the activity centre design guidelines, the extensive use of landscaping and canopy tree planting within the setbacks will contribute to the visual experience of the public realm.

Internal amenity

- 54. While the development shows a high level of compliance with the design and development requirements contained within the Activity Centre Zone (Schedule 1), the planning scheme currently provides little guidance for assessing the liveability of apartments and internal amenity. Good internal amenity is not only reliant upon good design and access to daylight, but also relies upon apartment size, outlook, outdoor space, ventilation, noise, landscape, adaptability, waste, car parking, entry and circulation.
- 55. The 'Better Apartments Ministers Forum Context Report' (July 2015) has completed an analysis on the size of apartments being constructed within metropolitan Melbourne and has found that on average inner city apartments are smaller than those in the outer suburbs. The report found when residents are choosing an apartment, some community members may be willing to 'trade off' internal amenity for a good location, including the proximity of the apartment to local facilities such as public transport, social services, parks and shops. The report found that inner-city apartments ranged between 41 and 50 square metres for a one-bedroom apartment while outside of the inner-city the median was 50 square metres. The majority of new two-bedroom apartments ranged between 55 and 75 square metres with smaller two-bedroom apartments being more prevalent in the central city where the median is approximately 60 square metres, while outside the central city the median is 70 square metres.
- 56. Due to subject site's substantial distance from the inner-city, it is considered that the proposed apartments should meet the higher end of the apartment size scale as Eltham does not provide the same extent of location 'trade off' in terms of access to all of the activities that other parts of metropolitan Melbourne provides.

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57. Access to light is another major component in considering whether the apartments have reasonable internal amenity. The Better Apartments discussion paper defines daylight as *“the natural ambient light available during the day. Access to daylight is important for people’s health and wellbeing and also allows dwellings to be used and occupied without recourse to artificial lighting, thereby reducing energy consumption. Daylight is distinct from sunlight”*.
58. Although the proposal has orientated habitable rooms to street faces where possible, and has provided good internal separation to avoid the need for screens internally where they would block a majority of the light, there are still a number of apartments that are both small and south-facing meaning that their internal amenity is not ideal.
59. There are many apartments within the proposed development that do not meet the average apartment size (as outlined above), and therefore will provide a lower level of internal amenity to future occupants. More specifically, a total of 36 apartments are under the average size, including 8 one-bedroom apartments under 50 square metres and 28 two-bedroom apartments under 70 square metres.
60. Within Building 1, the most notable smaller apartments are: Apartment 11 which is one-bedroom and only 45 square metres; Apartment 26 which is a two-bedroom and only 60.8 square metres; Apartment 32 is a one-bedroom and 45.4 square metres, Apartment 33 is a two bedroom apartment and only 57.9 square metres; and Apartment 42 is a two-bedroom apartment and only 57.8 square metres (note: Apartment 42 is incorrectly listed as a one-bedroom apartment in the Area analysis and apartment types table on Plan 00). Adding to this concern, Apartments 32, 42 and 11 all face south and accordingly will have very poor internal amenity.
61. To address these concerns, in the event that a permit is issued, it is recommended that three apartments, Apartment 11, Apartment 32 and Apartment 42, be deleted from Building 1 and the surrounding apartments be reconfigured to provide greater sized living areas and bedroom sizes, and be designed for adaptability in terms of meeting the Liveable Housing Design Guidelines. The surrounding apartments must not have their number of bedrooms increased. The deletion of Apartment 32 will allow for the increase in floor area of Apartment 33 to an acceptable level, which would also be able to be designed for adaptability in accordance with the Liveable Housing Design Guidelines.
62. There are also concerns within Building 2 in relation to apartment size for some of the two-bedroom apartments with six apartments having a floor area of only 62 square metres. While a majority of these apartments have better daylight access than the smaller apartments in Building 1, it is recommended that two apartments, Apartment 15 and Apartment 33 be deleted to allow the surrounding apartments to be reconfigured to have greater living areas. It is recommended that the number of bedrooms in the surrounding apartments should not be increased in order to provide some larger living spaced apartments with the view of making these adjoining apartments adaptable as well in terms of meeting the Liveable Housing Design

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Guidelines (in addition to the 9 apartments currently proposed to be designated adaptable apartments).

- 63. The deletion of five apartments (as recommended above) will help to alleviate concerns in relation to apartment sizes and access to daylight, and will ensure better internal amenity and adaptability outcomes for the development.
- 64. It is noted that Apartment 26 within Building 1 is a two-bedroom apartment that is only 60 square metres. This floor area results in a very small living area that will not be able to accommodate the likely occupants of the dwelling. As such, it is recommended that a bedroom be deleted from this apartment which will allow for the living area to be increased to an acceptable size. The deletion of a bedroom will also allow for this apartment to become one further adaptable apartment.
- 65. The apartments that have been designated as adaptable have wider door frames and wheelchair accessible bathrooms. In addition to this, each basement carpark has been provided with two disabled car parking spaces near the lift entries, ensuring that the building has good accessibility for the mobility impaired occupants and visitors. As a result of the recommended apartment and bedroom deletions, another 12 apartments will be able to be designed as adaptable, increasing the overall number of adaptable apartment to 21. Within Building 1, this will make Apartments 10, 12, 26, 31, 33, 41 and 43 adaptable apartments in accordance with the Liveable Housing Design Guidelines. For Building 2, these will be Apartments 13, 16, 31, 33 and 34.
- 66. All internal walkways have a minimum width of 1.5 metres which is acceptable, and upper floor levels have been provided with skylights within the corridors to increase access to natural light. This has not been achievable on the lower levels. Additionally, all apartments provide single level living and have lift access.
- 67. The proposed development cannot be refused on a lower level of internal amenity for a notable number of apartments alone. Indeed, the proposal's deficiency in this area is required to be balanced against some of the more positive elements of the proposed development. It is also noted that with the deletion of five apartments, plus ensuring that another 12 apartments become adaptable apartments, the 36 lower amenity apartments currently proposed will be reduced to 19 in total.

Access, traffic and car parking

- 68. Under Clause 52.06 (Car Parking) of the planning scheme, a new use must be provided with the amount of parking deemed appropriate prior to the use commencing. The rates specified for dwellings/apartments depend on the number of bedrooms and the number of apartments. One and two bedroom dwellings/apartments require one car parking space to be provided, and three-bedroom dwellings/apartments require two car parking spaces. One visitor car parking space is also required to every five dwellings/apartments.

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69. Accordingly, the car parking requirement for the proposed development is calculated as follows:
- Building 1 is to contain a total of 60 apartments comprising of 15 one-bedroom apartments, 38 two-bedroom apartments and 7 three-bedroom apartments. This requires a total of 67 on-site resident car parking spaces and 12 on-site visitor car parking spaces.
 - Building 2 is to contain a total of 45 apartments comprising of 15 one-bedroom apartments, 27 two-bedroom apartments and 3 three-bedroom apartments. This requires a total of 48 on-site resident car parking spaces and 9 on-site visitor car parking spaces.
70. The basement carpark for Building 1 provides a total of 66 car parking spaces, of which 2 are disabled spaces. Building 1 is therefore seeking a reduction of the car parking requirement of all of the 12 visitor car spaces and 1 resident car parking space, totalling a reduction of the car parking requirement of 13 car spaces. The basement carpark for Building 2 provides 48 car parking spaces, of which 2 are disabled car parking spaces. Building 2 is therefore seeking a reduction of the car parking requirement of 9 visitor car spaces.
71. Council's Infrastructure Development Unit has stated that they are satisfied with allowing a reduction of the car parking requirement for the visitor car parking requirement, however the reduction of the resident car parking spaces raises significant concern. These concerns are increased when considering that the car parking spaces within Building 1 will not be able to be tied directly to apartments as one apartment is not provided with a car space and two car spaces are for disabled access and cannot be tied to an apartment. This technically results in three apartments not being able to have their allocated car parking as required by the planning scheme.
72. There are significant concerns with the usability of the on-site car spaces if they are unallocated to individual apartments as the designated storage cages have been provided in an above bonnet arrangement. If a vehicle is parked in a car space and another resident needs to get into their corresponding storage cage, the vehicle would most likely need to be reversed slightly out of the park to ensure access and that no damage was to occur to the vehicle. This is not workable as with 60 apartments, it would be very difficult to locate the owner of the vehicle asking them to move their vehicle momentarily for access, let alone the vehicle owner being available to do so. This is an unacceptable situation and would cause significant concern for residents.

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73. The same situation occurs in Building 2 in relation to the two disabled car spaces provided, as these spaces cannot be allocated to apartments. This leaves 46 car parking spaces for a requirement of 48 car parking spaces. In order to avoid the above mentioned issues, it is appropriate to recommend the deletion of a minimum of two apartments from Building 2 and three apartments from Building 1 as a condition on any permit issued. The deletion of a total of five dwellings across the development (as recommended earlier in this assessment) will ensure that all dwellings can be provided with an on-site car space and that residents will have 24 hour access to their own goods and property contained within their corresponding storage cages.
74. Council's Infrastructure Development Unit has undertaken an assessment on the layout and design of the car parking and has determined that the car parking layout is satisfactory and meets the requirements of Clause 52.06 (Car Parking) of the planning scheme.
75. One of the very strong themes of the concerns raised in the written objections received is the ability to park within the commercial area of Eltham. During the preparation of the Eltham Major Activity Centre Structure Plan, significant research was undertaken in regards to traffic and parking within and around the Eltham Activity Centre. The reports commissioned found that the short-term car parking within the activity centre exceeded the current demand, and that while the carpark associated with Woolworths was the most popular (and as such very busy), that many of the surrounding car parking areas had reasonable levels of vacancy. Additionally, the application has been accompanied by a Traffic Engineering Assessment which undertook car parking surveys that demonstrated that more than sufficient on-street car parking is available in the nearby area to accommodate the predicted peak visitor parking demands to be generated for this proposed development.
76. At a strategic level, there is support for the reduction in the visitor car parking requirement through the site's location within the Activity Centre Zone, which seeks to encourage higher density development within close proximity to public transport. The site is within 300 metres of the Eltham train and bus interchange, meaning that residents and visitors will have very easy access to the public transport system. Additionally, being located within the activity centre means that all of the services provided within Eltham will be within walking distance, reducing the average number of trips per day that residents would need to make by car. Indeed, visitors to the proposed development may also choose to shop and access the commercial and community facilities available within the activity centre, promoting multi-purpose trips.
77. The reduction in the number of overall vehicle access points from a total of five single crossovers (as is the existing situation) to two double crossovers will increase on-street car parking in the area by two car spaces, which also strengthens the justification for the reduction in car parking for the visitor car space requirements.

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Vegetation and landscaping

78. Both the Activity Centre Zone (Schedule 1) and the Significant Landscape Overlay (Schedule 1) have very strong landscaping themes. An important part of the character to be recognised, protected and enhanced is indigenous canopy trees. The Significant Landscape Overlay (Schedule 1) requires an application to retain existing mature vegetation where possible, justify any tree removal and make provision within the design of new development for the planting of new indigenous canopy trees. However, consideration is also given in the decision guidelines to as whether or not existing large vegetation is preventing a site from realising its development potential. As such, in weighing up these two objectives, it is considered that it is reasonable to allow for the removal of vegetation from within a site but that good quality vegetation located around the perimeter near property boundaries should be retained and designed around to ensure continuity in the landscape character where possible.
79. Whilst the objectives of the Significant Landscape Overlay (Schedule 1) accept that in the Eltham Activity Centre removal of mature trees on many sites is necessary to facilitate intensive redevelopment, the Activity Centre Zone only requires a minimum 5.5 metre front setback from the kerb. In part, this provision provides the specified area for the planting of new indigenous canopy trees.
80. All 48 trees on the subject site are proposed for removal (Tree Nos. 4-24, 30-36 and 38-57 inclusive). There are no high retention value trees within the subject site and all trees are located centrally within the site rather than close to the property boundaries. As such, the trees should not be a constraint on the future development of the subject site.
81. One street tree is proposed for removal on Pryor Street for vehicle access, however this tree has been assessed as dead. Council's consulting Arborist has commented that this tree should be removed.
82. Buildings and works are proposed within the Tree Protection Zones of Tree Nos. 3 and 28. Tree No. 3 is an Oak located within the landscaping area of Circulatory Road, and fencing and paving are proposed within this Tree Protection Zone. Council's consulting arborist has recommended conditions to be included on any permit issued for buildings and works within the Tree Protection Zone, including:
 - changing the fencing type from a solid rendered construction to a timber fence
 - all buildings and works will need to be constructed at or above grade
 - the paving must be constructed of a permeable material, with all works to occur under the supervision of the project arborist.
83. These measures will ensure the successful retention of the tree and are recommended to be placed on any issued permit.

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84. Tree No. 28 (*Fraxinus angustifolia* - Desert Ash) located on the Pryor Street road reserve in front of No. 30 Pryor Street. Buildings and works are proposed within the Tree Protection Zone and Council's consulting Arborist has also recommended permit conditions pertaining to works being constructed at-grade, of permeable materials, and under the supervision of the project arborist to ensure its successful retention. It is recommended that these conditions be placed on any permit issued.
85. An extensive landscaping schedule has been proposed and Council's consulting Arborist has stated that the level of planting proposed adequately compensates for the proposed removal of 48 trees.
86. Of the trees proposed for removal, 35 require a permit with 20 of those trees considered to be weed species. Tree No. 15 (*Eucalyptus cladocalyx* - Sugar Gum), is native to South Australia and has been classified as hazardous. As such, this tree can be removed without a permit. Of the remaining 15 trees proposed for removal that are not classified as weeds, only one is native to the area which is Tree No. 21, which is a *Eucalyptus rubida* - Candlebark). Council's Environmental Planner has assessed this tree and concluded that it has been planted and has no concerns with the proposed removal of the tree. All of the other 14 trees are of introduced species and as such their removal is also considered appropriate if compensatory replanting is to occur on-site.
87. An extensive replanting schedule has been proposed that includes the replanting of canopy trees within the front setbacks and plantings within above podium planter boxes internally between buildings where the basement car parking precludes in-ground planting.
88. A total of 71 canopy trees are proposed to be replanted on-site consisting of 9 *Eucalyptus leucoxylon* ssp. *Connata* (Large-fruited Yellow Gum), 24 *Eucalyptus leucoxylon* 'Euky Dwarf' (Dwarf Yellow Gum), 14 *Elaeocarpus reticulatus* (Blueberry Ash), 2 *Hymenosporrom flavum* (Native Frangipani), 20 *Tristaniopsis laurina* 'Luscious' (Luscious Kanooka) and 2 *Waterhouse floribunda* (Weeping Lilly Pilly). Many shrubs and grasses, ground covers and climbers are also proposed. The planting schedule also includes *Eucalyptus melliodora* (Yellow Box) as a planted species, however none of these have been shown on the plans. It is recommended that if a permit is issued, that the landscaping plan be amended to show three *Eucalyptus melliodora* on the western setback within the building breaks and indents. This will increase the indigenous planting on-site, and these trees will become important landscape trees as they mature.
89. Of the proposed canopy trees, the two above-mentioned eucalyptus species are proposed to be planted within the building setbacks as these areas are not impacted by the underground basement parking. The remaining trees are proposed within the above ground plantar boxes and areas of shade where eucalypts and other indigenous trees may not be as successful at surviving.

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90. Concerns have been raised by Council's Strategic Planning Team in regards to the extent of planting with the levels of planting possibly being too high to allow for the plants to reach a successful maturity and that not all of the species selections are indigenous to Nillumbik. Concerns were also raised relating to the above-ground planter boxes and whether or not they were capable of containing the level of plantings proposed.
91. Given the specialisation of this particular issue, expert advice was obtained by an independent consulting Landscape Architect who has extensive experience in landscaping for apartment buildings and above podium planting. The assessment by the Council's consulting Landscape Architect determined that the proposed level of planting (based on the latest re-advertised plans) is now acceptable and that the previous concerns in regards to species selection, inadequate soil depths and over-ambitious planting levels have now been appropriately addressed. Previously, many more eucalypts had been proposed within the planter boxes where they were unlikely to thrive in the shady conditions. As such, species selection has been recommended that while not indigenous in these locations, will ensure a much better vegetated outcome.
92. Through the latest re-advertised plans, the depth of the planter boxes has been increased from 600mm to 1 metre on the advice of the consulting Landscape Architect which will ensure that the plantings will have enough soil to survive and remain healthy. Concerns have been raised by the consultant in terms of the soil type proposed within the planter boxes, as the soil that would ensure good growth and healthy plantings (which is considered vital to ensuring that the proposed landscaping remains viable), is heavy and will add significant weight load to the building especially when wet. According to the advice, many developments make the soil mix out of a high proportion of organic matter which is relatively light. While this is acceptable when first planted, the organic fraction begins to break down, the pore space for air and water movement changes as the organic matter decays, and furthermore the volume settles so that root growth is poor because of the lack of aeration and drainage. The volume of the soil mix settles leaving very low levels of soil in the planter boxes.
93. In considering how vital it is for the proposed development that the landscaping is successful, a soil mix is needed with a relatively high sand fraction which maintains air porosity and drainage but which weighs heavy, but importantly it maintains an appropriate structure and root growth environment in the long term. As such, it is recommended that a condition be placed on any issuing permit requiring a soil composition as mentioned above to ensure that the landscaping remains viable in the long term.

Compliance with Clause 55 (ResCode)

94. The following is an assessment of the proposal against the standards and objectives of Clause 55 (ResCode) of the planning scheme.

