



**ORDINARY COUNCIL (TOWN PLANNING) MEETING OF  
THE HUME CITY COUNCIL**

**MONDAY, 23 JULY 2018**

**7.00 PM**

**COUNCIL CHAMBER, HUME GLOBAL LEARNING CENTRE,  
BROADMEADOWS**

**OUR VISION:**

*Hume City Council will be recognised as a leader in achieving social, environmental and economic outcomes with a common goal of connecting our proud community and celebrating the diversity of Hume.*

This meeting of the Hume City Council will be recorded and published in accordance with Council's Audio Recordings of Council Meetings Policy.



# HUME CITY COUNCIL

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**Notice of an  
ORDINARY COUNCIL (TOWN PLANNING) MEETING OF THE HUME CITY COUNCIL**  
to be held on Monday, 23 July 2018  
**at 7.00 PM**  
at the Council Chamber, Hume Global Learning Centre, Broadmeadows

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To: a: Council	Cr Geoff Porter Cr Carly Moore Cr Joseph Haweil Cr Jodi Jackson Cr Drew Jessop Cr Leigh Johnson Cr Naim Kurt Cr Jack Medcraft Cr Ann Potter Cr Karen Sherry Cr Jana Taylor	Mayor Deputy Mayor
b: Officers	Mr Domenic Isola Mr Peter Waite Mr Daryl Whitfort Ms Lisa Letic Mr Michael Sharp Ms Jo McCray	Chief Executive Officer Director Sustainable Infrastructure and Services Director Corporate Services Acting Director Community Services Director Planning and Development Acting Director Communications, Engagement and Advocacy

## **ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS OF THIS LAND**

*"I would like to acknowledge that we are meeting on Gunung-Willam-Balluk land. The Gunung-Willam-Balluk of the Wurundjeri are the first and original people of this land. I would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here today."*

## **ORDER OF BUSINESS**

### **1. PRAYER**

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Council. Direct and prosper its deliberations to the advancement of Thy glory and the true welfare of the people of the Hume City.

Amen

### **2. APOLOGIES**

### **3. DISCLOSURE OF INTEREST**

Councillors' attention is drawn to the provisions of the Local Government Act 1989 in relation to the disclosure of conflicts of interests. Councillors are required to disclose any conflict of interest immediately before consideration or discussion of the relevant item. Councillors are then required to leave the Chamber during discussion and not vote on the relevant item.

**4. CONDOLENCE MOTIONS****5. OFFICER'S REPORTS**

The Mayor will ask the Councillors and gallery at the commencement of this section, which reports they wish to speak to. These reports will then be discussed in the order they appear on the notice paper. Reports not called will be dealt with in a block resolution at the end.

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**5. CONFIDENTIAL MATTERS**

The Meeting may be closed to members of the public to consider confidential matters.

**RECOMMENDATION:**

**THAT the Council close the meeting to the public pursuant to Section 89(2) (sub sections as listed), of the Local Government Act 1989 to consider the following items, which are confidential for the reasons indicated:**

Report No.	Title	Reason for Confidential
COHE034	State Rugby League Centre of Excellence - Funding Deed	(d) contractual matters
COSU098	Land-in-Kind Agreement with MAB, Merrifield West Development Contributions Plan Project CI01	(d) contractual matters

COSU099	Works-in-Kind Agreements with PASK, Greenvale Central and Greenvale West Development Contribution Plan Projects IT01 and IT04	(d) contractual matters
COSU100	Land-in-Kind Agreement with PGG (Mickleham) Pty Ltd, Merrifield West Development Contributions Plan Project C103, C107 and Part OS04	(d) contractual matters
COSU101	Banksia Drainage Upgrade Project - Proposed Changes to Scope and Budget	(d) contractual matters
COGE198	Council's Electricity and Gas Contracts Awarded	(d) contractual matters
COGE199	Recognition of Former Councillors - Room Naming Proposals	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE200	Designation of Information provided at Strategy and Policy Briefings as confidential information - July 2018	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
COGE201	Pick My Project	(h) any other matter which the Council or special committee considers would prejudice the Council or any person

## 6. CLOSURE OF MEETING

**DOMENIC ISOLA**  
**CHIEF EXECUTIVE OFFICER**

**19/07/2018**



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REPORT NO:	SU315
REPORT TITLE:	74 Carnoustie Drive, Sunbury - The development of a double storey dwelling to the rear of the existing dwelling
SOURCE:	Najla Toma, Town Planner
DIVISION:	Planning and Development
FILE NO:	P20519
POLICY:	Hume Planning Scheme
STRATEGIC OBJECTIVE:	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
ATTACHMENTS:	1. <i>Locality Map</i> 2. <i>Development Plans</i> 3. <i>Feature Survey</i>

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Application No:	P20519
Proposal:	The development of a double storey dwelling to the rear of the existing dwelling
Location:	74 Carnoustie Drive, Sunbury
Zoning:	General Residential Zone – Schedule 1
Applicant:	Paul Benvenuto PALT Group Pty Ltd
Date Received:	17 May 2017

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## 1. SUMMARY OF REPORT:

Planning approval is sought to develop one double storey dwelling to the rear of an existing dwelling at 74 Carnoustie Drive, Sunbury. The application advertised and four objections received. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* including consideration of the issues raised in objections. On balance the proposal is considered acceptable and it is recommended that a Notice of Decision to Grant a Permit be issued.

## 2. RECOMMENDATION:

**That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of a double storey dwelling to the rear of the existing dwelling at 74 Carnoustie Drive, Sunbury, subject to the following conditions:**

1. **Before the development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans received by Council on 19 March 2018 but modified to show:**
  - a) **Tree protection fencing for the street tree located on Carnoustie Drive in accordance with AS 4970-2009 Protection of Trees on Development Sites;**
  - b) **A minimum of 1.8 metre high fencing for the south-east and south-west title boundaries at the owner/developer's cost;**

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- c) The location of mailboxes for the existing and proposed dwelling;
  - d) A notation to indicate that visibility corner splays extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, with no landscaping or objects exceeding 900mm in height within the visibility splays.
  - e) Landscaping pursuant to Condition 9 of the planning permit.
2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
  3. Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with the prior consent of the responsible authority.
  4. The external materials, finishes and paint colours of the approved building must be to the satisfaction of the responsible authority.
  5. Before the development is occupied, the areas set aside for the parking of vehicles together with the aisles and access lanes as shown on the endorsed plans must be:
    - constructed;
    - surfaced with a durable all-weather seal;
    - drained to the nominated point of discharge;
    - line-marked to indicate each car space and access lanes;
    - marked to show the direction of traffic along access lanes and driveways; and
    - provided with concrete kerbs or other barriers to prevent direct vehicle access to an adjoining road other than by a vehicle crossing, all to the satisfaction of the responsible authority.

The areas must be maintained in a useable condition to the satisfaction of the responsible authority.

6. Car spaces, access lanes and driveways shown on the endorsed plan must be kept available for these purposes at all times to the satisfaction of the responsible authority.
7. Any equipment required for refrigeration, air-conditioning, heating and the like must be located appropriately on the land/building and must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
8. New fencing and fence extensions must be provided solely by the developer of the land.
9. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be prepared by a suitably qualified person drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
  - a survey (including botanical names) of all existing vegetation to be retained and/or removed;
  - buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
  - details of surface finishes of pathways and driveways;
  - a planting schedule of all proposed trees, shrubs and ground covers,



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- including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
  - landscaping and planting within all open areas;
  - Two medium canopy trees (minimum 2 metres tall when planted) and understorey landscaping in the site frontage (Eastern Street) and two medium canopy trees located in the rear setbacks for each dwelling where practical;
  - an in-ground irrigation system to all landscaped areas;
  - a tree protection zone and structural root zone for each tree to be retained; and
  - the location and details of root control barriers;
10. Before the use starts or the development is occupied or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
  11. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.
  12. The whole of the land, including any landscaped and paved areas, must be graded and drained to the satisfaction of the responsible authority so as to prevent the discharge of stormwater causing damage from the land across any road or footpath or onto adjoining land. All stormwater storage tanks must have the overflow pipe connected to the legal point of discharge to the satisfaction of the responsible authority.
  13. Application for Legal Point of Stormwater discharge is required to obtain approval for the connection to the legal point of discharge.
  14. Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.
  15. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
  16. A separate underground drainage system is to be designed to cater for Dwelling 2; the drainage must include draining all concrete driveways and connect to the legal point of discharge for the site.
  17. The internal stormwater drainage design must be approved by a Relevant Building Surveyor under the Building Regulation 2006, Reg. 610.
  18. Any cut or fill must not interfere with the natural overland stormwater flow.
  19. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
  20. This permit will expire if one of the following circumstances applies:
    - the development is not started within three years of the date of this permit; or
    - the development is not completed within six years of the date of this permit.

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The responsible authority may extend the periods referred to if a request is made in writing:

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

**NOTE:**

If a request for an extension of commencement/completion dates is made out of time allowed, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

**Permit Notes:**

1. Prior to commencement of any works within the road reserve or require alteration/connection to the Council's drainage assets in the road reserve/easement, an 'Application form for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council to obtain a permit to carry out the works.
2. An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application. Any service relocations are to the approval of the Service Authority and at the owners cost.

**3. PROPOSAL:**

- 3.1 It is proposed to develop one double storey dwelling to the rear of an existing dwelling on the land as follows:

**Proposed Dwelling:**

- The proposed dwelling would be orientated to Muirfield Drive to the north-east and is proposed to be provided with an access way from the existing crossover facing Muirfield Drive frontage, and leading to a single car garage.
- The proposed dwelling would contain two bedrooms with the internal configuration comprising a conventional open plan lounge, meals/kitchen, laundry and WC at the ground floor level and two bedrooms, a bathroom and study nook on the first floor.
- The secluded private open space area will be located on the south-west side of the dwelling with access from the meals area and has an area totalling 40 square metres.
- The built form adopts a conservative, contemporary style design approach featuring hipped roof form together with projecting eaves and a recessive upper level layout.
- The facades comprise a variety of material finishes including face brickwork and weatherboard cladding together with standard proportion fenestration detailing.

**Existing Dwelling:**

- The existing single storey dwelling is orientated to Carnoustie Drive to the north-west and is proposed to be provided with a new crossover and access way from Carnoustie Drive frontage, leading to a single carport to the side of the dwelling.
- The existing dwelling contains an open plan meals/kitchen area, a lounge room, three bedrooms (one with ensuite), a laundry, bathroom and WC at the ground floor level.
- The dwelling will be provided with a secluded private open space on the west side of with access from meals area and having an area totalling approximately 80 square metres.

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- The dwelling is constructed of face brickwork with pitched tiled roof form.
- The following table provides a summary of the proposed development:

Site Area	655m <sup>2</sup>
Site Coverage	44.66% (60% max)
Permeability	55.3% (20% min)
Garden Area	35% (35% min)

2.1 The plans to be read in conjunction with this report are those received by Council on 19 March 2018.

**4. SITE AND SURROUNDS:**

**Site and Surrounds**

- 4.1 The subject site is located on the south-west corner of Carnoustie Drive and Muirfield Drive and comprises a single title lot of a conventional rectangular shape measuring 20.6 metres wide at the rear boundary and 34.6 metres deep at the side boundary providing an overall site area of 655 square metres.
- 4.2 The site currently contains a single storey dwelling and contains established canopy trees occupying the front and rear of the site.
- 4.3 The broader area context is a conventional residential setting set within a typically rectilinear subdivision pattern in Coonawarra Estate, which comprises a relatively consistent character of detached single storey houses.
- 4.4 The immediate interface along Carnoustie Drive and Muirfield Drive is characterised by a mix of single storey dwellings with some recent medium density developments along Muirfield Drive.

**Restrictions on Title**

- 4.5 A title search produced on 17 February 2017 indicates that the land is encumbered by a restrictive covenant (M790352X) pertains to obtaining the consent of the Transferor (Urban Land Authority), however it is indicated that this requirement ceased to be operative on the 31st December 1994, therefore the proposal is in no breach to the covenant requirements.
- 4.6 The site is encumbered by a 2 metres wide drainage and sewerage easement running along the south-east title boundary of the site.

**Planning History**

- 4.7 A review of available Council records did not produce any previous planning permits pertaining to the subject land.

**5. PLANNING CONTROLS:**

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

<i>State Policies:</i>	Clause 15.01-1: Urban Design Clause 15.01-2: Urban Design Principles Clause 15.01-5: Cultural Identity and Neighbourhood
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	Character Clause 15-02-1: Energy and Resource Efficiency Clause 16.01-1: Integrated Housing Clause 16.01-2: Location of Residential Development Clause 16.01-4: Housing Diversity Clause 16.01-5: Housing Affordability
<i>Municipal Strategies:</i>	Clause 21.03: Liveable Neighbourhoods and Housing Clause 21.04: Built Environment and Heritage
<i>Zones:</i>	Clause 32.08: General Residential Zone
<i>Overlays:</i>	Nil
<i>Particular Provisions:</i>	Clause 52.06: Car Parking Clause 55: Two or more dwellings on a lot
<i>General Provisions:</i>	Clause 65.01: Approval of an Application or Plan

- 5.2 It is State policy to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity, and to achieve urban design outcomes that contribute positively to the local urban character.
- 5.3 It is also policy that new housing designed to respond to the community needs by providing affordable higher density housing developments which are strategically located close to transport corridors and activity centres.
- 5.4 In relation to Housing, Clause 21.03-2 seeks:  
*“To increase the diversity of housing in Hume”*
- 5.5 In relation to Built Environment, Clause 21.04 seeks:  
*“To enable well designed medium and higher density residential development that protects the amenity of existing residents and sensitively responds to identified preferred neighbourhood character”*
- 5.6 The subject site is located in a General Residential Zone (Schedule 1). Pursuant to Clause 32.08-4 of the *Hume Planning Scheme*, a planning permit is required to construct two or more dwellings on a lot. The application must be assessed against the requirements of Clause 55 of the *Scheme*.

The purpose of the General Residential Zone (Schedule 1) is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

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5.7 Minimum garden area requirement:

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area set out in the following table of Clause 32.08-4 of the *Hume Planning Scheme*:

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

Having regard for the site area of 655 square metres, the development requires 35% of the site to be set aside as garden area. The design meets the mandatory site area requirement.

**Aboriginal Cultural Heritage**

5.8 The land is not located within an area of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007.

**Major Electricity Transmission Line**

5.9 The land is not located within 60 metres of a major electricity transmission line.

**Planning Permit Trigger/s**

5.10 The permit trigger in this instance is Clause 32.08-6, which relates to the buildings and works associated with the construction of two or more dwellings on land located within a General Residential Zone.

**6. REFERRALS:**

6.1 The application was not required to be referred to any statutory authorities under Section 55 of the Planning and Environment Act 1987 (“the Act”).

6.2 An internal referral was made to Council’s Traffic and Civil Engineering Design Department (dated 01 September 2017) and to Council’s Parks Department (dated 08 September 2017). Responding comments raised no objection to the proposal subject to standard conditions.

**7. ADVERTISING:**

7.1 The application was advertised a second time after being amended on 05 April 2018. Notice was given under Section 52 of the Planning & Environment Act 1987 by way of letters to adjoining land owners and occupiers and a notice board placed on site for a minimum of 14 days as prescribed under the Act. At the end of advertising period four objections were received.

7.2 The grounds of objection can be summarised as follows:

- Double storey form being detrimental to the neighbourhood character; and
- Overshadowing effect to the adjoining properties.

**8. OBJECTIONS**

The grounds of objection are addressed below:

Double storey form being detrimental to the neighbourhood character

8.1 Appropriate measures have been undertaken to ensure that the proposed development is designed to be respectful to the existing neighbourhood character. The proposal incorporates similar architectural features including hipped roof profiles, brick and tile materials and adapts a reasonably recessed upper level layout.

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- 8.2 Furthermore, there are no specific policies or controls that would otherwise preclude or discourage this form of development. Indeed, pursuant to Clause 21.03, an objective of the MSS is to.... *“increase the diversity of housing in Hume”* and to do so by encouraging [inter-alia].... *“Well designed infill residential development that provides smaller housing product”*. In this case the proposed dwelling is a two bedroom residence that will contribute to housing diversity and choice within this established residential setting and will make more efficient use of the available land in terms of on-site density.
- 8.3 A more detailed assessment against the neighbourhood character objective of Clause 55 is discussed in point 9.6 to 9.9 of this report.

Overshadowing effect to the adjoining properties

- 8.4 A minimal overshadowing effect will occur to the adjoining properties at No 72 Carnoustie Drive and 28 Muirfield Drive. The shadow diagrams provided by the applicant show that the shadows will cast on habitable room windows and secluded private open space of the property at No 72 Carnoustie Drive from 9am to 12pm. Whereas the shadow cast on the adjoining property at No. 28 Muirfield Drive will fall on the existing verandah between the hours of 12pm to 3pm; it is however noted that no shadow effect will occur to the secluded private open space (SPOS) located to the rear of this dwelling.
- 8.5 In the light of the above, the overshadowing effect on the adjoining properties is not considered to be unreasonable. ResCode Standard B22 requires that each dwelling’s secluded private open space to receive at least 75% of sunlight between the hours of 9am and 3pm. The shadow diagrams show that each adjoining dwelling’s SPOS to the rear will receive solar access in accordance with the minimum Standard requirement.

**9. ASSESSMENT:**

- 9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 is provided below. In short, the proposal complies with the relevant objectives of these clauses of the *Scheme*.

**Clause 52.06 – Car Parking**

- 9.2 Clause 52.06-5 requires car parking at the following rate:
- *One car space for each one or two bedroom dwelling.*
  - *Two car spaces for each three or more bedroom dwellings, with one space under cover.*
  - *One car space for visitors for developments of five or more dwellings.*
- 9.3 The existing and proposed dwelling have been provided with an appropriate provision of parking based on the existing three bedroom and proposed two bedroom layouts. The existing dwelling will be provided with a carport and tandem space; whilst the proposed dwelling will be provided with a garage and tandem space, such that the resident provision for car parking meets the full requirements of Clause 52.06.
- 9.4 The dimensions for the proposed single garage and carport comply with the minimum Standard requirement i.e. (3.5m x 6m) for single garages/ carports under Clause 52.06 of the *Hume Planning Scheme*. The tandem car spaces for each dwelling comply with the minimum dimensions for car spaces i.e. (2.6m x 4.9m). Each parking space has been provided with an appropriate distance in length behind the garage/ carport to avoid vehicles from overhanging onto the footpath.
- 9.5 In terms of Design standards for accessways, Clause 52.06-5 of the *Scheme* requires each accessway must be at least 3 metres in width and must have a corner splay at least 50 per cent clear of visual obstructions, extending 2 metres along the frontage road and 2.5 metres along the exit lane from frontage to provide a clear view of pedestrians on the footpath of the frontage road. The accessways have been designed

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in accordance with the requirements of Clause 52.06-5. A permit condition 1 (d) has been included to ensure visibility splays are provided in accordance with the accessway design standards requirements.

**Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)**

Standard B1 – Neighbourhood Character

- 9.6 The immediate area is characterised by a predominance of single-storey detached dwellings typically with an open style front garden with low or no front fencing. The resultant setting is a moderate density with an open streetscape character. Whilst the existing streetscape setting generally remains single-storey, the proposed two-storey height is of a form and scale that is consistent with a typical residential setting such as this, and one that is contemplated under the General Residential Zone, as well as Hume’s local planning policies.
- 9.7 As discussed above in point 8.2, there are no specific policies or controls that would discourage this form of development. The proposed dwelling has a reasonably recessed upper level layout which assists to provide an appropriate transition between the proposed double storey form and the single storey dwelling to the north-west. In a design context, Clause 21.04 seeks to.... *“enable well designed medium and higher density residential development that protects the amenity of existing residents and sensitively responds to identified preferred neighbourhood character”*. Importantly, the policy seeks to.... *“encourage and support well designed infill residential development in areas characterised by single and double storey detached dwellings”*.
- 9.8 The proposal incorporates some of the key themes of surrounding architecture including hipped roof profiles, brick and tile materials and standard proportion windows and doors. A reasonable degree of articulation has been achieved through the stepped alignment, change in material, window punctuation and entry features. Moreover, an External Materials and Colours Schedule has been provided with the application and is considered suitable to the area.
- 9.9 Overall, the design is considered to be suitably moderate in terms of the proposed scale, height and form of the dwellings having regard to the existing and emerging character of the area and can be supported from a neighbourhood character perspective.

Standard B2 – Residential Policy

- 9.10 The development proposal includes an appropriate written response demonstrating consistency with relevant housing policy objectives.

Standard B3 – Dwelling Diversity

- 9.11 The development would comprise fewer than ten dwellings and therefore this standard does not apply.

Standard B4 – Infrastructure

- 9.12 The proposed dwellings are appropriately located in the context of an established urban environment and infrastructure, with the ability to be connected to all relevant services and utilities.

Standard B5 – Integration with the Street

- 9.13 The proposed dwelling would have a direct street interface through the provision of front entry porch and a separate vehicle access as well as various habitable room windows providing passive surveillance of the street.

**Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15)**

Standard B6 – Street Setback

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- 9.14 The proposed dwelling would be set back a minimum 6.5 metres to Muirfield Drive frontage and includes a stepped façade with a recessive garage element. Standard B6 requires a minimum front setback of 3.0 metres for front walls of new development fronting the side street of a corner site. As such, the proposal accords with the Standard.

Standard B7 – Building Height

- 9.15 The new dwellings will have a maximum building height of approximately 7.4 metres and the requirement of the standard has been met.

Standards B8 – Site Coverage and B9 – Site Permeability

- 9.16 Proposed site coverage and permeability satisfy Standards B8 and B9, with 44.6% and 55.3% respectively.

Standard B10 – Energy Efficiency

- 9.17 The new dwellings are provided with internal habitable living area and bedrooms that have north-eastern windows and it is considered that the development will receive adequate solar access. Eaves have also been provided which will assist with cooling in the summer months.

Standard B11 – Open Space

- 9.18 The site does not directly abut any public open space.

Standard B12 - Safety

- 9.19 All dwellings have a clearly definable entry and front porch accessed directly from the road interface. Windows are orientated to have an outlook over the street and the layout therefore provides for the safety and security of residents in accordance with the requirements of Standard B12.

Standard B13 – Landscaping

- 9.20 There is adequate opportunity for planting within each of the areas set aside for private recreation. Similarly, the front setback can accommodate appropriate landscaping opportunities including the addition of canopy trees.

Standard B14 – Access

- 9.21 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14. The proposal ensures that adequate on-street car parking is retained.

Standard B15 – Parking Location

- 9.22 Vehicle parking for the dwellings is appropriately located and provides convenient parking for residents with no foreseeable amenity impacts as a result of noise.

**Clause 55.04 – Amenity Impacts (Standards B17 to B24)**

Standard B17 - Side and Rear Setbacks

- 9.23 All walls have been set back in accordance with Standard B17.

Standard B18 – Walls on Boundaries

- 9.24 This standard is not applicable as the proposed development will not include any walls on boundary.

Standard B19 – Daylight to Existing Windows

- 9.25 The proposal allows for the adequate separation of the proposed built form in relation to all existing windows on neighbouring properties, with the required lightcourts provided.

Standard B20 – North Facing Windows



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- 9.26 All existing north facing habitable room windows on adjoining dwellings have been setback by an appropriate distance from proposed dwelling

Standard B21 – Overshadowing

- 9.27 The submitted Shadow Diagrams demonstrate that the secluded private open space of the neighbouring abuttals will receive more than the required 5 hours of daylight over a minimum area of 40 square metres in accordance with the requirements of the standard.

Standard B22 – Overlooking

- 9.28 All first floor level windows of proposed dwelling with potential overlooking have been provided with sill heights of 1.7 metres above floor level or window frosting, in accordance with the Standard's requirements.

Standard B23 – Internal Views

- 9.29 All internal perspectives have been suitably managed to accord with the requirements of this standard.

Standard B24 – Noise

- 9.30 The proposal is unlikely to give rise to additional noise beyond what would normally be expected from residential properties. There are no noted external sources of noise i.e. air conditioning units. A permit condition will be included to ensure that air conditioning units are appropriately located to avoid potential noise emissions to adjoining properties.

**Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30)**

Standard B25 – Accessibility

- 9.31 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be accommodated in the future should the need arise.

Standard B26 – Dwelling Entry

- 9.32 The dwellings have clearly definable entries and front porches which are accessed directly from the road frontages.

Standard B27 – Daylight to New Windows

- 9.33 All proposed habitable rooms are provided with windows that have the requisite dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.

Standard B28 – Private Open Space

- 9.34 The areas of secluded and private open space exceed the minimum size and dimension requirements of this Standard.

Standard B29 – Solar Access to Open Space

- 9.35 The areas of secluded private open space (SPOS) will receive reasonable solar access throughout the day. The SPOS area set aside for the existing and proposed dwelling meets the dimension requirements of this Standard.

Standard B30 – Storage

- 9.36 Storage has been provided appropriately in the form of an external shed for the existing and proposed dwelling, in accordance with Standard B30.

**Clause 55.06 – Detailed Design (Standards B31 to B34)**

Standard B31 - Design Detail

**REPORT NO: SU315 (cont.)**

9.37 The proposed design of the dwellings, including the proposed hipped roof profiles and the use render and brickwork, as well as the conventional proportioned fenestration detailing, is considered suitable within the context of the existing and emerging character of the area.

Standard B32 – Front Fence

9.38 No front fencing is proposed.

Standard B33 – Common Property

9.39 Not applicable

Standard B34 – Site Services

9.40 The plans demonstrate the location of bin storage facilities for the existing and proposed dwelling. A permit condition will be included to show the location of bin mailbox facilities for the proposed dwelling in accordance with the Standard's requirements.

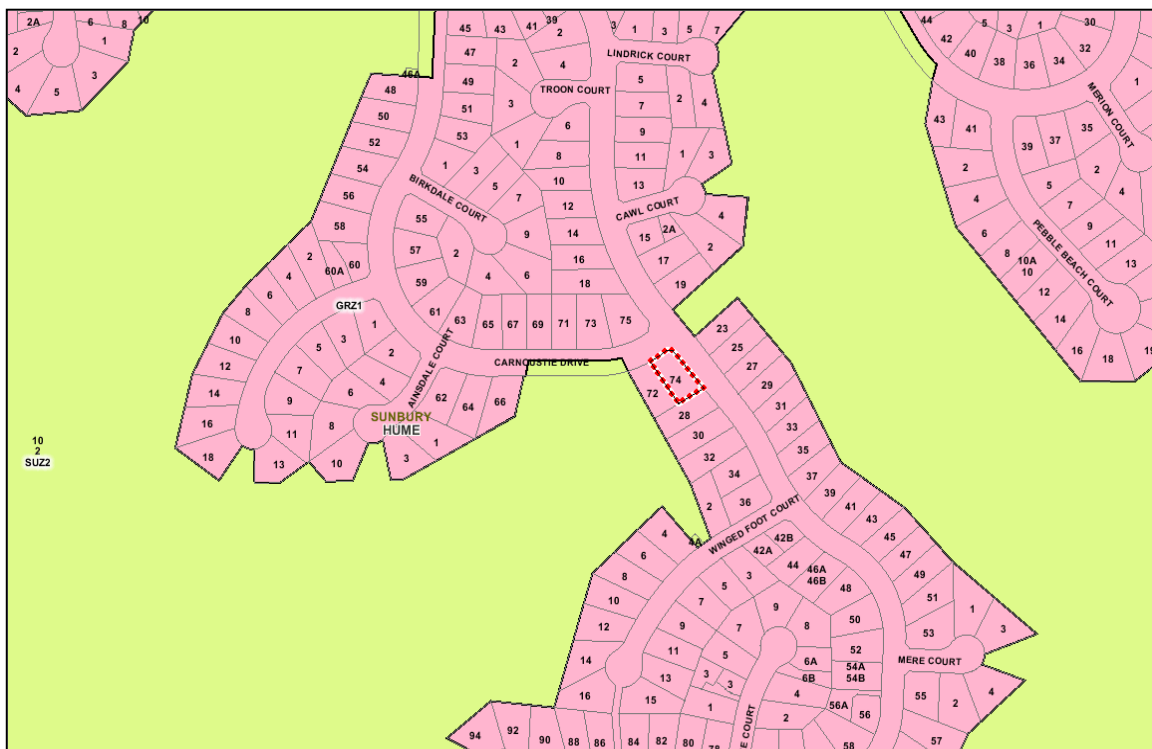
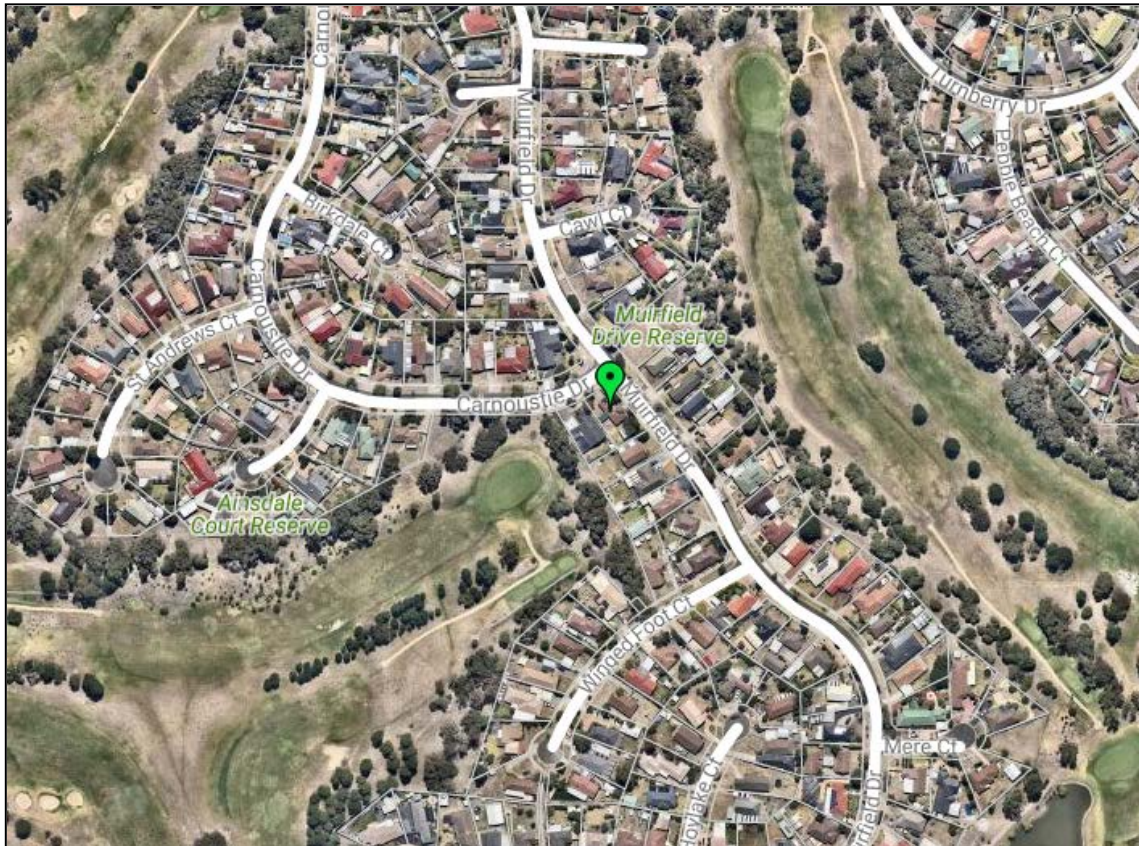
**10. CONCLUSION**

10.1 The proposal generally satisfies the objectives and standards of Clauses 55 (Two or More Dwellings on a Lot) and 52.06 (Car Parking). Subject to conditions of permit, the proposal is able to demonstrate site responsive design and limited impact on the amenity of surrounding properties and the emerging character of the area. On this basis, the application should be approved with permit issued subject to conditions.