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<i>Clause/ Standard</i>	<i>Objectives</i>	<i>Satisfy Objectives/Standards</i>
<p>Clause 55.02-1 Neighbourhood Character objectives Standard B1</p>	<ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character. To ensure that development responds to the features of the site and the surrounding area 	<p>Complies. As discussed above, this area of Eltham is in a transitional period and the proposed development has a high level of compliance with the design and development requirements of the Activity Centre Zone (Schedule 1) and the Eltham Major Activity Centre Design Guidelines.</p>
<p>Clause 55.02-2 Residential Policy objectives Standard B2</p>	<ul style="list-style-type: none"> To ensure that residential development provided is in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Complies. The proposal is consistent with housing policies and is located in an area that has strong strategic support for higher density development.</p>
<p>Clause 55.02-3 Dwelling diversity objective Standard B3</p>	<ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings 	<p>Complies. A range of apartments have been provided with one, two and three bedrooms as well as nine adaptable apartments.</p>
<p>Clause 55.02-4 Infrastructure objective Standard B4</p>	<ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Complies. All services can be provided to the site and they are not likely to overload existing capacities.</p>
<p>Clause 55.02-5 Integration with the street objective</p>	<ul style="list-style-type: none"> To integrate the layout of the development with the street. 	<p>Complies. The buildings have been designed to integrate with the streets that they front, with individual apartments all designed to provide passive surveillance of</p>

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Standard B5		the surrounding area and ground floor apartments being provided with street level pedestrian access.
Clause 55.03-1 Street setback objective Standard B6	<ul style="list-style-type: none"> To ensure that the setback of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	Complies. The proposal complies with the street setbacks as required by the Activity Centre Zone.
Clause 55.03-2 Building height objective Standard B7	<ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	Complies. The proposal complies with the mandatory and discretionary heights as prescribed by the Activity Centre Zone.
Clause 55.03-3 Site coverage objective Standard B8	<ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Variation proposed (which is acceptable). 72% site coverage by buildings which exceeds the 60% standard. Given the site's location in the activity centre where there is encouragement of medium density development, it is appropriate to allow a variation to the requirement to ensure that the site meets its development potential, consistent with the objectives of the Activity Centre Zone (Schedule 1).
Clause 55.03-4 Permeability objectives Standard B9	<ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	Complies. 22% of the site will remain permeable.
Clause 55.03-5 Energy efficiency objectives Standard B10	<ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	Complies. The proposed development has been designed so that each dwelling has access to light and all bedrooms have windows and do not rely on borrowed light or light courts.
Clause 55.03-6 Open space objective	<ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space 	Not applicable. The site does not adjoin any public open space. The development has been

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Standard B11	provided in or adjacent to the development.	designed to integrate with the three road frontages.
Clause 55.03-7 Safety Objective Standard B13	<ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	Complies.
Cause 55.03-8 Landscaping objectives Standard B13	<ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	Complies. The proposed landscaping plan shows that canopy trees will be planted throughout the site, providing consistency with the varied landscaping pattern of the area.
Clause 55.03-9 Access objectives Standard B14	<ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	Complies. Two vehicle crossovers are proposed, one fronting Pryor street and one fronting Arthur Street, reducing the number of crossovers that currently service the five sites from five to two.
Clause 55.03-10 Parking location objectives Standard B15	<ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To avoid parking and traffic difficulties in the development and the neighbourhood. To protect residents from vehicular noise within developments. 	Can comply, subject to permit conditions. This is discussed within the car parking assessment above. Car parking will be located within the basement providing noise insulation to the surrounding properties.
Clause 55.04-1 Side and rear setback objective Standard B17	<ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the 	Complies. Discussed within the 'Built form and neighbourhood character' assessment above.

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	amenity of existing dwellings.	
Clause 55.04-2 Walls on boundary objective Standard B18	<ul style="list-style-type: none"> To ensure that the location, length and height of a wall on boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	Complies. No walls are proposed on the boundaries.
Clause 55.04-3 Daylight to existing windows objective Standard B19	<ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	Complies. The proposed minimum setback of 3 metres to the eastern boundary ensures the existing dwellings to the east maintain adequate access to daylight.
Clause 55.04-4 North facing windows objective Standard B20	<ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	Complies.
Clause 55.04-5 Overshadowing private open space objective Standard B21	<ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	Complies, as demonstrated on the overshadowing diagrams provided with the application.
Clause 55.04-6 Overlooking objective Standard B22	<ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	Can comply subject to conditions. It is recommended that a condition be placed on any issuing permit that shows greater detail on the eastern elevations to meet the overlooking requirements.
Clause 55.04-7 Internal views objective Standard B23	<ul style="list-style-type: none"> To limit views into the secluded private open 	Complies. Apartments and balconies have been designed to have separation of 9 metres in order to comply with internal overlooking requirements.
Clause 55.04-8 Noise impacts objective	<ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. 	Complies.

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Standard B24	<ul style="list-style-type: none"> To protect residents from external noise. 	
Clause 55.05-1 Accessibility objective Standard B25	<ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	Complies. The building is fully accessible. All apartments are single level living and nine apartments have been designed to be adaptable and a total of four disabled car parking spaces have also been provided.
Clause 55.05-2 Dwelling entry objective Standard B26	<ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	Complies.
Clause 55.05-3 Daylight to new windows objective Standard B27	<ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Complies. All habitable room windows have been designed to face an outdoor space clear to the sky. The design has not incorporated the use of light courts or 'borrowed light' for bedrooms.
Clause 55.05-4 Private open space objective Standard B28	<ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	Generally complies. Each apartment on the upper floor levels has been provided with a balcony that meets the minimum requirements of 8 square metres. Ground floor apartments are not provided all with a minimum of 40 square metres, however they are generally provided with greater levels of private open spaces than the apartments above.
Clause 55.05-5 Solar access to open space Standard B29	<ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Generally complies. Apartments have been designed to generally have the open spaces located on the periphery of the site to gain solar access.
Clause 55.05-6 Storage objective Standard B30	<ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Complies. Each apartment has been provided with six cubic metres of storage within the basement.
Clause 55.06-1	<ul style="list-style-type: none"> To encourage design detail 	Complies.

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<p>Design detail objective Standard B31</p>	<p>that respects the existing or preferred neighbourhood character.</p>	
<p>Clause 55.06-2 Front fence objective Standard 32</p>	<ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Complies. Front fences proposed are generally set back from the property boundary and do not exceed the heights specified.</p>
<p>Clause 55.06-3 Common property objectives Standard B33</p>	<ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Complies. Common property will be clearly delineated and maintained by the Owners Corporation.</p>
<p>Clause 55.06-4 Site services objectives Standard B34</p>	<ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Complies.</p>

Sustainability

95. A Sustainability Management Plan (SMP) has been submitted with the application which outlines measures to be undertaken to meet Environmentally Sustainable Design (ESD) principles. The submitted development plans also show measures taken to increase the sustainability of the development including the provision of charging stations and parking bays for electric vehicles, future composting area, a high number of bicycle racks for both residents and visitors, air locks for the lower ground apartments that gain access via the basement carpark, underground water tanks to collect stormwater for toilet flushing and shade screens on the northern side of Building 1, and adaptable apartments.
96. In order to reduce the impact on the utility infrastructure and to reduce impact on the wider community, including the heat island effect, the application proposes the installation of a 10kW pv system across the development which will be connected into the base building electrical system, resulting in lower body corporate fees for the future residents.

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97. The Sustainability Management Plan (SMP) has not detailed the car charging stations for the electric vehicles nor detail of the composting and communal gardening area that has been provided for the residents. The submitted development plans have included a notation that states 'allocated area for future communal garden program facilitated by Nillumbik Shire Council' however Council does not currently have a program that facilitates this type of activity. As such, the composting will need to be facilitated privately. It is recommended that conditions be placed on any permit issued that the SMP be updated to reflect the above, and that the development plans be amended to delete the notation that the community garden and composting are to be facilitated by Council.
98. Concerns have been raised by Council's Sustainability Officer regarding the provision of shade screens and the dark roof. Shade screens have not been provided on the eastern or western elevations of the proposed development. However, whilst there is the possibility that screening would add to the bulk of the development, there is merit in further consideration of the possibility of shading devices being implemented, as long as they are not at the visual appearance expense of the building, in particular additional visual bulk. It is therefore recommended that a condition be included on any permit issued requiring the Sustainability Management Plan to be updated to further explore possible non-fixed shading options on the eastern and western elevations of the buildings. Additionally, the roof of the buildings has remained dark which is considered to be muted and non-reflective and consistent with the requirements of the Significant Landscape Overlay (Schedule 1).

Waste collection

99. Waste collection will occur through the use of a private waste contractor. The waste is to be stored within the basements of each building and will need to be collected by a waste collection vehicle within the basement.
100. A Waste Management Plan (WMP) has been submitted which was referred to Council's Infrastructure Development Unit for comment. While Council's Infrastructure Development Unit has stated that the areas provided for bin storage are adequate, the submitted Waste Management Plan is required to be amended prior to being endorsed as a part of any permit issued, as the values referred to in the waste generation table have been underestimated. Additionally, the report states that waste collection is to occur from street level. It is not considered safe or ideal for the large waste bins to be collected at street level. Accordingly, the plan will need to be amended demonstrating that they will be collected from within the basement. The report will also need to detail that the waste collection vehicles will need to enter and exit the site in a forwards direction to ensure the safety of all residents and pedestrians.
101. As the waste collection will occur from within the development from the basement car parks, bins will not be placed on either the Arthur Street or Pryor Street kerbsides for collection.

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Response to objections received

102. The written objections have raised a number of concerns with respect to the proposed development. Issues regarding the design and bulk of the development, the number of apartments proposed, landscaping, the reduction in car parking requirements and traffic implications have been discussed in earlier sections of this assessment. A response to those issues not previously discussed and addressed is included below.

The proposal is an overdevelopment of the site and the liveability of Eltham will be impacted; the proposal is not consistent with the 'Green Wedge'

103. Eltham Activity Centre has been designated as an area within Nillumbik appropriate for higher density development. There is strategic merit for higher density development to be located within activity centres close to services and public transport. This position has been strengthened through a suite of planning scheme changes via Amendment C51 and C106 to the planning scheme. These amendments included the introduction of mandatory height controls in residential areas within the Eltham Activity Centre, as well as the introduction of comprehensive urban design guidelines for the activity centre. The benefit of this is that the planning scheme now sets a clear expectation with respect to the future height, scale and design of development within this activity centre, and the level of restriction is significantly more onerous in comparison to other metropolitan activity centres. The proposed development complies with these restrictions and requirements.

104. The site is located within the Urban Growth Corridor and is not located within the rural Green Wedge.

The proposal fails to comply with the requirements of the Design and Development Overlay (Schedule 6) note: now Activity Centre Zone (Schedule 1). The fourth storey is not within the roof space

105. The top storeys have been designed within the mansard roof form, which is consistent with the Eltham Major Activity Centre Design Guidelines. The mansard roof form is also an outcome supported by Council's consulting Urban Designer.

The development will result in a loss of wildlife in the area

106. An assessment of the vegetation on-site demonstrated that there was only one indigenous tree which had been planted on-site and that the remaining trees consisted of a high level of species that are considered to be weeds within Nillumbik. Additionally, the site is located within the centre of Eltham and adjacent to commercial development and land use, which has a lower level of native fauna residing in it than other areas of the suburb.

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One bedroom apartments are inappropriate. There is no need for the number of dwellings proposed. The proposal does not suit the existing demographic of the area

107. The Activity Centre Zone (Schedule 1) specifically states that one of the objectives of the policy is to promote and increase the amount and diversity of housing by providing medium density housing, particularly suited to one and two bedroom households.

Train commuters already take up the street parking. The train station car park is always full; the trains are already overcrowded and additional residents will exacerbate the issue

108. It is not expected that the residents of the development would need to use the long-term parking within central Eltham or the train station as they are provided with parking within the development. Visitors generally do not require long term parking and therefore would use the short term parking within the area.

109. While this objection is outside of the parameters of consideration for this application, the State Government is currently in the process of a number of strategies to increase the number of trains in the network.

Additional traffic in the area will cause further delays, roads are already at capacity and there are lengthy delays at the roundabout in Fitzsimons Lane. Bible Street is already too dangerous and will be made worse. Pedestrians will be at risk from fatalities by speeding vehicles. Additional traffic will be dangerous for children attending nearby Primary School

110. The Traffic Engineer Statement accompanying the application has provided a statement in regards to road safety within the immediate area. The statement reviewed the State Accident records for within the past five years and found that there were no recorded crashes within the study area. Additionally, all road users must abide by the road rules which includes a speed limit on Arthur and Pryor Street of 50km/h. Council's Infrastructure Development Unit has stated that the road network has capacity to accommodate the increased traffic volumes.

Too many apartments will result in short term rentals and transient residents who won't integrate into the community. Sublet dwellings will have 10-15 residents each. The crime rate within the area will increase. The dwellings will become slums

111. The proposal to provide apartments for a range of households is consistent with State and Local Planning Policy. The concerns raised about the number and size of apartments, as well as their likely occupants, are not planning considerations that are relevant to the consideration of this planning application, and there is no evidence to suggest that these apartments will become 'slums'.

Noise created by future residents will be unacceptable. There will be noisy steps at all times of the day and night

112. It is not expected that the residential nature of the dwellings would create excessive noise.

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The development will block any future ability for the commercial area of Eltham to expand

113. The Eltham Activity Zone (Schedule 1) provisions and the Eltham Major Activity Centre Structure Plan does not plan for or intend for the subject site to become part of the commercial core. Whilst a small amount of office use is encouraged, this area is intended primarily for residential purposes as outlined in Precinct 2 of the zone provisions.

There is not enough pedestrian access to the building from ground level

114. There is clear and adequate pedestrian access to the buildings with many of the ground level buildings having their own direct access as well as the main internal access.

Over-bonnet storage is inappropriate

115. Over bonnet storage is a standard design response for apartment developments within Melbourne and is considered acceptable.

The proposal has not been designed with the elderly in mind. Dwellings are not accessible for the disabled

116. All of the apartments provide single level living and disabled access to the building has been provided along with a total of four disabled car parking spaces and 9 adaptable apartments that have increased door widths and disabled access bathrooms.

There is no provision for waste bins or compost areas

117. Waste storage areas have been provided for in the basement levels and a composting area has been allocated on the plans in the communal area between Building 1 and Building 2.

Eltham will be unable to cope with increased stormwater and drainage issues

118. It is recommended that stormwater and run-off conditions be included on any permit issued to ensure that stormwater is adequately contained and managed within site boundaries. The proposal makes provision for stormwater holding tanks with a minimum total capacity of 54,000 litres. The proposed capacity of the water tanks is based on a ratio of apartment numbers and sufficient storage for 30 days of toilet flushing. The water tanks have been shown on the submitted plans under the basement. Council's Infrastructure Development Unit has raised no specific concern with the proposal with respect to stormwater and drainage impacts.

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The existing services will not be able to cope with the additional population – electricity/water/gas/telecommunications/sewerage. Water pressure will decrease for existing residents. The internet will become slower.

119. State Planning Policy has identified the Eltham Activity Centre as a metropolitan activity centre, and this is currently reflected in the State Government’s ‘Plan Melbourne’ metropolitan strategy. State Planning Policy identifies that activity centres are a focus of major urban change, which is supported by providing different types of housing, including forms of higher density housing. Service providers including Yarra Valley Water, APA Group, Telstra, NBN Co. and electricity distributors should be planning for the forecasted increases in infrastructure demand within these activity centres, and plan for this forecasted demand accordingly. As the responsible authority, Council has a responsibility to make decisions on planning applications in accordance with State Planning Policy.

There will be an increase strain on the services of the CFA. The building will be hard to evacuate in an emergency event

120. The requisite Building Permit (which must also be obtained prior to the commencement of development) will ensure the appropriate exits are provided for the building, many of the apartments have individual pedestrian access points.

There is a significant bushfire risk to the area and increased development is not appropriate

121. The Bushfire Management Overlay does not affect the subject site and surrounds, and the site is not located within a Bushfire Prone Area as defined by the building regulations. The site is located within an area that is deemed appropriate for higher density development, as reflected by the Activity Centre Zone (Schedule 1) and various State and Local planning policies

The development will decrease land values in the area; Council is concerned with profits rather than the residents of Eltham. The rates are too high

122. Objections in relation to land values are not relevant planning considerations under the planning scheme and *Planning and Environment Act 1987*, and therefore cannot be considered. As the responsible authority, Council has a statutory obligation to consider and determine each individual planning application on its planning merit against the relevant policies and considerations of the planning scheme.

The public open space contribution fee will not be adequate

123. This application has not applied for subdivision and the appropriate contribution fee will be applied at the time an application is made.

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

The notification process with the residents has not been extensive enough

124. The notification process has been extensive and conducted in accordance with the requirements of the *Planning and Environment Act 1987*, with notification in the local Leader newspaper, a total of 7 on-site notices, and notices sent to all adjoining properties and slightly wider area directly notified.

The use of copper could look too orange and the font is too big for the building names located on the front elevations of the buildings.

125. The composite aluminium cladding constructed of Alucobond in 'Indiana Copper' is not orange and will not fade to orange over time. The building names displayed on the architectural fins are consistent with the scale and design of the building.

External lighting will impact the neighbourhood.

126. A condition regarding lighting will be placed on any permit issued restricting light from adversely affecting adjoining properties.

There will be issues with contractor vehicles during construction period; the excavation will affect the foundations of the adjoining dwellings.

127. The requirement of a Construction Management Plan (CMP) is recommended as a condition of any issuing permit. It is expected that this recommended plan will address concerns in relation to construction.

The eastern boundary fence is not high enough to provide privacy to the adjoining residents.

128. The plans show a 1.9 metre high paling fence on the eastern boundary which is slightly higher than a standard paling fence. This is deemed acceptable.

Conclusion

129. The application seeks to develop the land for the construction of a four storey building comprising of 45 apartments and basement car parking at No. 27-29 Arthur Street; the construction of a four storey building comprising of 60 apartments and basement car parking at No. 26-30 Pryor Street; removal of vegetation, car parking reduction and associated works. The application was advertised and 177 written objections have been received. The key planning issues relate to strategic merit for higher density development; built form and neighbourhood character; access, traffic and car parking; landscaping and vegetation removal; internal amenity; compliance with Clause 55 (ResCode); sustainability and waste collection.

130. The proposed development is afforded very strong strategic merit for a higher density residential development by the planning controls that apply to the site. The proposal consolidates five lots of land to create a site of sufficient size in order to accommodate the visual and amenity impacts associated with a more intensive development. The proposed development has been designed in accordance with the design and development requirements of the Activity Centre Zone (Schedule 1) and the Eltham Major Activity Centre Design Guidelines. The proposal will provide

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greater housing diversity within the Eltham town centre. The proposal also achieves a high level of compliance with Clause 55 (ResCode) and the reduction of the car parking requirement for visitor car parking spaces is considered acceptable, having regard to the existing occupancy availability within the activity centre.

- 131. The deletion of five apartments (Apartments 11, 32 and 42 in Building 1 and Apartments 15 and 33 in Building 2) and the deletion of one bedroom from Apartment 26 in Building 1 as recommended will ensure that all of the apartments will be allocated the required level of car parking, and also achieve an increase in the size of the surrounding apartments so that the internal amenity will be increased. These recommended changes will also allow for the number of adaptable apartments to be increased (to a total of 21), without compromising on the diversity of apartments being offered within the proposed development.
- 132. Although the proposal seeks to remove all on-site vegetation, the objectives of the Significant Landscape Overlay (Schedule 1) can be achieved through suitable vegetative replanting on-site, as generally reflected in the submitted comprehensive landscape plans.
- 133. In light of the above planning assessment, the application warrants support, as reflected in the officer recommendation which follows.