# LOCALITY PLAN

P20519

74 Carnoustie Drive, Sunbury





# PROPOSED UNIT TO SIDE OF EXISTING RESIDENCE AT: No. 74 CARNOUSTIE DRIVE, SUNBURY MELWAYS REF : 383 A5

OWNERS: MR AND MRS PATSALIS

CONTENT OF PAGES SCHEDULE:

1. SCHEDULES PAGE
2. SITE PLAN AND GROUND FLOOR PLANS
3. SITE PLAN AND FIRST FLOOR PLANS
4. ELEVATIONS, SHADOW DIAGRAMS AND STREETSCAPE ELEVATION
5. WSUD TREATMENT PLAN AND COLOUR SCHEDULE
6. SHADOW DIAGRAMS FOR 9 AM AND 10 AM
7. SHADOW DIAGRAMS FOR 11 AM AND 12 PM
8. SHADOW DIAGRAMS FOR 1 PM AND 2 PM
9. SHADOW DIAGRAM FOR 3 PM AND OVERLOOKING DIAGRAMS
10. NEIGHBOURHOOD AND SITE DESCRIPTION PLAN 1:500  
DESIGN RESPONSE PLAN 1:500

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**bdv**  
BODV BUILDING DESIGN

SITE NO. 2, 62, NORTHUMBERLAND  
ROAD, SUNBURY, VIC 3086  
P/FAX 9392-2223  
MOBILE: PAUL: 0433 177 701  
REGISTERED BUILDING PRACTITIONER (A.B. 1334)

PROPOSED UNIT TO SIDE OF EXISTING RESIDENCE  
AT: No. 74 CARNOUSTIE DRIVE, SUNBURY  
MR AND MRS PATSALIS

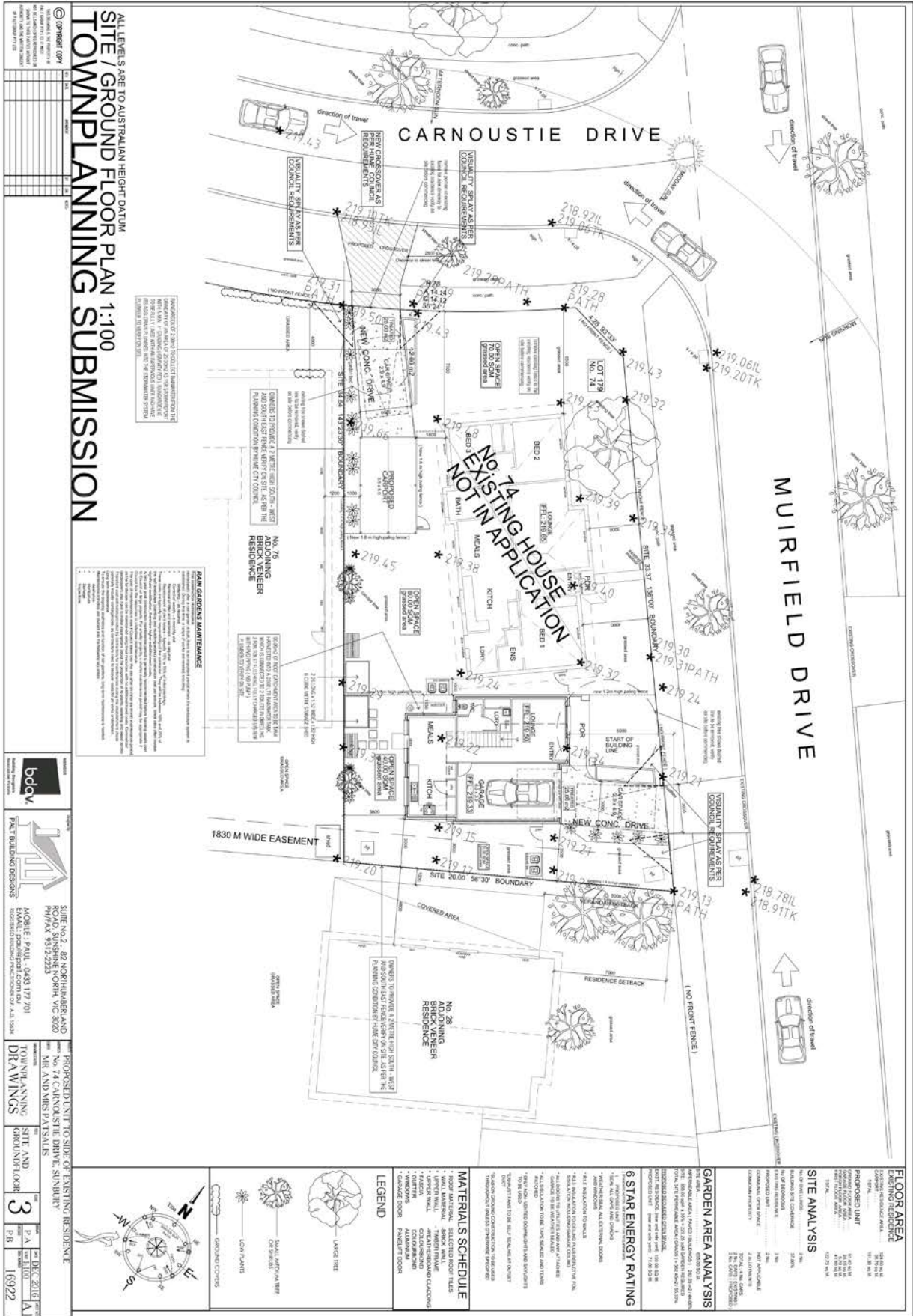
TOWN PLANNING  
DRAWINGS

SCHEDULE

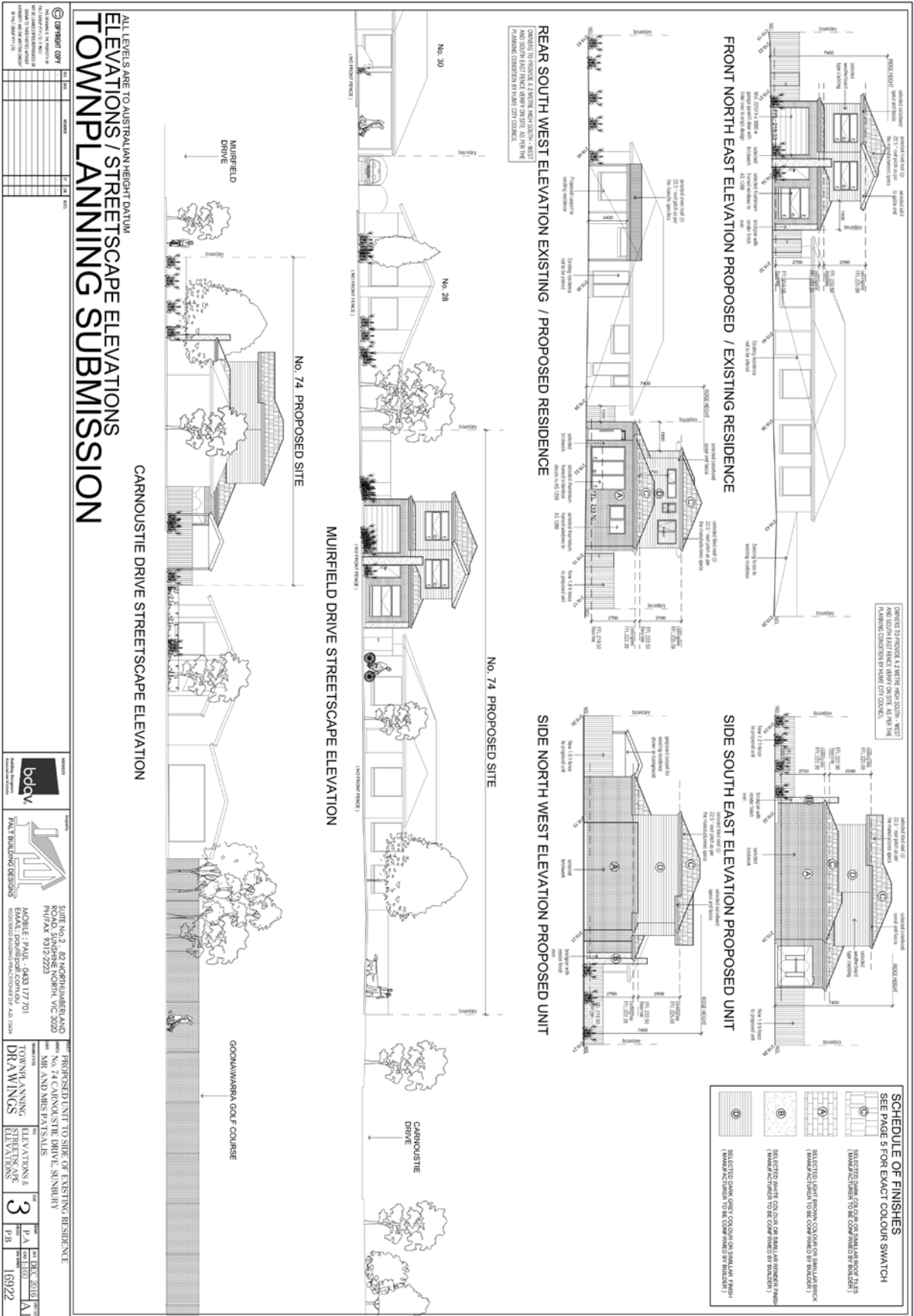
3

P/A  
P/B

REV REC 2018  
16922









### WSUD TREATMENT PLAN TOWNPLANNING SUBMISSION

ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM

#### LEGEND

FILLING: 1 - HONEY AGGREGATE TO 3 X 3000 (CONCRETE LAYER - FILL CHANGED)  
 PORTLAND CEMENT MORTAR  
 CONCRETE PAVERS (MANUFACTURED TO SURFACE)  
 STRIPS (CONCRETE) (LAYER)  
 CONCRETE PAVING, UNFINISHED  
 STRIPS (CONCRETE) (LAYER)

NOTE: ALL UNFINISHED AREAS ARE COINED FOR ADJUSTMENT (REFER TO SECTION 2)

CONFORMANCE OF THIS WSUD TREATMENT SYSTEM TO THE WSUD TREATMENT SYSTEM STANDARD (AS/NZS 4455.1) IS CONFIRMED BY THE DESIGNER TO BE ADEQUATE TO TREAT DOMESTIC WASTEWATER TO THE REQUIRED TREATMENT LEVEL (CLEAN WATER) TO BE REUSED FOR GARDEN OR OTHER NON-POTABLE PURPOSES. THIS SYSTEM IS NOT DESIGNED TO TREAT WASTEWATER FROM OTHER SOURCE.

DESIGN OF EACH CELL TAKES INTO ACCOUNT THE SLOPE OF THE CELL TO THE NEXT CELL AND THE SLOPE OF THE CELL TO THE STREET. THE SLOPE OF THE CELL TO THE STREET IS 1:100.

CONFORMANCE OF THIS WSUD TREATMENT SYSTEM TO THE WSUD TREATMENT SYSTEM STANDARD (AS/NZS 4455.1) IS CONFIRMED BY THE DESIGNER TO BE ADEQUATE TO TREAT DOMESTIC WASTEWATER TO THE REQUIRED TREATMENT LEVEL (CLEAN WATER) TO BE REUSED FOR GARDEN OR OTHER NON-POTABLE PURPOSES. THIS SYSTEM IS NOT DESIGNED TO TREAT WASTEWATER FROM OTHER SOURCE.

#### SCHEDULE OF FINISHES

SELECTED CHARCOAL COLOUR OR SIMILAR ROOF TILES  
 (MANUFACTURER TO BE CONFIRMED BY BUILDER)

SELECTED LIGHT BROWN COLOUR OR SIMILAR BRICK  
 (MANUFACTURER TO BE CONFIRMED BY BUILDER)

SELECTED WHITE COLOUR OR SIMILAR RENDER FINISH  
 (MANUFACTURER TO BE CONFIRMED BY BUILDER)

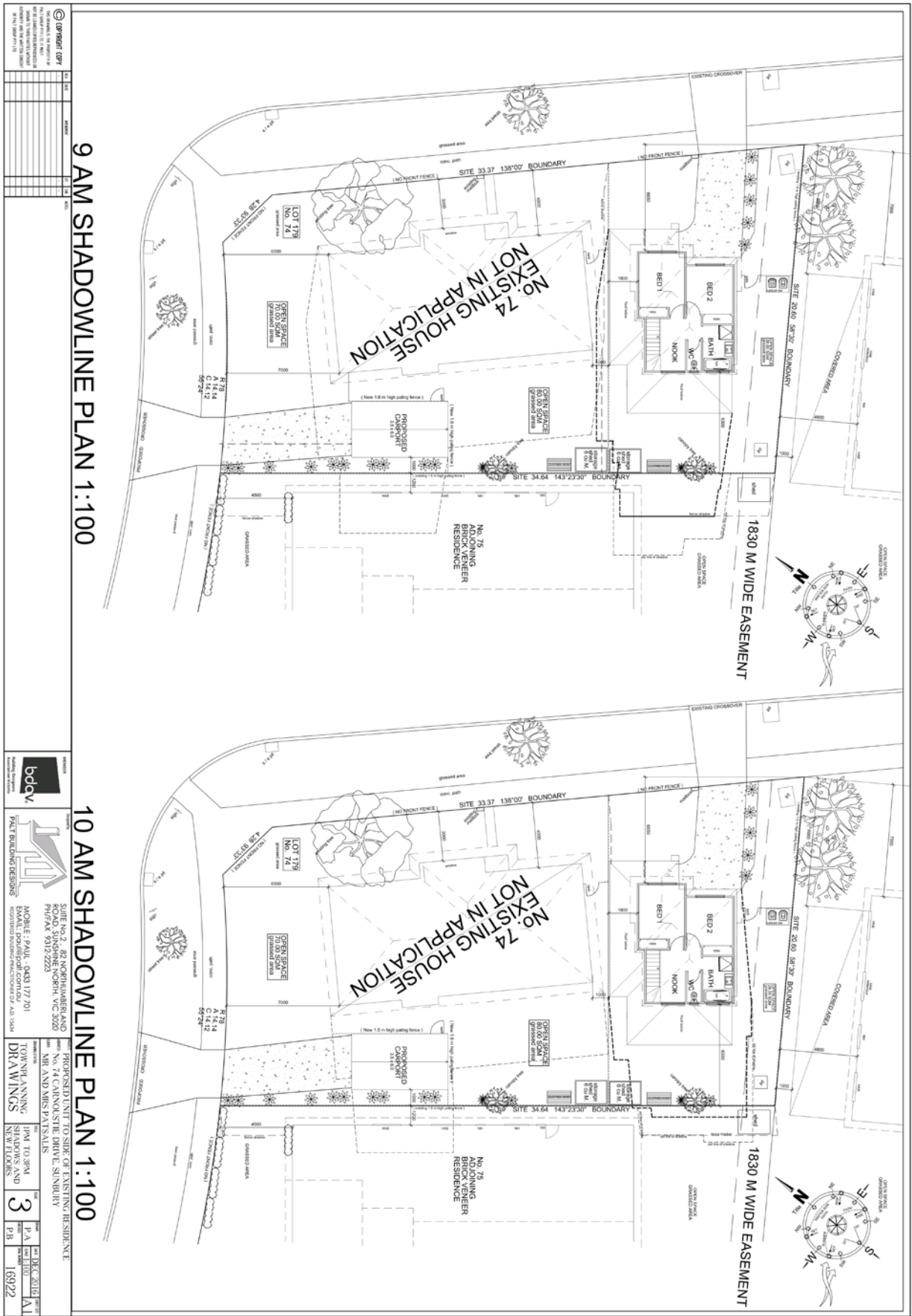
SELECTED DARKGREY COLOUR OR SIMILAR WEATHERBOARD FINISH  
 (MANUFACTURER TO BE CONFIRMED BY BUILDER)

• SELECTED SURFIUMIST COLOUR OR SIMILAR GUTTER / FASCIA FINISH

#### COLOUR SCHEDULE TOWNPLANNING SUBMISSION

SITE NO. 2, 62 NORTHUMBERLAND ROAD, SOUTH COAST NSW 2259  
 MOBILE: PAUL: 0433 177 701  
 PHONE: 02 4317 7011  
 FAX: 02 4317 7012  
 BODV BUILDING DESIGNERS  
 REG. BUILDING DESIGNER (NSW) NO. 10316  
 REG. PLANNING CONSULTANT (NSW) NO. 74434

PROJECT NO.	NO. 74 CAROLUSTIE DRIVE, SUNSHINE
CLIENT	MRS AND MRS PATSYA L...
DATE	NOV 2018
SCALE	AS SHOWN
DATE	NOV 2018
DATE	NOV 2018
DATE	NOV 2018
DATE	NOV 2018
DATE	NOV 2018
DATE	NOV 2018
DATE	NOV 2018
DATE	NOV 2018
DATE	NOV 2018



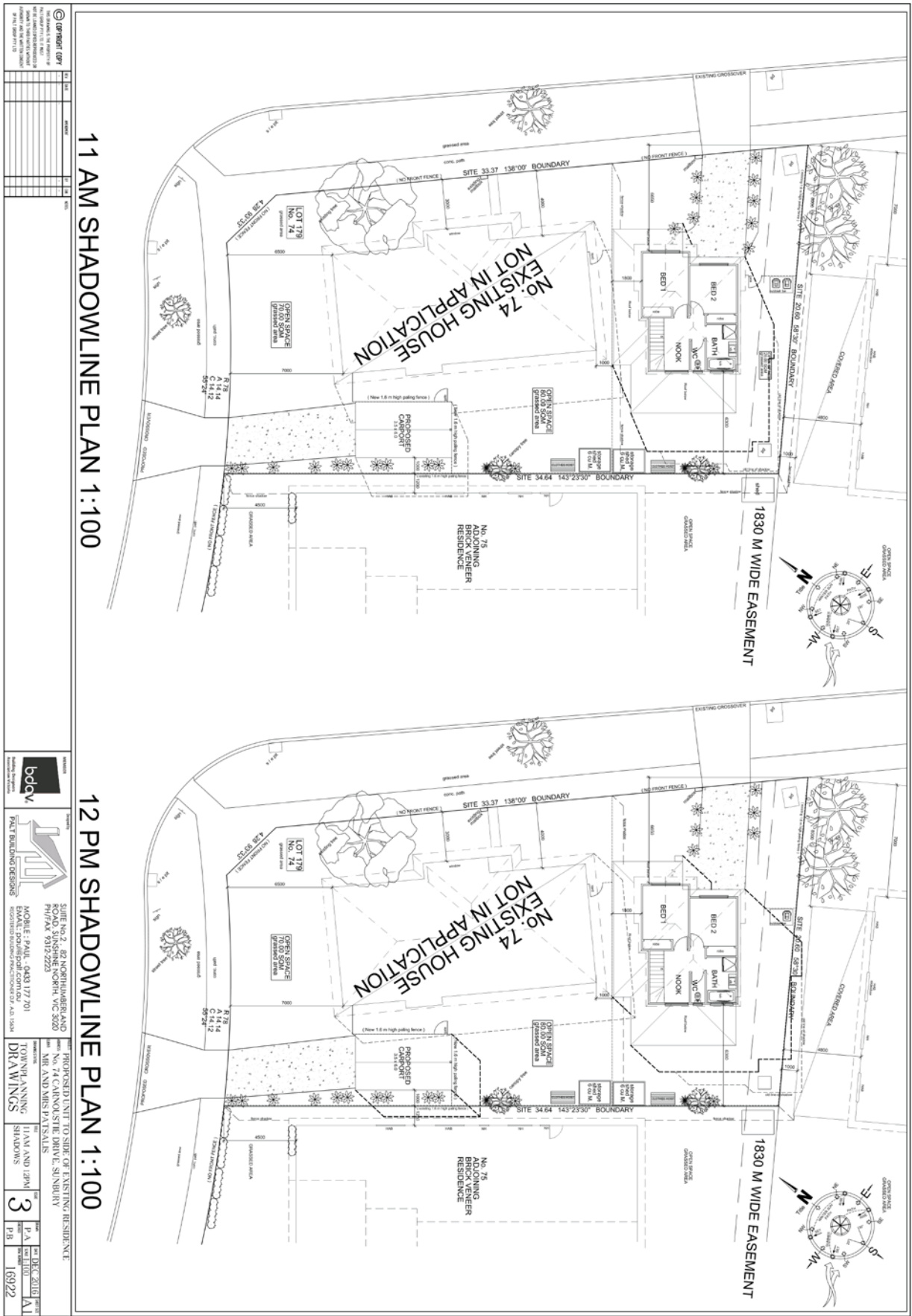
9 AM SHADOWLINE PLAN 1:100

10 AM SHADOWLINE PLAN 1:100

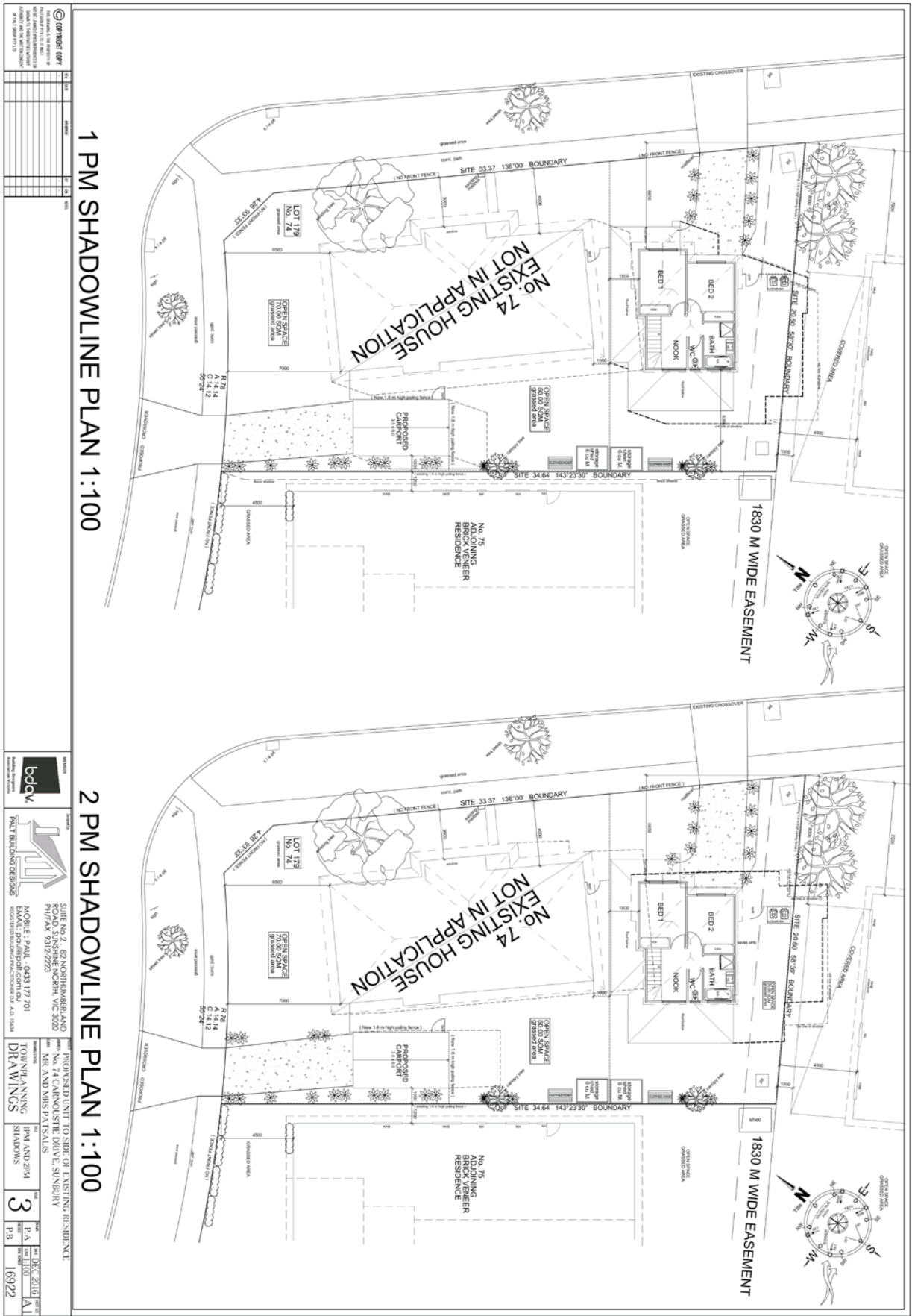
THE SHADOWS OF PROPOSED DEVELOPMENT ARE SHOWN IN RELATION TO THE EXISTING HOUSE AND TO THE SHADOWS OF THE EXISTING HOUSE AT THE SHOWN TIME.	
DATE	23/07/2018
SCALE	1:100
PROJECT NO. 24 CANONSITE DRIVE, SUNSHIRE MR AND MRS PATSALIS	
PREPARED BY: TOWN PLANNING, DRAWINGS AND ARCHITECTURE	
DATE	23/07/2018
BY	PA
DATE	16/09/22
BY	PA

bdcv  
 BUILDING DESIGN CONSULTANTS  
 100/102 NORTH BRIDGE ROAD  
 SINGAPORE 054503  
 MOBILE: PAUL: 0433 177 701  
 P/FAX: 9312 2223  
 REGISTERED BUILDING PRACTITIONER OF A.S. 1334

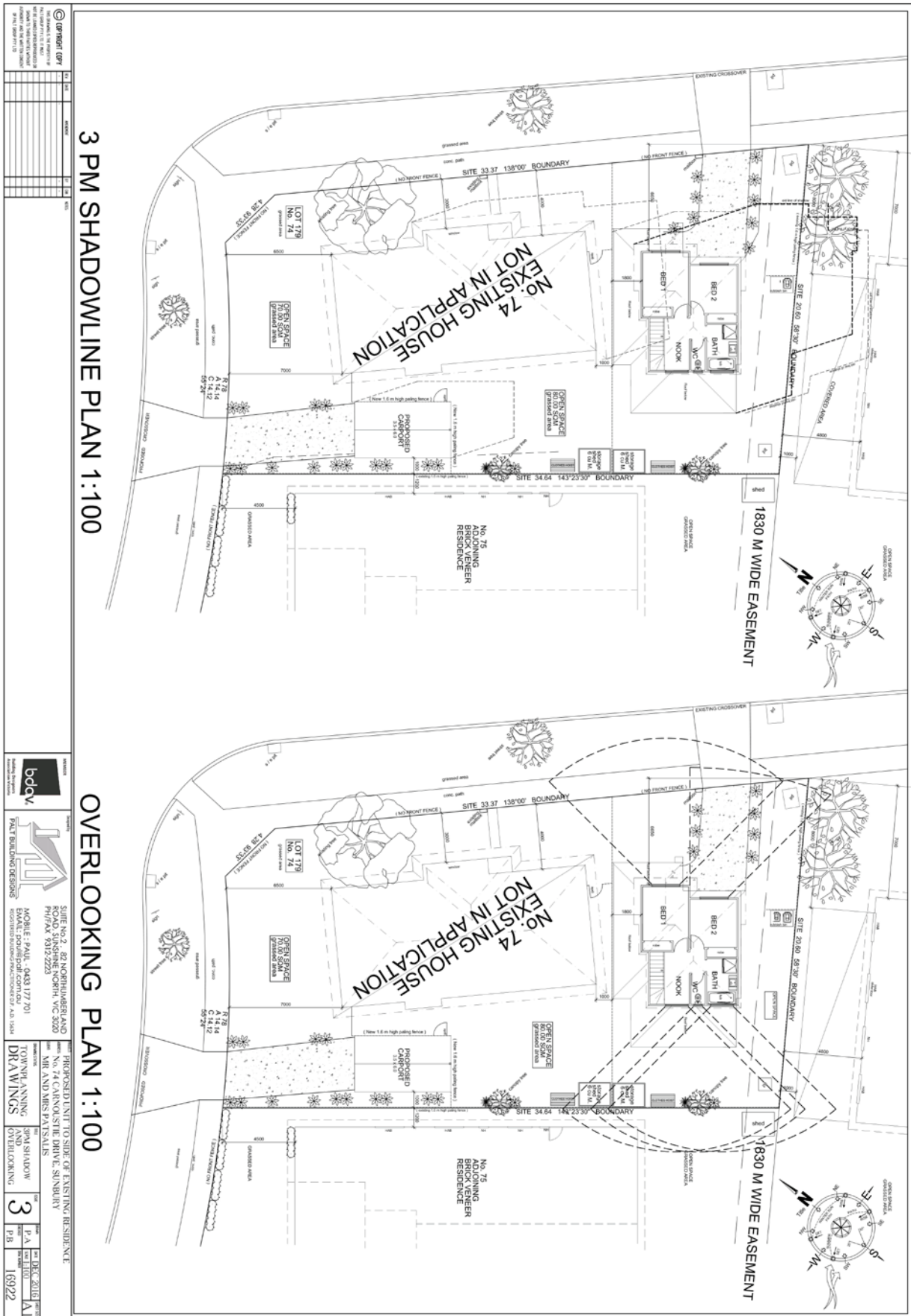
PROJECT NO. 24 CANONSITE DRIVE, SUNSHIRE  
 MR AND MRS PATSALIS  
 TOWN PLANNING, DRAWINGS AND ARCHITECTURE  
 DATE: 23/07/2018  
 BY: PA  
 DATE: 16/09/22  
 BY: PA



THE SHADOWING OF PROPOSED DEVELOPMENTS IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY. THE SHADOWING IS BASED ON THE ASSUMPTIONS SET OUT IN THE SHADOWING REPORT.	DATE: 23 JULY 2018 DRAWN BY: [Name] CHECKED BY: [Name]
11 AM SHADOWLINE PLAN 1:100	12 PM SHADOWLINE PLAN 1:100
PROPOSED PLANT TO SHED OF EXISTING RESIDENCE MR. AND MRS. PATSYALS	
TOWN PLANNING DRAWINGS	3 P.A. P.S.
11 AM AND 12 PM SHADOWS	3 P.A. P.S.
16922	16922

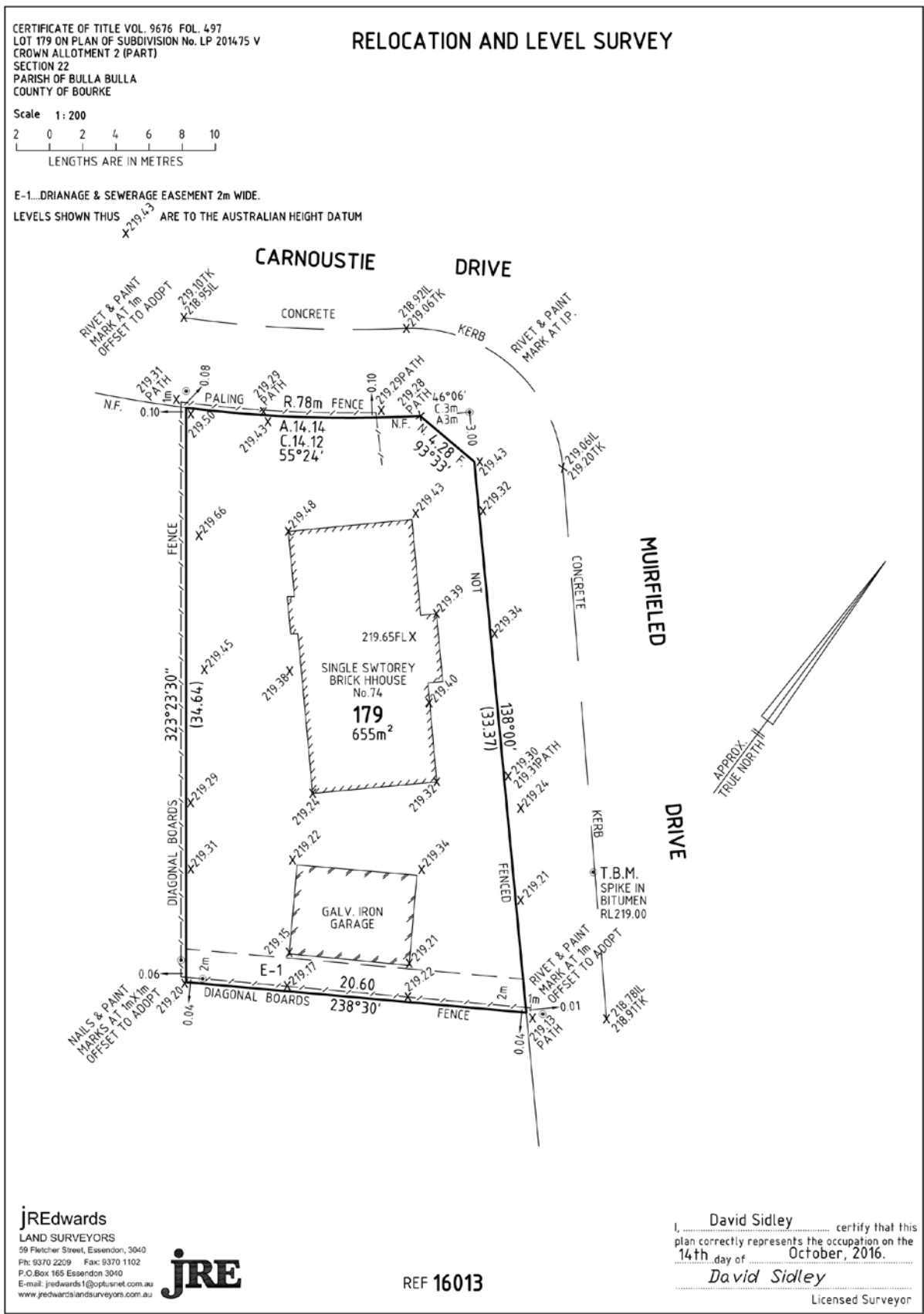


THE SHADOWLINE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE SHADOWLINE PLAN IS THE PROPERTY OF THE CITY OF HUME AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.	DATE: 18/07/2018 TIME: 10:00 AM DRAWN BY: [Name] CHECKED BY: [Name]
1 PM SHADOWLINE PLAN 1:100	2 PM SHADOWLINE PLAN 1:100
bcdv	bcdv
FACT BUILDING DESIGNS	FACT BUILDING DESIGNS
SITE NO. 2, 52 NORTHUMBERLAND STREET, SOUTHCAULFIELD VIC 3026 PHONE: 0393 177 701 MOBILE: PAUL - 0433 177 701 REGISTERED BUILDING PRACTITIONER (A.B. 1334)	PROPOSED PLANT TO SHIELD OF EXISTING RESIDENCE MR. AND MRS. PATSALIS
TOWN PLANNING DRAWINGS	TOWN PLANNING DRAWINGS
IPW AND 2PM SHADOWS	IPW AND 2PM SHADOWS
3	3
P.A. 16922	P.A. 16922
P.B. 16922	P.B. 16922



<p><b>3 PM SHADOWLINE PLAN 1:100</b></p>			
<p><b>OVERLOOKING PLAN 1:100</b></p>			
<p>PROPOSED PLINT TO SIDE OF EXISTING RESIDENCE</p>			
<p>MR. AND MRS. PATSY SALS</p>			
<p>TOWN PLANNING DRAWINGS</p>			
<p>3</p>			
<p>16922</p>			









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<b>REPORT NO:</b>	SU316
<b>REPORT TITLE:</b>	31 Craigieburn Road and 2 Benston Street Craigieburn - Use and development of a medical centre, and alteration of an access to a Road Zone Category 1
<b>SOURCE:</b>	Amy Lanfranchi, Statutory Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P20777
<b>POLICY:</b>	The Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Locality Plan</i></li><li>2. <i>Existing conditions plan</i></li><li>3. <i>Site plan</i></li><li>4. <i>Ground floor plan</i></li><li>5. <i>First floor plan</i></li><li>6. <i>Shadow diagrams plan</i></li><li>7. <i>Elevations plan</i></li></ol>

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<b>Application No:</b>	P20777
<b>Proposal:</b>	Use and development of a medical centre, and alteration of an access to a Road Zone Category 1
<b>Location:</b>	31 Craigieburn Road and 2 Benston Street Craigieburn
<b>Zoning:</b>	General Residential Zone 1
<b>Applicant:</b>	Southern Planning Consultants
<b>Date Received:</b>	4 September 2017

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**1. SUMMARY OF REPORT:**

Planning approval is sought to use and develop the land at 31 Craigieburn Road and 2 Benston Street Craigieburn, for the purpose of a medical centre and to alter an access to a Road Zone Category 1. The application was advertised. Three objections and a petition with 18 signatories were received. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* including consideration of the issues raised in objections. On balance the proposal is considered acceptable and it is recommended that a Notice of Decision to grant a planning permit be issued subject to conditions.

**2. RECOMMENDATION:**

**That Council, having considered the application on its merits and objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for use and development of a medical centre and alteration of an access to a Road Zone Category 1 at the land of 31 Craigieburn Road and 2 Benston Street Craigieburn, subject to the following conditions:**

1. **Before the use/development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with plans 2, 3, 4 and 5, Revision C dated June 2017 but modified to show:**

REPORT NO: SU316 (cont.)

- a. Details and location of all boundary fencing;
  - b. A 1.8 metre (from proposed ground level) high fence located along the eastern boundary, aside from a visibility splay, which tapers to a 0.9 metre (from existing ground level) high fence within two metres of the front boundary;
  - c. A 1.2 metre high vertical aluminium decorative fence along the front boundary and sliding security gates at the entrances of the car park;
  - d. Cut and fill, including proposed finished ground levels;
  - e. Location of medical and general waste storage;
  - f. Landscaping pursuant to Condition 10 of the planning permit;
  - g. Wheel stops or curbing within car spaces, to protect the landscaped areas;
  - h. Annotation stating “Permit parking signage on Craigieburn Road in front of the subject site to be altered to ‘2P’, and relocated as required, to the satisfaction of the Council’s Assets Department”;
  - i. The relocation of the western accessible car space to an area which promotes easier access to the front entry;
  - j. The reconfiguration of the bicycle parking area, to ensure better safety to cyclists and parked bicycles;
  - k. Ground surface materials and colours schedule, which promotes use of permeable materials where possible;
  - l. Revised colours and materials schedule, which are generally in accordance with the concept plans submitted to Council 11 April 2018, Revision D.
  - m. Revised façade treatment and articulation, which is generally in accordance with the concept plans submitted to Council 11 April 2018, Revision D.
  - n. An annotation stating “Existing street tree/s to be removed and replaced at the cost of the developer. Consultation with Council Parks is required”.
2. The use and development as shown on the endorsed plans or described in the endorsed documents must not be altered or modified except with the written consent of the responsible authority.
  3. Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with the prior consent of the responsible authority.
  4. The use must at all times be conducted in a manner ensuring the residential amenity of nearby residential properties is not detrimentally affected.
  5. The use permitted by this permit may only operate between the following times:
    - a. Monday – Friday 8:30am – 8pm
    - b. Saturday 8:30am – 6pm
    - c. Sunday 10am – 2pm
  6. At no time may any more than 13 practitioners operate or conduct consultations in the Medical Centre.
  7. All external materials, finishes and paint colours are to be to the satisfaction of the responsible authority.
  8. Prior to the use and/or development starts, the owner must enter into an agreement with the responsible authority made pursuant to Section 173 of the *Planning and Environment Act 1987* to provide for the following:
    - a. Unless with the prior written consent of the responsible authority, waste collection for the medical centre on the site must occur only by private waste collection, as per the endorsed Waste Management Plan of Planning Permit P20777.

REPORT NO: SU316 (cont.)

9. The use permitted by this permit must not be commenced until:
  - a. The parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the Responsible Authority;
  - b. The garden and landscape area(s) shown on the endorsed plan(s) have been planted to the requirements and satisfaction of the Responsible Authority;
10. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping and in accordance with Councils guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit. The landscape plan must include at least five canopy trees within the front landscaping and understorey planting in the street setbacks, screen planting where practical adjacent to site boundaries and low level planting around the carpark areas.
11. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.
12. The whole of the subject land, including any landscaped and paved areas, must be graded and drained to the satisfaction of the responsible authority so as to prevent the discharge of stormwater from the subject land across any road or footpath or onto adjoining land.
13. The crossover and driveway (to Craigieburn Road) must be constructed to the satisfaction of the Roads Corporation and/or the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use hereby approved.
14. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:
  - a. Formed to such levels and drained so that they can be used in accordance with the plan.
  - b. Treated with an all-weather seal or some other durable surface.
15. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.
16. Areas set aside for the parking of vehicles together with the aisles and access lanes must be properly formed to such levels that they can be utilised in accordance with the endorsed plan(s) and must be drained and provided with an all-weather seal coat. The areas must be constructed, drained and provided and maintained in a continuously useable condition to the satisfaction of the responsible authority.
17. Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be made available for such use and must not be used for any other purpose.
18. The redundant crossover and concrete pad on Craigieburn Road, and the redundant crossover on Benston Street, must be reinstated to curb and channel to the satisfaction of Council's Assets Department.

REPORT NO: SU316 (cont.)

19. In areas set aside for parking, kerbs or barriers or other means of protection must be installed to the satisfaction of the responsible authority so as to prevent damage by vehicles to the fence and landscaping.
20. When the use hereby permitted is not in operation, the car park area must be closed and access restricted by means approved by the responsible authority.
21. No goods or packaging materials shall be stored outside the building.
22. Any alarm or security system installed on the subject land or premises must be of a silent type, connected to a registered security firm.
23. The lighting of the car park area must be located and designed with suitable baffles so that no direct light is emitted outside the site.
24. Any equipment required for refrigeration, air condition, heating and the like must be located on the subject land or premises and/or must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
25. All parking bays must be line marked including disabled and associated shared area pavement marking.
26. Provision of litter control at stormwater inlet points within car park area, including side entry pit litter baskets. All stormwater pits to be channel grated or grated as per Council's standard drawing SD 210/215 or SD225 respectively.
27. Stormwater from all paved areas must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
28. Any cut or fill must not interfere with the natural overland stormwater flow.
29. No polluted and/or sediment laden runoff is to be discharge directly or indirectly into Council's drains or watercourses during and after development.
30. Only those street trees identified on the endorsed plans to be removed are permitted to be removed or impacted. The removal and replacement costs must be paid by the developer, prior to removal.
31. This permit will expire if one of the following circumstances applies:
  - a. The use and development is not commenced within three years of the date of this permit.
  - b. The development is not completed within six years of the date of commencement.
  - c. The use is discontinued for a period of two years.

The responsible authority may extend the periods referred to if a request is made in writing:

- Before, or within six months after, the permit expiry date, where the use or development allowed by the permit has not yet started; or
- Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expiry date.

Notes:

1. If a request for an extension of commencement/completion dates is made out of time allowed by Condition 31, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.
2. Any modifications to existing vehicle crossings require an application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing is to be submitted to Council for approval. A copy of the Council endorsed plan showing all vehicle crossing details is to be attached to the application.

REPORT NO: SU316 (cont.)

3. An application for Legal Point of Stormwater discharge is required for the connection to the legal point of discharge.
4. The fence on the eastern boundary may be subject to Report and Consent, through Councils Building Department.
5. Prior to any works being carried out within the road reserve (nature strip), an application for “Non Utility Minor Works within the Municipal Road Reserve” must be lodged and approved by Council.
6. No signage is approved by way of this planning permit. Signage on the site must be in accordance with Clause 52.05 of the *Hume Planning Scheme*.

3. PROPOSAL:

- 3.1 It is proposed to demolish the existing dwellings at 31 Craigieburn Road and 2 Benston Street Craigieburn, in order to develop the land for a medical centre and alter the access to a Road Zone Category 1, being Craigieburn Road.
- 3.2 The proposed building is a double storey building, which provides for ground level parking and entry, with the majority of the operational floor space at the second storey. The ground level floor area is 125m<sup>2</sup> and the second storey floor area is 830m<sup>2</sup>.
- 3.3 The building presents as a two storey building along the Craigieburn Road frontage, whilst the Benston Street frontage presents as an elevated second storey with an open ground level. The façade is proposed to be clad in brick and render, with significant glazing.
- 3.4 The building is set back six metres from Craigieburn Road and Benston Street, with the closest point at the corner being set back 5.1 metres. The building is set back three metres from the property boundary at 4 Benston Street, and two metres from the property boundary of 33 Craigieburn Road. The second storey element is orientated towards the front of the site with approximately a third of the rear portion of the site left open.
- 3.5 Car parking is provided at ground level, with 43 car spaces provided, including two accessible parking spaces. The car park can be access via a crossover on Craigieburn Road and an access on Benston Street. Both accesses allow for two way vehicle movements.
- 3.6 Bicycle parking facilities are provided within the car parking area, with provision for eight bicycles to be parked.
- 3.7 Concept landscaping is shown within the front façade and within the car parking area with provision of trees, shrubs and lawns area.
- 3.8 Due to the slope of the land, a retaining wall is proposed on both the east and western boundaries. These retaining walls are proposed to be a maximum of 600mm high; with the area towards the eastern boundary being cut up to this height and the area towards the west being filled to this height.
- 3.9 A 1.8 metre high feature fence is proposed along the front boundary. The existing fencing located on the front boundary, which is combination of 1.8 metre Colorbond and chain wire mesh fencing is proposed to be removed. The side and rear boundary fences are proposed to be maintained as 1.8 metre Colorbond fencing.
- 3.10 The site has a permeable area of 24.1% of the overall site.
- 3.11 In terms of the proposed use, the following information has been provided by the applicant:

**REPORT NO: SU316 (cont.)**

- A maximum of 13 practitioners will be on the site at any one time, and these practitioners are to be a combination of dentists and medical practitioners.
- Hours of operation will be:
  - Monday – Friday 8:30am – 8pm
  - Saturday 8:30am – 6pm
  - Sunday 10am – 2pm
- The practice is intended to operate on an appointment basis, however the length and interval of appointments is based on specific patient needs and there is no standard appointment timing. ‘Walk-ins’ will only occur in the instance of an emergency and these may be redirected to nearby hospitals or ambulance, when appropriate.
- The building hosts 17 treatment rooms, a lower level tenancy space, two waiting rooms, two reception areas, four office/finance rooms, a sterilisation room, two meeting rooms, a lab and seven bathrooms. These facilities will support the maximum of 13 practitioners.
- The building has lift access to the second storey, as well as two staircases.

3.12 No signage is proposed as part of this application.

**4. SITE AND SURROUNDS:**

- 4.1 The subject site is located on the southern side of Craigieburn Road, Craigieburn and comprises of two separate parcels, with an overall site area of 1503sqm. The site itself is an irregular shaped lot with a frontage to Craigieburn Road and Benston Street. In terms of topography, the site has a fall of 700mm from the rear (southwestern) corner to the front (eastern) corner.
- 4.2 Each allotment currently contains a single-storey brick dwelling with a hipped tiled roofs. Access is via two single crossings, one off Craigieburn Road and one off Benston Street. The site is bound by fencing with a combination of paling and Colorbond materials, inclusive of the front boundaries. There are scattered non-native trees throughout the site.
- 4.3 The broader context is primarily a conventional residential setting with larger than average residential allotments set within a generally linear subdivision pattern. Dwellings are a combination of single and double storey, with pitched or hipped roof style, generally with brick walls and tile roofs.
- 4.4 There is an existing medical centre (dental clinic) adjoining the subject site at 33 Craigieburn Road. This was approved by Council by way of Planning Permit P16593.
- 4.5 Craigieburn Road features a bus route, with a bus stop in front of 33 Craigieburn Road.
- 4.6 Craigieburn Road is a major arterial road and carries two-lane traffic in each direction on either side of a median strip.
- 4.7 Whilst the area is predominantly residential in character, it is noted that there are various non-residential uses proximate to the site including the Craigieburn Plaza directly opposite the site.

**Restrictions on Title**

- 4.8 The property is formally identified as Lot 292 and 293 on Plan of Subdivision 13498, Volume 8297 Folio 990.
- 4.9 There are no registered encumbrances or restrictions on either lot.

**Planning History**

- 4.10 A review of available Council records did not produce any previous planning permits pertaining to the subject land.

REPORT NO: SU316 (cont.)

**Aboriginal Cultural Heritage**

4.11 The land is not located within an area of cultural heritage sensitivity as described in the *Aboriginal Heritage Regulations 2007*.

**Major Electricity Transmission Line**

4.12 The land is not located within 60 metres of a major electricity transmission line.

**5. PLANNING CONTROLS:**

5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

*State Policies:* Clause 11: Settlement  
Clause 15.01-1: Urban Design  
Clause 15.02: Sustainable Development  
Clause 17.01-1: Business  
Clause 18.05-5: Car Parking  
Clause 19.02-1: Health Facilities

*Municipal Strategies:* Clause 21.01: MSS  
Clause 21.02-2: Hume Corridor  
Clause 21.03-1: Liveable Communities  
Clause 21.04-1: Urban Design  
Clause 21.04-2: Environmentally Sustainable Design  
Clause 21.05-1: Activity Centres  
Clause 21.06-1: Economic Development

*Zones:* Clause 32.08: General Residential Zone 1

*Overlays:* Nil

*Particular Provisions:* Clause 52.06: Car Parking  
Clause 52.34: Bicycle Parking  
Clause 52.29 Alter an access to a Road Zone Category 1

*General Provisions:* Clause 65: Decision Guidelines  
Clause 65.01: Approval of an Application or Plan

5.2 The State planning provisions encourage the integration of health facilities within local and regional communities to meet the existing and likely future demand.

5.3 Clause 21.02-2 – Hume Corridor, Objective 6 specifically seeks:

- *“To secure the delivery of higher order health, recreation and education facilities in the Hume Corridor.”*

5.4 Clause 21.03-1 – Liveable Communities provides further guidance, highlighting one of the key issues is to ensure that residents have good access to a range of quality services and facilities by:

- *“Delivering the infrastructure that is needed to support liveable, connected and healthy communities in line with urban growth so that it does not place an unacceptable strain on existing infrastructure and services in established areas.”*

5.5 The following objectives / strategies are relevant in this instance:

- *“To ensure the provision of local infrastructure and services that meets the needs of the local community.”*
- *“Facilitate the co-location of community facilities with complementary uses such as education, recreation and health services.”*

5.6 Clause 21.06-1 – Economic Development, Objective 1 seeks to

REPORT NO: SU316 (cont.)

- *“To facilitate economic growth and job diversity through the continued support of existing businesses and the attraction of new businesses.”*
- 5.7 It specifically discourages the placement of health facilities outside identified activity areas.
- 5.8 The subject site is located in the General Residential Zone Schedule 1. The purpose of the General Residential Zone (Schedule 1) is:
- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
  - *To encourage development that respects the neighbourhood character of the area.*
  - *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
  - *To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.*
- 5.9 Cragieburn Road is a Road Zone Category 1, and is managed by Clause 52.29, which has the purpose:
- *To ensure appropriate access to identified roads.*
  - *To ensure appropriate subdivision of land adjacent to identified roads.*

**6. REFERRALS:**

- 6.1 The application was required to be referred to VicRoads under Section 55 of the Planning and Environment Act 1987 (“the Act”). VicRoads do not object to the proposal, subject to permit conditions. These conditions have been included in the recommended conditions.
- 6.2 Internal referrals were made to the following departments:
- 6.3 The application was referred internally to Council’s Assets (Engineering and Traffic) Department. The Assets Department advised that they have no objection to the application and that the traffic generation anticipated could be accommodated by the surrounding road network. Standard conditions relate to vehicle access and drainage have been recommended, and these have been included as conditions or notes in the recommendation.
- 6.4 The application was referred to Community and Activity Centres Department, with regard to urban design outcomes. No objections were raised, although areas of improvement were suggested. These improvements have been captured through the request for Condition 1 plans.
- 6.5 The application was referred to the Parks Department, as the proposed crossover on Benston Street will impact an existing street tree, and the re-establishment of the curb on Cragieburn may impact an existing street tree. Street tree removal and replacement is required to be at the cost of the developer. A permit condition will reflect this.

**7. ADVERTISING:**

- 7.1 The application was advertised under Section 52 of the *Planning & Environment Act 1987* by way of letters to adjoining land owners and occupiers and two notice boards placed on site for a minimum of 14 days as prescribed in the *Act*. Three objections and a petition with 18 signatories were received.
- 7.2 The grounds of objection are summarised below:
- Traffic and cycling route impacts



REPORT NO: SU316 (cont.)

- Car park entry on Benston Street
- Scale of development and visual bulk
- Creation of precedent for commercial uses within the residential area
- Contrary to the residential purpose of the zone
- Reduced Privacy

8. OBJECTOR CONCERNS:

8.1 The grounds of objection are addressed below:

8.2 Traffic, cycling routes and parking, and Benston Street car park access

Objectors have raised concerns in relation to the proximity of the proposed Benston Street access to the existing to the adjoining property in Benston Street, the potential congestion in Benston Street, safety issues of bike parking spaces and cycling routes in the area, and the promotion of car dependency through this proposal. One objection also queried the opportunity for cyclist route improvements along Craigieburn Road.

Council's Traffic Engineers have reviewed the proposal and raised no objection in regards to traffic safety or car parking. The access to Benston Street was reviewed and is considered to meet the required sight line distance from the Craigieburn Road intersection to ensure safe traffic movements.

The application was also referred to VicRoads who did not raise concerns.

A permit condition is proposed to improve the bike parking area within the development.

The overall improvement of cyclist networks is outside the scope of this individual application.

8.3 Scale of development and visual bulk

An objection raised concerns about the scale of the development in the context of the area, and the visual bulk of the proposal.

Further improvements to the façade of the building will be achieved through permit conditions, to promote increased articulation and change of colour palette to reduce the 'heaviness' of the built form.

The size of the building is considered appropriate in context to the commercial area on the opposite side of Craigieburn Road, the setbacks proposed from the adjoining residential properties and the opportunities for landscaping.

8.4 Creation of precedent

It is a long established principle that each application should be assessed on its merits against the relevant planning provisions. The creation of a precedent is not considered to be a valid ground of objection and any argument on this basis could not be sustained if challenged at the VCAT. According to VCAT decision *Shashjit Varma Pty Ltd v Boroondara CC & Ors (2013)*, each proposal must rise or fall on its individual merits.

Further to this, *Zerbe & Starks v. City of Doncaster and Templestowe (1984)* found the following "Moreover for the Board to decide against a development through a fear of creating a precedent the Board must also find that the subsequent development would be undesirable. In other words it is not enough to demonstrate that a particular decision will create a precedent. It must also be shown that it will be a bad precedent."

The proposal is compliant with the *Scheme* and is found to be a suitable proposal for the site.

8.5 Contrary to purpose of the residential zone

An objector has raised concern in relation to the original intent of the area. Current policy applicable to the site allows for the proposal to be considered and assessed

REPORT NO: SU316 (cont.)

based on its merits. It is found that the overarching principles of providing health facilities servicing the community while limiting amenity impacts are met by the proposal.

8.6 Privacy impacts

An objector raised concerns with regard to privacy to their Secluded Private Open Space, and made suggestions of obscured windows and a high fence.

The permit will be conditioned requiring a 1.8 metre high fence along the boundary, which is to be from the proposed ground level. Additionally, windows are to be fully obscured on the second storey on the eastern, western and southern elevations. It is considered that these measures will adequately protect both the residents of the adjoining properties, and the patients of the medical facility.

9. **ASSESSMENT:**

**Clause 52.06 – Car Parking**

9.1 The car parking provision proposed must be considered pursuant to Clause 52.06 of the *Scheme*, which requires that car parking spaces must be provided on the land to the satisfaction of the responsible authority prior to:

- *A new use commencing or*
- *A new building being occupied or*
- *The floor or site area of an existing use being increased or*
- *The number of patrons, seats or practitioners at an existing use being increased.*

9.2 The proposal includes 43 on-site car spaces which exceeds the parking requirements set out in the table at Clause 52.06-5. This clause specifies that a medical centre must provide five car parking spaces for the first person providing health services plus three spaces to every other person providing health services. Based on the calculation of Clause 52.06-5, 41 car spaces are required for 13 practitioners. The proposal complies with the requirements of Clause 52.06 of the *Scheme*.

9.3 In terms of the design standards for car parking, the application was referred to Council's Traffic Engineers who did not raise any significant concerns regarding the parking layout, aside from location of accessible car parking spaces which will be managed by way of permit condition. It is noted that the design of the car park meets the remaining requirements of Clause 52.06.

**Clause 52.34 – Bicycle Facilities**

9.4 Pursuant to Clause 52.34-1, a new use must not commence, or the floor area of an existing use must not be increased, until the required bicycle facilities and associated signage has been provided on the land.

9.5 As 13 practitioners are proposed at the site at any one time, the proposed use triggers the requirement for four bicycle spaces in total.

9.6 Provision for the parking of eight bicycles has been provided, which exceeds this requirement.

9.7 Improvements to bicycle parking area will be managed by permit condition.

**Clause 52.29 – Land Adjacent to a Road Zone Category 1**

9.8 This clause stipulates that a planning permit is required to create or alter an access to a Road Zone Category 1, and that the application must be referred to VicRoads under Section 55 of the Act.

9.9 This referral was undertaken and VicRoads do not object to the alteration of the access on Craigieburn Road, subject to conditions.

REPORT NO: SU316 (cont.)

**Is the proposal consistent with State and Local Planning Policy Framework?**

9.10 The proposal is generally consistent with the broad aims of State Planning Policy Framework within the *Scheme*. The SPPF encourages the integration of health facilities within local and regional communities. This is further expressed in Local Planning Policy Framework within the *Scheme* which encourages the provision of accessible health facilities that meet the needs of the community, reduce the pressure on existing services and sited to form a cluster of health, community and recreational facilities. Local policy also encourages the provision of health facilities within recognised activity centres.

**Is the proposal appropriate within the existing context?**

9.11 Having regard to the provisions of the General Residential Zone, a medical centre does not require a permit for 'use' provided certain conditions are met. The zone therefore clearly anticipates such use in these areas. In this case a permit is triggered due to the size of the proposed medical centre and therefore does not meet the 'as of right' conditions.

9.12 Craigieburn Road is an identified Road Zone Category 1 and has many of the typical characteristics of a Road Zone being two-lane traffic in each direction, median strip, wide road verge and traffic signals.

9.13 The property is located opposite to a Neighbourhood Activity Centre, which is known as Craigieburn Plaza. The area consequently provides for transport access which ensures the site is easily accessible by motor vehicle, public transport (bus service) and cycle/pedestrian routes, and the likelihood of multipurpose trips to this area.

9.14 In terms of the proposed development, the built form is considered appropriate subject to conditions which will further improve the articulation of the building.

9.15 Whilst will be a significant increase in the extent of paving in the front setback, ample opportunity exists for the provision of appropriate landscape to soften hardstand areas. The submission of a detailed landscape plan showing a depth of planting around the paved areas is considered essential to ensure the development creates a landscaped frontage, and will be secured by permit condition. It is also considered that the change of fence type from the existing Colorbond and mesh fencing featured on 31 Craigieburn Road and 2 Benston Street, to a permeable fence type, will improve the sense of openness and passive surveillance on this corner.

9.16 In terms of providing health services which meet the needs of the community it is noted that the established areas within the municipality, including Craigieburn, are expected to have their population levels increase. Clause 22.01-2 (Key Issues and Influences) also states the established areas are generally of an ageing demographic which will prompt the need for additional health facilities.

9.17 Whilst a significant portion of the immediate context is conventional residential, the site is proximate to community and recreational land uses directly opposite to the site, and the adjoining property of 33 Craigieburn Road is utilised as a dental clinic.

9.18 It is considered that the proposed use is appropriate as it supports the existing residential function whilst being appropriately orientated towards established commercial and non-residential uses.

**Will the proposal cause unreasonable amenity impacts?**

9.19 Having regard to amenity impacts, the prominent potential amenity impacts are overlooking, overshadowing, noise, traffic and waste management.

9.20 Whilst the hours of operation will extend into the evening as well as on Sunday, the use will primarily operate on an appointment basis minimising the likelihood of 'walk-ins' and disruptions. Given the main road location and existing traffic noise combined with

**REPORT NO: SU316 (cont.)**

the distance and buffers to nearby residential properties, it is considered unlikely that the proposal will have any significant adverse amenity impacts to the adjoining properties, subject to appropriate conditions.

- 9.21 Traffic flow and parking have been considered by Council's Assets Department and Vicroads, and is considered to be appropriately managed.
- 9.22 Overlooking concerns have been addressed throughout this report and are considered to be managed by way of design and permit conditions, with the full screening of windows and boundary fences of an appropriate height.
- 9.23 Overshadowing impacts were addressed throughout the assessment of the proposal. The setbacks from residential uses, orientation of the lot, and flat roofed nature of the proposal ensure that overshadowing of neighbouring properties is minimised to an acceptable level.
- 9.24 Noise impacts are mitigated by hours of operation and permit conditions surrounding amenity impacts and use of a silent alarm system.
- 9.25 Waste shall be collected by private waste collection, and this will be enforced by way of a Section 173 Agreement on Title.
- 9.26 It is considered that foreseeable amenity concerns have been managed through design and proposed condition.

**10. CONCLUSION**

The proposed use and development of a medical centre and alteration of an access to a Road Zone Category 1 suitably complies with the requirements of the *Hume Planning Scheme* subject to the conditions set out in the officer's recommendation. It is recommended that the application be supported.

## LOCALITY PLAN

Permit Application: P20777

Site Address: 31 Craigeburn Road and 2 Benston Street Craigeburn

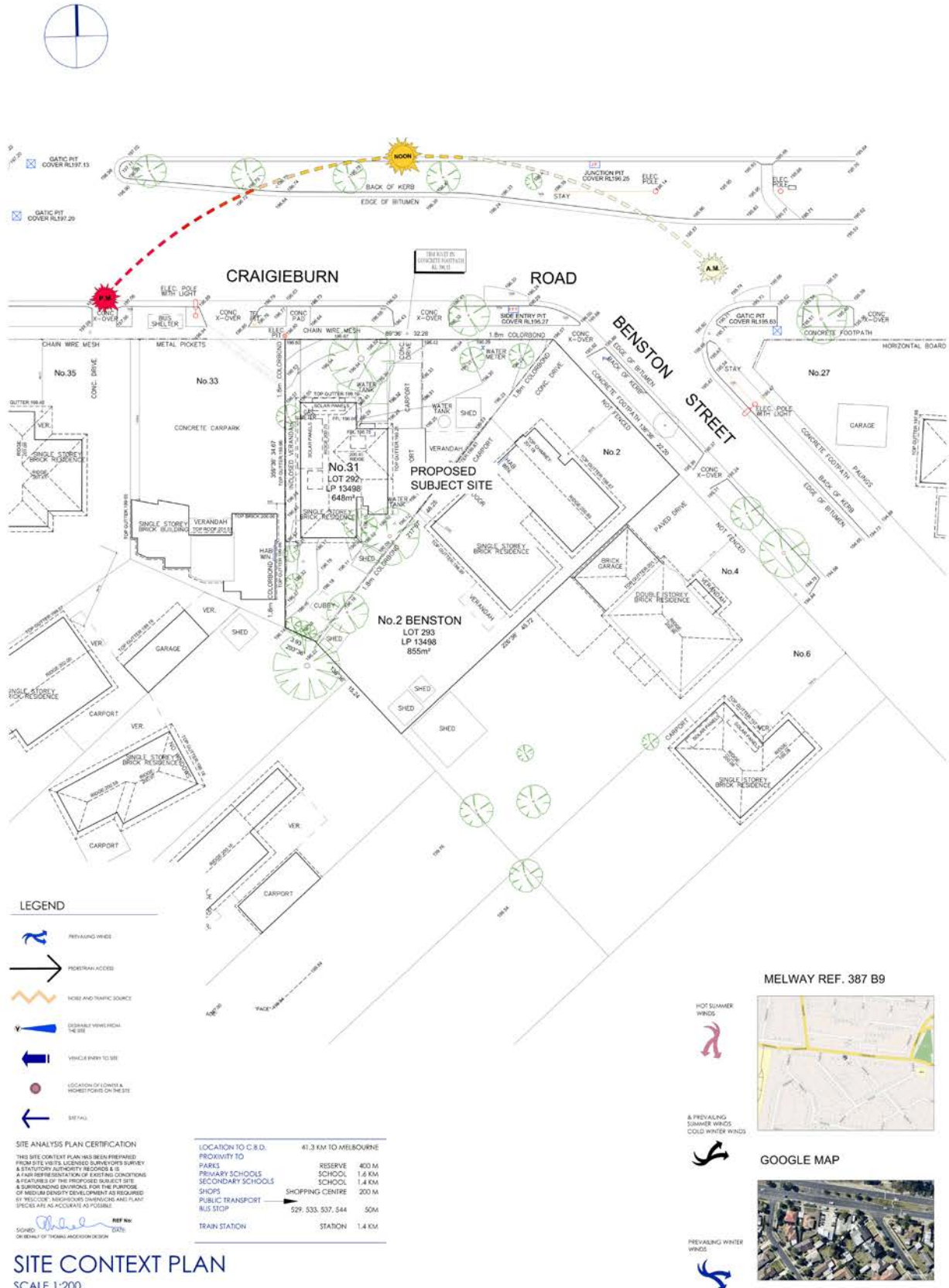
Subject Site



Subject Site

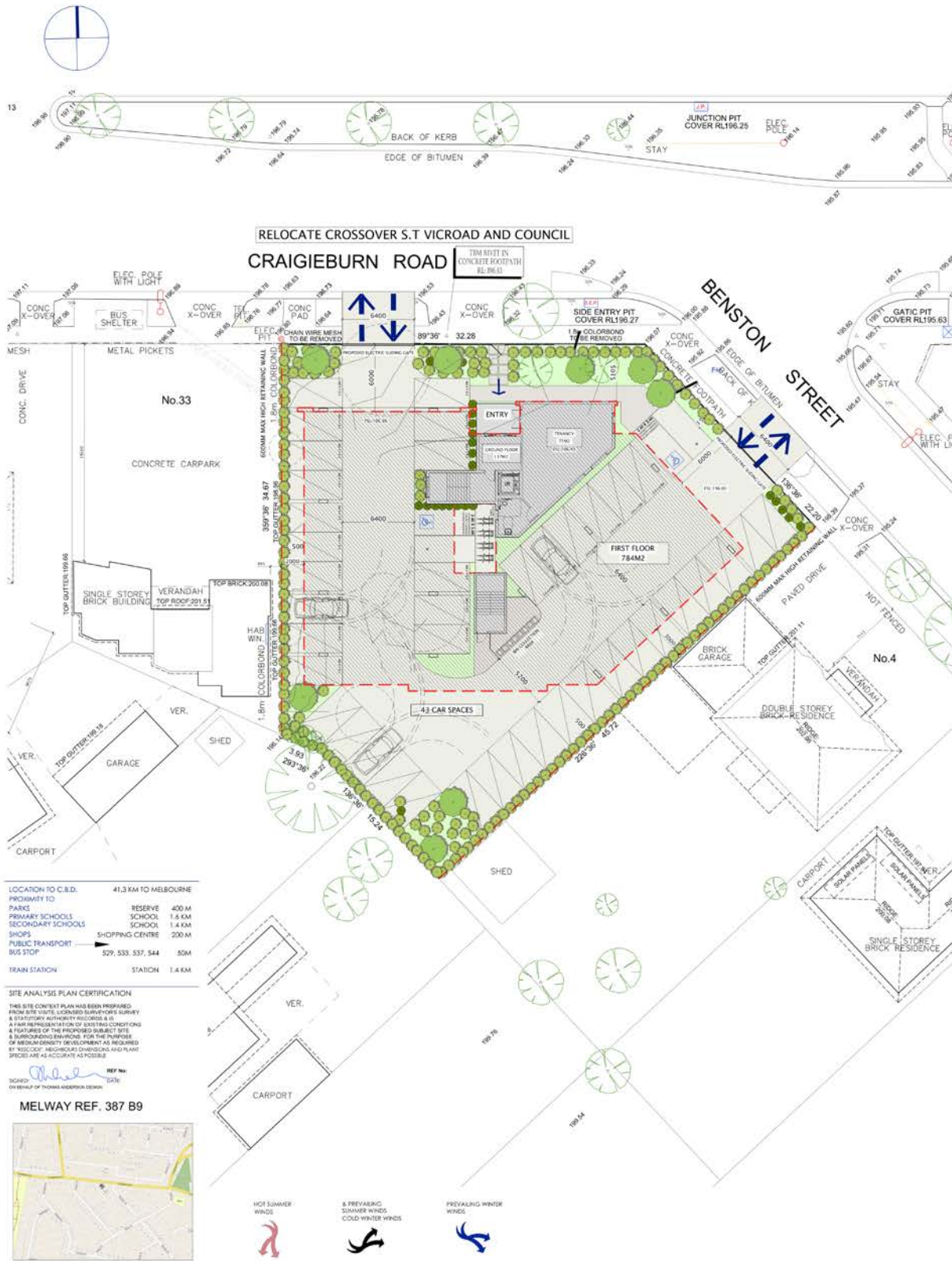












LOCATION TO C.B.D. 41.3 KM TO MELBOURNE

PROXIMITY TO

PARKS	RESERVE	400 M
PRIMARY SCHOOLS	SCHOOL	1.8 KM
SECONDARY SCHOOLS	SCHOOL	1.4 KM
SHOPS	SHOPPING CENTRE	200 M
PUBLIC TRANSPORT	STATION	1.4 KM
BUS STOP	STATION	50M

**SITE ANALYSIS PLAN CERTIFICATION**

THIS SITE CONTEXT PLAN HAS BEEN PREPARED FROM SITE VISIT, AIRBORNE SURVEY, PHOTOGRAPHY & STATUTORY AUTHORITY RECORDS AND IS A FAIR REPRESENTATION OF EXISTING CONDITIONS & SURROUNDING ENVIRONMENT. FOR THE PURPOSE OF RESIDENTIAL DEVELOPMENT AS REQUIRED BY RESCIFIC NEIGHBOURHOODS AND PLANT SPECIES ARE AS ACCURATE AS POSSIBLE.