Recommendation

That the Committee (under delegation from Council) issue a Notice of Decision to Grant a Permit to the land at 27 and 29 Arthur Street, Eltham and 26, 28 and 30 Pryor Street, Eltham, for the construction of more than two dwellings on a lot (100 dwellings) with basement car parking and associated works, vegetation removal and a reduction of the car parking requirement, in accordance with the endorsed plans and subject to the following conditions:

- 1. **Before the development commences, three copies of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans received on 1 June 2016 and prepared by Taouk Architects but modified to show:**
 - a) **The deletion of Apartments 11, 32 and 42 in Building 1, and the deletion of Apartments 15 and 33 in Building 2. The immediately adjoining apartments are to be reconfigured to increase living and bedroom areas and must not increase the number of bedrooms, study nooks may be provided. Boundary setbacks and the areas of private open space available for landscaping must not be reduced in size.**

4. Planning Reports

PC.014/16 Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

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- b) As a result of the re-configurations required by condition 1a) of this permit, Apartments 10, 12, 26, 31, 33, 41 and 43 in Building 1 and Apartments 13, 16, 31, 33, and 34 in Building 2 to be redesigned to be adaptable apartments in accordance with the Liveable Housing Design Guidelines.
 - c) The deletion of one bedroom from Apartment 26 in Building 1.
 - d) The 'white on white' external render material to be amended to a darker and earthy tone.
 - e) The basement carpark doors fronting Arthur Street and Pryor Street to be amended from 'Surfmist' to a darker colour.
 - f) Specific details of the art to be included on the elevation plans, including size, location, type colour and design, to better reflect Eltham's artistic heritage.
 - g) Appropriate design response that details how air conditioning units situated on balconies are to be visually concealed so not to be visible from outside the site.
 - h) Location and details of any mechanical plant equipment and air conditioning equipment to be shown, in a manner which is in accordance with the Eltham Activity Centre Design Guidelines.
 - i) Details of how the apartments on the first and second floors on the eastern elevations of Building 1 and Building 2 meet the overlooking requirements of Clause 55.04-6 of the planning scheme.
 - j) The fencing located within the Tree Protection Zone of Tree No. 3 to be constructed of timber and to meet the requirements of condition 10 of this permit.
 - k) A notation on the plans that all works and paving within the Tree Protection Zones of Tree Nos. 3 and 28 must be constructed of permeable paving at or above grade using permeable paving and under the supervision of the project arborist.
 - l) Deletion of the reference of Nillumbik Shire Council to facilitate the communal garden and composting area.
 - m) Provision and details of lighting within the common property areas consisting of only low level lighting in accordance with the Eltham Activity Centre Design Guidelines.
 - n) Subject to further exploration as required by condition 12c of this permit, plan notations and details of shading devices along all eastern and western elevations of the proposed development.
 - o) Landscape plan amended in accordance with condition 3 of this permit.

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- p) A Landscaping Management Plan prepared in accordance with condition 4 of this permit.
 - q) The Tree Management Plan amended to reflect conditions 10 and 11 of this permit
 - r) An amended Sustainability Management Plan in accordance with condition 12 of this permit.
 - s) An amended Waste Management Plan in accordance with condition 13 of this permit.
2. The development and vegetation removal as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
3. Before the development commences, three copies of an amended 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 this permit. The landscaping plan must be generally in accordance with the landscape concept plan received on 1 June 2016, prepared by Hansen. The plan must show:
- a) A survey of all existing vegetation and natural features.
 - b) The area or areas set aside for landscaping.
 - c) A schedule of all proposed trees, shrubs/small trees and ground cover. This schedule shall include plants selected from the Council document 'Live Local Plant Local' showing the botanical and common name of each plant, the quantity to be planted, the pot size and spacing.
 - d) The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material.
 - e) Paving, retaining walls, fence design details, lighting and other landscape works including areas of cut and fill.
 - f) Appropriate irrigation systems and maintenance schedule that addresses regular inspection and flushing of the system, checking for leaks, monitoring the performance of the soils moisture sensors and time clock switching mechanisms.
 - g) The quantities of all trees shrubs, groundcovers, and climbers to be shown in the planting schedule.
 - h) The planters/plates to be numbered in accordance with the advice provided by John Patrick Architects to Council dated 28 January 2016.
 - i) The provision of three *Eucalyptus melliodora* (Yellow Box) to be located within the Circulatory Road setback. One tree to be located in each of the building indents.

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- j) Details of any required root barrier systems required to protect the buildings from the planted canopy trees.
- k) Provision and details of lighting within the common property areas consisting of only low level lighting in accordance with the Eltham Activity Centre Design Guidelines. Such details to also be included on the development plans as required by condition 1 of this permit.
- l) Soil specification as follows:
 - 0-300 mm organic enriched sand or loamy sand.
 - 300-1000 mm sand or loamy sand.
 - drainage layer – a proprietary system such as Atlantis is recommended.

4. Before the development commences, three copies of a Landscape Maintenance Plan prepared by a suitably qualified Landscape Architect with experience with above podium planting and 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 this permit. The Landscape Maintenance Plan must detail:

- a) The experience and qualifications of the Landscape Architect.
- b) Irrigation of the landscaping including details of the regular inspection and flushing of the system, checking for leaks, monitoring of the performance of the soil moisture sensors and time clock switching mechanism of the irrigation.
- c) Maintenance of the landscaping by a specialist contractor with knowledge of maintenance of above podium gardens including fertilizer programs, soil health and maintenance, plant replacement strategies and health and safety in relation to raised planters.

5. Before the development commences, the owner must enter into an agreement with the Responsible Authority in accordance with Section 173 of the *Planning and Environment Act 1987*. The agreement must provide for:

Unless with the prior written consent of Council:

- a) Waste collection for this development will occur through a private contractor, collected from within the site only and be managed appropriately by the Owner's Corporation.
- b) All landscaping approved under Planning Permit 303/2015/03P must be maintained thereafter, to the satisfaction of Council.
- c) The Landscaping Management Plan approved under Planning Permit 303/2015/03P must be complied with in perpetuity.

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- d) Future owners and occupiers of the building will not be eligible for any future resident or visitor parking permit scheme.
- e) All visual screening measures shown on the endorsed plans must be installed in order to prevent overlooking and must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.
- f) There shall be no additional front fencing other than that approved by Planning Permit 303/2015/03P located within the front setbacks of Arthur Street, Pryor Street and Circulatory Road.

Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act prior to the commencement of the development.

The owner must pay all costs (including Council's costs) associated with the preparation, review (if required), execution, registration and (if later sought) cancellation of the Section 173 Agreement.

- 6. Unless with the prior written consent of the Responsible Authority, before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
- 7. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the trees marked on the endorsed plans as being retained and requiring tree protection fencing must have a Tree Protection Zone (TPZ) to the satisfaction of the Responsible Authority. The fencing associated with this TPZ must meet the following requirements:

a) **Extent**

The tree protection fencing (TPF) is to be provided to the extent of the Tree Protection Zone, as shown in the Tree Management Plan prepared by dbhorticulture and dated 21 March 2016. If works are shown on any endorsed plan of this permit within the confines of the calculated TPZ, then the TPF must be taken in to only the minimum amount necessary to allow the works to be completed

b) **Fencing**

All tree protection fencing required by this permit must be erected in accordance with the approved TPZ. The TPF must be erected to form a visual and physical barrier and must be a minimum height of 1.5 metres and of chain mesh or similar fence with 1.8 metre support posts (e.g. treated pine or similar) every 3-4 metres, including a top line of high

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visibility plastic hazard tape erected around the perimeter of the fence.

c) **Signage**

Fixed signs are to be provided on all visible sides of the TPF clearly stating “Tree Protection Zone – No Entry”, to the satisfaction of the Responsible Authority.

d) **Irrigation**

The area within the TPZ and TPF must be irrigated during the summer months with 1 litre of clean water for every 1cm of trunk girth measured at the soil/trunk interface on a weekly basis.

e) **Provision of Services**

All services (including water, electricity, gas and telephone) should be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, they must be installed by directional boring with the top of the bore to be a minimum depth of 600mm below the existing grade, to the satisfaction of the Responsible Authority Bore pits must be located outside of the TPZ or manually excavated without damage to roots, to the satisfaction of the Responsible Authority.

f) **Access to TPZ**

Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection measures such as bridging over with timber).

8. Once erected to the required standard, the tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority.

9. The following actions must not be undertaken in any tree protection zone as identified in this permit, to the satisfaction of the Responsible Authority:

- a) Materials or equipment stored within the zone;
- b) Servicing and refuelling of equipment and vehicles;
- c) Storage of fuel, oil dumps or chemicals;
- d) Attachment of any device to any tree (including temporary service wires, nails, screws or any other fixing device);
- e) Open cut trenching or excavation works (whether or not for laying of services);
- f) Changes to the soil grade level;

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- g) Temporary buildings and works; and
- h) Unauthorised entry by any person, vehicle or machinery.

10. The following must occur within the Tree Protection Zones of Tree No. 3 to the satisfaction of the Responsible Authority.

- a) All excavation works within the Tree Protection Zone of Tree No. 3 must be supervised by the project arborist.
- b) Any temporary changes to the tree protection fencing must be supervised by the project arborist.
- c) If tree roots are encountered, these must be pruned by the arborist, at right angles, using sharp, clean tools.
- d) The rendered fence within the Structural Root Zone of Tree No. 3 must be changed to a timber paling fence to avoid the need for a strip footing through the Structural Root Zone.
- e) The project arborist must supervise or undertake manual excavation of post holes for the fence. If roots greater than 40mm in diameter are encountered these must be retained and the location of posts shifted. Any roots smaller than 40mm in diameter should be cleanly pruned by the project arborist, at right angles, using sharp, clean tools.
- f) If structural roots are encountered in order to avoid compromising the structural roots longer spans between posts must be employed
- g) Paving within the Tree Protection Zone of Tree No. 3 must be of a permeable or porous surface and installed at or above grade.
- h) Landscaping works within the Tree protection Zone of Tree No. 3 must be undertaken at or above grade, except for excavation for tree planting holes which must be undertaken manually under arborist supervision. If roots greater than 40mm in diameter are encountered these must be retained and the location of planting holes shifted. Any roots smaller than 40mm in diameter should be cleanly pruned by the project arborist, at right angles, using sharp, clean tools.

11. The following must occur within the Tree Protection Zones of Tree No. 28 to the satisfaction of the Responsible Authority

- a) All excavation works within the Tree Protection Zone of Tree No. 28 must be supervised by the project arborist.
- b) If tree roots are encountered, these must be pruned by the arborist, at right angles, using sharp, clean tools.
- c) Paving within the Tree Protection Zone of Tree No. 28 must be of a permeable or porous surface and must be installed at or above grade.

12. Prior to the commencement of buildings and works, an amended Sustainability

4. Planning Reports

- PC.014/16** Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Three copies of the plan must be submitted. The plan must be updated to include:

- a) Details in relation to the charging station and parking bay for electric vehicles in the Sustainable Transport section.
 - b) Details of space provided for communal gardening and composting. Information such as the size, location and purpose of this space must be included.
 - c) Further exploration (to the satisfaction of the Responsible Authority) into the incorporation of adjustable shading to be included on all east-facing and west-facing windows to eliminate summer sun and reduce mechanical cooling requirements.
13. Prior to the commencement of buildings and works, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Waste collection operations on the site must conform to this endorsed plan. Three copies of the plan must be submitted. The plan must include:
- a) The location of all area used for waste storage and the type and size of waste bins.
 - b) The means of waste collection, including waste collection vehicle undertaken by a private waste collection provider.
 - c) Frequency of waste collection.
 - d) Maintenance of the waste storage area.
 - e) Updated estimated waste generation values (as the values in the submitted report have been underestimated).
 - f) Waste collection to occur from basement levels only and not outside the curtilage of the boundaries of the subject site.
 - g) Waste collection vehicles to enter and exit the site in a forwards direction.
14. The Waste Management Plan endorsed as a part of this permit must be implemented and complied with as all times to the satisfaction of the Responsible Authority. No alterations to the Waste Management Plan may occur unless with the further written approval of the Responsible Authority.
15. Prior to the commencement of the development a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:

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- a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures.
 - b) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction.
 - c) Where access to the site for construction vehicle traffic will occur.
 - d) The location of trenching works, boring, and pits associated with the provision of services.
 - e) The location of any temporary buildings or yards;.
 - f) Measures designed to ensure the orderly management of the construction site, including noise and parking of vehicles, including complaint procedures that have the construction company as being the first point of contact in the event of a complaint.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

- 16. The materials to be used in the construction of the buildings and works hereby permitted shall be of non-reflective type, to the satisfaction of the Responsible Authority.
- 17. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
- 18. Air-conditioning units located on apartment balconies must be appropriately concealed at all times, so as to not be visible from outside of the site.
- 19. Air-conditioning and other plant and equipment installed on the subject buildings shall be positioned and baffled so that noise disturbance is minimised, to the satisfaction of the Responsible Authority.
- 20. Prior to completion of the development, all visual screening measures shown on the endorsed plans must be installed in order to prevent overlooking and must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.
- 21. Vehicular access and egress to the development site from the roadway must be by way of a vehicle crossing constructed to the requirements of the Nillumbik Shire Council, to suit the proposed driveway and the vehicles that will use the crossing. The Responsible Authority must approve the location, design and construction of the crossing. Any existing unused crossing must be removed and the disturbed area reinstated to the satisfaction of the Responsible Authority. All vehicle crossing works are to be carried out with

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Council supervision under an Infrastructure Works permit.

22. Driveways, access lanes, and areas set aside for the parking of vehicles must be properly formed to such levels to ensure they can be utilised at all times and in accordance with the endorsed plans. All must be drained and constructed in concrete, asphalt or similar surface, and must be carried out and maintained to the satisfaction of the Responsible Authority.
23. Before the occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Constructed.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced with an all-weather-seal coat.
 - d) Drained.
 - e) Line marked to indicate each car space and all access lanes.
 - f) Clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.
24. The development, including any new paved areas, must be drained so as to prevent the uncontrolled discharge of stormwater from the subject site across any road or footpath or onto any adjoining land. The drainage system within the subject site must be designed to the requirements and satisfaction of the relevant building surveyor. Any connection to Council's underground drainage system within road reserves or drainage easements must be carried out under Council supervision and an Infrastructure Works permit.
25. Stormwater from the roof of the development hereby approved must be directed to a holding tank with sufficient storage capacity in relation to the roof area. A holding tank/s with a minimum storage capacity of 54,000 litres must be provided to the development. The overflow from the tanks must be directed via an independent internal drainage system to the on-site detention system.

Water in the holding tank/s may be used for one or more of the following purposes: toilet flushing; property irrigation; vehicle washing and any other purpose approved by the Responsible Authority.
26. An on-site detention device must be installed, at no cost to Council, to restrict the property discharge to a flow equivalent to the pre-development design flow rate as approved by the Responsible Authority unless with the prior written consent of the Responsible Authority. The on-site detention system outlet must be connected to the Council nominated point of stormwater discharge.

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The on-site detention device shall be designed by a qualified engineer and plans submitted to the Responsible Authority for approval prior to the commencement of the development. Construction of the on-site detention device must be carried out under Council supervision, in accordance with the approved plans and Council's specifications. An AutoCAD electronic copy of the approved plans must be submitted to Council for record purposes.

27. An interceptor trap, connected to the sewerage system, must be installed to collect water containing oil, litter, sediment, chemicals and/or other pollutants emanating from the site. A licence for the installation and maintenance of the trap must be obtained from Yarra Valley Water.
28. In areas where sewerage is not available, the polluted water must be removed from the site and disposed of through an organisation with a registered disposal licence. The discharge of contaminated water into Council's stormwater drainage system is not permissible.
29. No polluted, effluent and/or sediment laden runoff from the development site is to be discharged directly or indirectly into Council's drains, Melbourne Water's drains or watercourses or adjoining private property. In this regard, pollution or litter traps must be installed on site and serviced accordingly, all to the satisfaction of the Responsible Authority.
30. This permit will expire if one of the following circumstances applies:
 - a) The development is not commenced within 2 years of the date of this permit.
 - b) The development is not completed within 4 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 within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

NOTES:

During the course of the approved construction work, including tree removal, a copy of this permit and the endorsed plan(s) must be kept on-site and made available for inspection by Council officers.

The removal of vegetation is often found by Council to generate concern amongst other community members who may not be aware that a permit has been obtained. Council therefore strongly recommends that the permit holder advise any nearby neighbours of their intention to remove the vegetation and that they have obtained permission to do so before they proceed to remove the vegetation. Failure to do so may result in Council officers being obliged to visit the land, and also potentially delay the vegetation removal process while

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- PC.014/16** Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works
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compliance with the permit is checked.

Failure to undertake the requisite tree protection fencing in accordance with the conditions of this permit will result in the issuing of Planning Infringement Notices to the land owner, occupant (if this is a different person), and the person or company undertaking the works on-site. The minimum penalty on the Planning Infringement Notice for land owners and occupants will be \$777 for the land owner and occupant, and \$1555 for any company which may be undertaking works on-site.

For any clarification or enquiries concerning the drainage or stormwater conditions contained in this permit, please contact Council's Development Engineer on 9433 3234.

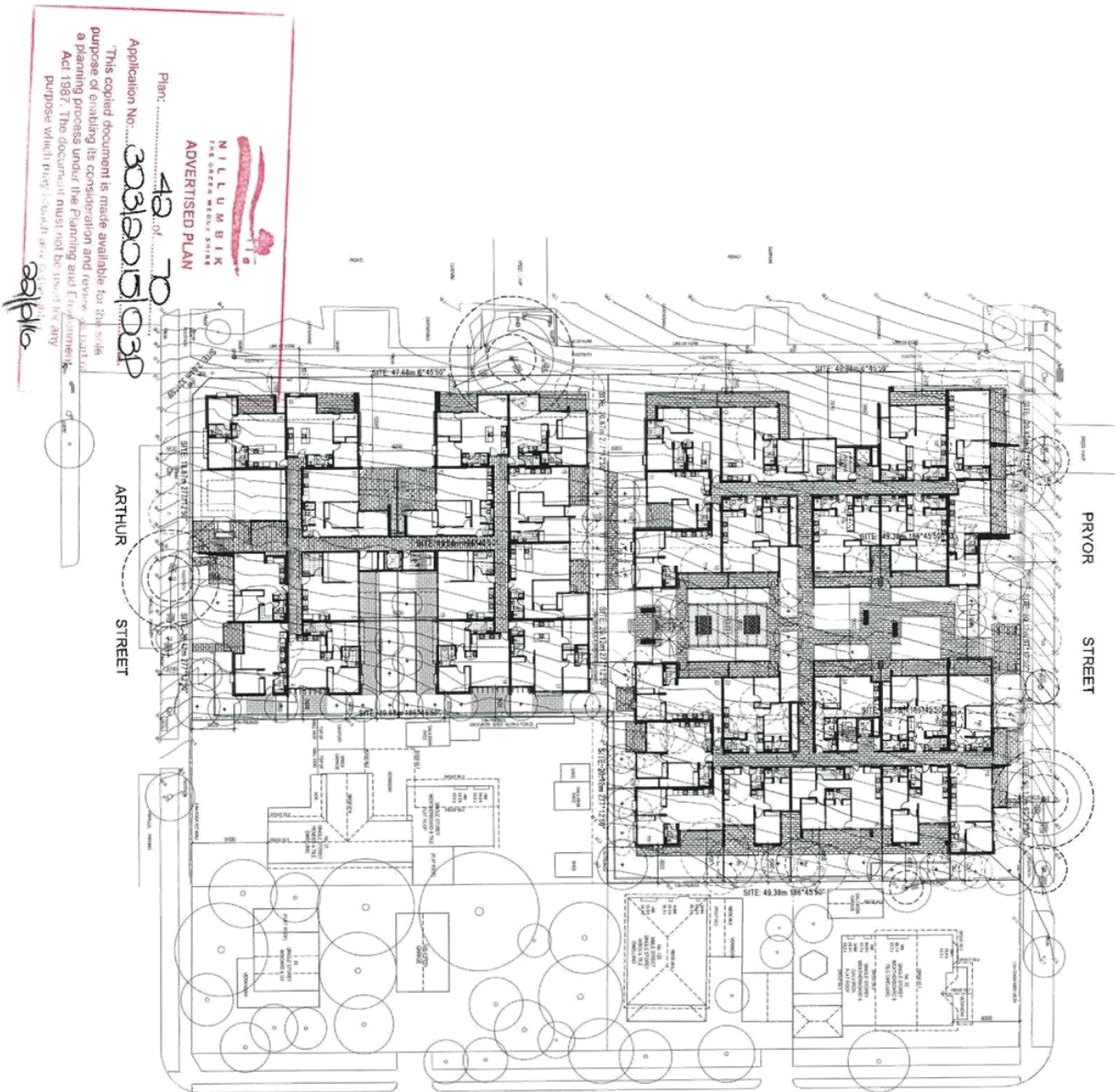
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Attachment



Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment



TAOUKARCHITECTS
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26-30 PRYOR STREET &
27-29 ARTHUR STREET,
ELTHAM

ELTHAM OUTLOOK PTY LTD
CHAMBER STREET
ELTHAM

SITE PLAN
DATE: 12/5/16
SCALE: 1:250 @ A1 1:500 @ A3 1:407 @ A4

MAY 2016
TOWN PLANNING
DRAWN: MN
CHECKED: MN
APPROVED: TPA02



- 1 SITE PLAN
- 2 TPA02
- 3 TPA03
- 4 TPA04
- 5 TPA05
- 6 TPA06
- 7 TPA07
- 8 TPA08
- 9 TPA09
- 10 TPA10
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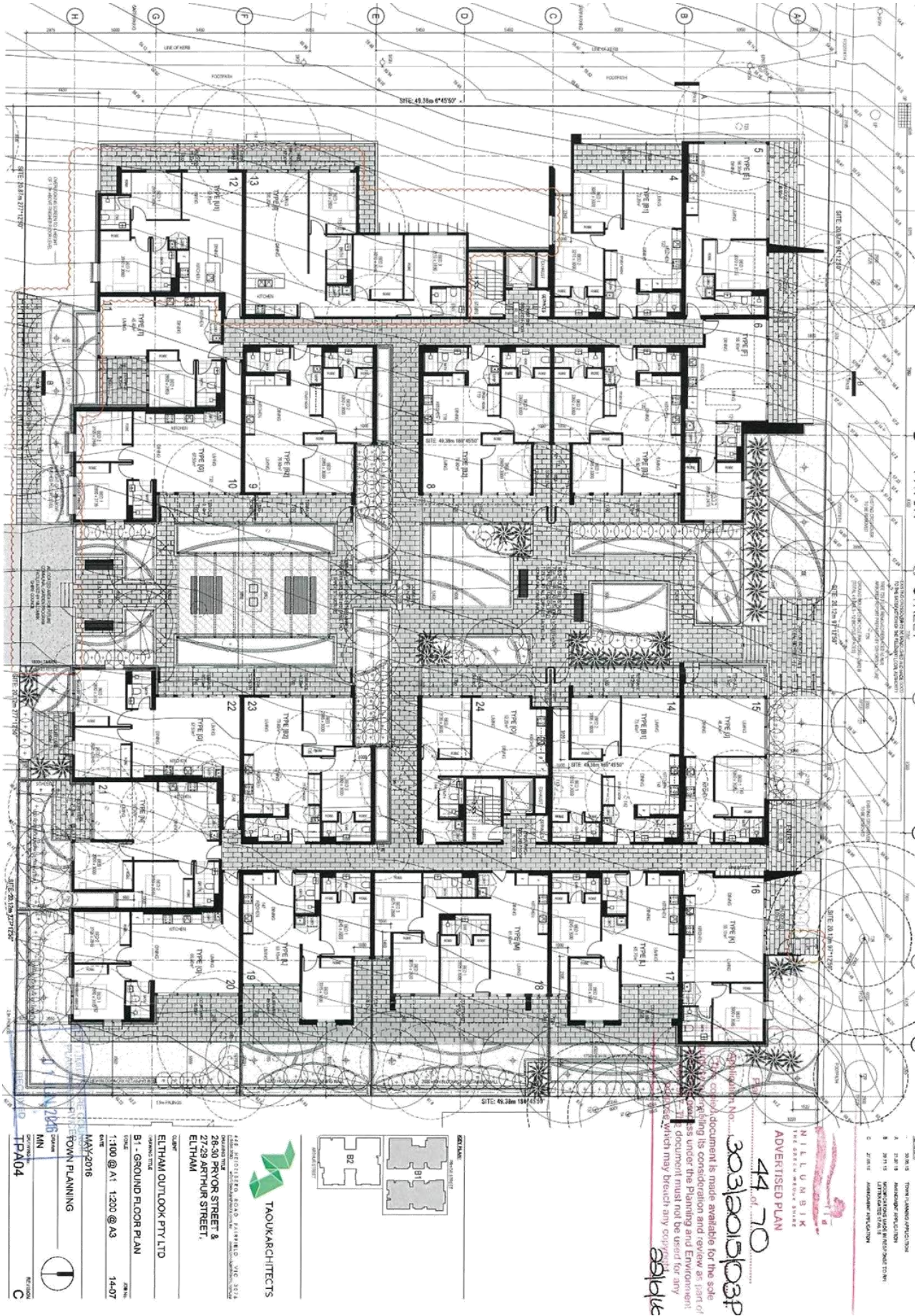
Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment



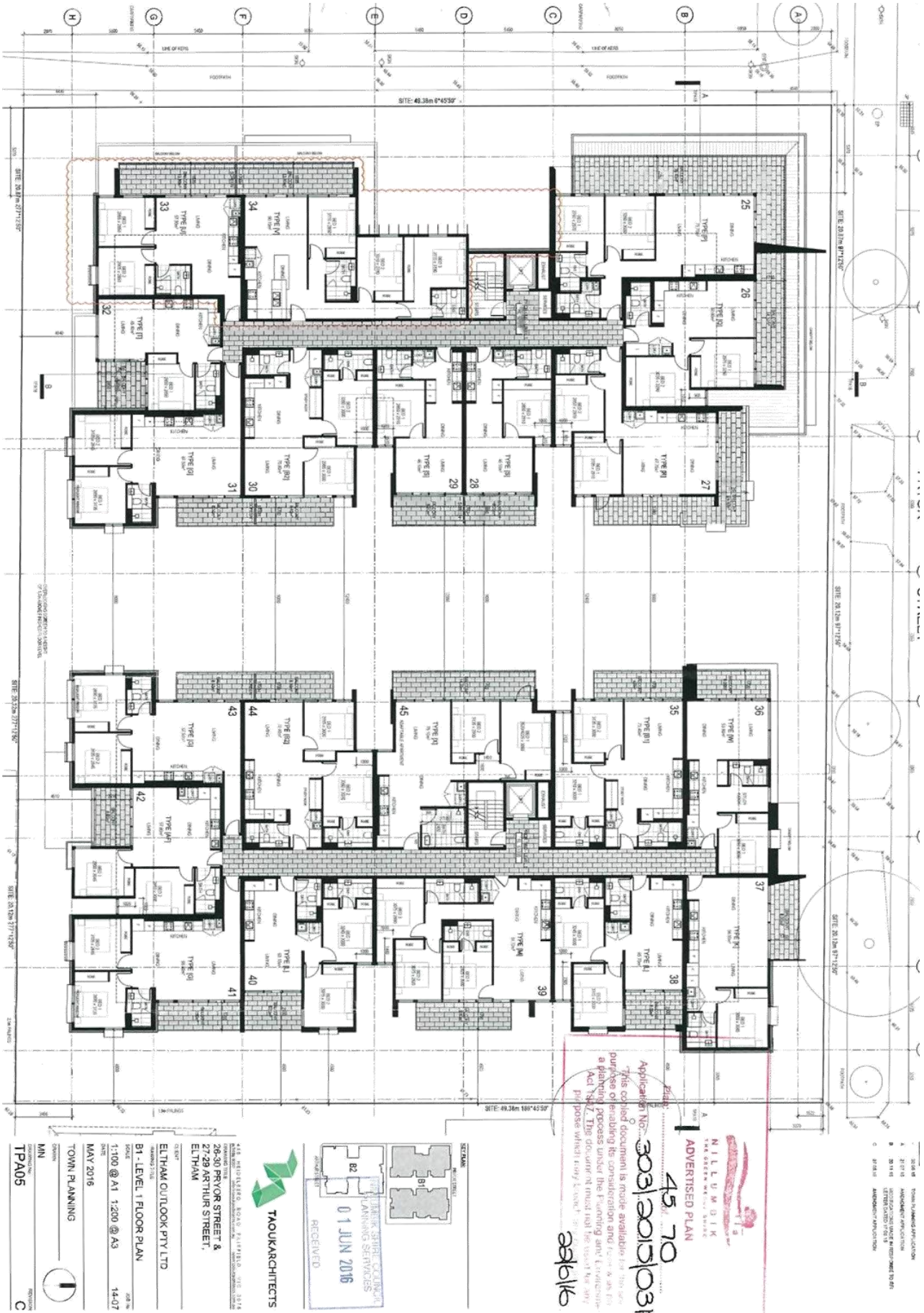
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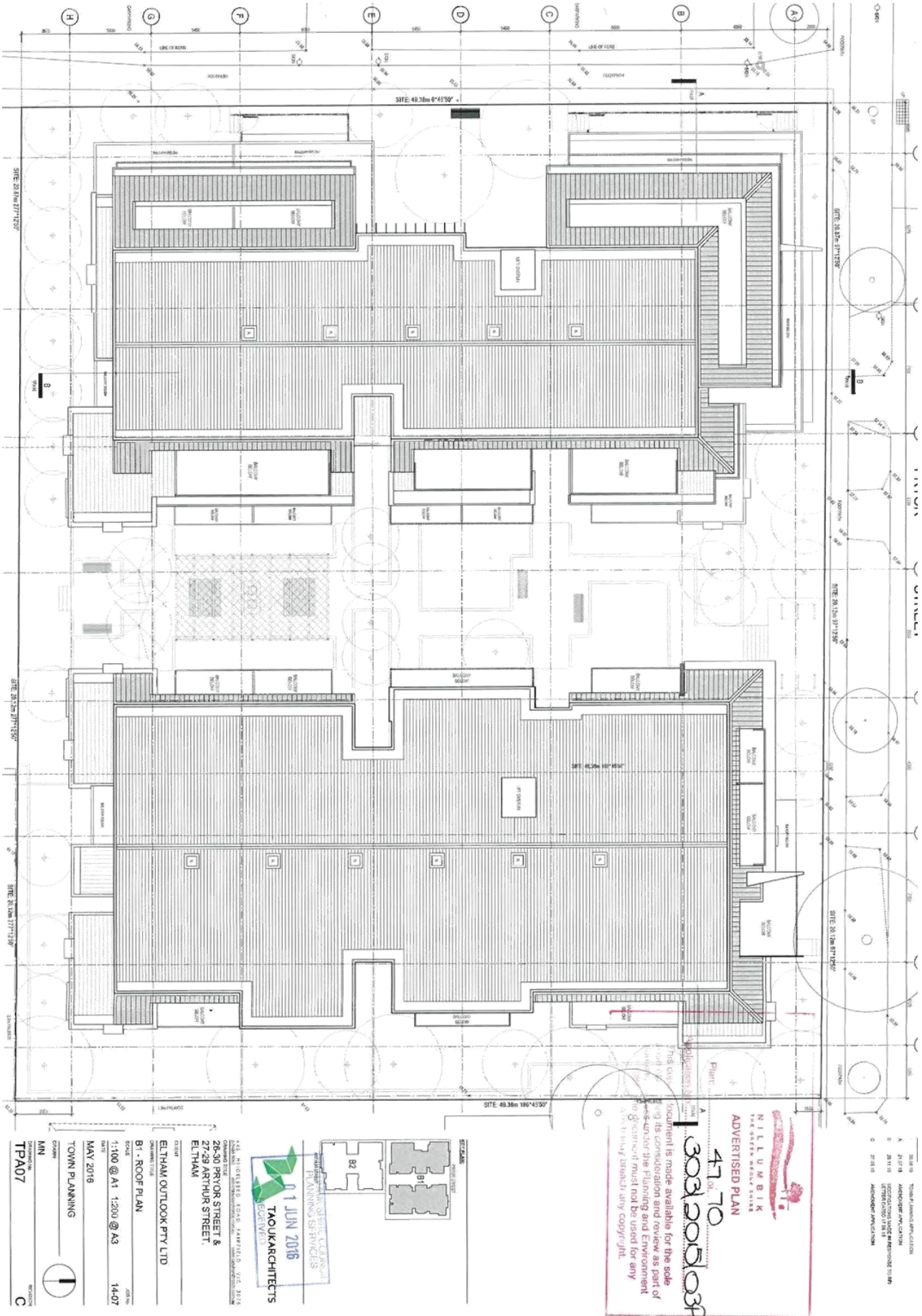
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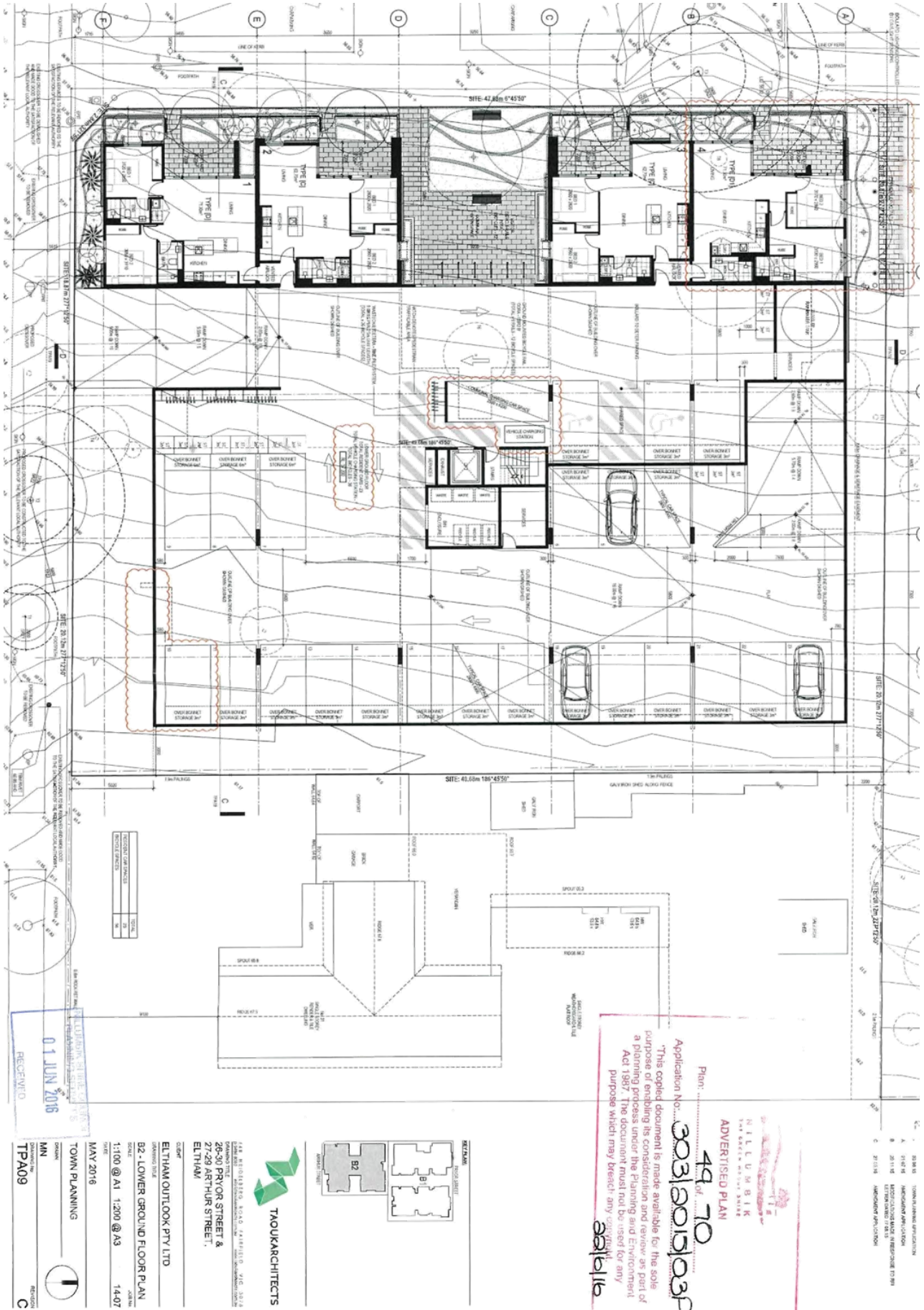
Application No: **30312015103P**
 This copied document is made available for the sole purpose of enabling its consideration and review as part of the planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.
 48 JUL 2015
 ADVERTISED PLAN
 30312015103P

TAOUK ARCHITECTS
 448 BELLEVUE ROAD, PARKFIELD, VIC 3022
 PHONE: 03 9479 1111
 26-30 PRYOR STREET & 27-29 ARTHUR STREET, ELTHAM
 CLIENT: ELTHAM OUTLOOK PTY LTD
 DRAWING TITLE: B2 - BASEMENT FLOOR PLAN
 SCALE: 1:100 @ A1 1:200 @ A3
 DATE: MAY 2016
 TOWN PLANNING
 MN
 TPA08