SIGNED: REF No: 17-0364  
ON BEHALF OF THOMAS ANDERSON DESIGN DATE: 17/07/2018



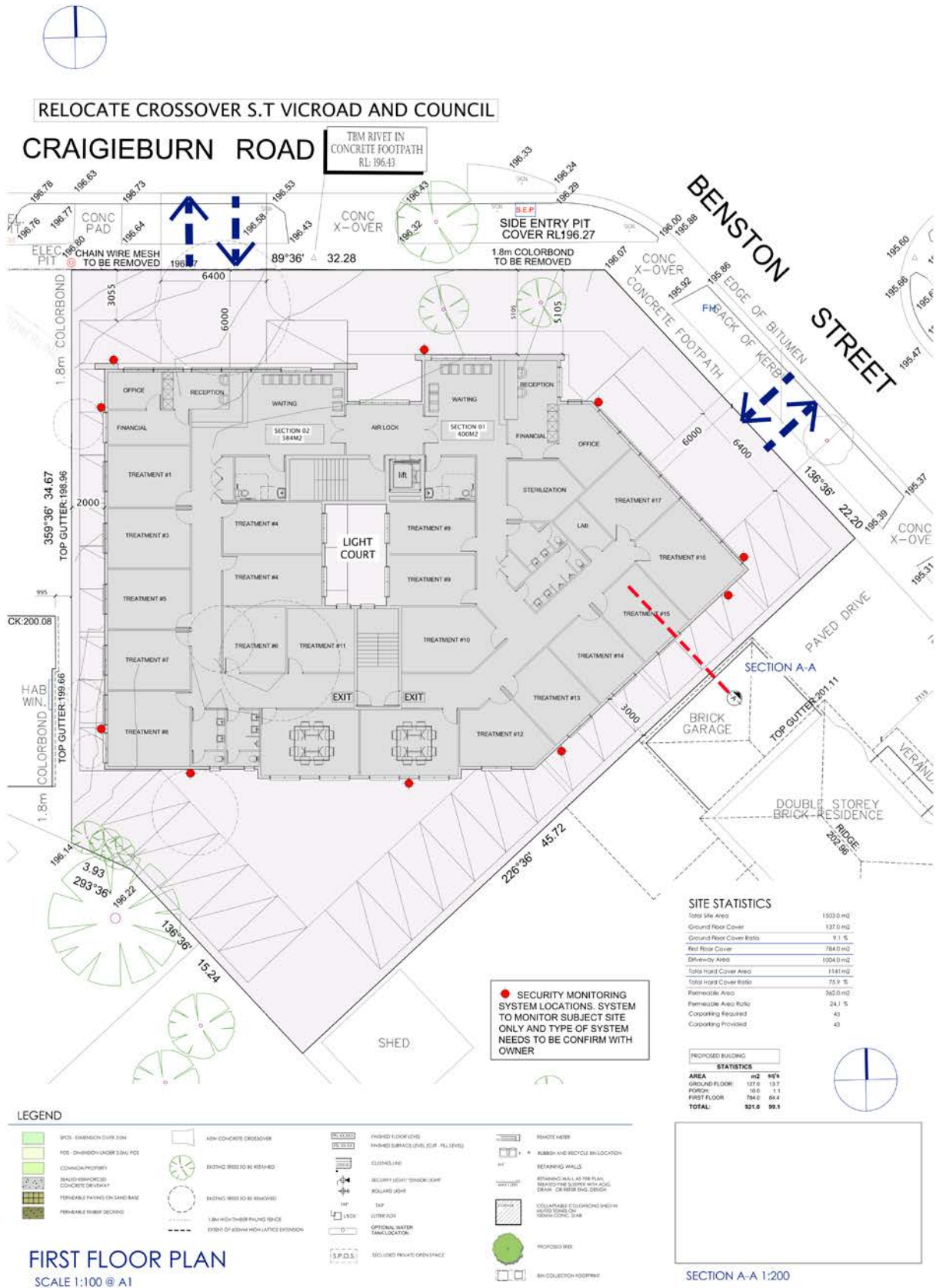
**SITE PLAN**  
SCALE 1:150

<b>PROPOSED DEVELOPMENT</b> CLIENT: SAM SHERVIN	THOMAS ANDERSON DESIGN	<b>MEDICAL CENTRE</b> 31 CRAIGIEBURN ROAD & 2 BENSTON STREET, CRAIGIEBURN	ISSUE C 17-0364	JUN17 F.A.	<b>2</b>

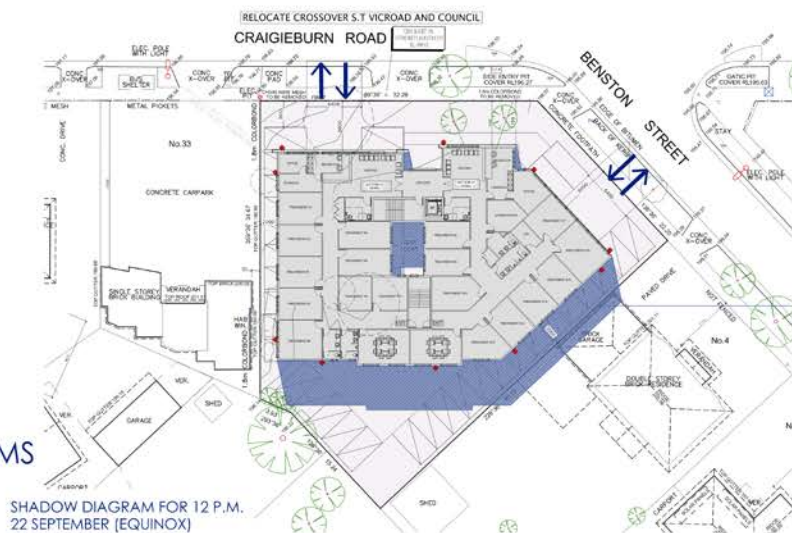
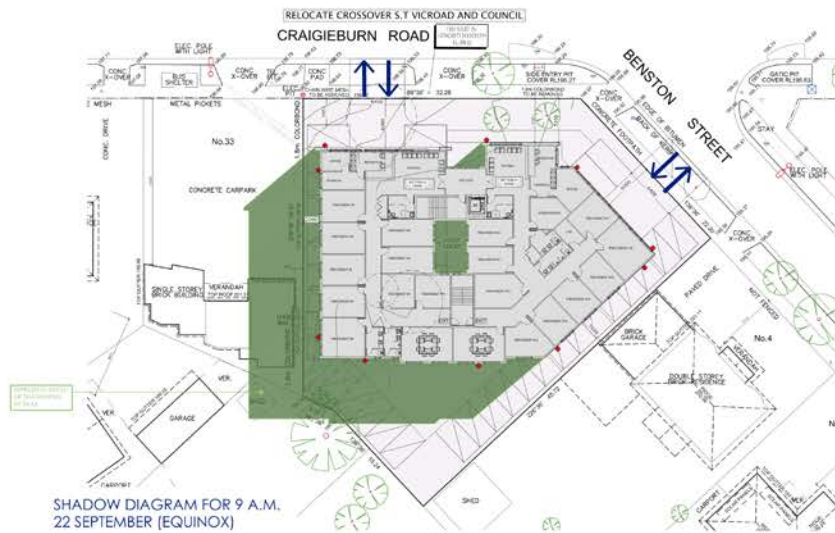
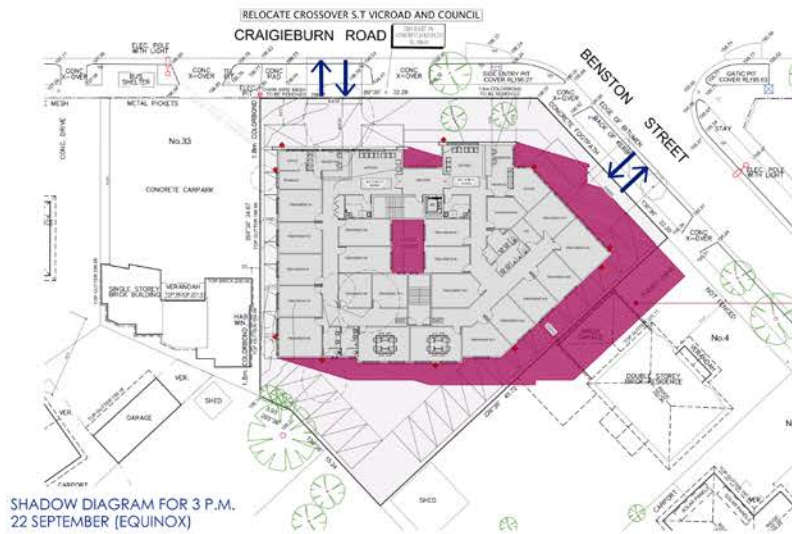












SHADOW DIAGRAMS  
 SCALE 1:250







ELEVATIONS  
SCALE 1:100

<p><b>PROPOSED DEVELOPMENT</b> CLIENT: SAM SHERVIN</p>		<p><b>MEDICAL CENTRE</b> 31 CRAIGIEBURN ROAD &amp; 2 BENSTON STREET, CRAIGIEBURN</p>	<p>ISSUE C 17-0364 JUN17 FA <b>5</b></p>
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<b>REPORT NO:</b>	SU317
<b>REPORT TITLE:</b>	15 Berger Street, Dallas - The development of a double storey dwelling to the rear of the existing dwelling
<b>SOURCE:</b>	Najla Toma, Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P20702
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	1. <i>Locality Map</i> 2. <i>Development Plans</i>

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<b>Application No:</b>	P20702
<b>Proposal:</b>	The use and development of a double storey dwelling to the rear of the existing dwelling
<b>Location:</b>	15 Berger Street, Dallas
<b>Zoning:</b>	General Residential Zone – Schedule 1
<b>Overlay:</b>	Melbourne Airport Environs – Schedule 2
<b>Applicant:</b>	Harry Sofianos
<b>Date Received:</b>	1 September 2017

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**1. SUMMARY OF REPORT:**

Planning approval is sought to use and develop a new two-storey dwelling to the rear of an existing residence on the site at 15 Berger Street, Dallas. The application was advertised and four objections received. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* including consideration of issues raised in the objections. On balance the proposal is considered to be unacceptable and it is recommended that a Notice of Refusal be granted.

**2. RECOMMENDATION:**

**That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Refusal to Grant a Planning Permit for the use and construction of a double storey dwelling to the rear of the existing dwelling at 15 Berger Street, Dallas for the following reasons:**

- 1. The proposal does not fully satisfy the provisions of Clause 52.06 of the *Hume Planning Scheme* (Car Parking).**
- 2. The proposal does not comply with the following objectives of Clause 55 of the *Hume Planning Scheme*:**
  - a. Clause 55.02-1: Neighbourhood character objective.**
  - b. Clause 55.03-5: Energy efficiency objective.**
  - c. Clause 55.04-2: Walls on boundary objective.**
  - d. Clause 55.05-4: Private open space objective.**
  - e. Clause 55.05-5: Solar access to open space objective.**
  - f. Clause 55.06-1: Design detail objective.**

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3. PROPOSAL:

The proposal seeks to use and develop a two-storey to the rear of an existing two-storey dwelling on the subject land as follows:

- 3.1 The proposal seeks to retain the existing two bedroom, two-storey residence in-situ together with the construction of a new two-storey, two bedroom dwelling within the rear curtilage of the existing residence.
- 3.2 The new dwelling would comprise an open plan living / meals area and amenities at the ground floor level with access to secluded private open space area located in southern setback totalling 60 square metres. The upper floor level contains two bedrooms and a bathroom / ensuite.
- 3.3 The existing residence seeks to utilise an area of the site in the northern setback to Berger Street to facilitate a provision of secluded private open space totalling 59 square metres.
- 3.4 The proposed residence would seek to utilise the existing crossover and access from the north-east corner frontage to Berger Street; the existing dwelling proposes a new crossover and access from the south-west corner frontage to Torquay Street.
- 3.5 Each dwelling is provided with a single uncovered car space.
- 3.6 The proposed dwelling adopts a conservative contemporary design approach with the use of hipped roof profiles together with projecting eaves. The facades comprise face brickwork and render together with standard proportion fenestration detailing.
- 3.7 The following table provides a summary of the proposed development:

Site Area	616.36m <sup>2</sup>
Site Coverage	36.39% (60% max)
Permeability	51.21% (20% min)
Garden Area	35% (30% min)

- 3.8 The plans to be read in conjunction with this report are those received by the project architect on 20 December 2017.

4. SITE AND SURROUNDS:

**Site and Surrounds**

- 4.1 The subject site is located on the corner of Berger Street and Torquay Street, Dallas and is an irregular shaped lot totalling 616 square metres.
- 4.2 The site currently contains a two-storey brick dwelling with a pitched tiled roof. The site is generally devoid of any large canopy trees, however various mid-level trees and shrubs occupy the front and rear curtilages.
- 4.3 The area to the rear of the existing residence is occupied with a hardstanding driveway area leading from the crossover access at the north-east corner frontage of Berger Street to a garage.
- 4.4 The broader context is a conventional residential setting set within a curvilinear subdivision pattern to the south of the Laura Douglas Reserve and comprises a relatively consistent character of detached houses interspersed with the occasional townhouse development.
- 4.5 The immediate interface along Berger Street and Torquay Street is characterised by single-storey detached dwellings.
- 4.6 There is an example of a recent townhouse development at No. 6 Berger Street to the east of the subject site, which is a side by side, two-storey townhouse development.

REPORT NO: SU317 (cont.)

**Restrictions on Title**

4.7 No registered restrictive covenants are recorded on title.

**Planning History**

4.8 A review of available Council records did not produce any previous planning permits pertaining to the subject land.

**5. PLANNING CONTROLS:**

5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

*State Policies:* Clause 15.01-1: Urban Design  
Clause 15.01-2: Urban Design Principles  
Clause 15.01-5: Cultural Identity and Neighbourhood Character  
Clause 15.02-1: Energy and Resource Efficiency  
Clause 16.01-1: Integrated Housing  
Clause 16.01-2: Location of Residential Development  
Clause 16.01-4: Housing Diversity  
Clause 16.01-5: Housing Affordability  
Clause 18.04-1: Melbourne Airport

*Municipal Strategies:* Clause 21.03: Liveable Neighbourhoods and Housing  
Clause 21.04: Built Environment and Heritage

*Zones:* Clause 32.08: General Residential Zone

*Overlays:* Clause 45.08: Melbourne Airport Environs Overlay No.2

*Particular Provisions:* Clause 52.06: Car Parking  
Clause 55: Two or more dwellings on a lot

*General Provisions:* Clause 65.01: Approval of an Application or Plan

5.2 It is State policy to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity, and to achieve urban design outcomes that contribute positively to the local urban character.

5.3 It is also policy that new housing be designed to respond to the community needs by providing affordable higher density housing developments which are strategically located close to transport corridors and activity centres.

5.4 In relation to Housing, Clause 21.03-2 seeks:

*“To increase the diversity of housing in Hume”*

5.5 In relation to Built Environment, Clause 21.04 seeks:

*“To enable well designed medium and higher density residential development that protects the amenity of existing residents and sensitively responds to identified preferred neighbourhood character”*

5.6 The subject site is located in a General Residential Zone (Schedule 1). Pursuant to Clause 32.08-4 of the *Hume Planning Scheme*, a planning permit is required to construct two or more dwellings on a lot. The application must be assessed against the requirements of Clause 55 of the *Scheme*.

The purpose of the General Residential Zone (Schedule 1) is:

REPORT NO: SU317 (cont.)

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations*

5.7 The subject site is affected by the Melbourne Airport Environment Overlay (Schedule 2). A planning permit is required to use the land for a dwelling pursuant to Clause 1.1 of Schedule 2 to the Melbourne Airport Environs Overlay. A permit is required to construct a building or construct or carry out works for a use in Clause 1.0.

The Melbourne Airport Environment Overlay (Schedule 2) has the following purpose:

- *To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.*

5.8 Minimum garden area requirement:

Whether or not a planning permit is required for the construction or extension of a dwelling or residential building on a lot, a lot must provide the minimum garden area at ground level as set out in Clause 32.08-4. Having regard for the site area of 616 square metres, the development requires 30% of the site to be set aside as garden area. With a percentage area of 48%, the design meets the mandatory site area requirement.

#### **Aboriginal Cultural Heritage**

5.9 The land is not located within an area of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007.

#### **Major Electricity Transmission Line**

5.10 The land is not located within 60 metres of a major electricity transmission line.

#### **Planning Permit Trigger/s**

5.11 The permit trigger in this instance is Clause 32.08-4, which relates to the buildings and works associated with the construction of two or more dwellings on land located within a General Residential Zone and Clause 1.1 and Clause 2.0 of Schedule 2 to Clause 45.08 of the Melbourne Airport Environment Overlay.

### **6. REFERRALS:**

6.1 The application was required to be referred to Melbourne Airport under Section 55 of the *Planning and Environment Act 1987* ("the Act"). However, a referral was not made considering the plans did not respond appropriately to the identified issues in the request for further information letter.

An internal referral was made to Council's Assets Department on 1 September 2017. Responding comments highlighted that the number of bedrooms of the existing dwelling was unknown. As the dwelling contains three bedrooms there would be a requirement for two car spaces including one must be undercover.

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7. ADVERTISING:

7.1 The application was advertised under Section 52 of the Act by way of letters to adjoining land owners and occupiers and a notice board placed on site. Four objections were received citing the following grounds:

- The impact of the development on the existing parking and traffic conditions of the area;
- The condition and state of the existing dwelling;
- Overlooking; and
- Overshadowing.

8. OBJECTIONS:

The grounds of objections are addressed below:

8.1 The impact of the development on the existing parking and traffic conditions of the area

This objection is considered valid as the proposal fails to provide sufficient parking in accordance with Clause 52.06. The failure to provide sufficient on-site parking spaces would result in reliance on on-street parking, and ultimately effects on the existing traffic conditions. The insufficient parking provision is discussed in more detail in point 9.2 to 9.4 of this report.

8.2 The condition and state of the existing dwelling

This ground of objection is not considered to have merit. The existing dwelling appears to be in a good condition; and provided with construction materials and colours similar to those found within the streetscape. Additionally, the proposed dwelling will be provided with pitched tiled roof and brickwork 'mocha' walls on the ground floor, complementing the existing dwelling.

8.3 Overlooking

All first floor habitable room windows of proposed dwelling have been provided with suitable arrangements to eliminate overlooking to adjoining properties. This will be discussed in more detail in point 9.24 of this report.

8.4 Overshadowing

The submitted shadow diagrams reveal that the existing secluded private open spaces of abutting dwellings will receive sufficient solar access throughout the day. However, it is noted that overshadowing to existing habitable room windows of the abutting dwelling at No. 13 Berger Street will occur from 3pm. In this instance, the overshadow effect is considered reasonable and does not contravene the objectives of Standard B20 (North-facing windows) and Standard B21 (Overshadowing open space).

9. ASSESSMENT:

9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 is provided below. In short, the proposal does not comply with the relevant objectives of these clauses of the *Scheme*.

**Clause 52.06 – Car Parking**

9.2 The existing dwelling contains two bedrooms and a study at the ground floor level. Table 1 to Clause 52.06-5 requires two spaces to each three or more bedroom dwellings (with studies counted as a bedroom) where one space must be undercover. The existing dwelling has been provided with a new single car space which is not in accordance with Clause 52.06.

9.3 The proposed dwelling will contain two bedrooms and is provided with a single car space which meets the requirements for two bedroom dwellings in accordance with

REPORT NO: SU317 (cont.)

Clause 52.06. However the design standards also include consideration of urban design principles such as whether ground level car parking visually dominates public space (Design Standard 5: Urban Design). Both car spaces project forward of the front building line of the associated dwelling. This is of particular concern with respect to the new dwelling which has a narrow front wall (six metres) and angled driveway whereby the parking space is situated directly forward of the building and together with the associated hard surfacing will occupy much of the small front setback of this dwelling.

- 9.4 The proposed car spaces will likely be the dominant feature, as opposed to the preferred front wall of the dwelling and landscaping, this will be to the detriment of the streetscape. The existing dwelling has a much wider residential frontage and the car space is to the side, rather than front setback. Whilst it projects forward of the front building line, it is not an uncommon arrangement in this area and would not be to the detriment of the streetscape. However, the existing dwelling has not been provided with the required number of car spaces.

**Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)**

Standard B1 – Neighbourhood Character

- 9.5 The surrounding area has a consistent detached single-storey character interspersed with the occasional two-storey dwelling and townhouse redevelopment. As such, the existing setting of Berger Street can be described as a moderate-density, residential setting with an emerging character of replacement and multi-dwelling development. The streetscape is typically characterised with open style landscaped front gardens and medium to low front fencing.
- 9.6 The principle of medium density residential development is generally supported from a local policy perspective, which seeks... *“to increase the diversity of housing in Hume”* (Clause 21.03 – Objective 4) and to... *“encourage the development of one and two bedroom dwellings”*. In this case, the proposal will provide two (x 2), 2 bedroom dwellings thereby providing for suitable diversity in terms of the accommodation profiles.
- 9.7 Notwithstanding the above, all new development is subject to the caveat that it must achieve an appropriate design solution from a neighbourhood character context. From a design perspective, Clause 21.04 seeks to... *“enable well designed medium and higher density residential development that protects the amenity of existing residents and sensitively responds to identified preferred neighbourhood character”*. Importantly, the policy seeks to... *“encourage and support well designed infill residential development in areas characterised by single and double storey detached dwellings”*.
- 9.8 In terms of being site responsive and appropriate within the context of the existing setting, the decision to retain the existing dwelling significantly constrains the site. The existing dwelling is situated central to the site with the greater portion of open space areas within the two road frontages. As a result, the proposal results in a concentrated floorplate through the south-east corner of the site which lacks appropriate consideration of backyard character considerations, visual bulk and neighbouring amenity considerations. The proposal is considered to be a poor design response that would be to the detriment of the existing neighbourhood character. Given the shape and location of the existing dwelling, it is difficult to conceive an appropriate design response where the existing dwelling is retained.

It is considered that the design fails to suitably respond to the... *“features of the site and the surrounding area”*.

Standard B2 – Residential Policy

- 9.9 The proposal includes an appropriate written response conveying an assessment of the relevant housing policy objectives.

Standard B3 – Dwelling Diversity



REPORT NO: SU317 (cont.)

- 9.10 The development would comprise fewer than ten dwellings and therefore this standard does not apply.

Standard B4 – Infrastructure

- 9.11 The proposed dwellings are appropriately located in the context of an established urban environment and infrastructure, with the ability to be connected to all relevant services and utilities.

Standard B5 – Integration with the Street

- 9.12 The dwellings would have a direct street interface through the provision of front entry porches and the common access, as well as various habitable room windows providing passive surveillance of the streets.

**Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15)**

Standard B6 – Street Setback

- 9.13 The proposed dwelling will be setback 10 metres from the road frontage and therefore meets the requirements of Standard B6.

Standard B7 – Building Height

- 9.14 The new dwelling will have a maximum building height of approximately 6.4 metres, well below the maximum height threshold requirement of Standard B7.

Standards B8 – Site Coverage and B9 – Site Permeability

- 9.15 Proposed site coverage and permeability satisfy Standards B8 and B9, with 31% and 51% respectively.

Standard B10 – Energy Efficiency

- 9.16 The living area of the new dwelling is provided with only south facing windows that will have limited solar access. The position of the existing dwelling, namely the two-storey component of this dwelling in its respective south-west corner floorplate, will further exacerbate the ability for natural light to enter the proposed dwelling, with afternoon western sunlight also compromised by the existing dwelling. It is considered that the design is contrary to the requirements of Standard B10.

Standard B11 – Open Space

- 9.17 The site does not directly abut any public open space.

Standard B12 - Safety

- 9.18 The dwellings would have clearly definable entries and front porch accessed directly from the road interface. Windows are orientated to have an outlook over the street. The layout therefore provides for the safety and security of residents in accordance with the requirements of Standard B12.

Standard B13 – Landscaping

- 9.19 There is adequate opportunity for planting within each of the areas set aside for private recreation. Similarly, the front setback can accommodate appropriate landscaping opportunities including the addition of canopy trees.

Standard B14 – Access

- 9.20 Vehicle access is generally safe, manageable, and convenient, in accordance with Standard B14.

Standard B15 – Parking Location

- 9.21 Vehicle parking for the dwellings is appropriately located and provides convenient parking for residents with no foreseeable amenity impacts as a result of noise.

REPORT NO: SU317 (cont.)

**Clause 55.04 – Amenity Impacts (Standards B17 to B24)**

Standard B17 - Side and Rear Setbacks

9.22 All walls have been setback in accordance with Standard B17.

Standard B18 – Walls on Boundaries

9.23 The proposed eastern wall on boundary would exceed the specified average height requirements of Standard B18, contrary to the requirements of the standard.

Standard B19 – Daylight to Existing Windows

9.24 The proposal allows for the adequate separation of the proposed built form in relation to all existing windows on neighbouring properties, with the required lightcourts provided.

Standard B20 – North Facing Windows

9.25 There are no existing north facing habitable room windows affected by the proposal.

Standard B21 – Overshadowing

9.26 The submitted shadow diagrams demonstrate that the secluded private open space of the neighbouring abuttals will receive more than the required 5 hours of daylight over a minimum area of 40 square metres in accordance with the requirements of the objective.

Standard B22 – Overlooking

9.27 The side and rear boundary fencing is notated as 'timber palings' 1.8 metres in height and would appropriately mitigate ground floor level overlooking opportunities. In relation to the elevated perspectives, all upper level windows appear suitably screened (externally fitted screens and/or opaque glazing) or will have sill heights of 1.7m above floor level in accordance with the requirements of the Standard.

Standard B23 – Internal Views

9.28 All internal perspectives have been suitably managed to accord with the requirements of this standard.

Standard B24 – Noise

9.29 The proposal is unlikely to give rise to additional noise beyond what would normally be expected from residential properties. There are no noted external sources of noise i.e. air conditioning units.

**Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30)**

Standard B25 – Accessibility

9.30 The dwelling entries are potentially accessible for people with limited mobility as minimal steps are required for entry and necessary upgrades could be accommodated in the future should the need arise.

Standard B26 – Dwelling Entry

9.31 The dwellings have clearly definable entries and front porches which are accessed directly from the road frontages.

Standard B27 – Daylight to New Windows

9.32 All proposed habitable rooms are provided with windows that have the requisite dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.

Standard B28 – Private Open Space

9.33 The areas of secluded and private open space exceed the minimum size and dimension requirements, however the area proposed for the existing residence lacks

REPORT NO: SU317 (cont.)

suitable connectivity from the internal living areas as required by the Standard. The proposal is considered to be contrary to Standard B28 due to a lack of.... “*convenient access from a living room*”.

Standard B29 – Solar Access to Open Space

- 9.34 The area of secluded private open space (SPOS) for the proposed dwelling is situated on the southern side of the dwelling thereby requiring a minimum 7.0 metre setback from the upper floor wall alignment to the southern side of the SPOS. The proposed setback of 5.5 metres falls short of this requirement and the proposed dwelling will not receive adequate solar access and is contrary to the requirements of Standard B29.

Standard B30 – Storage

- 9.35 Storage has been provided in the form of an external shed for both dwellings which meets the storage requirements of Standard B30.

**Clause 55.06 – Detailed Design (Standards B31 to B34)**

Standard B31 - Design Detail

- 9.36 The poor on-site parking provision and inappropriate façade articulation (i.e. *parapet walls*) on the south and west elevations of proposed dwelling, suggest that the proposal fails to provide an appropriate design response that is suitable in the context of the existing and emerging character of the area.

Standard B32 – Front Fence

- 9.37 There is no proposed front fencing.

Standard B33 – Common Property

- 9.38 The proposed layout is unlikely to give rise to any future management problems should the land be subdivided in the future.

Standard B34 – Site Services

- 9.39 The plans suitably demonstrate the location of bin storage and other ancillary facilities.

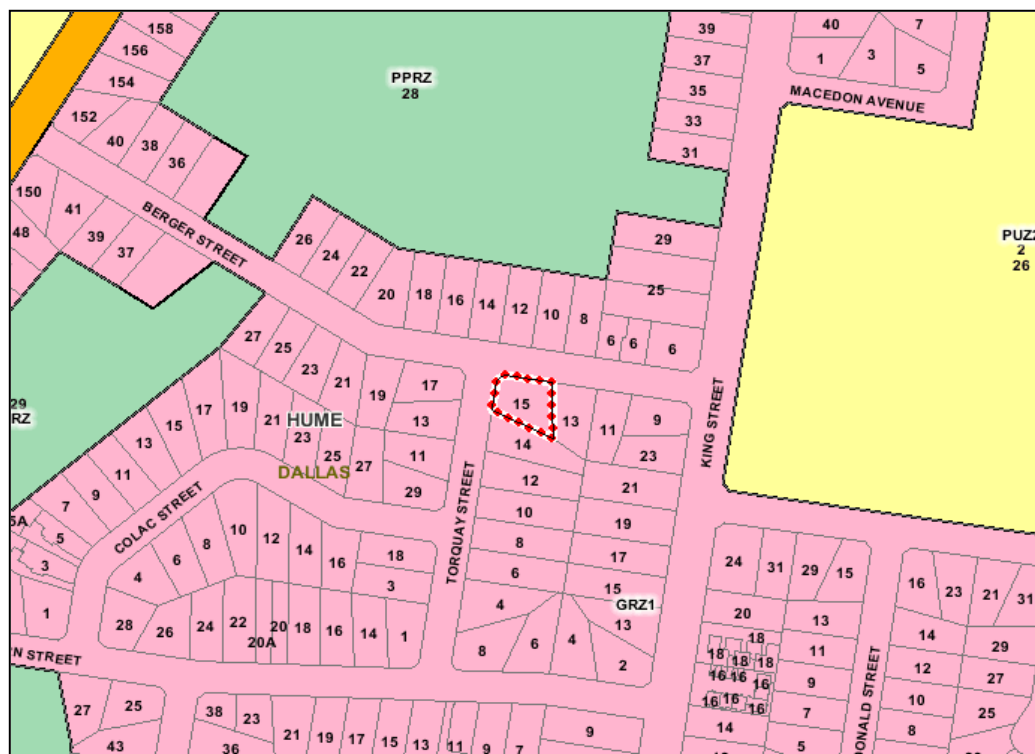
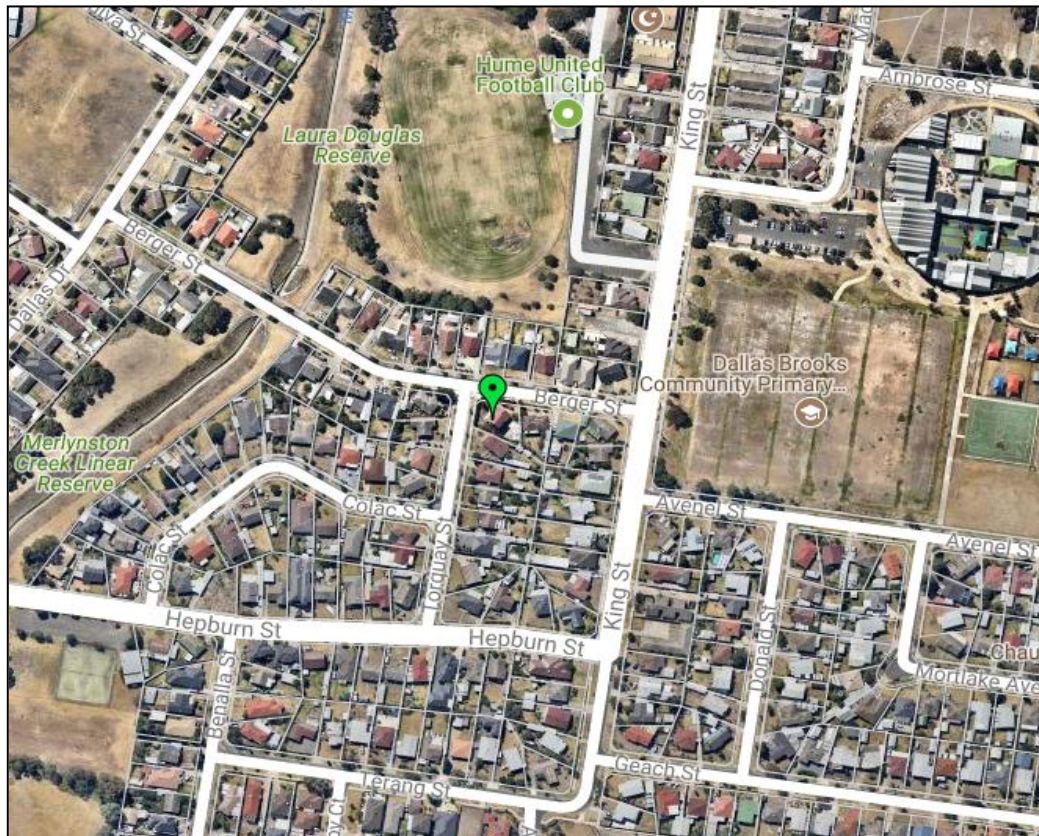
**10. CONCLUSION**

- 10.1 The application has been considered against the relevant policies and provisions of the *Hume Planning Scheme* and is considered to represent a poor design response that fails to respond positively to the features of the site and surrounding context.
- 10.2 Whilst the proposal seeks to provide for additional residential accommodation it does so at the expense of urban design principles and other basic and fundamental requirements of Clause 55. The proposal has little regard for the constraints posed by the siting of the existing dwelling. The insufficient parking provision, lack of northern solar access to the living areas and secluded private open space of proposed dwelling when coupled with poor articulation, are all symptomatic of a development which fails to acknowledge and address the limitations of the subject site.
- 10.3 On balance, the development fails to satisfy the requirements of Clause 55 of the *Hume Planning Scheme* and presents an overdevelopment of the site. Refusal of the application is therefore recommended.