01 JUN 2016
 MULTIMEDIA SERVICES
 48 JUL 2015

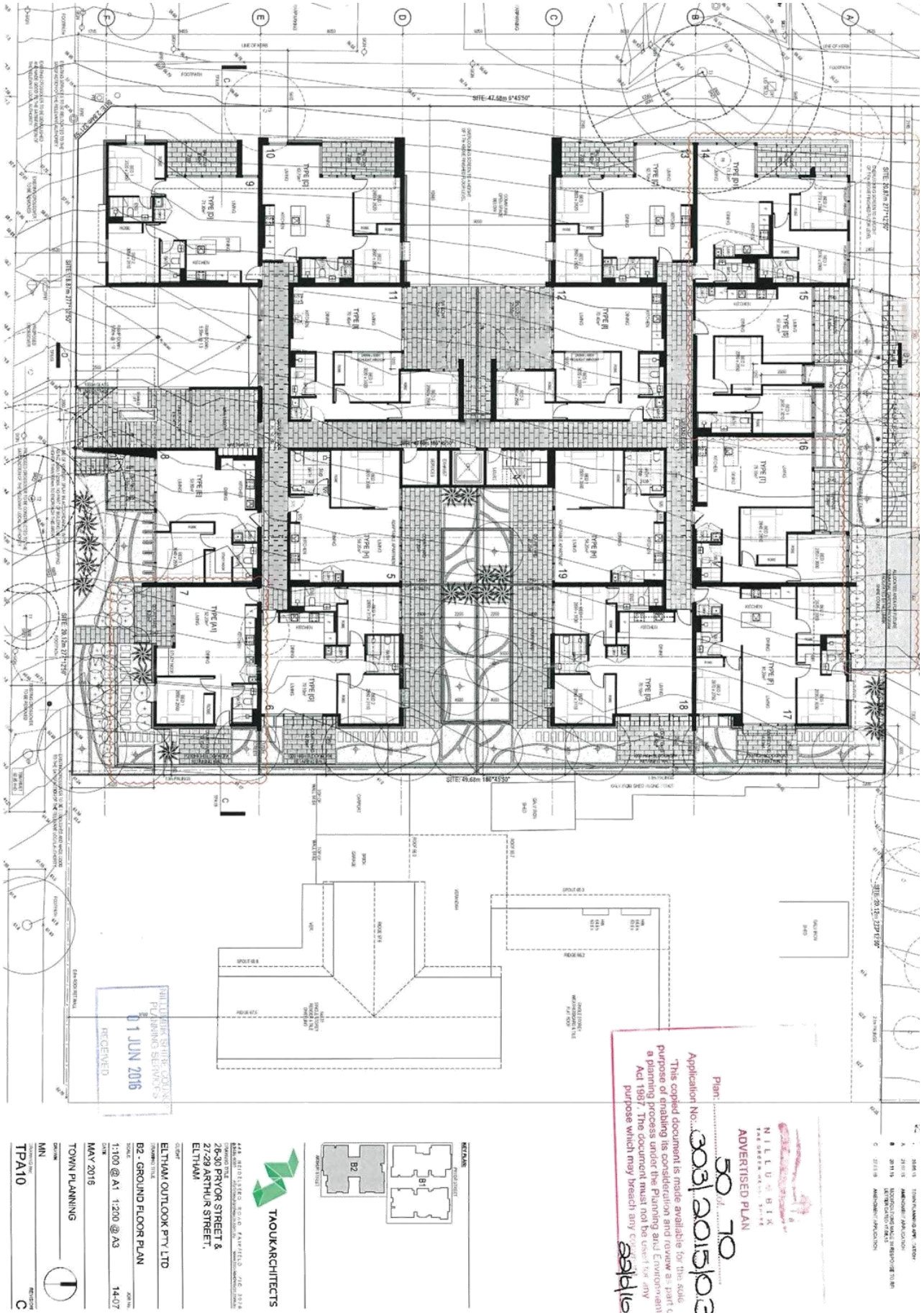
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Attachment



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 01 JUN 2016
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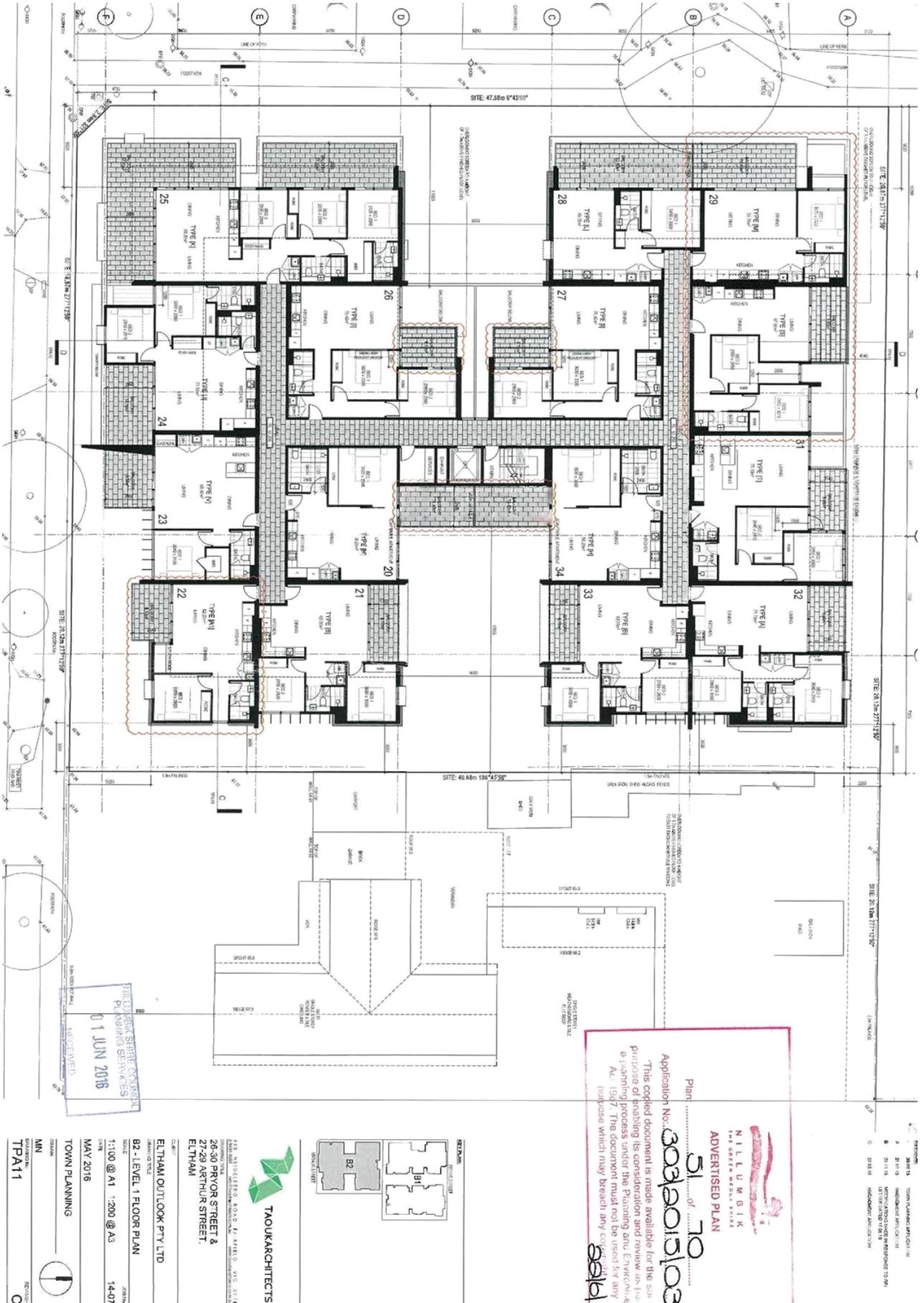
50 of 70
 ADVERTISED PLAN
 N I L L U O B I K
 THE GREAT BRITAIN
 Application No. 309/2015/031
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TAUKARCHITECTS

444 MITCHELL ROAD, AARFIELD, VIC 3014
 DRAWING TITLE: 26-30 PRYOR STREET & 27-29 ARTHUR STREET, ELTHAM
 CLIENT: ELTHAM OUTLOOK PTY LTD
 DRAWING NO: B2 - GROUND FLOOR PLAN
 SCALE: 1:100 @ A1 1:200 @ A3
 DATE: MAY 2016
 DRAWN: MN
 CHECKED: TPA10

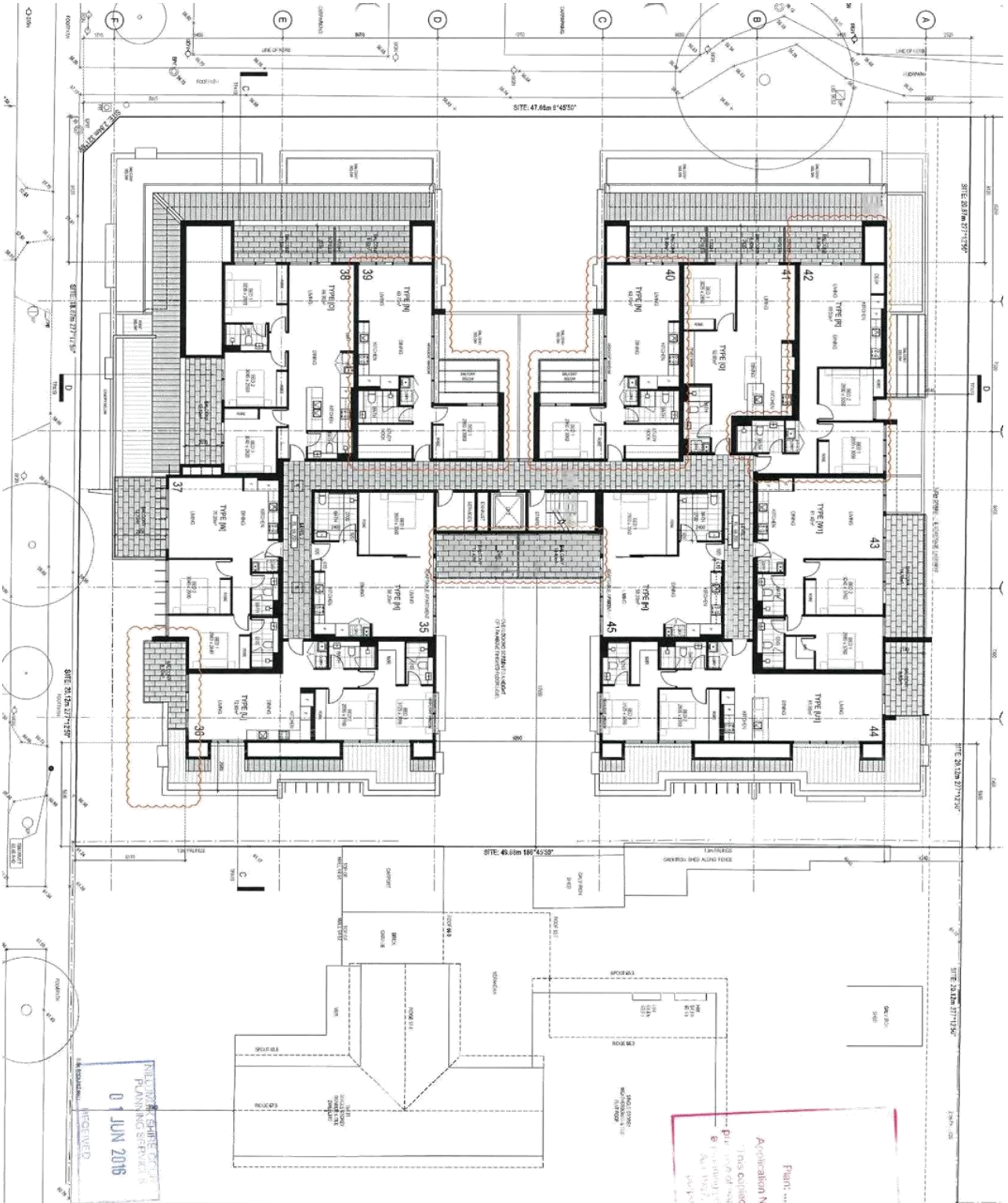
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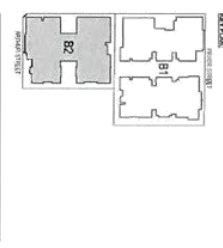
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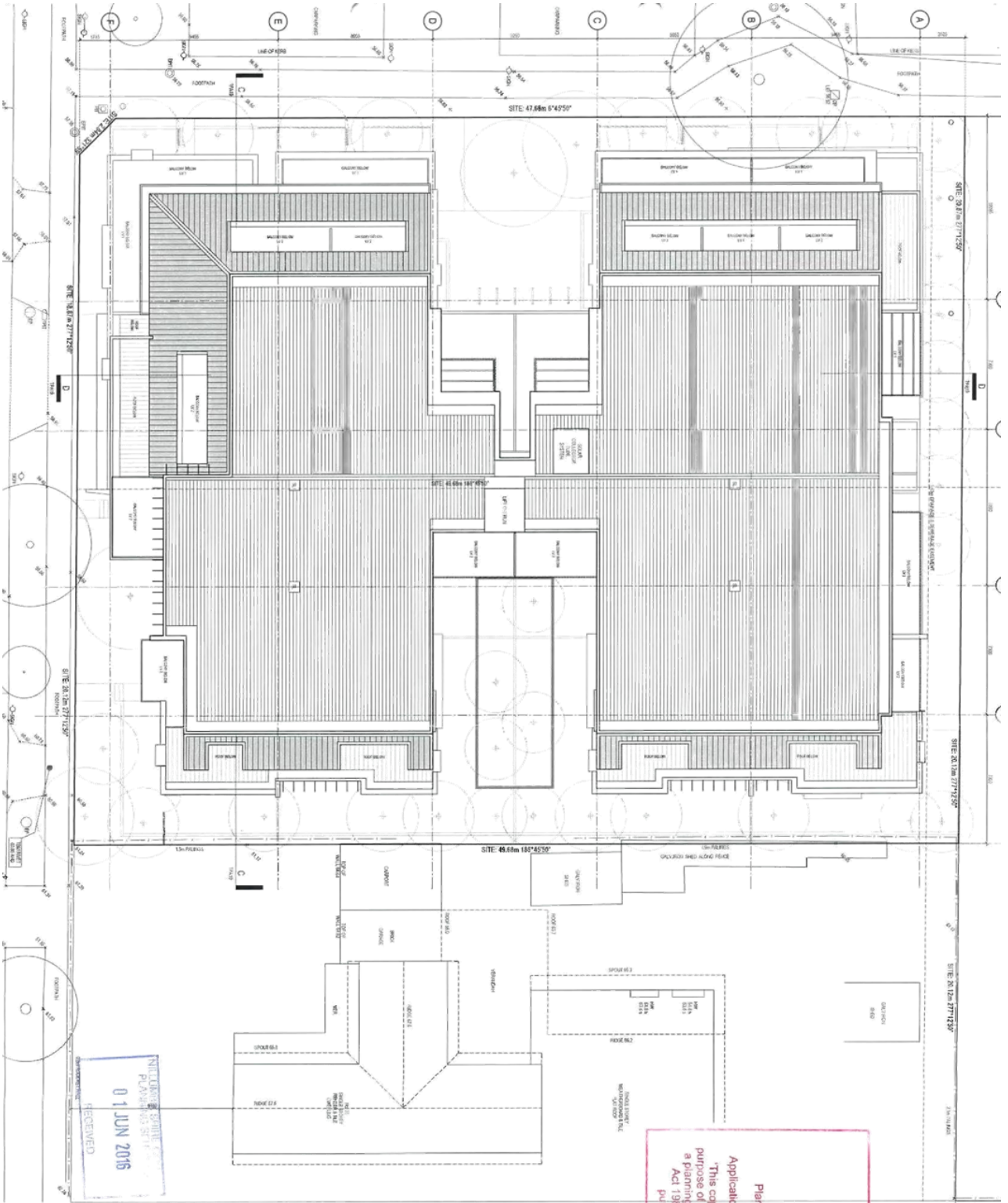
Application No.: 303/2016/03P
 52 of 70
 N I L U M B I K
 THE GREEN WOOD SHIRE
 ADVERTISED PLAN

TAOUKARCHITECTS
 116 BRISTOL ROAD (LANDING) VIC 3021
 26-30 PRYOR STREET &
 27-29 ARTHUR STREET,
 ELTHAM
 CLIENT: ELTHAM OUTLOOK PTY LTD
 DRAWING TITLE: B2 - LEVEL 2 FLOOR PLAN
 DATE: 1-100 @ A1 1-200 @ A3 14-07
 MAY 2016
 TOWN PLANNING
 MN
 TPA12



Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment



RECEIVED
01 JUN 2016
NATURE'S BOUNTY
PLANNING SERVICE

Application No. **303/2016/03P**
 Plan: **53.70**
MILLUMBIK
 TRADING SERVICES
 ADVERTISED PLAN
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NO.	REVISION	DATE	BY
1	ISSUE FOR APPROVAL	27/05/16	TAOUK ARCHITECTS
2	ISSUE FOR APPROVAL	27/05/16	TAOUK ARCHITECTS
3	ISSUE FOR APPROVAL	27/05/16	TAOUK ARCHITECTS

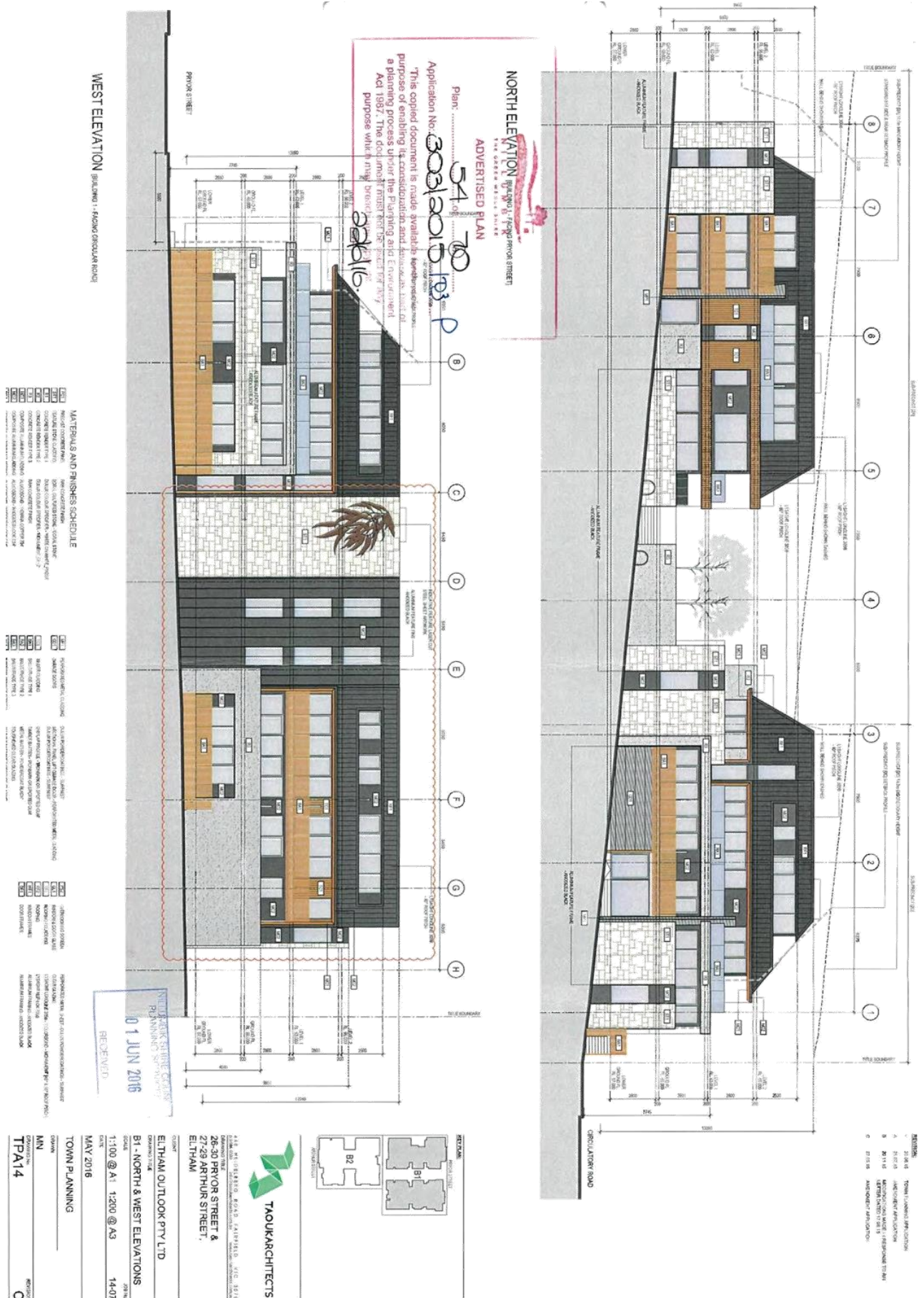


TAOUK ARCHITECTS
 418 HENDERSON ROAD, KAYE'S, VIC 3024
 TEL: 03 9450 1111
 26-30 PRYOR STREET &
 27-29 ARTHUR STREET,
 ELTHAM

CLIENT: **ELTHAM OUTLOOK PTY. LTD**
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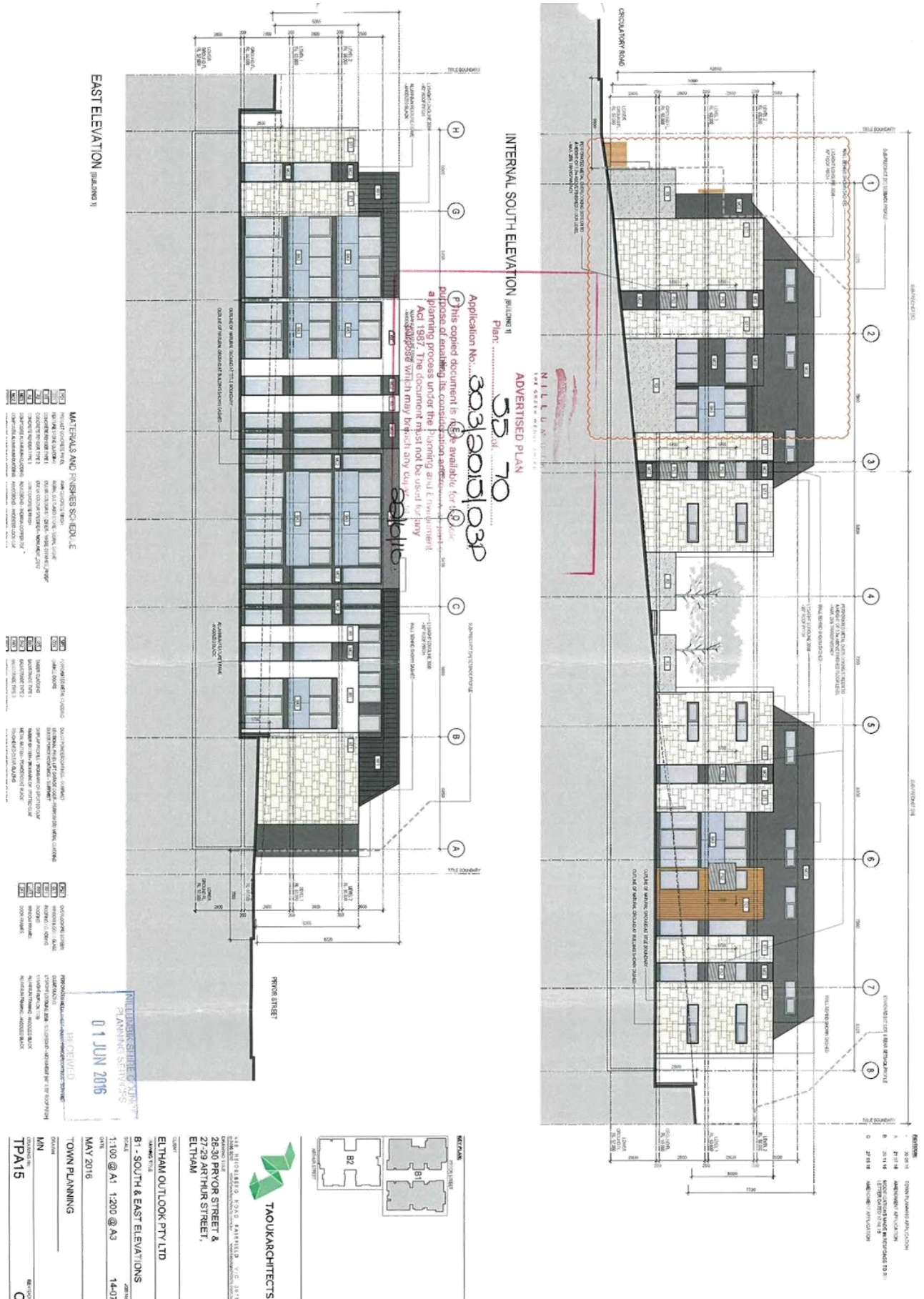
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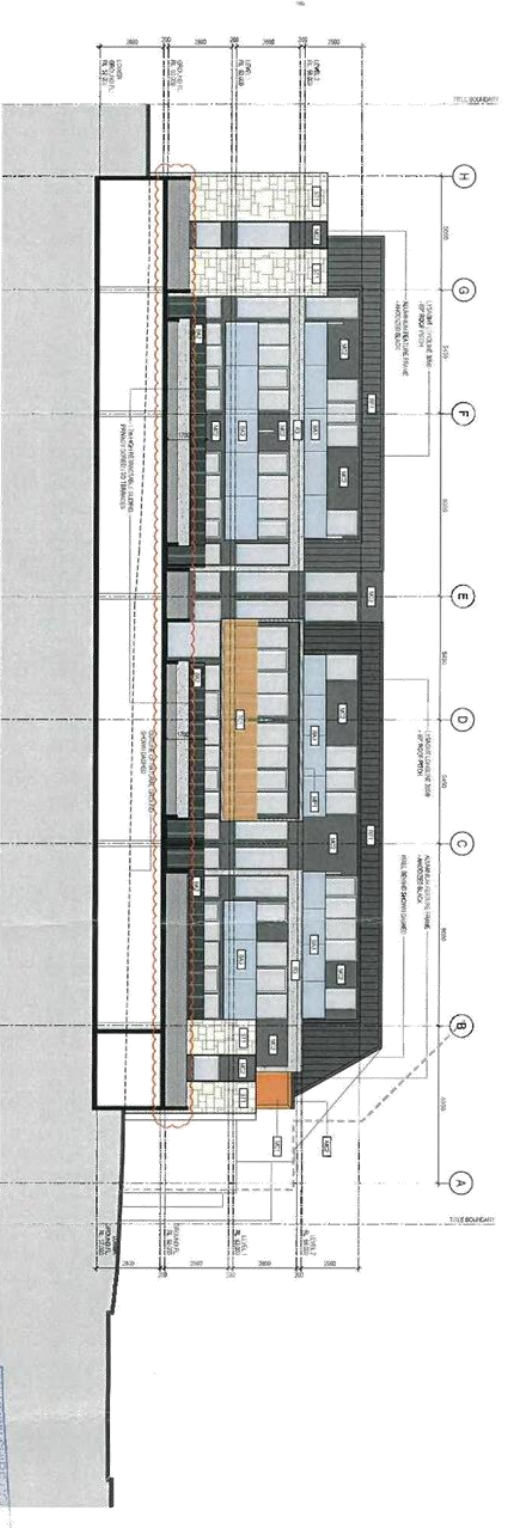
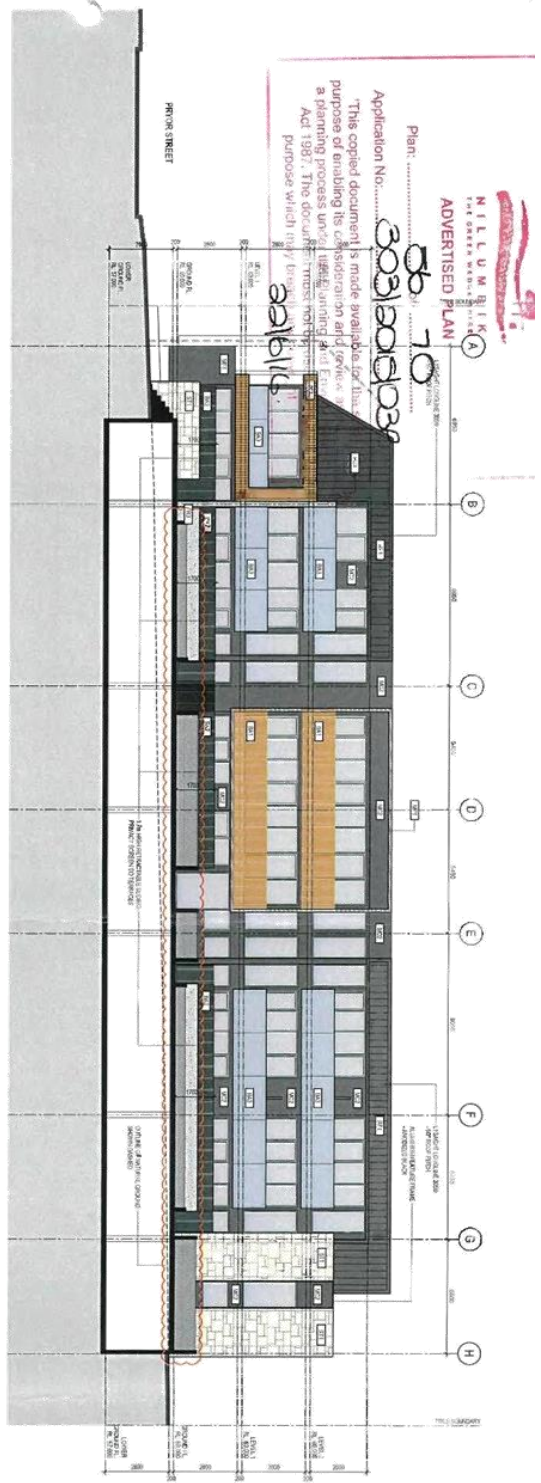
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Attachment 1



Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

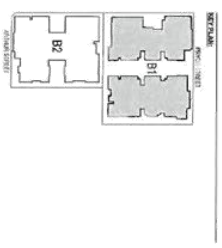
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MATERIALS AND FINISHES SCHEDULE

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020	WALLS	BRICKWORK	BRICKWORK
030	ROOFING	ROOFING	ROOFING
040	FLOORING	FLOORING	FLOORING
050	GLAZING	GLAZING	GLAZING
060	PAINTS	PAINTS	PAINTS
070	CEILING	CEILING	CEILING
080	DOORS	DOORS	DOORS
090	WINDOWS	WINDOWS	WINDOWS
100	STAIRS	STAIRS	STAIRS
110	SKYLIGHTS	SKYLIGHTS	SKYLIGHTS
120	ROOF FINISHES	ROOF FINISHES	ROOF FINISHES
130	WALL FINISHES	WALL FINISHES	WALL FINISHES
140	FLOOR FINISHES	FLOOR FINISHES	FLOOR FINISHES
150	CEILING FINISHES	CEILING FINISHES	CEILING FINISHES
160	GLAZING FINISHES	GLAZING FINISHES	GLAZING FINISHES
170	DOOR FINISHES	DOOR FINISHES	DOOR FINISHES
180	WINDOW FINISHES	WINDOW FINISHES	WINDOW FINISHES
190	STAIR FINISHES	STAIR FINISHES	STAIR FINISHES
200	SKYLIGHT FINISHES	SKYLIGHT FINISHES	SKYLIGHT FINISHES
210	ROOF FINISHES	ROOF FINISHES	ROOF FINISHES
220	WALL FINISHES	WALL FINISHES	WALL FINISHES
230	FLOOR FINISHES	FLOOR FINISHES	FLOOR FINISHES
240	CEILING FINISHES	CEILING FINISHES	CEILING FINISHES
250	GLAZING FINISHES	GLAZING FINISHES	GLAZING FINISHES
260	DOOR FINISHES	DOOR FINISHES	DOOR FINISHES
270	WINDOW FINISHES	WINDOW FINISHES	WINDOW FINISHES
280	STAIR FINISHES	STAIR FINISHES	STAIR FINISHES
290	SKYLIGHT FINISHES	SKYLIGHT FINISHES	SKYLIGHT FINISHES
300	ROOF FINISHES	ROOF FINISHES	ROOF FINISHES

01 JUN 2016
MILLER/SRIBNER
PLANNING SERVICES



TAOUKARCHITECTS
414, BALDWIN, 450B, LANFERN, VIC 3104
28-30 PRYOR STREET &
27-29 ARTHUR STREET,
ELTHAM

CLIENT: ELTHAM OUTLOOK PTY LTD
DRAWING TITLE: B1 - INTERNAL COURTYARD EL
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DATE: MAY 2016
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DRAWN: MN
CHECKED: MN
PROJECT: TPA16

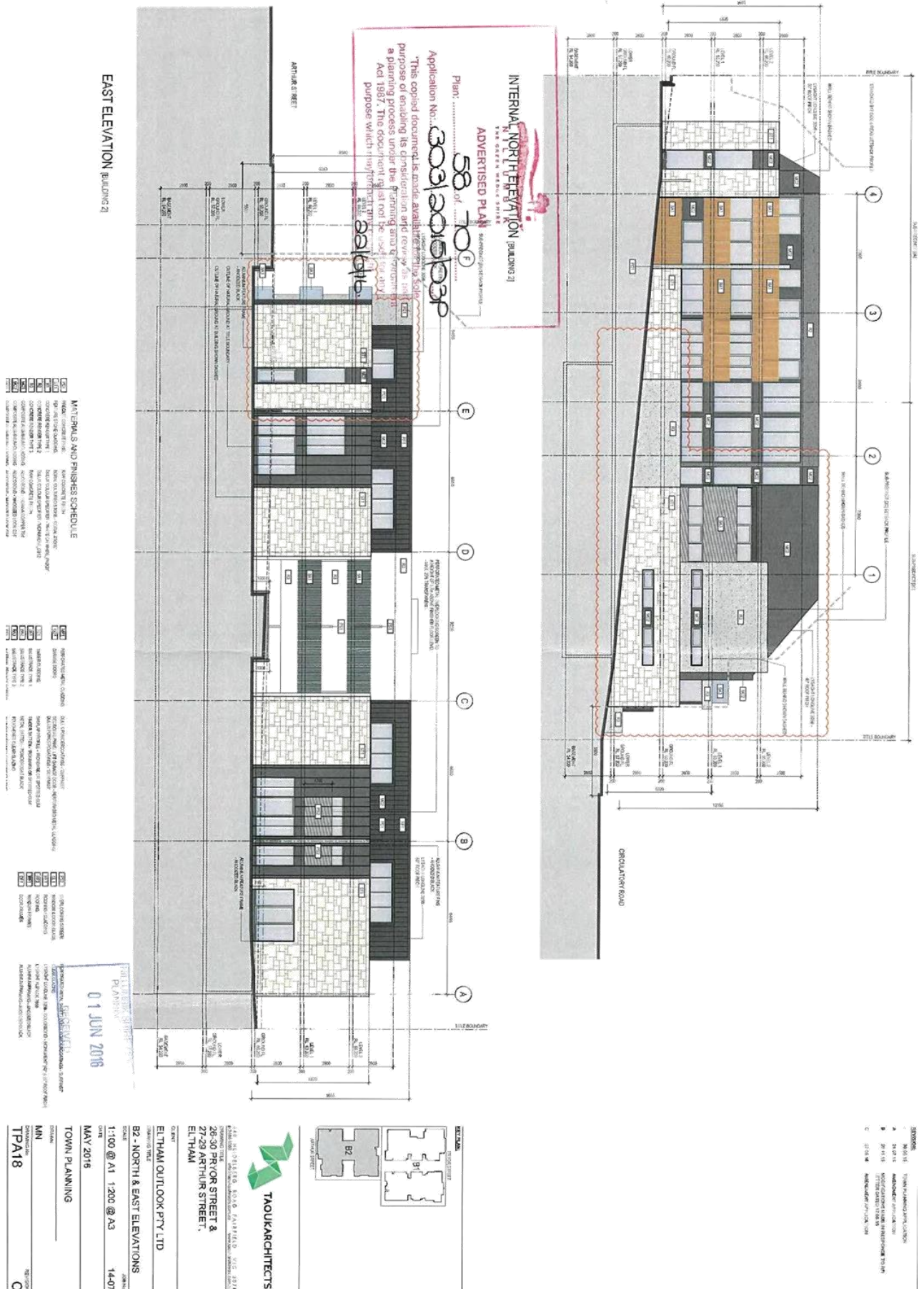
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Attachment



MATERIALS AND FINISHES SCHEDULE

M1	PRECAST CONCRETE PANEL	M10	RAW CONCRETE FINISH	M19	ALUMINIUM SHEET CLADDING
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M4	CONCRETE FIBRE TYPE 2	M13	BOVAL CLAYED STONE - COYAL STONE	M22	PAINTED METAL CLADDING
M5	CONCRETE FIBRE TYPE 3	M14	BOVAL CLAYED STONE - COYAL STONE	M23	PAINTED METAL CLADDING
M6	CONCRETE FIBRE TYPE 4	M15	BOVAL CLAYED STONE - COYAL STONE	M24	PAINTED METAL CLADDING
M7	CONCRETE FIBRE TYPE 5	M16	BOVAL CLAYED STONE - COYAL STONE	M25	PAINTED METAL CLADDING
M8	CONCRETE FIBRE TYPE 6	M17	BOVAL CLAYED STONE - COYAL STONE	M26	PAINTED METAL CLADDING
M9	CONCRETE FIBRE TYPE 7	M18	BOVAL CLAYED STONE - COYAL STONE	M27	PAINTED METAL CLADDING
M10	CONCRETE FIBRE TYPE 8	M19	BOVAL CLAYED STONE - COYAL STONE	M28	PAINTED METAL CLADDING
M11	CONCRETE FIBRE TYPE 9	M20	BOVAL CLAYED STONE - COYAL STONE	M29	PAINTED METAL CLADDING
M12	CONCRETE FIBRE TYPE 10	M21	BOVAL CLAYED STONE - COYAL STONE	M30	PAINTED METAL CLADDING
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M16	CONCRETE FIBRE TYPE 14	M25	BOVAL CLAYED STONE - COYAL STONE	M34	PAINTED METAL CLADDING
M17	CONCRETE FIBRE TYPE 15	M26	BOVAL CLAYED STONE - COYAL STONE	M35	PAINTED METAL CLADDING
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M23	CONCRETE FIBRE TYPE 21	M32	BOVAL CLAYED STONE - COYAL STONE	M41	PAINTED METAL CLADDING
M24	CONCRETE FIBRE TYPE 22	M33	BOVAL CLAYED STONE - COYAL STONE	M42	PAINTED METAL CLADDING
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M36	CONCRETE FIBRE TYPE 34	M45	BOVAL CLAYED STONE - COYAL STONE	M54	PAINTED METAL CLADDING
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M40	CONCRETE FIBRE TYPE 38	M49	BOVAL CLAYED STONE - COYAL STONE	M58	PAINTED METAL CLADDING
M41	CONCRETE FIBRE TYPE 39	M50	BOVAL CLAYED STONE - COYAL STONE	M59	PAINTED METAL CLADDING
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M43	CONCRETE FIBRE TYPE 41	M52	BOVAL CLAYED STONE - COYAL STONE	M61	PAINTED METAL CLADDING
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M49	CONCRETE FIBRE TYPE 47	M58	BOVAL CLAYED STONE - COYAL STONE	M67	PAINTED METAL CLADDING
M50	CONCRETE FIBRE TYPE 48	M59	BOVAL CLAYED STONE - COYAL STONE	M68	PAINTED METAL CLADDING
M51	CONCRETE FIBRE TYPE 49	M60	BOVAL CLAYED STONE - COYAL STONE	M69	PAINTED METAL CLADDING
M52	CONCRETE FIBRE TYPE 50	M61	BOVAL CLAYED STONE - COYAL STONE	M70	PAINTED METAL CLADDING