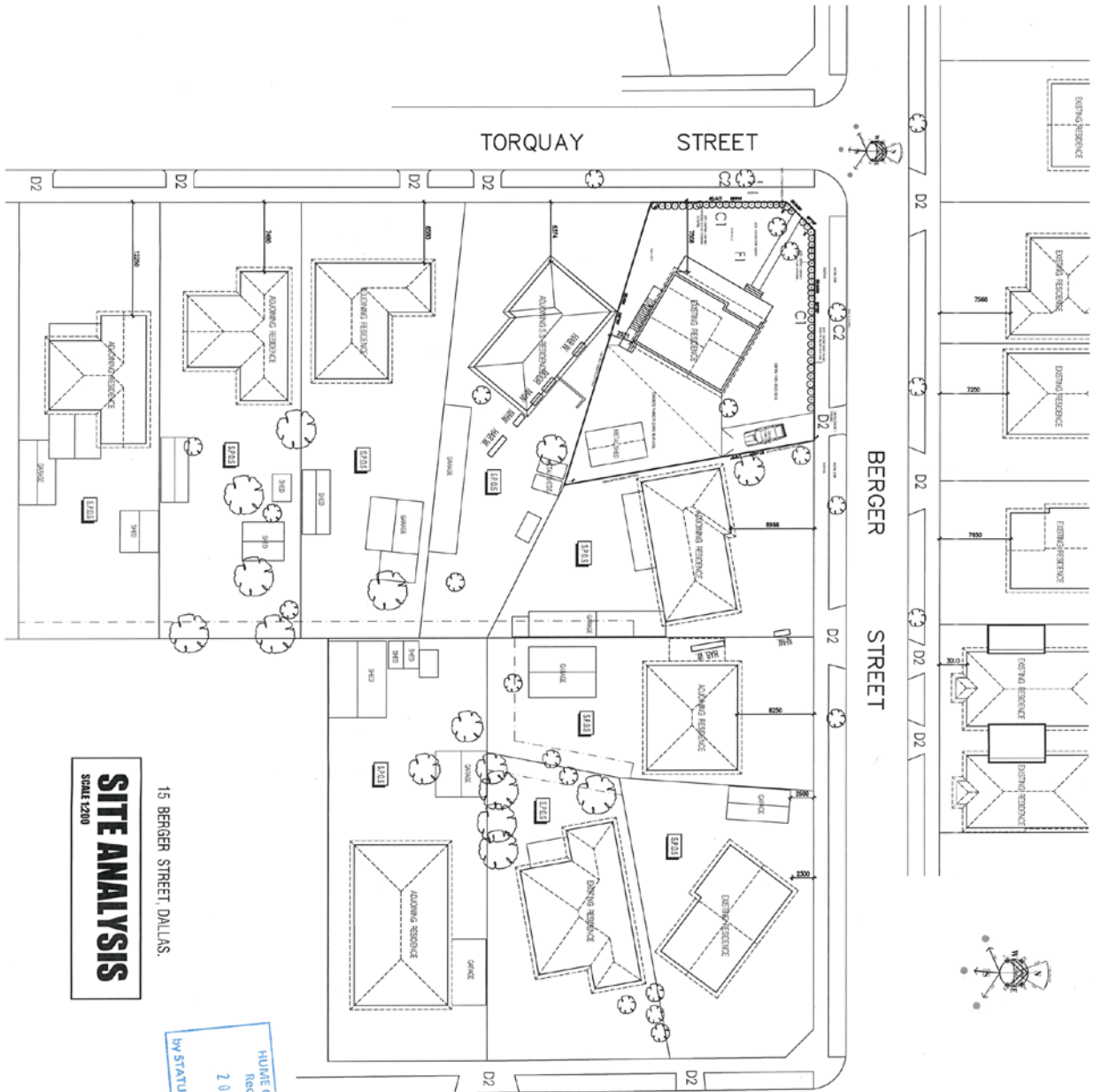


# LOCALITY PLAN

**P20702**  
**15 Berger Street, Dallas**







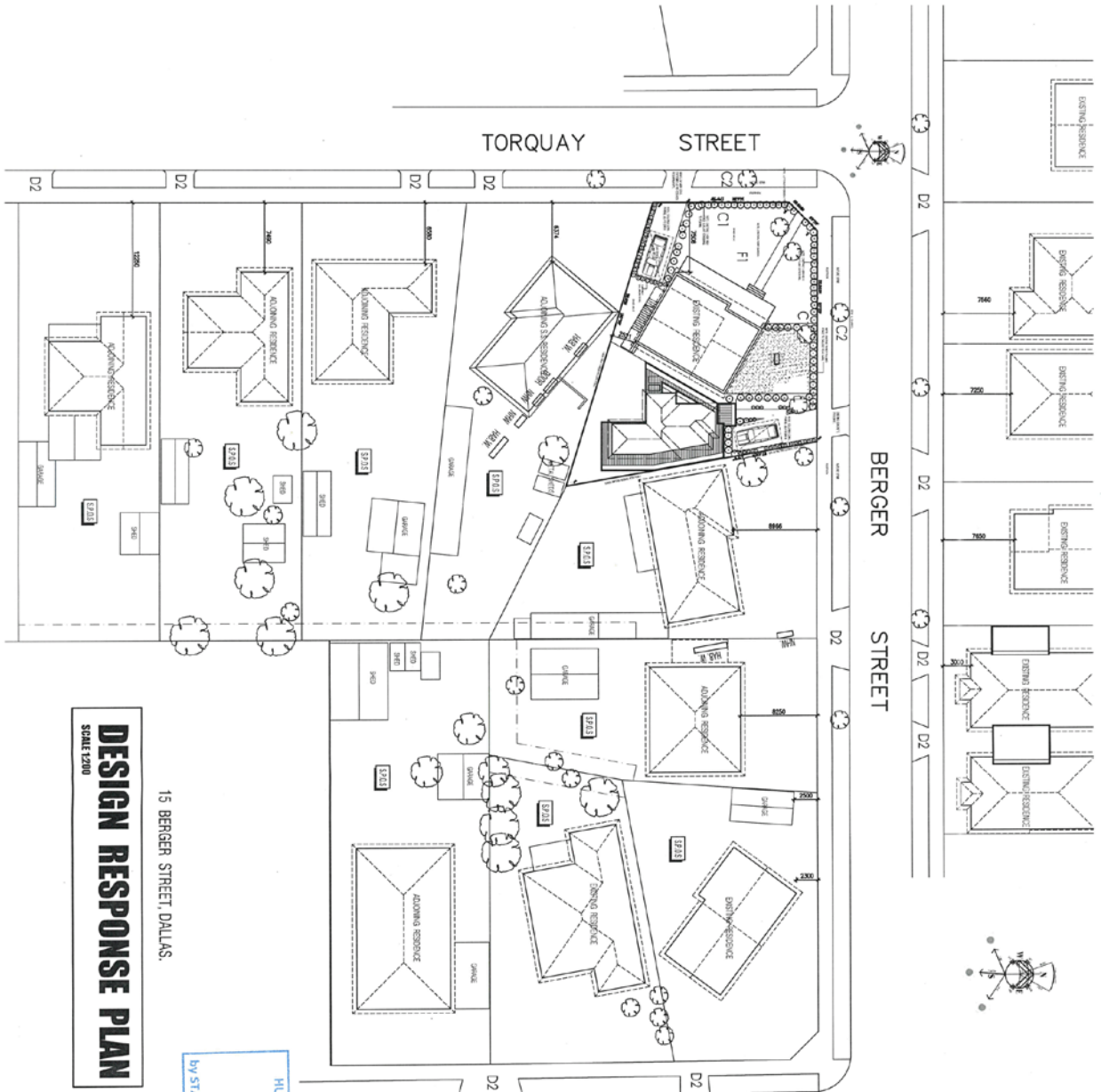
**SITE ANALYSIS**  
SCALE 1:200

13 BERGER STREET, DALLAS.

HUME CITY COUNCIL  
Received on  
20 DEC 2017  
by STATUTORY PLANNING

**SITE RESPONSE PLAN: LEGE**

- ORIENTATION**  
A. SITE HAS AN EAST-WEST ORIENTATION
- TOPOGRAPHY**  
B. THE PROPOSED FOOTLINE OF LOT 808 FROM FRONTAGE TO REAR (REFER TO LEGENDS ON P. 14) ARE PROVIDED
- VEGETATION**  
C1. EXISTING SITE TREES & SHRUBS TO BE RETAINED  
C2. EXISTING STREET TREES & LANDSCAPE
- ACCESS POINTS**  
D1. EXISTING PEDESTRIAN AND VEHICLE ACCESS FROM BERGER STREET TO SUBJECT SITE  
D2. EXISTING STREET CROSSINGS  
D3. PROPOSED VEHICLE ACCESS FROM LOT 808 FROM STREET TO S. BLECT'S
- DRAINAGE**  
E. DRAINAGE POINT - NO UNAVOIDABLE PONDING CONSTRAINTS  
F. POINT OF DISCHARGE AS PER COUNCIL REQUIREMENTS
- SERVICE**  
F1. EXISTING ACCESS TO NEARBY UTILITIES (BERGER WATER SUPPLY GAS & TELEPHONE)
- FENCES & BOUNDARIES**  
G1. 900mm HIGH METAL MESH FENCE  
G2. 220m HIGH TIMBER PALING FENCE  
G3. 220m HIGH TIMBER PALING FENCE  
G4. 150m HIGH TIMBER PALING FENCE  
G5. 12m HIGH BRICK FENCE  
G6. 800mm HIGH BRICK FENCE  
G7. 800mm HIGH BRICK FENCE WITH METAL INFILL  
G8. 120m HIGH METAL PICKET FENCE  
G9. 150m HIGH TIMBER PICKET FENCE  
G10. 950mm HIGH BRICK FENCE  
G11. 600mm HIGH RENDERS BRICK FENCE  
G12. 10m HIGH BRICK FENCE  
G13. 11m HIGH TIMBER PICKET FENCE  
G14. 700mm HIGH METAL PICKET FENCE  
G15. NO FENCE  
G16. 10m HIGH BRICK FENCE WITH METAL INFILL  
G17. 120m HIGH BRICK FENCE WITH TIMBER PICKET INFILL  
G18. 400mm HIGH BRICK FENCE
- LOCATION/USE OF SUBORDINATING BUILDINGS**  
H1. EXIST SINGLE STOREY WEATHERBOARD DWELLING TO BE DEMOLISHED  
H2. SINGLE STOREY BRICK VINEYER DWELLING  
H3. SINGLE STOREY WEATHERBOARD DWELLING  
H4. DOUBLE STOREY WEATHERBOARD DWELLING  
H5. DOUBLE STOREY BRICK VINEYER DWELLING  
H6. SINGLE STOREY RENDERS BRICK VINEYER DWELLING  
H7. SINGLE STOREY BRICK VINEYER UNIT
- SECLUDED OPEN SPACE**  
I1. SECLUDED PRIVATE OPEN SPACES OF SUBORDINATING DWELLINGS
- HABITABLE ROOM WINDOWS/DOORS**  
J1. HABITABLE ROOM WINDOWS WITH 1/3 OF SITE  
J2. NON-HABITABLE ROOM WINDOWS WITH 1/3 OF SITE (SEE SITE PLAN ON WINDOW LOCATION)  
K. POTENTIAL LANDSCAPE ALONG NORTH SIDE OF SITE
- SOLAR ACCESS**
- WALLS ON BOUNDARY**  
L1. 250mm HIGH BRICK WALL ON BOUNDARY  
L2. 320mm HIGH BRICK WALL ON BOUNDARY



**DESIGN RESPONSE PLAN**  
SCALE 1:200

15 BERGER STREET, DALLAS.

HUME CITY COUNCIL  
Received on  
23 DEC 2017  
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**SITE RESPONSE PLAN: LEGE**

**ORIENTATION**

A SITE HAS EASTWEST ORIENTATION

**TOPOGRAPHY**

B THE LAND HAS A RISE NE OF 6.57M FROM FRONTAGE TO REAR (REFER TO LEVELS ON PLAN PROVIDED)

**VEGETATION**

C1 EXISTING SITE TREES & SHRUBS TO BE REMOVED  
C2 EXISTING STREET TREES & LANDSCAPE

**ACCESS POINTS**

D1 EXISTING ACCESSWAY AND VEHICLE ACCESS FROM BERGER STREET  
D2 EXISTING STREET CROSSINGS  
D3 PROPOSED VEHICLE ACCESS FROM TORQUAY STREET TO SUBJECT SI

**DRAINAGE**

E DRAINAGE POINT - NO UNAVOIDABLE DRAINAGE CONSTRAINTS  
E POINT OF DISCHARGE AS PER COUNCIL REQUIREMENTS

**SERVICE**

F1 SITE HAS ACCESS TO INFRASTRUCTURE (SEWER, WATER SUPPLY, GAS & TELEPHONE)

**FENCES & BOUNDARIES**

- G1 900mm HIGH METAL WASH FENCE
- G2 200mm HIGH TIMBER PALING FENCE
- G3 220mm HIGH TIMBER PALING FENCE
- G4 190mm HIGH TIMBER PALING FENCE
- G5 12m HIGH BRICK FENCE
- G6 800mm HIGH BRICK FENCE
- G7 900mm HIGH BRICK FENCE WITH METAL INFILL
- G8 120mm HIGH METAL POCKET FENCE
- G9 150mm HIGH TIMBER POCKET FENCE
- G10 800mm HIGH BRICK FENCE
- G11 600mm HIGH RENOVATED BRICK FENCE
- G12 11m HIGH BRICK FENCE
- G13 11m HIGH TIMBER POCKET FENCE
- G14 200mm HIGH METAL POCKET FENCE
- G15 100mm HIGH METAL POCKET FENCE
- G16 400mm HIGH BRICK FENCE WITH METAL INFILL
- G17 150mm HIGH BRICK FENCE WITH TIMBER POCKET INFILL
- G18 400mm HIGH BRICK FENCE

**LOCATION/USE OF SURROUNDING BUILDINGS**

- H1 EXIST SINGLE STOREY WEATHERBOARD DWELLING TO BE DEMOLISHED
- H2 SINGLE STOREY BRICK VENEER DWELLING
- H3 SINGLE STOREY WEATHERBOARD DWELLING
- H4 DOUBLE STOREY WEATHERBOARD DWELLING
- H5 DOUBLE STOREY BRICK VENEER DWELLING
- H6 SINGLE STOREY RENOVATED BRICK VENEER DWELLING
- H7 SINGLE STOREY BRICK VENEER UNIT

**SECLUDED OPEN SPACE**

I21 SECLUDED PRIVATE OPEN SPACES OF SURROUNDING DWELLINGS

**HABITABLE ROOM WINDOWS/DOORS**

- J1 HABITABLE ROOM WINDOWS WITH 60% OF SITE FACING SOUTH ORIENTED
- J2 HABITABLE ROOM WINDOWS WITH 60% OF SITE FACING SOUTH ORIENTED (SEE SITE PLAN FOR WINDOW LOCATION)

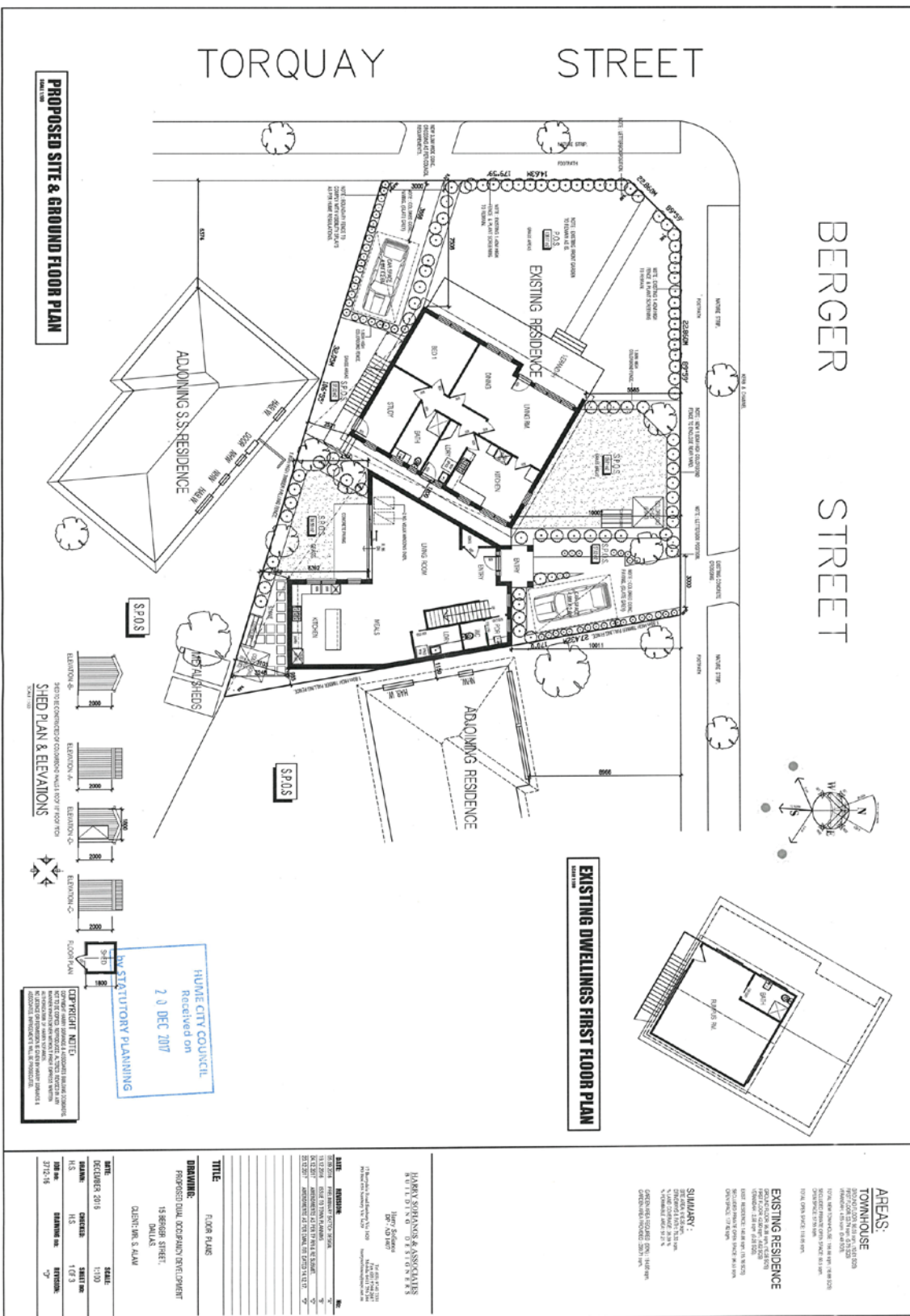
**SOLAR ACCESS**

K POTENTIAL DAYLIGHT ALONG NORTH SIDE OF SITE

**WALLS ON BOUNDARY**

- L1 250mm HIGH BRICK WALL ON BOUNDARY
- L2 320mm HIGH BRICK WALL ON BOUNDARY





**PROPOSED SITE & GROUND FLOOR PLAN**

**EXISTING DWELLINGS FIRST FLOOR PLAN**

**SHED PLAN & ELEVATIONS**

**CONTRACT NOTES**

1. ALL WORK TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION GENERAL SPECIFICATION AND THE SPECIFICATIONS TO THE NATIONAL CONSTRUCTION GENERAL SPECIFICATION.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

**HUME CITY COUNCIL**  
Received on  
20 DEC 2017

**TITLE:**  
FLOOR PLANS

**DRAWING:**  
PROPOSED DEVELOPMENT

**CLIENT:**  
MR & MRS ALAM

DATE	REVISION
8/11/17	ISSUED FOR PERMITS
15/11/17	ISSUED FOR TOWN PLANNING
22/11/17	AMENDMENT TO THE PLAN
29/11/17	AMENDMENT TO THE PLAN
06/12/17	AMENDMENT TO THE PLAN

**HARRY SOLOMONS & ASSOCIATES**  
8/17/17/18  
17/17/18  
17/17/18

**AREAS:**  
**TOWNHOUSE**  
**EXISTING RESIDENCE**

**SUMMARY:**  
THIS DRAWING SHOWS THE PROPOSED DEVELOPMENT FOR THE SITE. THE DEVELOPMENT WILL CONSIST OF A TOWNHOUSE AND AN EXISTING RESIDENCE. THE TOWNHOUSE WILL BE A TWO-STORY BUILDING WITH A GARAGE. THE EXISTING RESIDENCE WILL BE A SINGLE-STORY BUILDING. THE DEVELOPMENT WILL BE BUILT ON A 1000M<sup>2</sup> SITE. THE DEVELOPMENT WILL BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION GENERAL SPECIFICATION AND THE SPECIFICATIONS TO THE NATIONAL CONSTRUCTION GENERAL SPECIFICATION.

**TORQUAY STREET**

**BERGER STREET**

**ADJOINING S.S. RESIDENCE**

**EXISTING RESIDENCE**

**ADJOINING RESIDENCE**

**PROPOSED SITE & FIRST FLOOR PLAN**

**PROPOSED SITE & FIRST FLOOR PLAN**

**AREAS:**  
**TOWNHOUSE**  
 TOWNHOUSE WITH ADJOINING EXISTING RESIDENCE  
 EXISTING RESIDENCE

**SUMMARY:**  
 1/200 SCALE  
 15 BERGER STREET, DUNDEE  
 EXISTING RESIDENCE  
 20 DEC 2007

**BY STATUTORY PLANNING**

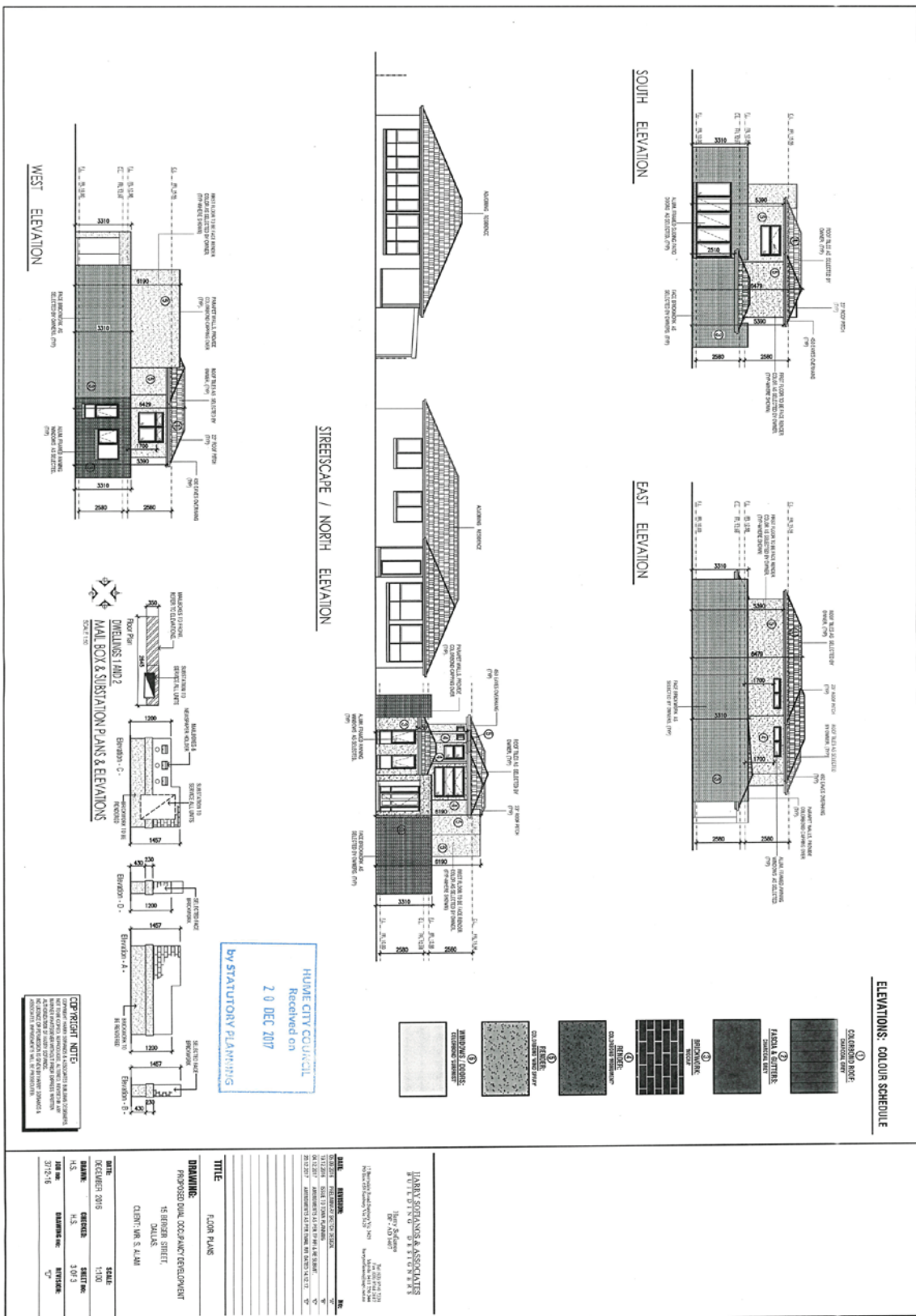
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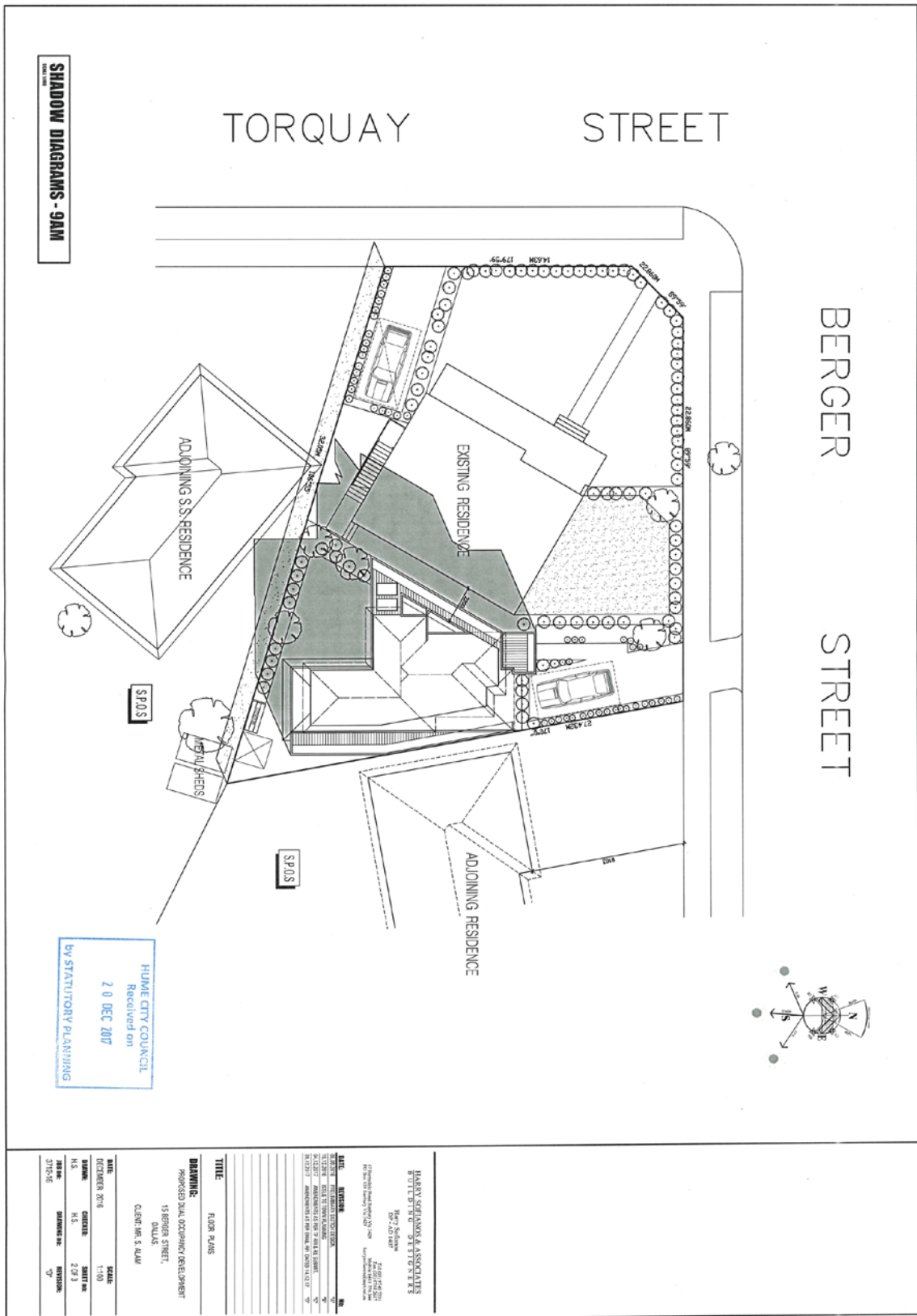
**HARRY SORANAK & ASSOCIATES**  
 ARCHITECTS  
 15 BERGER STREET, DUNDEE  
 TEL: 01382 821111  
 FAX: 01382 821112  
 www.soranak.co.uk

**DATE:** 20 DEC 2007  
**REVISION:** 1/1  
**SCALE:** 1/200

**TITLE:** FLOOR PLANS  
**DRAWING:** PROPOSED 2nd OCCUPANCY DEVELOPMENT  
 15 BERGER STREET,  
 DUNDEE  
 CLIENT: MR S. ALAM

**DATE:** OCTOBER 2018  
**DATE:** 17/10  
**DATE:** H.S.  
**DATE:** H.S.  
**DATE:** H.S.  
**DATE:** 20/3  
**DATE:** H.S.  
**DATE:** 07/10/18  
**DATE:** 07/10/18