PROJECT:
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26-30 PRYOR STREET, ELTHAM
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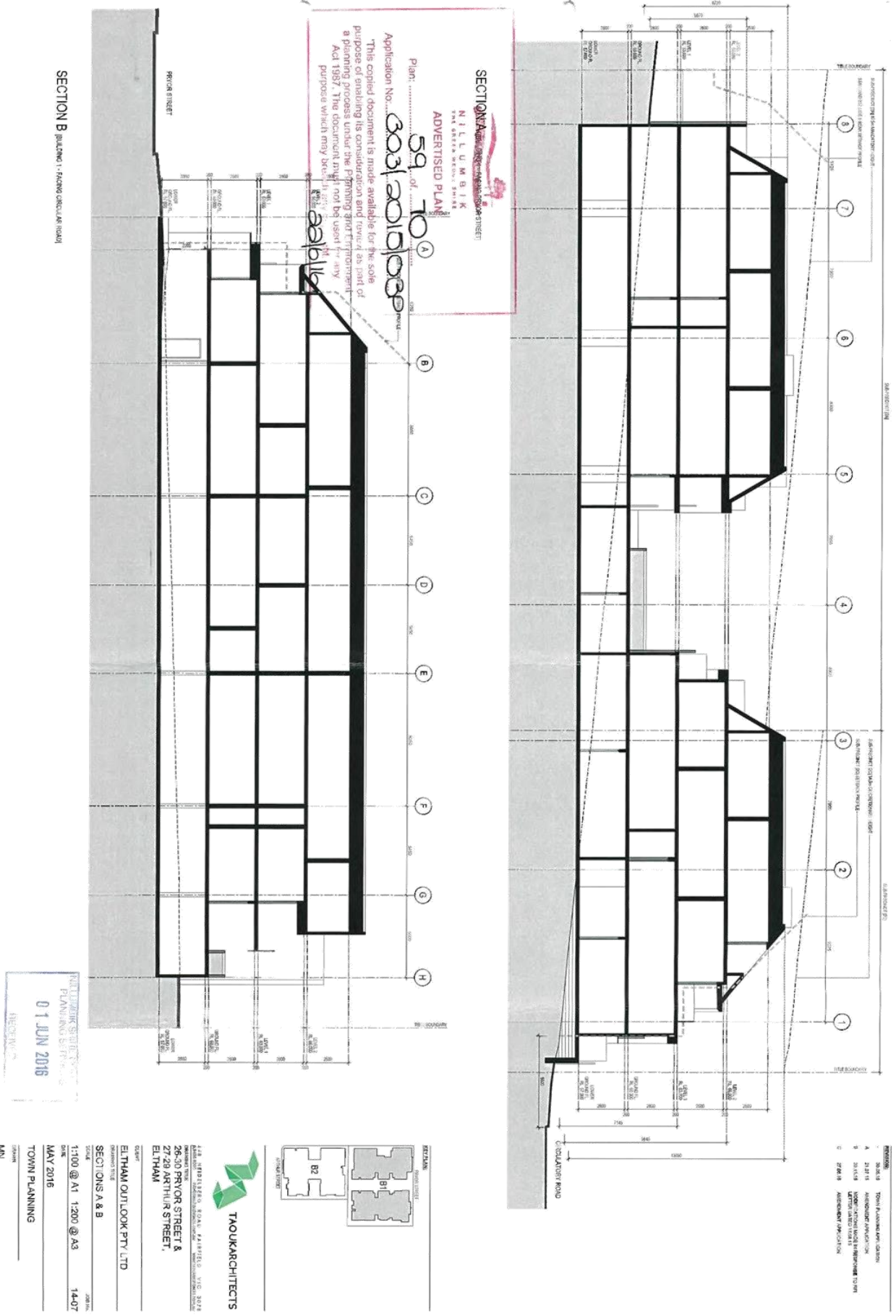
drawn by:
**MATERIALS & FINISHES
SCHEDULE**

26



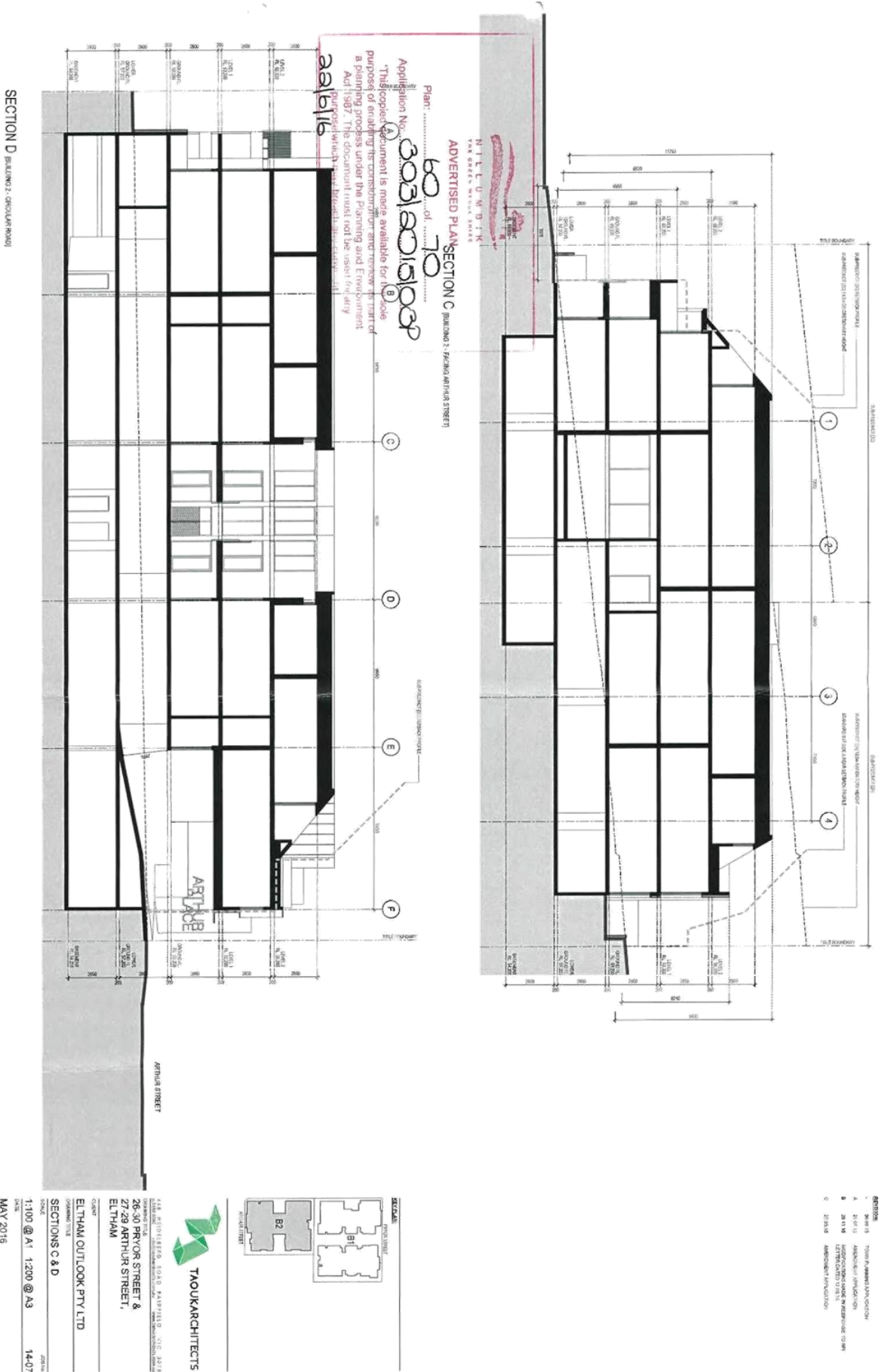
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Attachment



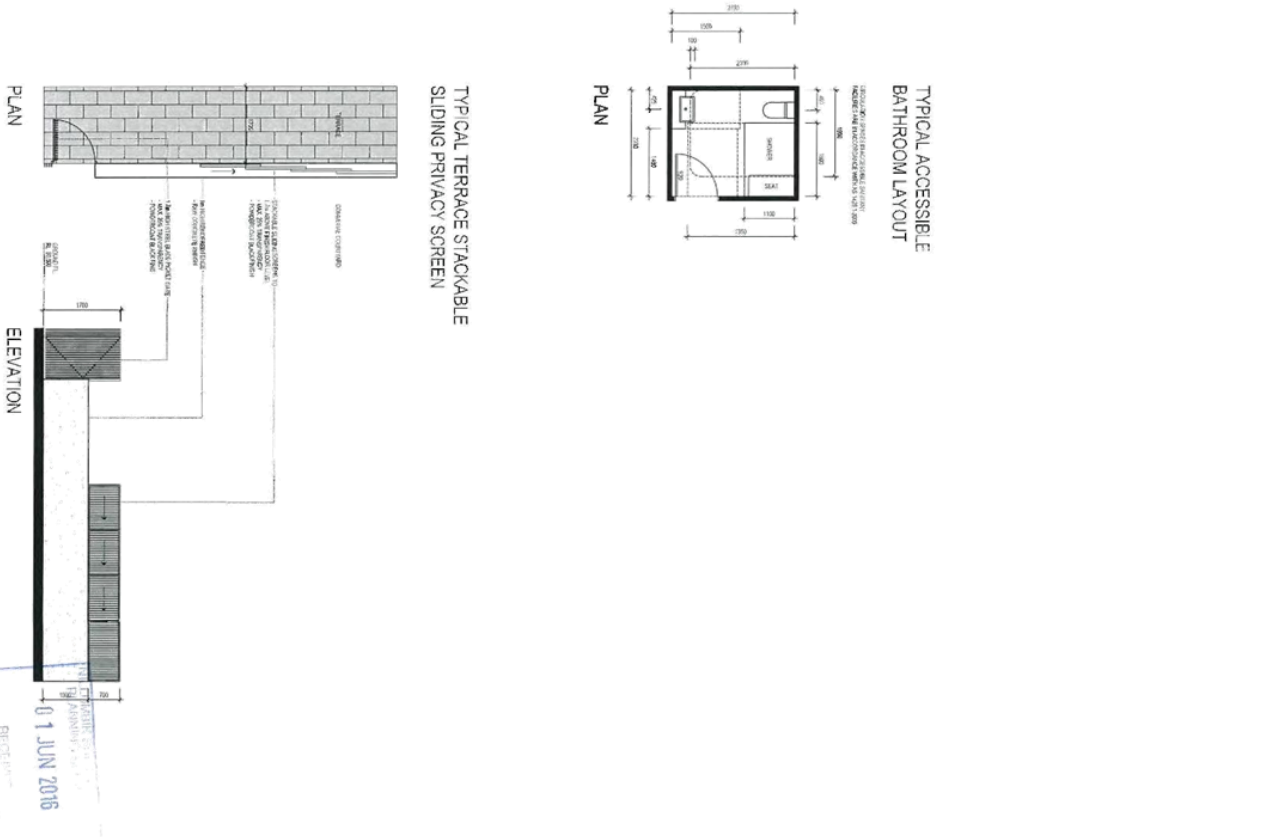
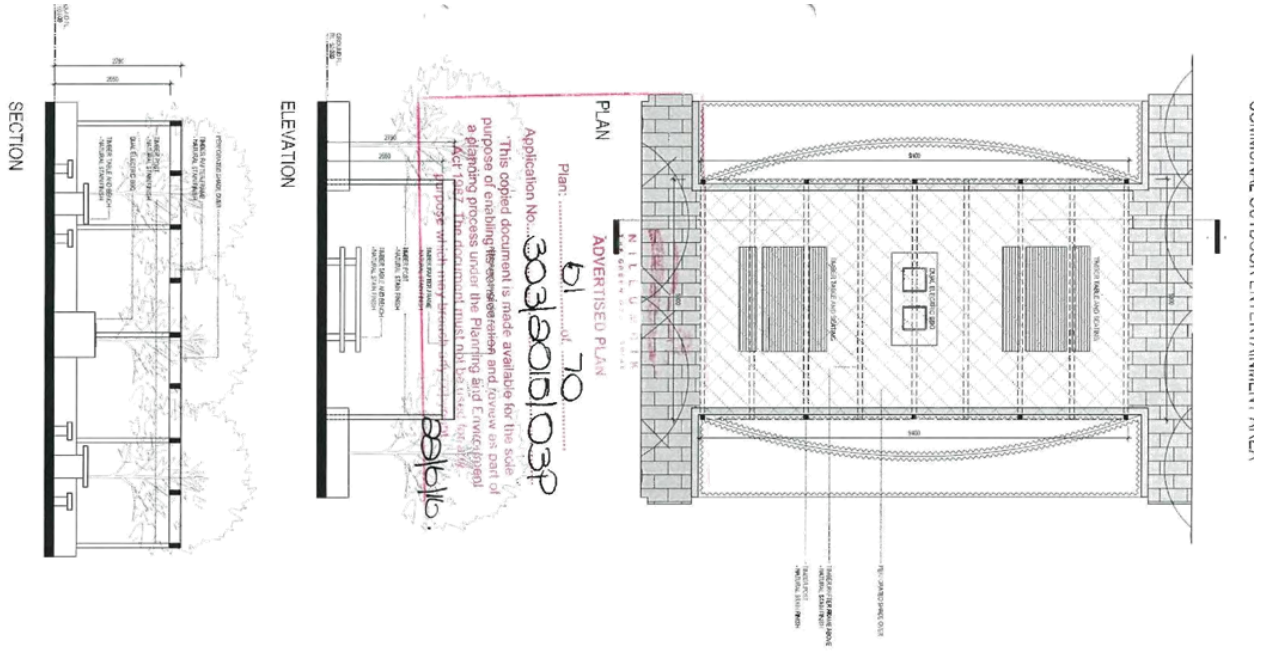
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Attachment



- REVISIONS
- NO. DATE BY DESCRIPTION
- A 27/07/15 AMENDMENT TO PLAN
- B 29/11/15 MODIFIED TO ADD RESPONSE TO ENVIRONMENTAL COMMENTS
- C 27/04/16 AMENDMENT TO PLAN

TAOUKARCHITECTS

424 ARTHUR STREET, ELTHAM, VIC 3173
 28-30 PRYOR STREET &
 27-29 ARTHUR STREET,
 ELTHAM

CLIENT
ELTHAM OUTLOOK PTY LTD

DRAWING TITLE
B1 - DETAILS

SCALE
1:50 @ A1 1:100 @ A3

DATE
MAY 2016

TOWN PLANNING

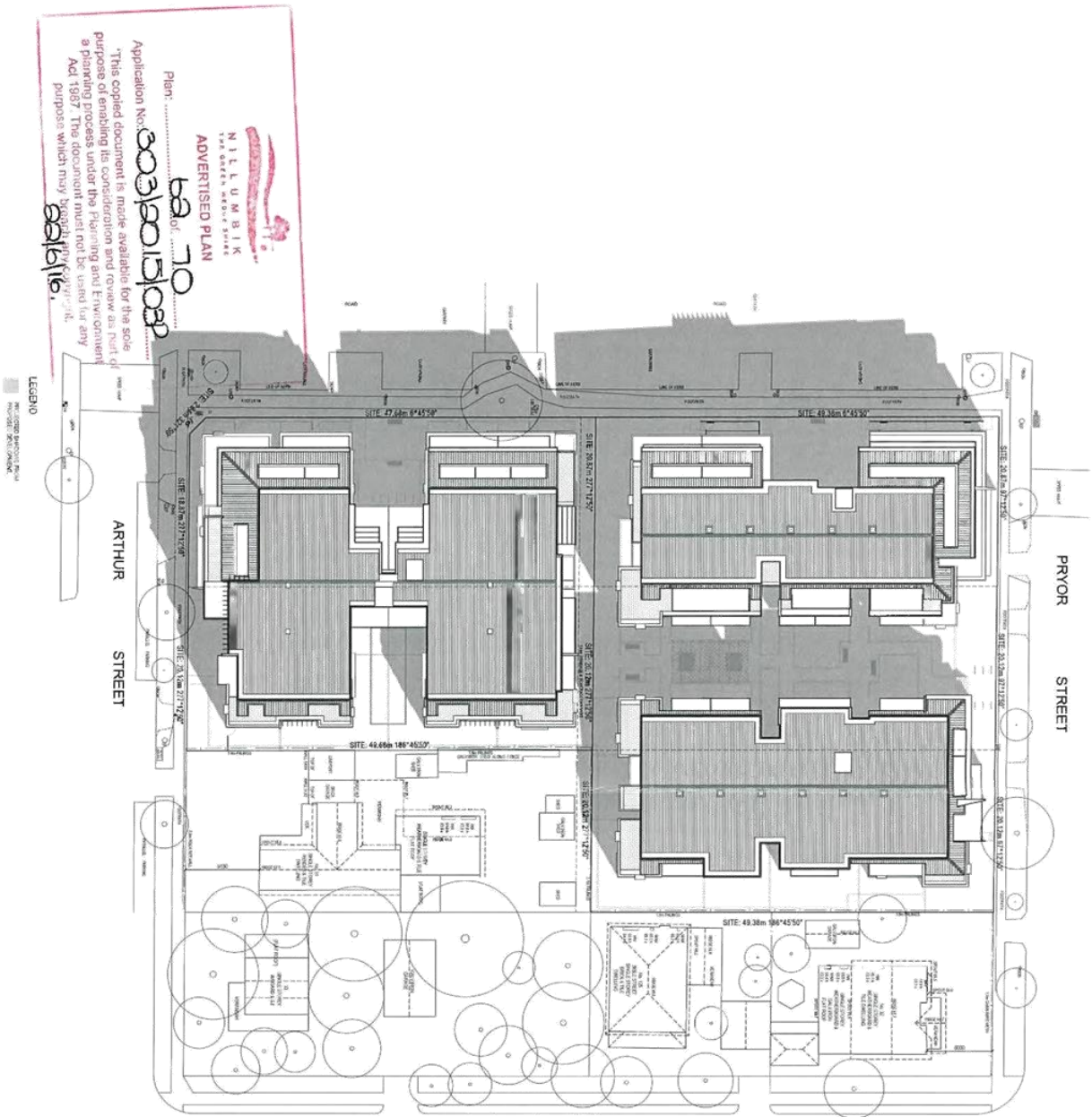
DRAWN BY
MAN

CHECKED BY
TPA21

NO. DATE BY DESCRIPTION

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

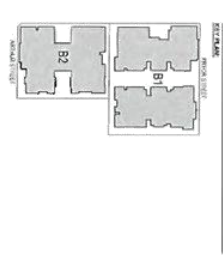
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Application No. **69/2016/03**
 Plan of **69/2016/03**
ADVERTISED PLAN
 N I L L U M B S
 T H E C O U N C I L
 T H E C I T Y O F E L T H A M
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RECEIVED
 01 JUN 2016
 TOWN PLANNING
 ELTHAM CITY COUNCIL