SHADOW DIAGRAMS - 9AM

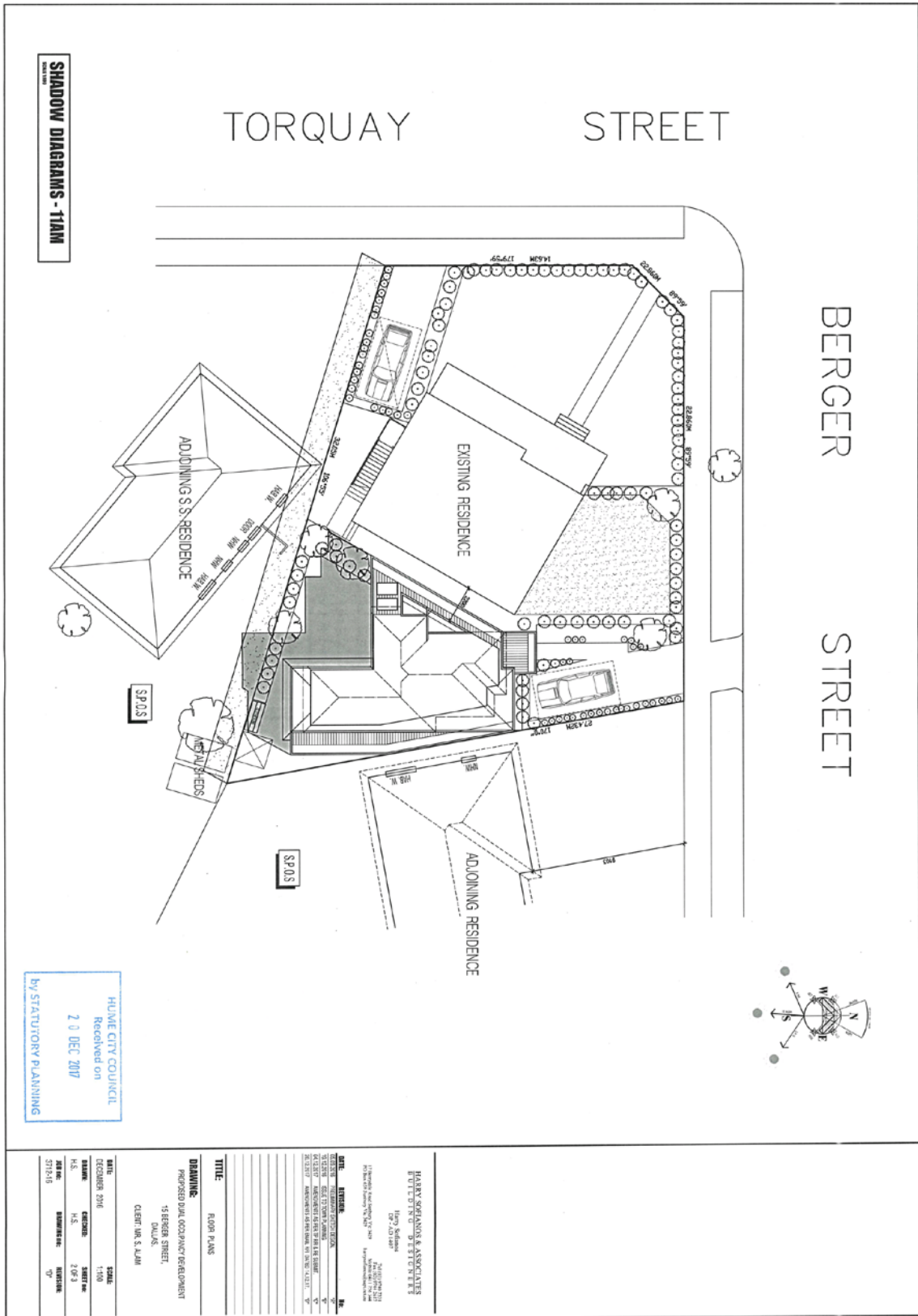
HUME CITY COUNCIL  
 Received on  
 2 0 DEC 2017  
 by STATUTORY PLANNING

**HARRY SPILLMAN & ASSOCIATES**  
 8/11 TOTTENHAM ROAD  
 TOTTENHAM VIC 3121  
 Tel: 03 9594 1234  
 Fax: 03 9594 1235  
 Email: hsa@harryspillman.com.au  
 Website: www.harryspillman.com.au

**DATE:** 20/11/17  
**SCALE:** 1:100  
**PROJECT:** PROPOSED DUAL OCCUPANCY/REDEVELOPMENT  
**TITLE:** FLOOR PLANS  
**CLIENT:** MR. S. ALAM  
**ADDRESS:** 15 BERGER STREET, DULALS

DATE	DESCRIPTION	BY
20/11/17	PROPOSED DUAL OCCUPANCY/REDEVELOPMENT	SA
20/11/17	PROPOSED DUAL OCCUPANCY/REDEVELOPMENT	SA
20/11/17	PROPOSED DUAL OCCUPANCY/REDEVELOPMENT	SA

<b>DATE:</b> 20/11/17	<b>SCALE:</b> 1:100
<b>PROJECT:</b> PROPOSED DUAL OCCUPANCY/REDEVELOPMENT	<b>TITLE:</b> FLOOR PLANS
<b>CLIENT:</b> MR. S. ALAM	<b>ADDRESS:</b> 15 BERGER STREET, DULALS



SHADOW DIAGRAMS - TIAM

HUME CITY COUNCIL  
 Received on  
 20 DEC 2017  
 by STATUTORY PLANNING

DATE:	DECEMBER 2016	SCALE:	1:100
DRAWN:	H.S.	SHEET NO.:	2 OF 3
CHKD BY:	STATUTORY PLANNING	REVISION:	01
NO.:	5715/15		

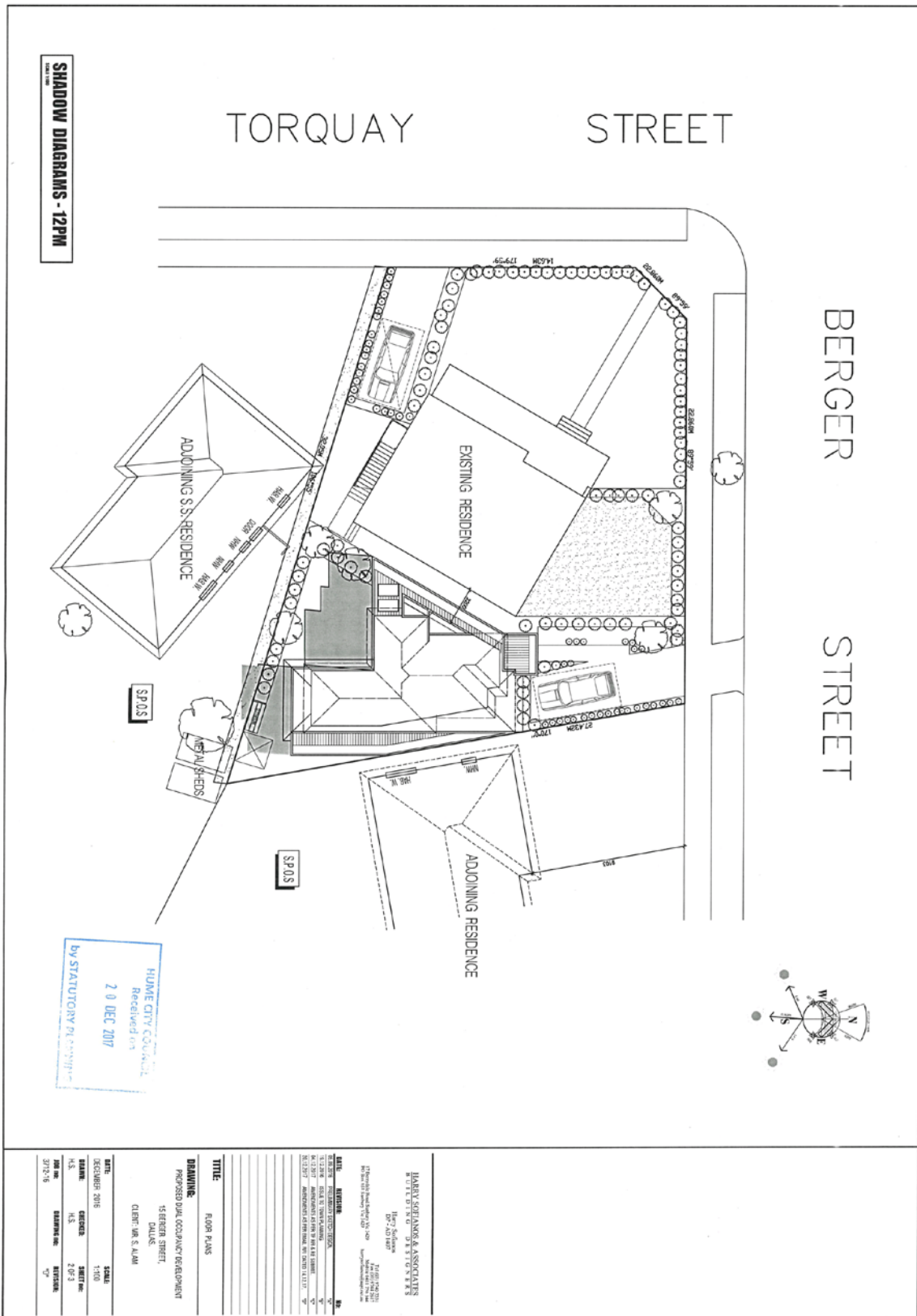
**TITLE:**  
 FLOOR PLANS

**DRAWING:**  
 PROPOSED DUAL OCCUPANCY DEVELOPMENT  
 15 BERGER STREET,  
 DULVOIS,  
 CLIENT: MR. S. ALAM

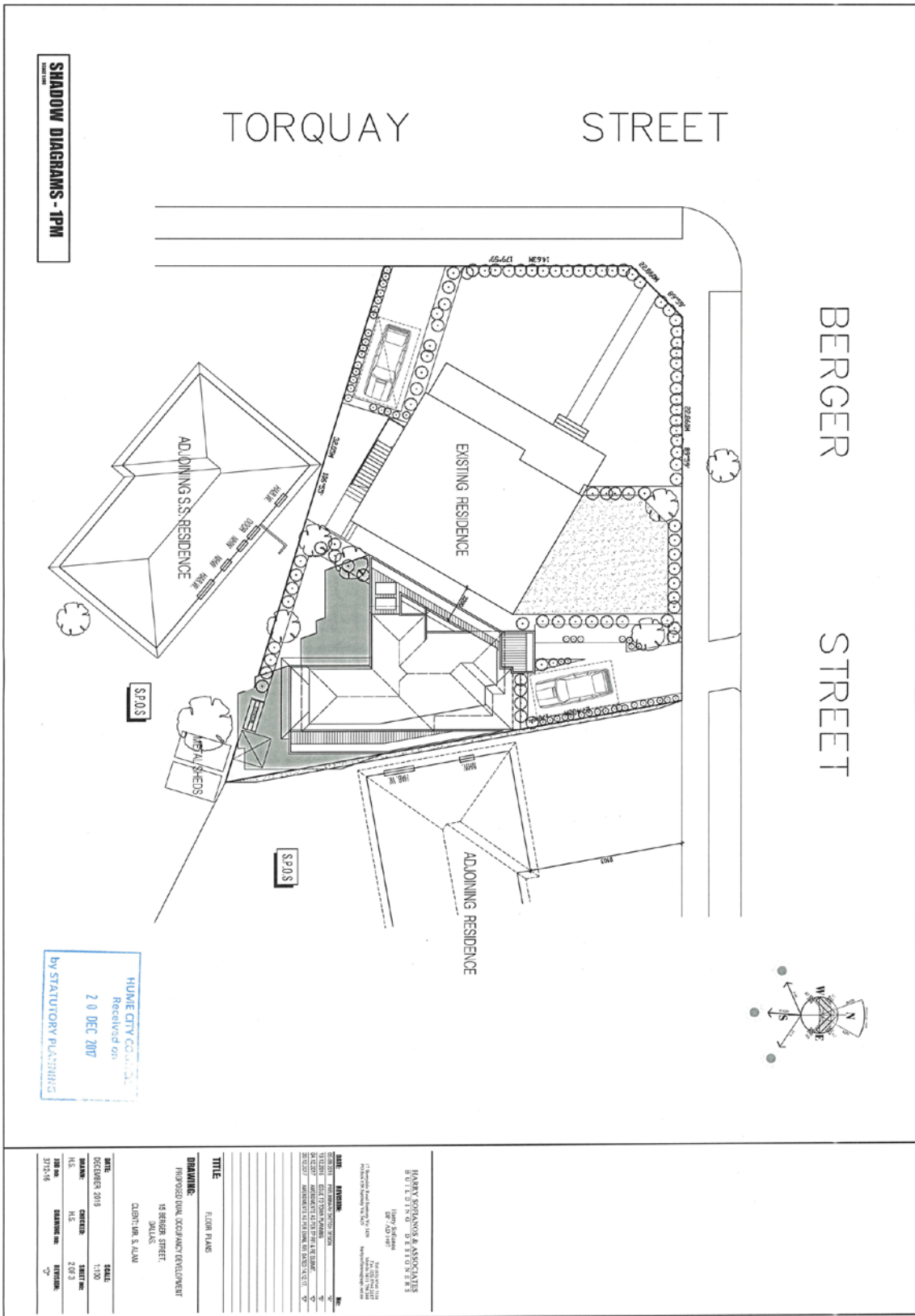
**CLIENT:**  
 HARRY SPERANAKIS & ASSOCIATES  
 10/11 TORQUAY STREET  
 DULVOIS  
 02155  
 TEL: 08 8333 1111  
 FAX: 08 8333 1112  
 www.harryspiranakis.com.au

**DATE:**  
 20 DEC 2017

**BY:**  
 STATUTORY PLANNING



<p>HARRY SOTIANG &amp; ASSOCIATES                  ARCHITECTS                  Level 2, 401/801                  801-809 Sturt Street                  Melbourne VIC 3000                  Tel: 03 9412 1234                  Fax: 03 9412 1235                  Email: hsa@harrysotiang.com.au</p>	
<p><b>DATE:</b> 20/12/17  <b>PROJECT:</b> PROPOSED DUAL OCCUPANCY DEVELOPMENT  <b>CLIENT:</b> MR &amp; MRS S. ALAMI</p>	
<p><b>TITLE:</b> FLOOR PLANS</p>	
<p><b>DRAWING:</b> PROPOSED DUAL OCCUPANCY DEVELOPMENT                  15 EREBEN STREET,                  DULALS                  CLIENT: MR &amp; MRS S. ALAMI</p>	
<p><b>DATE:</b> 20/12/17  <b>SCALE:</b> 1:100  <b>DATE:</b> 20/12/17  <b>SCALE:</b> 1:100  <b>DATE:</b> 20/12/17  <b>SCALE:</b> 1:100</p>	



**SHADOW DIAGRAMS - 1PM**

HUME CITY COUNCIL  
Received on:  
**20 DEC 2017**  
by STATUTORY PLANNING

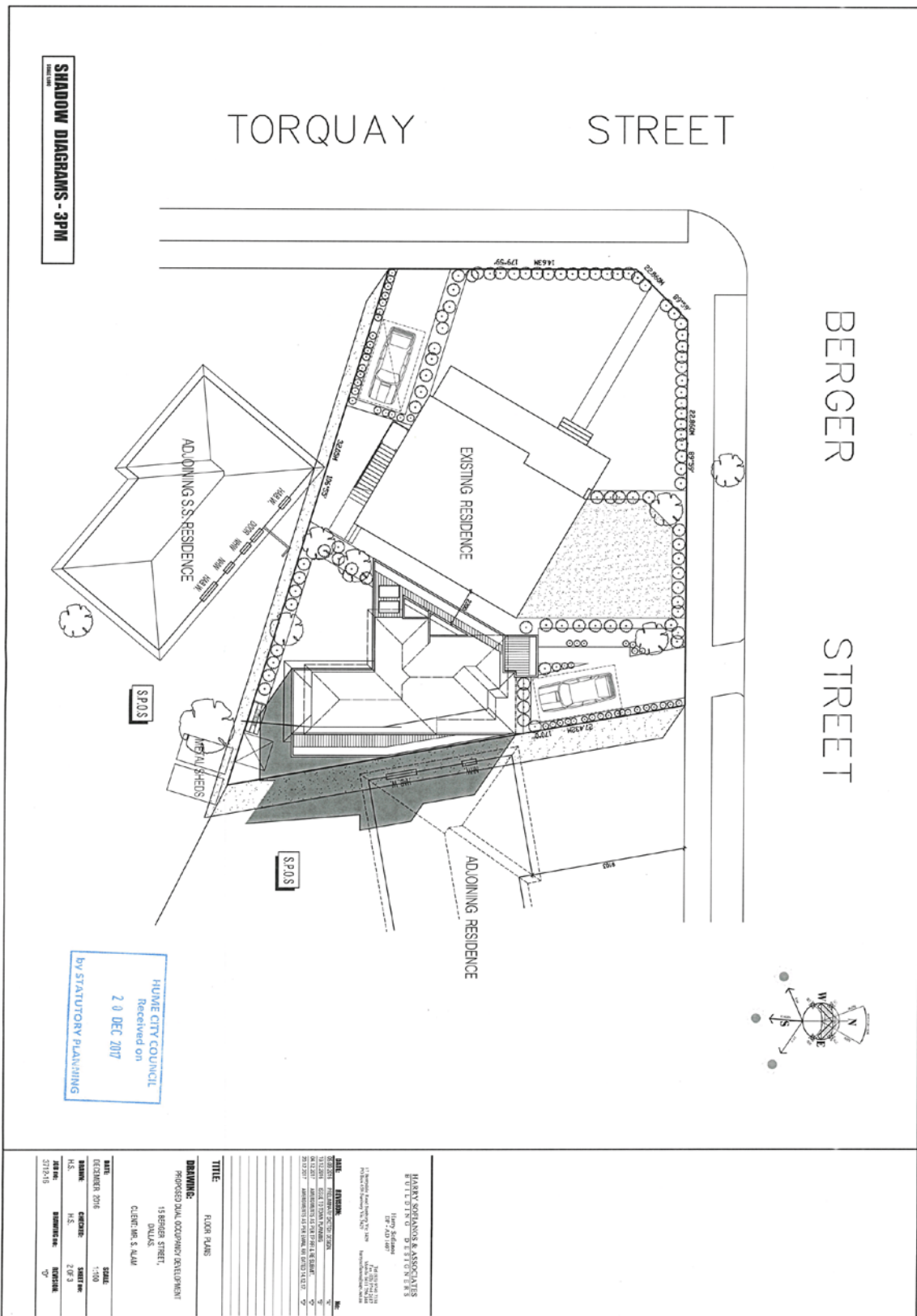
DATE	REVISION	BY
20 DEC 2017	PRELIMINARY DEVELOPMENT	HP
20 DEC 2017	AMENDMENT TO PRELIMINARY DEVELOPMENT	HP
20 DEC 2017	AMENDMENT TO PRELIMINARY DEVELOPMENT	HP

**HARRY SOPHAKOS & ASSOCIATES**  
B U I L D I N G D E S I G N E R S  
Level 3, 101 Sturt Street  
Adelaide, SA 5000  
Australia  
Tel: 08 8239 0000  
Fax: 08 8239 0001  
www.sophakos.com.au

**TITLE**  
FLOOR PLANS

**DRAWINGS:**  
PROPOSITIONAL OCCUPANCY PERMIT  
18 BERGER STREET,  
DUNLIS  
CLIENT: IAN S. ALAM

DATE	SCALE
20 DEC 2017	1:100
20 DEC 2017	1:100
20 DEC 2017	1:100





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<b>REPORT NO:</b>	SU318
<b>REPORT TITLE:</b>	60 and 62 Jacana Avenue Broadmeadows - development of five double storey dwellings and one single storey dwelling
<b>SOURCE:</b>	Brydon King, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P20557
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	1. <i>Locality Plan</i> 2. <i>Development Plan</i>

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<b>Application No:</b>	P20557
<b>Proposal:</b>	Development of five double storey dwellings and one single storey dwelling
<b>Location:</b>	60 and 62 Jacana Avenue, Broadmeadows
<b>Zoning:</b>	General Residential Zone Schedule 1
<b>Applicant:</b>	ZDA Design
<b>Date Received:</b>	1 June 2017

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**1. SUMMARY OF REPORT:**

Planning approval is sought for the development of five double storey dwellings and one single storey dwelling on the land at 60 and 62 Jacana Avenue, Broadmeadows. The application was advertised and three objections have been received. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme*, including consideration of the issues raised in the objections. On balance, the proposal is considered acceptable and it is recommended that a Notice of Decision to Grant a Planning Permit be issued subject to conditions.

**2. RECOMMENDATION:**

**That Council, having considered the application on its merits and the objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of five double storey dwellings and one single storey dwelling at 60 and 62 Jacana Avenue, Broadmeadows subject to the following conditions:**

- 1. Before the development starts, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with plans prepared by ZDA Design Revision A but modified to show:**
  - a) Indented concrete parking bays in the nature strip to the front of the site consistent with Council standard drawing SD307 or SD307a and consistent with the Hume City Parking on Narrow Street Policy.**
- 2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.**

REPORT NO: SU318 (cont.)

3. Car spaces, access lanes and driveways shown on the endorsed plans must be kept available for these purposes at all times to the satisfaction of the responsible authority.
4. Before the development is occupied, areas set aside for parking, protective kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent damage to fences or landscaped areas
5. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole of the subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping and in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
6. Before the development is occupied, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
7. All works on or facing the boundaries of adjoining properties must be finished and surface cleaned to a standard that it is well presented to neighbouring properties in a manner to the satisfaction of the responsible authority.
8. Outdoor lighting must be provided to the entrances of all dwellings and designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on neighbouring land.
9. All mailboxes must be located abutting the front property boundary and designed to relevant Australian Post Standards.
10. Any equipment required for refrigeration, air-conditioning, heating and the like must be located on the subject land must be suitably insulated for the purpose of reducing noise emissions, to the satisfaction of the responsible authority.
11. Stormwater from all paved area must be drained to underground stormwater system.
12. Any cut or fill must not interfere with the natural overland stormwater flow.
13. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
14. This permit will expire if one of the following circumstances applies:
  - b) the development is not commenced within three years of the date of this permit; or
  - c) the development is not completed within six 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 six months afterwards.

If a request for an extension of commencement/completion dates is made out of time allowed by condition, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

Notes:

- An application for Legal Point of Stormwater discharge is required for the connection to the legal point of discharge.
- Approval is required from Council and other responsible authorities, for the sheds to be built over an easement

REPORT NO: SU318 (cont.)

- **Drainage investigation is required for this development (fees apply). Plans must be submitted to Council's Civil Design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.**
- **Following the Drainage Investigation, internal drainage plans must be submitted to Council Civil Design section for approval.**
- **Prior to commencement of any works within the road reserve, an 'Application for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council before carrying out the works.**

**3. PROPOSAL:**

3.1 The proposal seeks to develop the site with five double storey dwellings and one single storey dwelling on the subject land. The details of the proposal as advertised relate to plans prepared by ZDA Design dated October 2017 marked "Rev A". Details of the proposal are as follows:

- The existing dwellings on each site are to be removed and three double storey dwellings are to be located in tandem on 60 Jacana Avenue and two double storey dwellings and one single storey dwelling are to be located in tandem on 62 Jacana Avenue. The dwellings are attached at ground level through common dwelling walls or garage walls.
- Dwelling 1 and Dwelling 6 will have separate vehicle access to Jacana Avenue to the east and west boundaries of the subject land. A central driveway will provide vehicle access to Dwelling 2, 3, 4 and 5.
- Dwelling 1 and 6 are to be set back 8.2 metres from Jacana Avenue and feature garages constructed to the east and west boundaries. Dwelling 2 and 5 will be set back three metres from the west and east boundaries respectively. Dwelling 3 and 5 will be set back from the northern (rear) boundary and side boundaries apart from a portion of wall for Dwelling 3 located on the western boundary.
- Dwelling 1 and 6 have a small study, a bedroom and the main living areas at ground level and two bedrooms at the upper level.
- Dwelling 2 has a bedroom and living areas at ground level and two bedrooms at the upper level.
- Dwelling 5 has living areas at ground level and two bedrooms at the upper level.
- Dwelling 3 has two bedrooms and living areas at ground level and Dwelling 4 has a bedroom and living areas at ground level and a single bedroom on the upper level.
- Dwelling 1, 2 and 6 are each to be serviced by a double car garage. Dwelling 3, 4 and 5 will be serviced by single car garages. A visitor space is proposed between the Dwelling 4 and the garage of Dwelling 5 on the eastern side of the subject land.
- The secluded private open space areas for the dwellings are located at ground level with access from living areas and have access to the northern sunlight.
- The dwellings have a maximum height of 7.1 metres and will be constructed with face brick a ground level, rendered lightweight cladding and Shadow Clad material to the upper level and feature pitched tiled roofs.

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3.2 The following table provides a summary of the proposed development:

Site Area	1300 square metres
Dwelling Density	1:216 square metres
Site Coverage	48.5% (60% max)
Permeability	28.9% (20% min)
Garden Area	35% (35% required)

**4. SITE AND SURROUNDS:**

- 4.1 The subject land consists of two existing lots located on the north side of Jacana Avenue, 60 metres east of Gibson Street, Broadmeadows. Each lot has an existing frontage of 15.2 metres and a depth of 42 metres creating an overall area across the two parcels of 1300 square metres.
- 4.2 Each site is currently occupied by a single storey dwelling and the land is substantially flat.
- 4.3 The land is encumbered by a 2.4 metre wide easement along the north boundary.
- 4.4 Surrounding properties are generally single storey brick and weatherboard dwellings. The street and the broader area are experiencing change with a number of two storey multi dwelling developments being constructed in the area.
- 4.5 Land to the east of the site features an existing single storey dwelling set back 8.2 metres from Jacana Avenue with driveway access on the western side of the site. Land to the west is also developed with a single storey dwelling set back approximately 10.5 metres from Jacana Avenue with driveway on the western side of that site. Land to the north of the site features the rear yards of properties fronting Dacelo Avenue.
- 4.6 The site is close to the Broadmeadows shopping centre and railway station which is located 900 metres to the north. An existing open space reserve is approximately 500 metres to the south of the site at Anderson reserve.

**5. PLANNING CONTROLS:**

5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

- State Policies:*
- Clause 11: Settlement
  - Clause 11.06: Metropolitan Melbourne
  - Clause 15: Built Environment and Heritage
  - Clause 16: Housing
  - Clause 18: Transport
  - Clause 19: Infrastructure

- Municipal:*
- Strategies:
- Clause 21: Hume Municipal Strategic Statement
  - Clause 21.01-3: Vision and Strategic Framework Plan
  - Clause 21.02: Urban Structure and Settlement
  - Clause 21.02-1: Managing Growth and Increasing Housing Choice
  - Clause 21.03: Liveable Neighbourhoods and Housing
  - Clause 21.03-1: Liveable Communities
  - Clause 21.03-2: Housing

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	Clause 21.04: Built Environment & Heritage
	Clause 21.04-1: Urban Design
	Clause 21.04-2: Environmentally Sustainable Design and Development
<i>Local Policies</i>	Not applicable
<i>Zones:</i>	Clause 32.08: General Residential Zone Schedule 1
<i>Overlays:</i>	Nil
<i>Particular</i>	Clause 52.06: Car Parking
<i>Provisions:</i>	Clause 55: Two or More Dwellings on a Lot and Residential Buildings
<i>General</i>	Clause 65.01: Approval of an Application or Plan
<i>Provisions:</i>	Clause 66: Referral and Notice Provisions

- 5.2 The State and Local Planning Policy Frameworks aim to provide housing diversity within urban settlements that are sustained by supporting infrastructure while ensuring development responds to the landscape and urban character of the area.
- 5.3 New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space. Planning for housing should include the provision of land for affordable housing that is close to jobs, transport and services.
- 5.4 Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through appropriate developments and quality urban design.
- 5.5 The Hume Municipal Strategic Statement (MSS) identifies single detached dwellings as the most common type of housing throughout the municipality. It forecasts this will remain for some years even though the size and type of households is gradually changing. One of the challenges for Council is to increase the range of housing types available to meet the changing accommodation and lifestyle needs of the community.
- 5.6 In order to address this, the Hume MSS has the following relevant objectives:
- *To provide access to a range and quality of housing opportunities that meet the varied needs of existing and future residents*
  - *To deliver urban growth that is cost effective, orderly and achieves the greatest social benefits to the community, without diminishing the unique character and identity of the City.*
  - *To enable well designed medium and higher density residential development that protects the amenity of existing residents and sensitively responds to identified preferred neighbourhood character.*

**Aboriginal Cultural Heritage**

- 5.7 The land is not located within an area identified as having Aboriginal cultural heritage sensitivity and a Cultural Heritage Management Plan is not required.

**Major Electricity Transmission Line**

- 5.8 The land is not located within 60 metres of a major electricity transmission line.

**Restrictive Covenants**

- 5.9 The land at 60 Jacana Avenue has an existing covenant that prevents the land being used for removal of stone, earth, clay, gravel and sand apart from that required to excavate footings. The proposal is not in conflict with the covenant.

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**Planning Permit Triggers**

5.10 Pursuant to Clause 32.08-6 of the *Hume Planning Scheme*, a planning permit is required under the provisions of the General Residential Zone Schedule 1 for the development of more than one dwelling on a lot.

**6. REFERRALS:**

- 6.1 The application was referred to Council's Assets (Engineering and Traffic) Department.
- 6.2 The Assets Department advised that they have no objection to the application and that the traffic generation anticipated could be accommodated by the surrounding road network. Standard conditions relate to vehicle access and drainage have been suggested and these have been included as conditions or notes in the recommendation including the provision of indented parking bays in nature strips of each site in accordance with Hume City Parking on Narrow Streets Policy.

**7. ADVERTISING:**

- 7.1 The application was advertised under Section 52 of the *Planning and Environment Act 1987* (the Act) by way of notices to the adjoining owners and occupiers and two signs placed on the site for a minimum of 14 days as prescribed under the Act.
- 7.2 A total of three objections were received. The grounds of objection relate to concerns the proposal will create additional parking problems in Jacana Avenue.

**8. OBJECTIONS:**

- 8.1 Responses to the issue raised in the objections are provided below:  
The proposal will create additional parking problems in Jacana Avenue.
- 8.2 The proposal provides car parking to service each dwelling consistent with the ratios detailed in Clause 52.06 for two and three bedroom dwellings. The proposal also provides for a visitor car parking space as required for development over five dwellings.
- 8.3 Whilst the challenges of parking in Jacana Avenue as raised in objections are appreciated the proposal is seeking to provide the appropriate level of parking as required by relevant standards.
- 8.4 In addition Hume City Council has policy related to the provision of indented parking outcomes in identified narrow streets. Referral to Council's Traffic Engineers have confirmed that indented parking in the nature strip to the front of the land should be provided consistent with the policy to help manage parking in Jacana Avenue. The recommendation has included a condition to achieve this outcome.
- 8.5 Whilst the concerns of the neighbours are noted, the parking provided is considered to be adequate and consistent with the relevant requirements of the *Scheme*.

**9. ASSESSMENT:**

- 9.1 A detailed discussion of the proposal against the particular requirements of Clause 52.06 and Clause 55 of the *Hume Planning Scheme* is provided below. The proposal is able to satisfy the requirements of the respective provisions subject to the inclusion of permit conditions.
- 9.2 Pursuant to Clause 32.08-4 the proposal is required to provide 35% of the site as garden area. The proposal allows for 35% of the site as garden area satisfying the requirement.

**Clause 52.06 – Car Parking**

- 9.3 Clause 52.06-5 requires car parking at the following rates:
- One car space for each one or two bedroom dwelling.

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- Two car spaces for each three or more bedroom dwellings, with one space under cover.
  - One car space for visitors for developments of five or more dwellings.
- 9.4 Dwelling 1, 2 and 6 have three or more bedrooms and are each to be serviced by a double car garage. Dwelling 3, 4 and 5 have two bedrooms and will be serviced by single car garages. A visitor space is proposed between the Dwelling 4 and the garage of Dwelling 5 on the eastern side of the subject land.
- 9.5 The proposal provides for car parking to service the dwellings consistent with that required under Clause 52.06.

**Clause 55 (Two or More Dwellings on a Lot and Residential Buildings):**

- 9.6 A satisfactory neighbourhood and site description and design response plan has been provided for consideration. Assessment of the proposal against the requirements of Clause 55 of the *Scheme* is provided below. In summary, the proposal satisfies all objectives of the Clause subject to the conditions being placed on any permit issued.

**Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)**

- 9.7 Neighbourhood character objectives seek to ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character and that the development responds to the features of the site and the surrounding area.
- 9.8 Two storey medium density developments are occurring in the area and examples are present in Jacana Avenue, Walsh Street, Gibson Street and Lorica Avenue in the immediate area. The proposed development seeks to have a front setback responding to the setbacks in Jacana Avenue and have upper levels forms that are set back from boundaries and of a modest scale. The presence of a single storey dwelling to the rear ensures two storey elements are managed on the site.
- 9.9 The dwellings have a contemporary traditional form with pitched roofs and combined with large windows, porches and materials common to this locality (brick and render) the proposal will respond appropriate to the locality.
- 9.10 The proposed dwellings have been appropriately located in the context of an established urban environment. The site is connected to all relevant services and utilities within an area where infill residential development is considered appropriate. The design provides an appropriate response demonstrating consistency with relevant housing policy objectives. The development provides meaningful dwelling diversity to the area with points of difference in terms of dwelling size and number of bedrooms.
- 9.11 The proposed dwellings are appropriately set back, designed and laid out contributing positively to the enhancement of the local urban environment. The site will also have convenient access to the relevant services and utilities present in the area.

**Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15):**

- 9.12 The proposed front setback of Dwelling 1 and 6 from Jacana Avenue is 8.2 metres. Standard B6 requires nine metre setback based on setbacks of the adjoining properties to the east and west. The 8.2 metre setback matches the existing setback to the east and is considered to be a responsive setback to the location. This setback is consistent with the objectives of the Clause 55.03-1 and is supported.
- 9.13 The proposed development has a maximum height of 7.1 metres to the roof pitch of the double storey dwellings. This is in compliance with the height restrictions of Standard B7 which allows a maximum height of nine metres.
- 9.14 The development will result in a site coverage of 48.5% which is within the maximum 60% specified under Standard B8. Site permeability is noted as being 28.9% which exceeds the minimum 20% required under Standard B9.

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- 9.15 The new dwellings have been designed in a manner that takes advantage of the northern orientation to the open space areas.
- 9.16 The layout of the development provides suitable safety and security to residents of the property. This has been achieved by ensuring that the entrances of the dwellings are not obscured or isolated and that they are clearly visible from the street and common driveway.
- 9.17 No significant vegetation is present on the site. The proposal has capacity for appropriate landscaping opportunities. A detailed landscape plan, to the satisfaction of the responsible authority is recommended on any potential permit issued to ensure that the development provides appropriate landscaping and contributes to the landscape character of the surrounding area as per Standard B13.
- 9.18 Vehicle access is generally safe, manageable and convenient in accordance with Standard B14. Habitable room windows for Dwelling 1 and 6 are set back less than one metre from the common central driveway however these have raised sills and it is considered the objectives of the clause are met. The development uses an existing crossing and includes two new crossings from Jacana Avenue with the overall width of the crossings consistent with Standard B14.

**Clause 55.04 – Amenity Impacts (Standards B17 to B24)**

- 9.19 The setback from boundaries for the new dwellings is consistent with Standard B17.
- 9.20 The proposal includes walls on the eastern and western boundary and complies with the length and height provisions of Standard B18.
- 9.21 The proposed dwellings are sited to be sufficiently set back from adjoining dwellings to ensure appropriate daylight is received in accordance with Standard B19. Standard B20 related to north facing windows within three metres of the boundary of the subject land is not applicable in this instance.
- 9.22 Shadowing is within acceptable limits and complies with Standard B21.
- 9.23 All upper level habitable room windows to the east and west have been designed or screened to achieve the requirements of Standard B22. The treatments to these windows include highlight windows with a sill height of 1.7 metres to finished floor level or fixed obscure glazing proposed to a height of 1.7 metres.
- 9.24 The single storey dwelling to the rear will not generate overlooking issues given the floor level and the 1.8 metre high boundary fencing proposed.
- 9.25 No internal overlooking will occur between the proposed dwellings consistent with Standard B23 as upper level windows facing north and south in the development are to be screened.
- 9.26 There will be no unreasonable noise impacts generated from the proposed development. It is anticipated that the only additional noise generated by the proposed dwellings will be consistent with the residential use of the land.

**Clause 55.05 – On-Site Amenity and Facilities (Standards B25 to B30):**

- 9.27 The dwelling entries are potentially accessible or can be easily modified for people with limited mobility due to minimal steps at the entries. Internal modifications could also be easily accommodated in the future if the need arises, consistent with Standard B25.
- 9.28 Each dwelling is generally visible and easily identifiable from the street frontages. Each dwelling is provided with a sense of personal address and a transitional space around each of the entries, consistent with Standard B26.
- 9.29 All proposed habitable rooms are provided with windows that have the required dimensions clear to the sky. The daylight provisions of Standard B27 are therefore met.



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9.30 The secluded private open spaces of the dwellings have good northern orientation to allow ample solar access into these spaces. The areas of secluded private open space for each dwelling are as follows:

- Dwelling 1           40 square metres
- Dwelling 2           40 square metres
- Dwelling 3           43 square metres
- Dwelling 4           47 square metres
- Dwelling 5           42 square metres
- Dwelling 6           40 square metres

9.31 The areas of secluded private open space meet the minimum size and dimension requirements, and will be directly accessible from the living spaces.

9.32 Each dwelling has been allocated a storage shed that accords with Standard B30.

**Clause 55.06 – Detailed Design (Standards B31 to B34)**

9.33 The proposed design of the dwellings, including the pitched roofs and the use of brick and render, as well as the contemporary fenestration, are all suitable in the context of the emerging character of the area.

9.34 No front fencing is proposed and Standard B32 is not applicable.

9.35 The central driveway will be common property in any future subdivision and can be clearly identified and function effectively.

9.36 The plans suitably demonstrate the location of bin storage, mailboxes to the front boundary and clotheslines as per Standard B34.

**10. CONCLUSION**

10.1 The proposed development is considered appropriate for the site and surrounding area and generally complies with the provisions of the *Hume Planning Scheme* and in particular the provisions of Clause 52.06 and Clause 55. The objections have been given due regard, and it is considered that the application will provide an increase in a diversity of housing choice within this area of Broadmeadows while respecting the established amenity and neighbourhood character of the surrounds.

10.2 For these reasons, it is recommended that a Notice of Decision to Grant a Permit be issued.



# LOCALITY PLAN

Permit Application: P20557

Site Address: 60 and 62 Jacana Avenue Broadmeadows

Subject Site



Subject Site





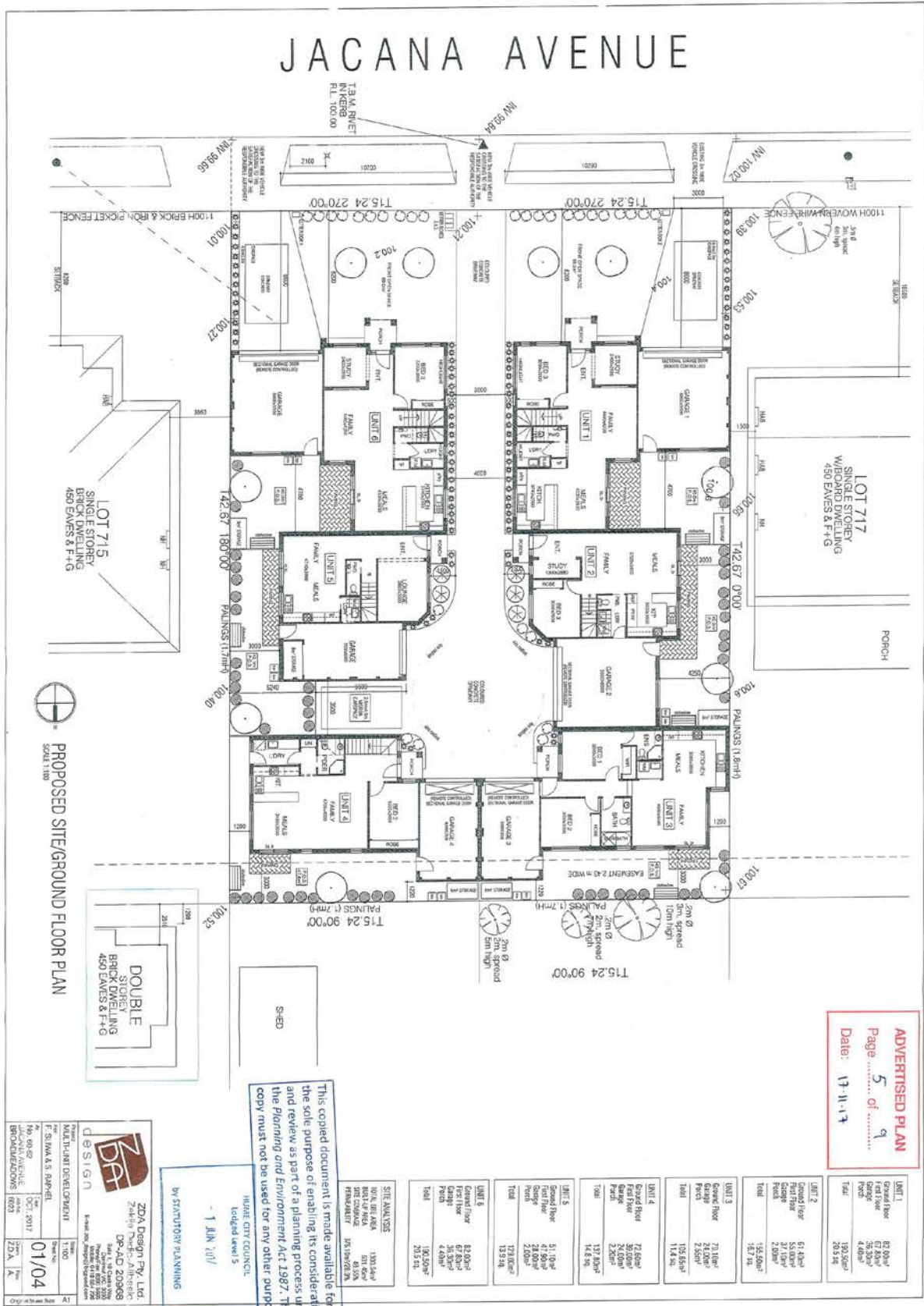
DESIGN RESPONSE PLAN  
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JACANA AVENUE

ADVERTISED PLAN  
 Page 4 of 9  
 Date: 17-11-17

HUME CITY COUNCIL  
 Received on  
 - 1 JUN 2017  
 by STATUTORY PLANNING

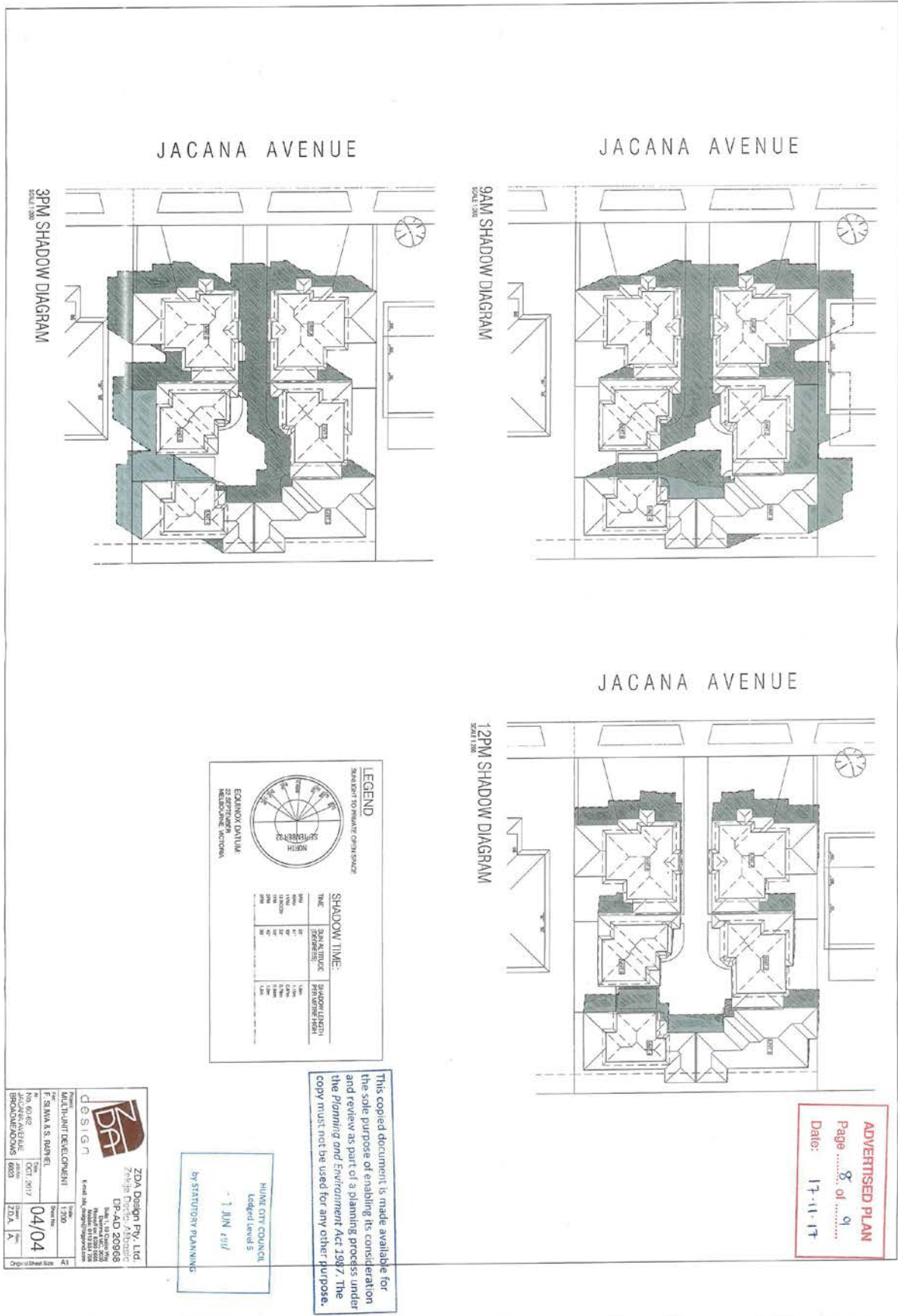
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<b>REPORT NO:</b>	SU319
<b>REPORT TITLE:</b>	24 Wattleglen Street, Craigieburn - Development of three double storey dwellings
<b>SOURCE:</b>	Jack Kerstens, Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P19844
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	1. <i>Locality Plan</i> 2. <i>Development Plans</i>

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<b>Application No:</b>	P19844
<b>Proposal:</b>	Development of three double storey dwellings
<b>Location:</b>	24 Wattleglen Street, Craigieburn
<b>Zoning:</b>	General Residential Zone
<b>Applicant:</b>	Tom Motta Building Design
<b>Date Received:</b>	22/08/2016

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## 1. SUMMARY OF REPORT:

Planning approval is sought for the development of three double storey dwellings at 24 Wattleglen Street, Craigieburn. The application was advertised and one objection was received with 20 signatures. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* including the issues raised with the objection. On balance, the proposal is considered acceptable and it is recommended that a Notice of Decision to grant a permit be issued subject to conditions.

## 2. RECOMMENDATION:

**That Council, having considered the application on its merits and the objection received, resolves to issue a Notice of Decision to Grant a Planning Permit for the development of three double storey dwellings at 24 Wattleglen Street, Craigieburn, subject to the following conditions:**

1. **Before the development permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the advertised plans submitted by *Tom Motta Building Design* labelled "Revision A 26/09/2016, Drg.No: TP 2016-08015", but modified to show:**
  - a. **Recess the first floor west facing walls of bedroom 2 and 3 of dwelling 1 by 500mm further to the east.**
  - b. **Recess the first floor east elevation of dwelling 2 300mm further to the east by reducing the width of bedroom 1 and 3.**
  - c. **Recess the first floor south facing walls of bedroom 1 and 3 of dwelling 2 300mm further north.**

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- d. Screening of the west facing window of bedroom 1 of dwelling 2 in accordance with Clause 55.04-7 of the *Hume Planning Scheme* (Standard B23).
  - e. Deletion of the door which leads from the dwelling 2 staircase to the garage.
  - f. Provision of skylight windows atop the roof pitch adjacent to bedroom 1 and 2 of dwelling 1.
  - g. Provision of pedestrian visibility splays in accordance with Clause 52.06-9 of the *Hume Planning Scheme* (Design Standard 1). A notation must be included accordingly.
  - h. Notation which states the street tree adjacent the proposed double crossover must be removed and replaced to the satisfaction of the responsible authority and at the full cost of the owner/permit holder.
  - i. Notation for the removal of the existing crossover and reinstatement of the kerb, channel and nature strip at the full cost of the owner/permit holder and to the satisfaction of the responsible authority.
  - j. Amend the notation for the Natural Ground Level (NGL) on the south elevation.
2. The development shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.
  3. Once the approved development has started, it must be continued and completed to the satisfaction of the responsible authority except with the prior consent of the responsible authority.
  4. The external materials, finishes and paint colours of the approved buildings must be to the satisfaction of the responsible authority.
  5. All services, including water, electricity, gas, sewerage and telephone, must be located and installed underground to the satisfaction of the responsible authority.
  6. Car spaces, access lanes and driveways shown on the endorsed plan must be kept available for these purposes at all times to the satisfaction of the responsible authority.
  7. Before the development is occupied, areas set aside for parking, protective kerbs or other barriers must be provided to the satisfaction of the responsible authority to prevent damage to fences or landscaped areas.
  8. The development permitted by this permit must not be commenced until a satisfactory landscape plan for the whole subject land is submitted to and approved by the responsible authority. Such plan must show the area(s) set aside for landscaping in accordance with Council's guidelines and include a schedule of all proposed trees, shrubs and groundcover (including size of maturity and botanical names), and when approved an endorsed copy must form part of this permit.
  9. Before the development is occupied or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
  10. The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the responsible authority and once landscaped must not be used for any other purpose. Maintenance must include the removal of weeds and the replacement of any dead plants in accordance with the endorsed landscape planting schedule.

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11. All street trees that are proposed to be removed as a part of the approved development must be replaced to the satisfaction of the responsible authority. The tree is to be removed and replaced at the cost of the permit holder / developer. Prior to the removal of the street tree, the owner/developer/permit holder must contact Council's Senior Arborist from Park Department in a timely manner to advise when the proposed tree removal will occur within the nature strip. Only Council staff or Council recommended contractors are permitted to remove the tree within nature strip.
12. The existing redundant vehicle crossing must be removed. The kerb and channel and nature strip must be reinstated to the satisfaction of the responsible authority and at the full cost of the owner/permit holder.
13. Stormwater from all paved area must be retained within the property and drained to the sites underground stormwater system, including pavement over the easement area.
14. Any cut or fill must not interfere with the natural overland stormwater flow.
15. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during construction.
16. This permit will expire if one of the following circumstances applies:
  - the development is not started within three years of the date of this permit;  
or
  - the development is not completed within six years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing:

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

**Permit Notes:**

1. If a request for an extension of commencement/completion dates is made out of time allowed, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.
2. An application for a 'Consent to Dig in the Road Reserve' permit for a vehicle crossing must be submitted to Council. A copy of the Council endorsed plan showing all vehicle crossing details must be attached to the application. Any service relocations are subject to the approval of the Service Authority and at the owners cost.
3. An application for Legal Point of Stormwater discharge is required for the connection to the legal point of discharge.
4. Drainage investigation is required for this development (fees apply). Plans are to be submitted to Council's Civil Design section for assessment. This will determine if on-site detention system, upgrading of Council's existing drainage pipes or new drainage pipes are required by the owners/developers.
5. Following the Drainage Investigation, internal drainage plans must be submitted to Council Civil Design section for approval.
6. Provision of litter control at stormwater inlet points within car park and paved areas. All stormwater pits to be Channel Grated or Grated as per Council's Standard Dwg SD 210/215 or SD225 respectively.

REPORT NO: SU319 (cont.)

7. Prior to commencement of any works within the road reserve or the alteration/connection to Council's drainage assets within the road reserve/easement, an 'Application for Consent to work within a Hume City Council Road Reserve' is required to be submitted to Council before carrying out any works.

3. PROPOSAL:

3.1 It is proposed to develop three double storey dwellings on the subject land. Details of the proposal are as follows:

- The proposal seeks to demolish an existing single-storey brick veneer dwelling and various outbuildings to develop three double storey dwellings sited in linear layout on the corner block.
- The development presents as one double storey dwelling facing Wattleglen Street, whilst the other two double storey dwellings are situated behind facing Burn Court, Craigieburn.
- All dwellings at ground floor comprise an open planned kitchen/meals/living area, laundry and separate wash closet (toilet). The first floors of all dwellings contain three bedrooms (one master with ensuite and WIR) and a separate bathroom.
- Dwelling 1 will be accessed via a new crossover from Wattleglen Street located in the south-east corner of the site. Dwellings 2 and 3 will be accessed via a new double crossover from Burn Court.
- All dwellings are provided with a single car garage and tandem space which is sited behind the respective garages.
- All dwellings are provided with external areas of private (POS) and secluded private open space (SPOS) with direct access from the respective internal living areas. The area of POS/SPOS for each dwelling is as follows:
  - Dwelling 1 – 119 sq.m (SPOS = 25.05 sq.m)
  - Dwelling 2 – 43.21 sq.m (SPOS = 28.89 sq.m)
  - Dwelling 3 – 73.06 sq.m (SPOS = 36.72 sq.m)
- The built form proposes a contemporary style design which features concrete hipped roof profiles, projecting eave profiles (typically 500mm), standard detached dwelling fenestration and covered porch entries. Materials adopted are of soft and light colours to blend with surrounding properties. These include brick veneer finishes with raked joints at ground level and rendered Styro foam cladding to the upper levels.
- The following table provides a summary of the proposed development:

Site Area	581 sq.m
Dwelling Density	1:193.66 sq.m
Site Coverage	46.75% (60% max.)
Permeability	35.34% (20% min.)
Garden Ara	N/A – application lodged prior to introduction of provision via VC110 27/03/17

REPORT NO: SU319 (cont.)

4. SITE AND SURROUNDS:

- 4.1 The site is located on the north side of Wattle Glen Street approximately 310 metres north of Craigieburn Road, Craigieburn. The site has a rectangular shape (with a corner splay 3.05m x 3.05m) measuring 15.24 metres wide and 38.4 metres in depth, yielding an overall site area of 580.70 square metres.
- 4.2 The subject land is currently occupied by a single storey brick veneer modern contemporary dwelling that features a hipped concrete tiled roof form. Boundary fencing is 1.9 timber pailing with no front fence to Wattle Glen Street or Burn Court. An existing single crossover and driveway currently extends from the north-west corner of the site off Burn Court. The site contains some small to medium sized ornamental trees and shrubs. The rear yard is predominantly occupied by regular outbuildings (garage, shed etc.). The site has an insignificant fall of approximately 0.18 metres to the north boundary from the south boundary line. A 1.829 metre wide easement traverses the rear (north) property boundary.
- 4.3 The site is situated within an established residential neighbourhood of Craigieburn. It is within close proximity to surrounding shops and services, as well as public transit opportunities and major arterial roads including Craigieburn Road and the Hume Highway. *D.S. Aitken Reserve* is located approximately 100 metres to the south.
- 4.4 The surrounding area consists of single storey modern contemporary dwellings with an increasingly emerging character of medium density developments that provide a mixture of single and double storey housing. Examples of medium density developments within the immediate context include 14 Wattle Glen Street (two double storey dwellings on a corner block), 15 Wattle Glen Street (two double storey dwellings and one single to the rear) and 27 Wattle Glen Street (double storey dwelling to the rear). Other medium density developments within the wider context of this residential neighbourhood in Craigieburn are evident in Field Street, Dianne Avenue and Hanson Road.

**Restrictions on Title**

- 4.5 No registered covenants are recorded on title.

**Planning History**

- 4.6 A review of available Council records indicates no previous planning permit applications pertaining to the subject land.

5. PLANNING CONTROLS:

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant to the consideration of the application:

<i>State Policies:</i>	Clause 11:	Settlement
	Clause 11.06:	Metropolitan Melbourne
	Clause 15:	Built Environment and Heritage
	Clause 16:	Housing
	Clause 18:	Transport
<i>Municipal Strategies:</i>	Clause 19:	Infrastructure
	Clause 21:	Hume Municipal Strategic Statement
	Clause 21.01-3:	Vision and Strategic Framework Plan
	Clause 21.02:	Urban Structure and Settlement
	Clause 21.02-1:	Managing Growth and Increasing Housing Choice
	Clause 21.03:	Liveable Neighbourhoods and Housing
	Clause 21.03-1:	Liveable Communities
	Clause 21.03-2:	Housing
	Clause 21.04:	Built Environment and Heritage

REPORT NO: SU319 (cont.)

	Clause 21.04-1:	Urban Design			
	Clause 21.04-2:	Environmentally Sustainable Design and Development			
<i>Local Policies:</i>		Not applicable			
<i>Zones:</i>	Clause 32.08:	General Residential Zone Schedule 1			
<i>Overlays:</i>		Nil			
<i>Particular Provisions:</i>	Clause 52.06:	Car Parking			
	Clause 55:	Two or More Dwellings on a Lot and Residential Buildings			
<i>General Provisions:</i>	Clause 65.01:	Approval of an Application or Plan			
	Clause 66:	Referral and Notice Provisions			

- 5.2 The State and Local Planning Policy Frameworks aim to provide housing diversity within urban settlements that are sustained by supporting infrastructure while ensuring development responds to the landscape and urban character of areas.
- 5.3 New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space. Planning for housing should include the provision of land for affordable housing that is close to jobs, transport and services.
- 5.4 Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through appropriately located uses and developments and quality urban design.
- 5.5 The Hume Municipal Strategic Statement (MSS) identifies the single detached dwelling as the most common type of housing throughout the municipality. It forecasts this will remain for some years even though the size and type of households is gradually changing. One of the challenges for Council is to increase the range of housing types available to meet the changing accommodation and lifestyle needs of the community.
- 5.6 In order to address this, the Hume MSS recognizes the following relevant objectives:
- *To provide access to a range and quality of housing opportunities that meet the varied needs of existing and future residents.*
  - *To deliver urban growth that is cost effective, orderly and achieves the greatest social benefits to the community, without diminishing the unique character and identity of the City.*

**Aboriginal Cultural Heritage**

- 5.7 The land is not located within an area identified as Aboriginal cultural heritage sensitivity and as such, a Cultural Heritage Management Plan is not required.

**Major Electricity Transmission Line**

- 5.8 The land is not located within 60 metres of a major electricity transmission line.

**Planning Permit Triggers**

- 5.9 Pursuant to Clause 32.08-6 of the *Hume Planning Scheme*, a planning permit is required for the development of more than one dwelling on a lot. Clause 55 of the *Scheme* is relevant for the assessment of more than one dwelling on a lot.
- 5.10 The General Residential Zone also requires that a garden area be provided on the site totaling 35% of the site. However, pursuant to Clause 32.08-14 of the *Scheme*, the minimum garden area requirements introduced by Amendment VC110 do not apply to this application as it was lodged before the approval date, 27 March 2017.



REPORT NO: SU319 (cont.)

**6. REFERRALS:**

- 6.1 The application was not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987* (“the Act”).
- 6.2 The application was referred internally to Council’s Assets Department (Traffic and Civil Engineering) for comments. No objections have been received subject to permit conditions.

**7. ADVERTISING:**

- 7.1 The application was advertised under Section 52 of the *Planning & Environment Act 1987* by way of notices to adjoining owners and occupiers and placing two notice boards on site for a minimum of 14 days as prescribed under the Act. A total of one objection with 20 signatures was received in response.
- 7.2 The grounds of objection can be summarised as follows:
- Increase in the number of site users (residents);
  - Increase in traffic with limited access;
  - Overlooking to no. 22 Wattleglen Street.

**8. OBJECTIONS:**

- 8.1 The grounds of objection are discussed in detail below.

8.2 Increases in the number of site users (residents)

Concerns have been raised with the development regarding increases in the number of site users impacting on the area, resulting in the “slow erosion” of residential areas with emerging high rise compact living. Policy exists in the State and Local Planning Policy Framework to increase the density of dwellings and lots in areas with good access to services and transport, and to provide housing diversity and choice. Whilst development must respond to the relevant landscape and urban character of the area, the most suited urban areas to facilitate this are those that are sustained by existing supporting infrastructure.

Existing policy also identifies the anticipated population growth for the area. This is specifically encouraged in Local Policies such as Clause 21.02 of the Scheme:

*‘The proposed future urban structure of the Hume Corridor will support a significant increase in population, primarily located in the new growth areas of Greenvale and Craigieburn in the middle of the corridor... in total these areas are anticipated to deliver over 40,000 new dwellings...’*

The location of the subject land and the wider surrounding area is well situated to facilitate for such density outcomes.

8.3 Increase in traffic with limited access

In conjunction with the increase in the number of people to the area/site, concerns have also been raised with regards to the impacts of increased traffic/vehicles accessing the site. Council’s Assets Department have reviewed the proposal, raising no concerns with the anticipated increase to the number of daily vehicle trips within the street/area, further stating the internal traffic movements are satisfactory. It is noted that each dwelling is provided with two car parking spaces (single car garage and tandem space), thus satisfying the requirement.

REPORT NO: SU319 (cont.)

8.4 Overlooking

Specific concern has been made with regards to overlooking into the backyard of the neighbouring property at No. 22 Wattleglen Street, Craigieburn.

All east facing upper level habitable room windows of all dwellings have been treated in accordance with Clause 55.04-6 of the Scheme where overlooking may occur (Standard B22). The site has a fall of approximately 0.18 metres to the northern property boundary from the site frontage (south boundary). As the sight slope is insignificant, the existing 1.9 metre high paling fencing on the north, and east side and rear boundaries will prevent any opportunities for overlooking at ground level. The relevant proposed finished floor levels are less than 0.8 metres above ground level at the respective boundaries and therefore are not required to be screened.

9. **ASSESSMENT:**

9.1 A detailed discussion of the proposal against the particular requirements of Clauses 52.06 and 55 of the *Hume Planning Scheme* is provided below. The proposal is able to satisfy the requirements of the respective provisions subject to the inclusion of permit conditions.

**Clause 52.06 – Car Parking**

9.2 Clause 52.06 requires car parking at the following rates:

- One car space for each one or two bedroom dwelling.
- Two car spaces for each three or more bedroom dwellings, with one covered space.
- One car space for visitors for developments of five or more dwellings.

9.3 All proposed dwellings have three bedrooms and will each be provided with a single covered space and tandem space, thus satisfying the provisions of Clause 52.06.

**Clause 55 (Two or More Dwellings on a Lot and Residential Buildings):**

9.4 A satisfactory neighbourhood and site description and site design response plan has been provided for consideration. Assessment of the proposal against the objectives and standards of Clause 55 of the *Scheme* is provided below. In summary, the proposal satisfies all objectives subject to conditions being placed on any permit issued.

**Clause 55.02 – Neighbourhood Character and Infrastructure (Standards B1 to B5)**

9.5 Wattleglen Street and the wider surrounds in this part of Craigieburn are typically characterised by detached single storey brick veneer, rendered and weatherboard dwellings, with an emerging typology of medium density infill developments of both single and double storey dwelling forms.

9.6 In particular, similar developments can be found at No. 14 Wattleglen Street (P13824) approved for the development of a double storey dwelling to the rear; No. 15 Wattleglen (P18538) approved for two double storey dwellings and one single storey dwelling; and No. 27 Wattleglen (P14670) approved double storey dwelling to the rear. Other completed and/or approved developments can be found in surrounding streets such as, Field Street, Hanson Road and Dianne Avenue. No. 42 Dianne Avenue was recently approved by Council (P19187) for the development of two double storey dwellings and one single storey dwelling.

9.7 The development proposes a total of three double storey dwellings. The built form presents in a linear layout with one double storey facing the street frontage to Wattleglen Street, whilst the other two double storey dwellings are situated behind forming an interface with the side street frontage to Burn Court. The dwellings have a

**REPORT NO: SU319 (cont.)**

contemporary design with pitched roof forms, projecting eave profiles, simple fenestration, and covered front porches, utilising building materials that are sympathetic to the surrounding area.

- 9.8 The concept of two storey development is generally acceptable in terms of the surrounding context. The proposed development appropriately manages bulk and built form by breaking up the extent of two storey through the use of articulated materials, staggered setbacks and providing some separation between the upper levels of dwellings 1 and 2. Conditions will be placed on any permit issued to ensure greater separation between the upper levels of dwellings 1 and 2 is achieved. Overall, the proposal has appropriate regard for the emerging character of the area.
- 9.9 The proposed development has been appropriately located in the context of an established urban environment being well connected to all relevant services and utilities within the area of emerging infill development. The design demonstrates consistency with relevant housing policy objectives offering suitable dwelling diversity.
- 9.10 All dwellings integrate well with Wattleglen Street and Burn Court with adequate vehicle and pedestrian links to the site frontage and side street frontage from proposed front entry porches. Various habitable room windows provide passive surveillance to the street and internally on site.

**Clause 55.03 – Site Layout and Building Massing (Standards B6 to B15)**

- 9.11 The proposal maintains the existing front setback of 7.7 metres to dwelling 1 and 5.8 metres to the respective porch, whilst dwelling 2 and 3 are setback 3 metres from the side street of which the porch encroaches 1.58 metres. The front and side street setbacks are consistent with the requirements of Standard B6 for a corner site.
- 9.12 The proposed development has a maximum building height ranging from 7.25 – 7.55 metres to the roof pitch. This complies with the height restrictions of Standard B7 (9 metres) and the General Residential Zone which allows 11 metres.
- 9.13 Site coverage (46.75%) and permeability of the site (35.34%) are well within the maximum 60 percent site coverage and minimum 20 percent permeability parameters of Standards B8 and B9. It is noted that sufficient space is provided for stormwater infiltration and future landscaping opportunities.
- 9.14 The proposal incorporates energy efficiency through dwelling layout, which allows solar access into secluded private open space areas and internal living areas.
- 9.15 All dwellings are provided with a portico entry feature which delineate the main pedestrian entrance points and provide an appropriate sense of address for each dwelling. Passive surveillance is provided via habitable room windows to each dwellings façade.
- 9.16 The layout ensures that the front and rear setbacks of each of the dwellings can accommodate appropriate landscaping, including canopy trees, which will provide filtered screening of the buildings as they establish over time.
- 9.17 Each dwelling is provided with a vehicle access point which accords with the requirements of Standard B14.
- 9.18 Each dwelling is provided with conveniently located vehicle parking for residents.

**Clause 55.04 – Amenity Impacts (Standards B17 to B24)**

- 9.19 All ground and first floor walls have been setback in accordance with Standard B17.
- 9.20 The development does not propose any new walls to be constructed on or within 200mm of a side or rear boundary and thus, meets the requirements of Standard B18.