TAOUKARCHITECTS
 27-29 ARTHUR STREET &
 26-30 PRYOR STREET,
 ELTHAM
 ELTHAM OUTLOOK PTY LTD
 SHADOW DIAGRAM - 9:00AM
 1250 @ A1 1:500 @ A3 14:07
 MAY 2016
 TOWN PLANNING
 TPA22



REVISIONS
 1 2016/05/01 TOWN PLANNING APPLICATION
 2 2016/05/01 AMENDMENT APPLICATION
 3 2016/05/01 AMENDMENT APPLICATION (0.9M)
 4 2016/05/01 AMENDMENT APPLICATION (0.9M)
 5 2016/05/01 AMENDMENT APPLICATION

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment

Application No. 303/2016/APP
 Plan No. 63 of 70
ADVERTISED PLAN
 NILLUMBIK
 THE GREEN AND BLUE STRIPS
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LEGEND

PROPOSED CAR PARKING

PROPOSED VEGETATION

RECEIVED
 TOWN PLANNING
 01 JUN 2016

TAOUK ARCHITECTS

418 ASSOCIATES ROAD, EMBAYFIELD, VIC 3011
 PHONE: (03) 9397 0300
 26-30 PRYOR STREET &
 27-29 ARTHUR STREET,
 ELTHAM

CLIENT
 ELTHAM OUTLOOK PTY LTD

DRAWING TITLE
 SHADOW DIAGRAM - 12:01PM

SCALE
 1:250 @ A1 1:500 @ A3 1:4.07

DATE
 MAY 2016

TOWN PLANNING

DATE

TPA23

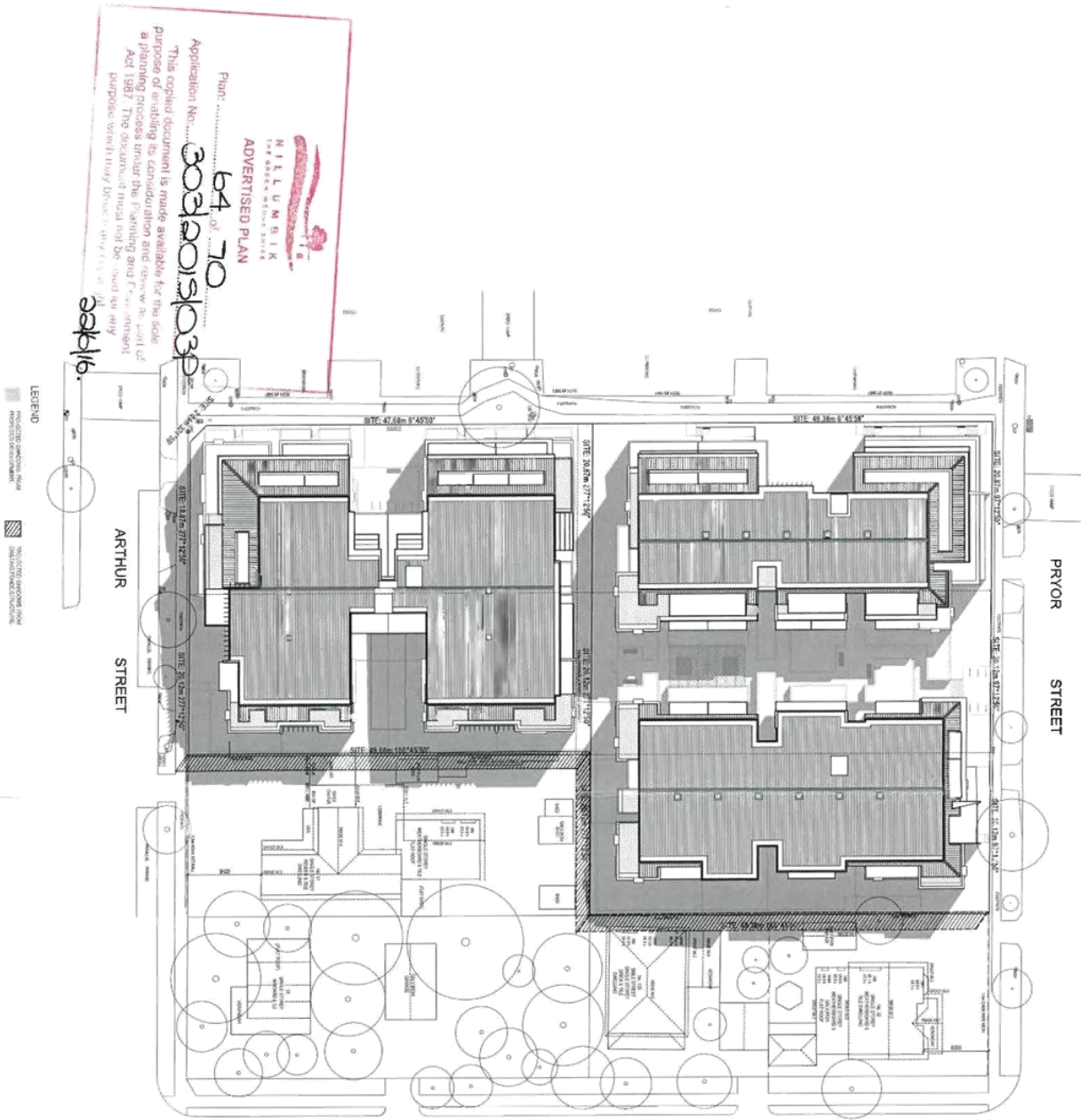
KEY PLAN

REVISIONS

30 JUN 15	ISSUE FOR PUBLIC CONSULTATION
1 JUL 15	AMENDMENTS FOR CONSULTATION
23 JUL 15	AMENDMENTS FORWARDED IN RESPONSE TO OBJ
26 JUL 15	LETTERS CHANGED TO B1 & B2
29 JUL 15	AMENDMENTS FOR LOCAL COUNCIL

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment



01 JUN 2016
 TOWN PLANNING SERVICES
 APPROVED

TOKUARCHITECTS
 11A HAYDON STREET, HAYDON VIC 3153
 28-30 PRYOR STREET & 27-29 ARTHUR STREET, ELTHAM
 ELTHAM OUTLOOK PTY LTD
 SHADOW DIAGRAM - 3:00PM
 1:250 @ A1 1:500 @ A3
 MAY 2016

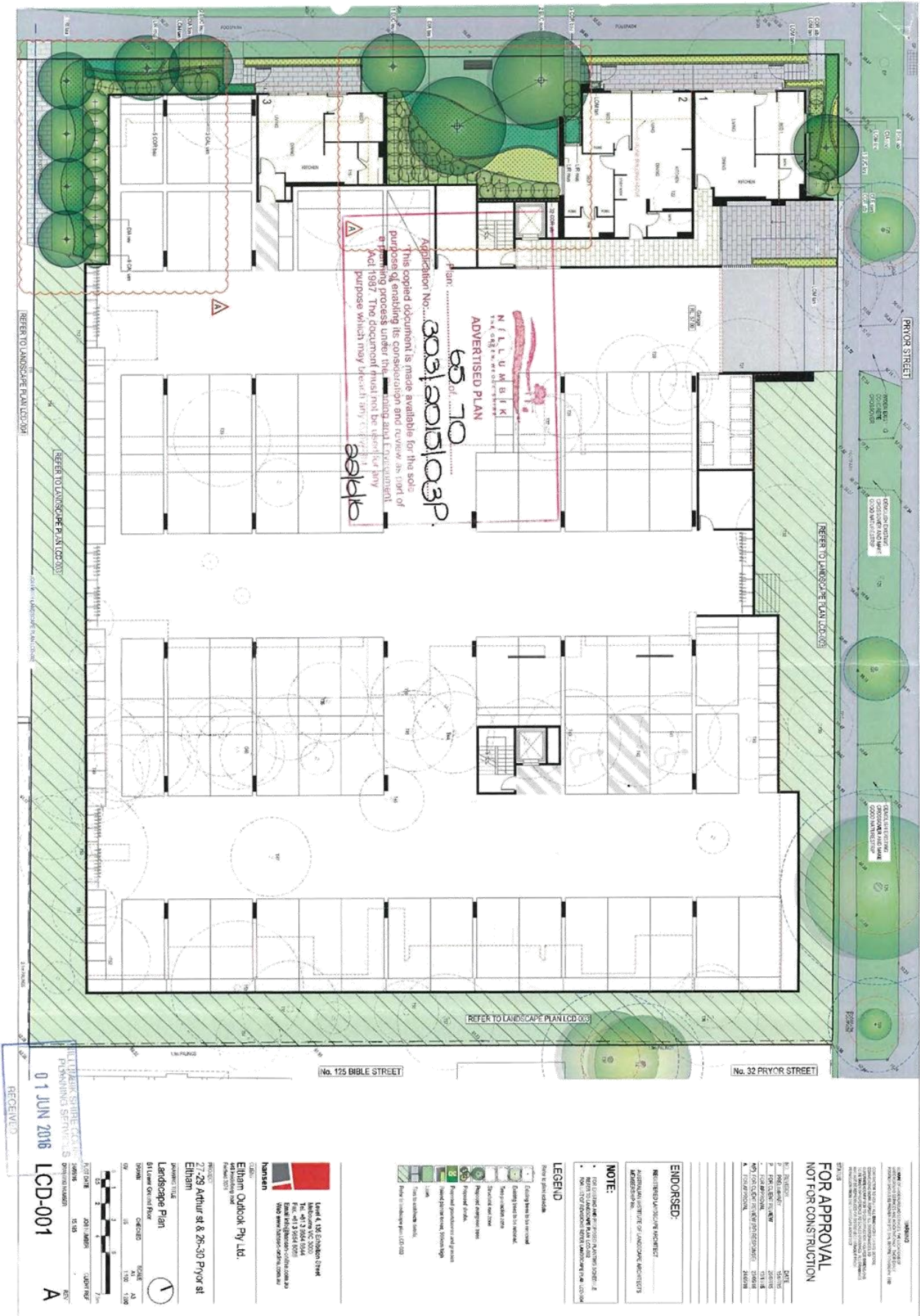
TOWN PLANNING
 C



- 1. 27 of 14
- 2. 28 of 14
- 3. 29 of 14
- 4. 30 of 14

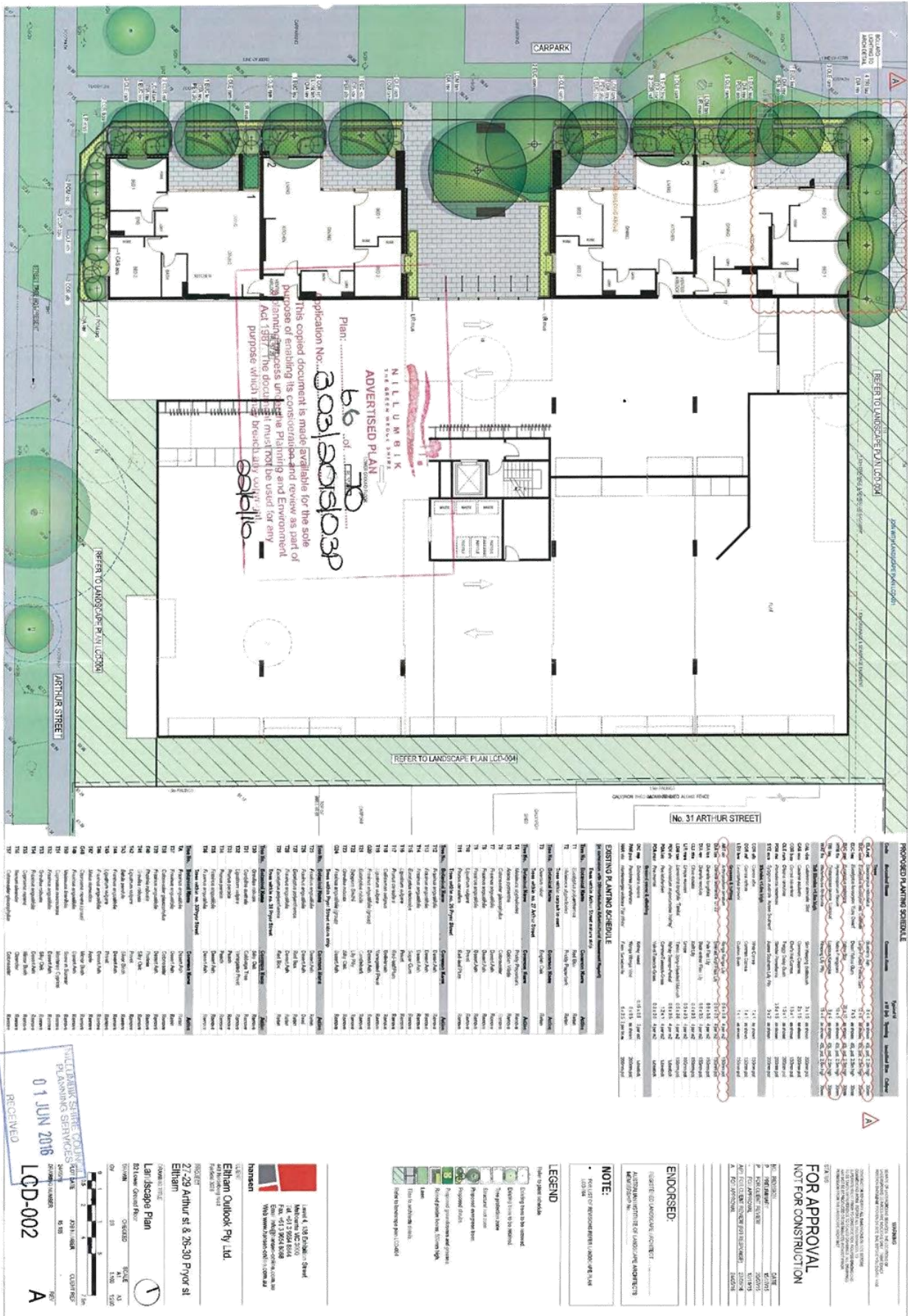
Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

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 NILLUM BARK

 CONSULTANTS

 ADVERTISED PLAN

 Plan: 2016/030

 Application No.: 2016/030

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 2016

NILLUM BARK CONSULTANTS

 PLANNING SERVICES

 15 JUN 2016

 RECEIVED

Project: 27-29 ARTHUR STREET & 26-30 PRYOR STREET, ELTHAM

 Scale: NTS @ A3

 Drawing title: 3D PERSPECTIVE - CAMERA 01 [LCD]

 27

 14-07

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

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NILLUMBIK
 THE GREEN ARCHITECTS
 ADVERTISED PLAN
 Plan: 27 of 70
 Application No.: 303/2018/030

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NILLUMBIK ARCHITECTURAL
 PLANNING SERVICES
 15 JUN 2018
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project
 27-29 ARTHUR STREET &
 26-30 PRYOR STREET, ELTHAM
 scale
 N/S @ A3
 camera
 3D PERSPECTIVE -
 CAMERA 01
 28



Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

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Plan: 33 of 70
 Application No: 2016/00103/P
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WILLUWIK
 THE GREEN GROUP
 ADVERTISED PLAN

27-29 ARTHUR STREET &
 26-30 PRYOR STREET ELTHAM
 PLANNING SERVICES
 15 JUN 2016
 RECEIVED


PROJECT
 27-29 ARTHUR STREET &
 26-30 PRYOR STREET ELTHAM
 TITLE
 NTS @ A3
 PROJECT NO
 14.07
 DRAWING NO
 3D PERSPECTIVE -
 CAMERA 03

32

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment





NILLUMBIK

 THE SHIRE OF ELTHAM

ADVERTISED PLAN

 34 of 70

 303 201503P

 Application No.

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NILLUMBIK SHIRE COUNCIL

 PLANNING SERVICES

15 JUN 2016

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PROJECT:

 27-29 ARTHUR STREET &

 26-30 PRYOR STREET, ELTHAM

 DRAWN BY:

 TTS @ A3

 CHECKED BY:

 TTS @ A3

 DATE:

 14.07

 3D PERSPECTIVE -

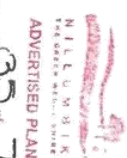
 CAMERA 04 (LCO)

33

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

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NILLUMBIK

 THE GREEN ARCHITECTS

ADVERTISED PLAN

 Plan: **39 of 70**

 Application No: **30312015**

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NILLUMBIK STREET COUNCIL

 PLANNING SERVICES

15 JUN 2016

 RECEIVED

PROJECT

 26-30 PRYOR STREET &

 27-29 ARTHUR STREET, ELTHAM

 SCALE

 1:15 @ A3

 DATE

 14.07

 DRAWN BY

3D PERSPECTIVE -


CM16104

34

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment





ADVERTISED PLAN

 Plan: 36 of 70

 Application No: 303/2016/030

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MILLERTON TOWN COUNCIL
 PLANNING SERVICES
15 JUN 2016
 RECEIVED

Project: 27-29 ARTHUR STREET &
 26-30 PRYOR STREET, ELTHAM
 Scale: 1:75 @ A3
 Date: 14/07
 3D PERSPECTIVE -
 CAMERA 05 [L.CD]



35

Construction of a four storey building comprising of 45 apartments and basement car parking at 27-29 Arthur Street, Eltham; the construction of a four storey building comprising of 60 apartments and basement car parking at 26-30 Pryor Street, Eltham; vegetation removal, car parking reduction and associated works

Attachment




NILLUMBIK
 OF GREAT SOUTH EASTERN AUSTRALIA
ADVERTISED PLAN
 Plan: **37** of **70**
 Application No.: **00312016103P**
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MULTIDISCIPLINARY
 PLANNING SERVICES
15 JUN 2016
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Project
 27-29 ARTHUR STREET &
 26-30 PRYOR STREET, ELTHAM
 NTS @ A3
 Prepared by
 14-07
 3D PERSPECTIVE -
 CAMERA 09

36

Planning Committee agenda

6 September 2016

- 5. Supplementary and urgent business**
- 6. Confidential reports**