**REPORT NO: SU319 (cont.)**

- 9.21 All dwellings are sufficiently setback from existing habitable room windows on abutting allotments, thus ensuring sufficient daylight to those habitable room windows in accordance with Standard B19. In particular, the existing windows at No. 22 Wattleglen Street will receive appropriate daylight to their west facing windows.
- 9.22 Standard B20 related to north facing windows within three metres of the boundary of the subject land is not applicable in this instance, as north facing windows are affected.
- 9.23 Overshadowing is within the permitted limits and complies with Standard B21.
- 9.24 It is noted that all first floor habitable room windows on the north and east elevations with an outlook within 9 metres of neighbouring SPOS have been screened appropriately in accordance with the requirements of Standard B22. Habitable room windows have a raised sill height or are provided with fixed obscure glass to 1.7 metres above FFL. Internal views on-site are limited as stipulated by Standard B23.
- 9.25 The development will not give rise to any additional noise.

**Clause 55.04 – On-site Amenity and Facilities (Standards B25 to B30)**

- 9.26 The portico's and dwelling entries have a lower level being easily accessible for people with limited mobility or could be modified if needed. Each dwelling entry is provided with a sense of personal address/identity in accordance with Standard B25 and B26.
- 9.27 All proposed habitable room windows will receive appropriate access to daylight, thus satisfying Standard B27.
- 9.28 Standard B28 of the *Scheme* requires each dwelling to have a private open space (POS) area with a minimum of 40 square metres, inclusive of 25 square metres of secluded private open space (SPOS). Dwelling 1 is provided with 119 square metres of POS, dwelling 2 is provided with 43.21 square metres of POS and dwelling 3 is provided with 73.06 square metres of POS, of which at least 25 square metres is secluded. Overall, the development delivers adequate private and secluded private open space areas in terms of area and dimensional requirements as prescribed by Standard B28.
- 9.29 All dwellings are provided with SPOS areas and internal living areas which are located to the north, east or west, allowing for appropriate solar access and penetration in accordance with Standard B29.
- 9.30 Each dwelling is provided with a storage shed/area that accords with Standard B30.

**Clause 55.06 – Detailed Design (Standards B31 to B34)**

- 9.31 The proposed design of the dwellings, including the proposed concrete hipped roof profiles, use of ground floor brickwork, and first floor Styro foam cladding, as well as the simple door and window proportions (fenestration), are considered suitable in the context of the emerging character of the area. The walls are well articulated to reduce bulk onto the adjoining properties and existing neighbourhood character by implementing staggered recession and adopting materials and soft and light colours to blend with the surroundings.
- 9.32 No front fence is proposed.
- 9.33 The proposed layout is designed to avoid future management issues.
- 9.34 The plans suitably demonstrate the location of site services and designate areas for other ancillary facilities.

REPORT NO: SU319 (cont.)

**10. CONCLUSION**

The proposed development is considered appropriate for the site and surrounding area and generally complies with the requirements of Clause 52.06 and Clause 55 of the *Hume Planning Scheme*. The proposal provides an increase in the diversity of housing choice within Craigieburn and delivers site responsive design which limits amenity impacts. For these reasons, it is recommended that the application be supported, subject to the recommended permit conditions.



# LOCALITY PLAN

Permit Application: P19844

Site Address: 24 Wattleglen Street, Craigieburn.

**SUBJECT SITE**

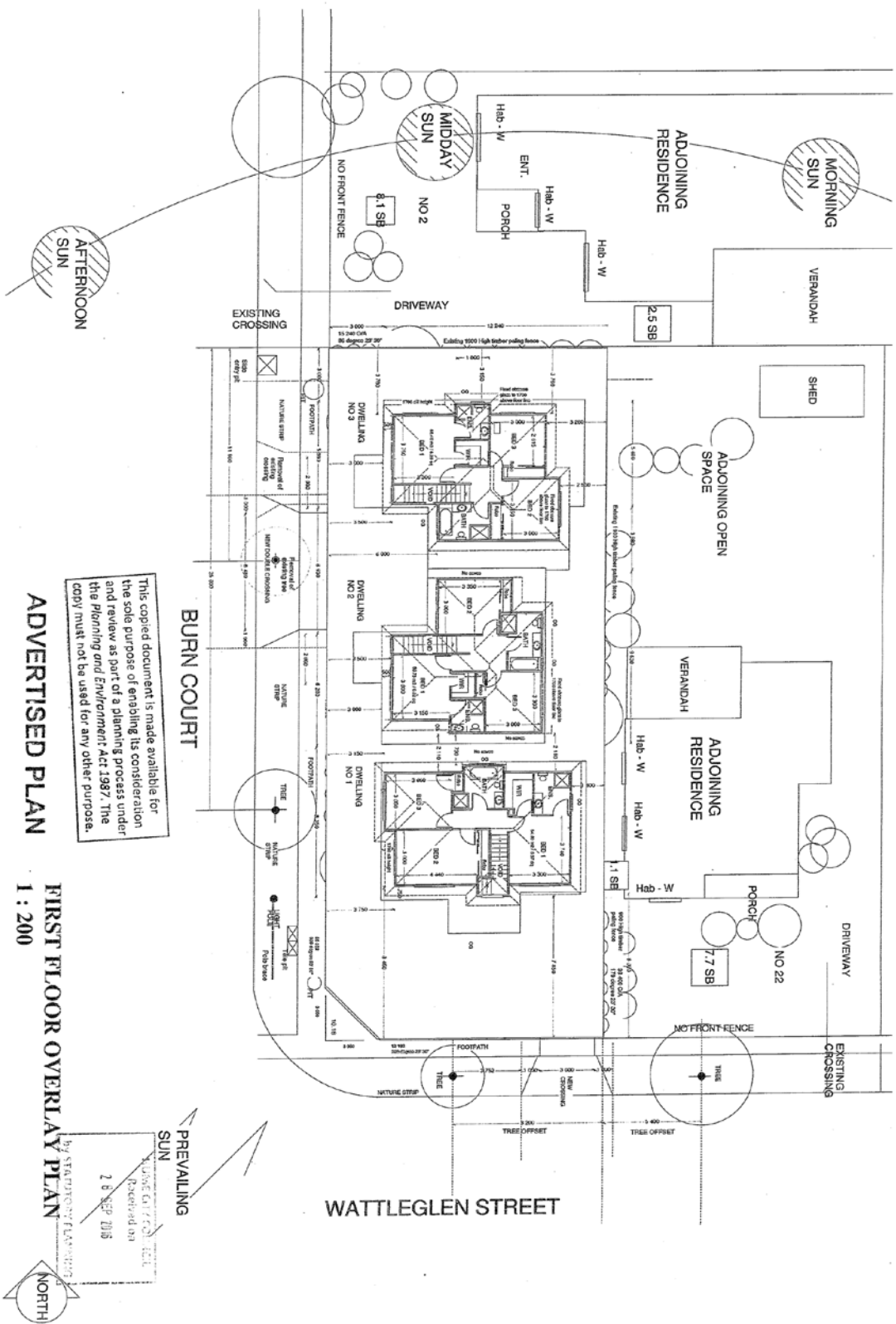




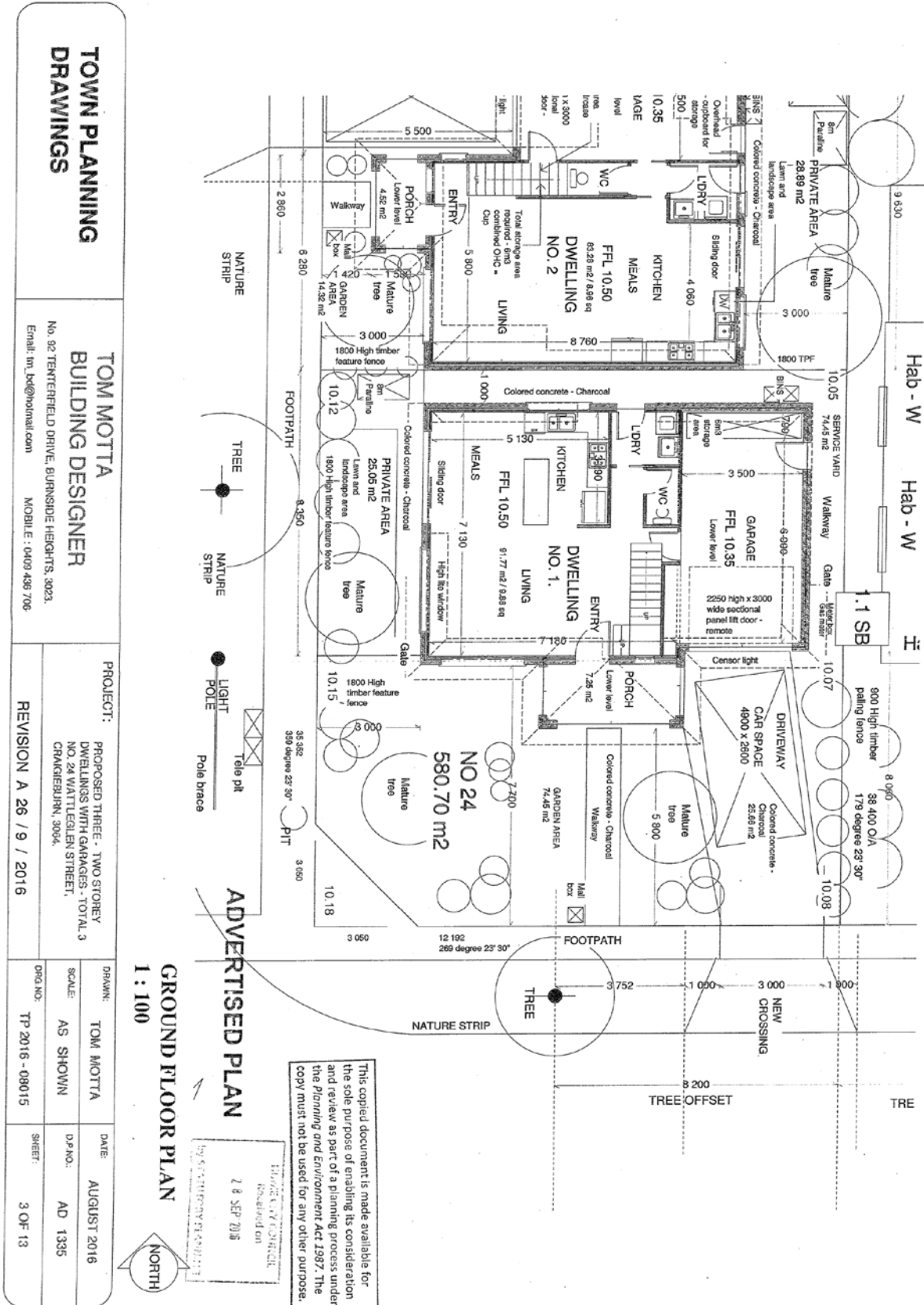




<p><b>TOWN PLANNING DRAWINGS</b></p>	<p><b>TOM MOTTA BUILDING DESIGNER</b></p> <p>No. 82 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023. Email: tm_bdt@hotmail.com</p>	<p><b>PROJECT:</b></p> <p>PROPOSED THREE - TWO STOREY DWELLINGS WITH GARAGES - TOTAL 3 NO. 24 WATTLEGLLEN STREET, CRAKIEBURN, 3064.</p>	<p><b>DRAWN:</b> TOM MOTTA</p> <p><b>SCALE:</b> AS SHOWN</p> <p><b>DWGNO:</b> TP 2016 - 08015</p>	<p><b>DATE:</b> AUGUST 2016</p> <p><b>D.P.NO.:</b> AD 1335</p> <p><b>SHEET:</b> 2 OF 13</p>
	<p>MOBILE : 0409 438 708</p>			



**ADVERTISED PLAN**  
**FIRST FLOOR OVERLAY PLAN**  
**1 : 200**



**TOWN PLANNING  
DRAWINGS**

**TOM MOTTA  
BUILDING DESIGNER**

No. 82 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023.  
Email: tm\_bdd@hotmail.com

MOBILE : 0409 436 706

**PROJECT:**

PROPOSED THREE - TWO STOREY  
DWELLINGS WITH GARAGES - TOTAL 3  
NO. 24 WINTTLEGEN STREET,  
CRANBURNE, 3084.

REVISION A 26 / 9 / 2016

**DRAWN:**

TOM MOTTA

**DATE:**

AUGUST 2016

**SCALE:**

AS SHOWN

**D.P. NO.:**

AD 1335

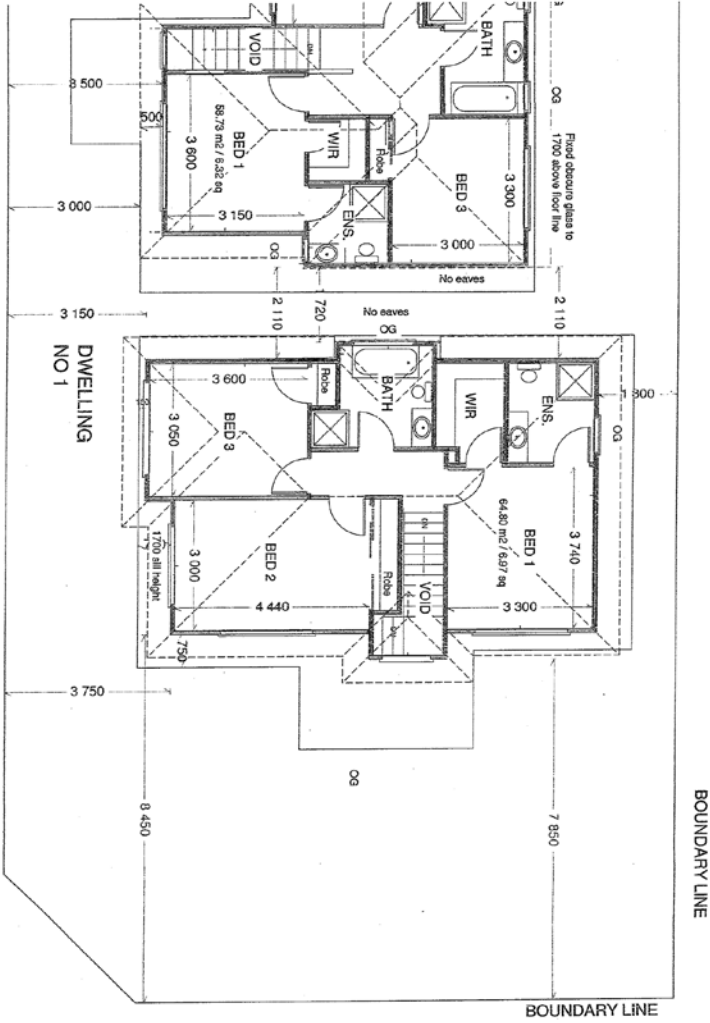
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TP 2016 - 08015

**SHEET:**

4 OF 13

**FIRST FLOOR PLAN  
1 : 100**



**MATERIAL AND COLOR  
SELECTION**

- TILED ROOF - Cement tiled roof - Boral - Slimline - Color - Gunmetal / Twilight
- WALLS - Brick veneer wall with raked joints - Boral - Color - Victorian Blue with white mortar
- First floor wall- Rendered - Syro foam cladding - Color - Jasper / Paperbark
- WINDOWS - Aluminium sliding sash frame - Color - Shale Grey
- FASCIA & SPOUTING / DOWNPIPES - Metal colorbond - Color - Shale Grey
- GARAGE DOORS - Sectional panel lift doors - Color - Timber grain - Cedar - Colorbond
- EAVES - Painted - Quad mould to wall face - Color Natural white
- DOOR FRAMES / DOORS - Painted - Color - Timber Stain - Cedar
- DRIVEWAY / PAVEMENT - Concrete - Charcoal

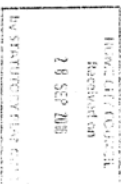
**AREAS**

**DWELLING NO.1**  
Ground floor / garage - 91.77 m<sup>2</sup> / 9.88 sq  
First floor - 64.80 m<sup>2</sup> / 6.77 sq  
Private area - 25.05 m<sup>2</sup>  
Service yard - 19.50 m<sup>2</sup>  
Front yard - 74.45 m<sup>2</sup>

**DWELLING NO. 2**  
Ground floor / garage - 93.28 m<sup>2</sup> / 9.96 sq  
First floor - 58.73 m<sup>2</sup> / 6.32 sq  
Private area - 28.89 m<sup>2</sup>  
Front yard - 14.32 m<sup>2</sup>

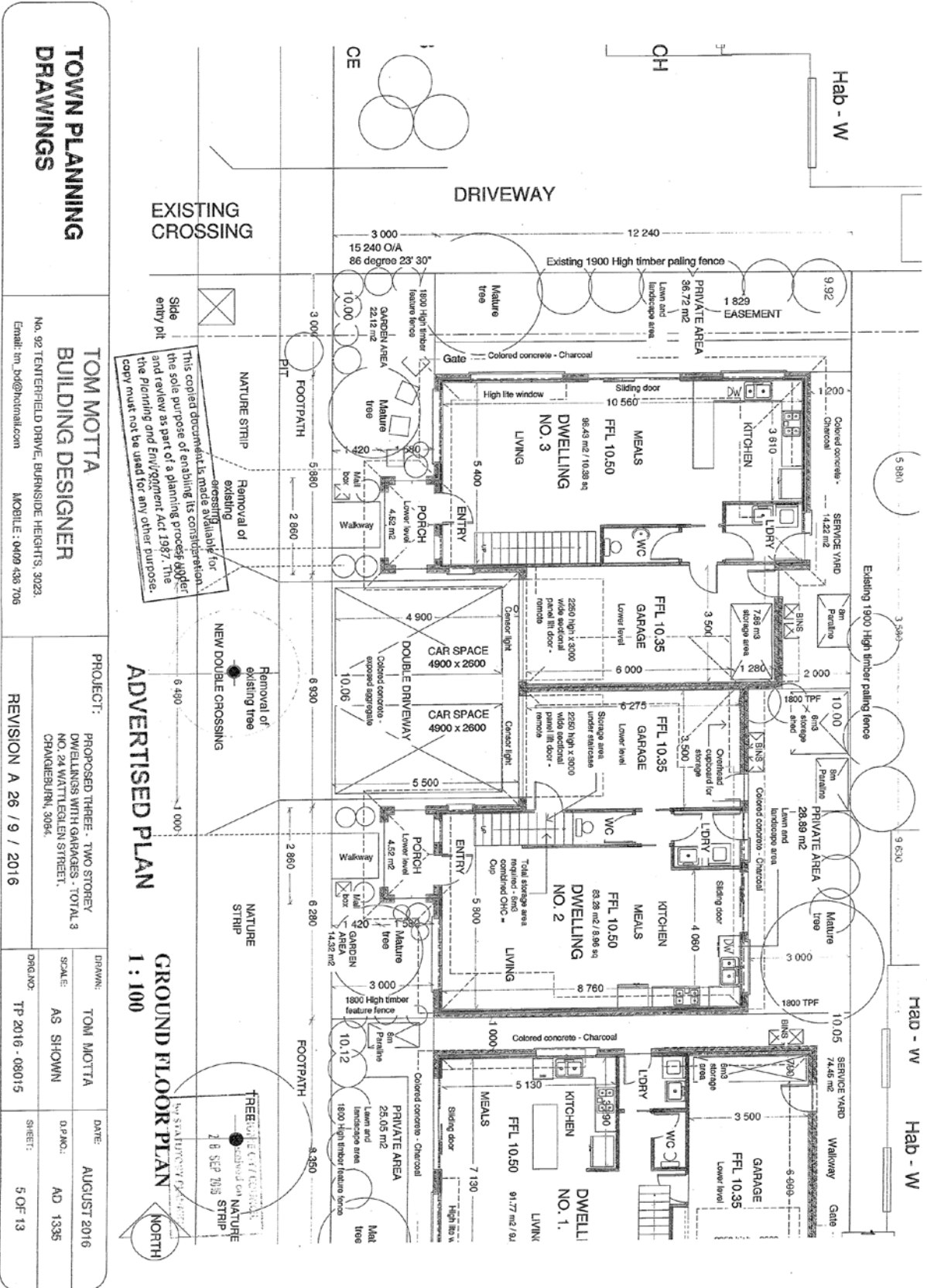
**DWELLING NO. 3**  
Ground floor / garage - 96.43 m<sup>2</sup> / 10.38 sq  
First floor - 58.77 m<sup>2</sup> / 6.29 sq  
Private area - 36.72 m<sup>2</sup>  
Service yard - 14.22 m<sup>2</sup>  
Front yard - 22.12 m<sup>2</sup>

Lawn and garden area - 205.22 m<sup>2</sup> Coverage - 35.34 %  
Concrete driveway and pavement area - 104.00 m<sup>2</sup>  
Site Area - 500.70 m<sup>2</sup>  
Site coverage - 46.75 % with garages



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**ADVERTISED PLAN**



**TOWN PLANNING  
DRAWINGS**

**TOM MOTTA  
BUILDING DESIGNER**

No. 92 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023.  
Email: tm\_bdm@hotmail.com  
MOBILE: 0409 436 706

PROJECT: PROPOSED THREE - TWO STOREY  
DWELLINGS WITH GARAGES - TOTAL 3  
NO. 24 WATTLEBURN STREET,  
CHANGEBURN, 3084.

REVISION A 26 / 9 / 2016

DRAWN: TOM MOTTA  
SCALE: AS SHOWN  
DATE: AUGUST 2016  
D.P.NO.: AD 1335  
DRAWING: TP 2016 - 08015  
SHEET: 5 OF 13

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**GROUND FLOOR PLAN  
1:100**

**NORTH**

**TOWN PLANNING  
DRAWINGS**

**TOM MOTTA  
BUILDING DESIGNER**

No. 92 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023.  
Email: tm\_bdm@hotmail.com

MOBILE: 0409 436 706

PROJECT:

PROPOSED THREE - TWO STOREY  
DWELLINGS WITH GARAGES - TOTAL 3  
NO. 24 WATTI EGLER STREET,  
CRAGIEBURN, 3006.

REVISION A 26 / 9 / 2016

DRAWN:

TOM MOTTA

DATE: AUGUST 2016

SCALE:

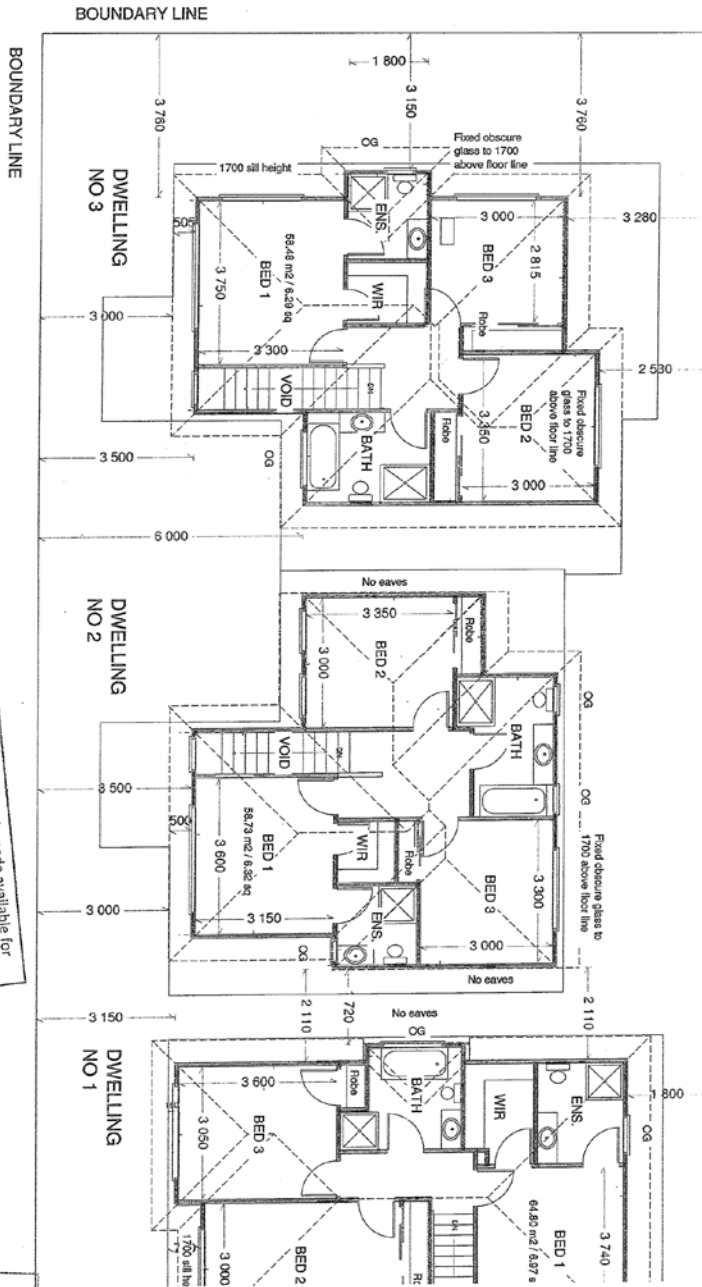
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DWGNO:

TPP 2016 - 08015

SHEET: 6 OF 13

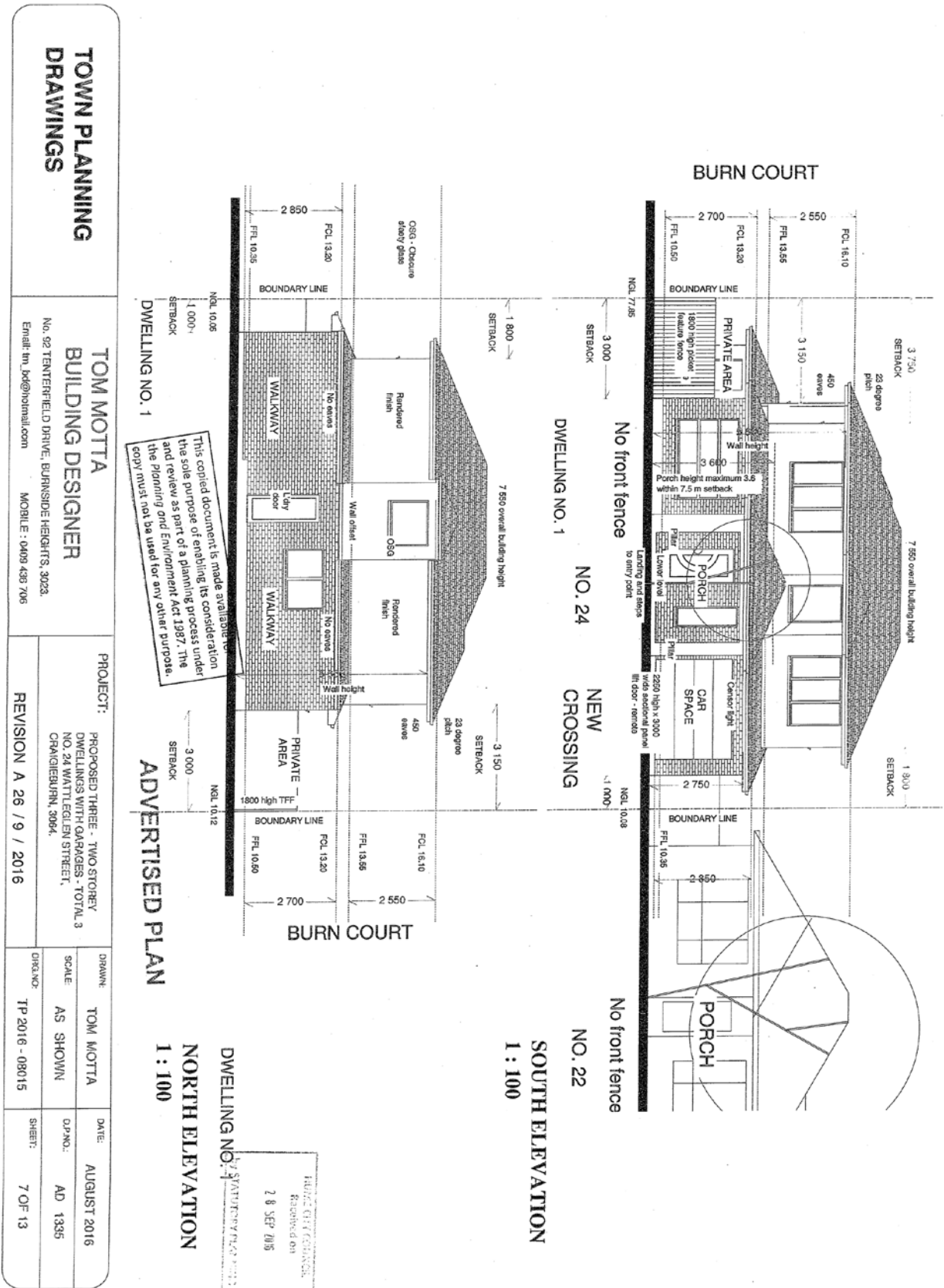


**ADVERTISED PLAN**

**FIRST FLOOR PLAN  
1 : 100**



By the Council  
Received on  
28 SEP 2016



**TOWN PLANNING  
DRAWINGS**

**TOM MOTTA  
BUILDING DESIGNER**

No. 92 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023.  
Email: tm\_jrd@hotmail.com

MOBILE : 0409 436 706

**PROJECT:**

PROPOSED THREE - TWO STOREY  
DWELLINGS WITH GARAGES - TOTAL 3  
NO. 24 WATTLEBURN STREET,  
CRAIGIEBURN, 3004.

REVISION A 26 / 9 / 2016

**DRAWN:**

TOM MOTTA

**DATE:**

AUGUST 2016

**SCALE:**

AS SHOWN

**D.P.NO.:**

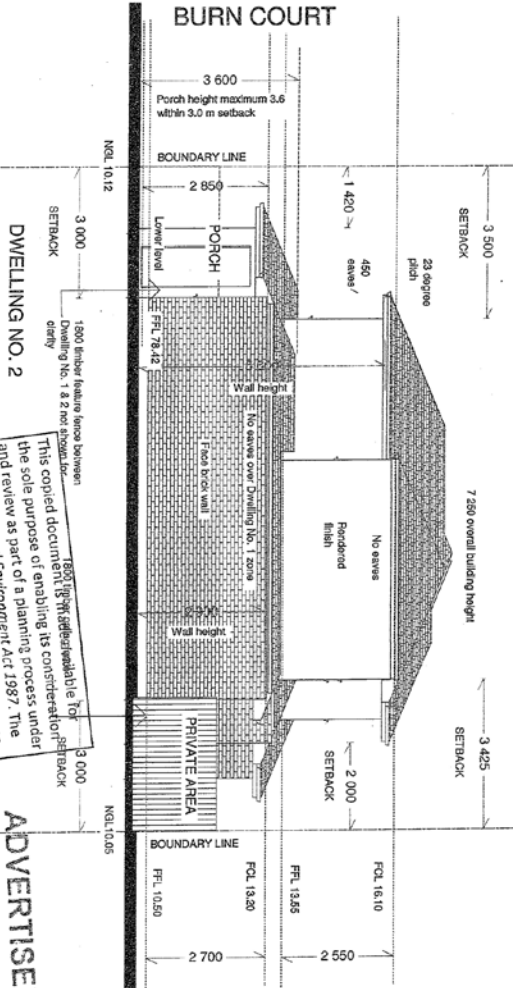
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TP 2016 - 08015

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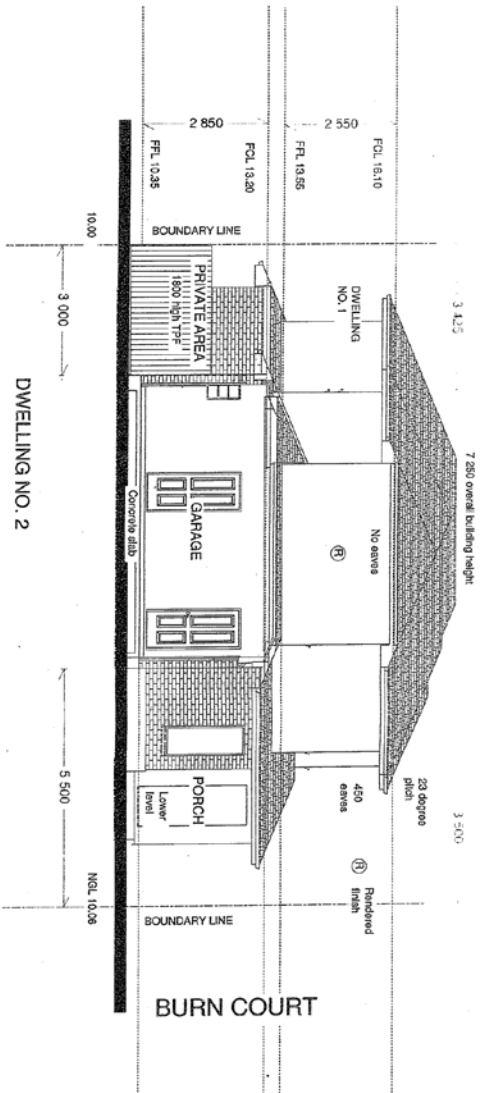
8 OF 13



**ADVERTISED PLAN**

**SOUTH ELEVATION  
1 : 100**

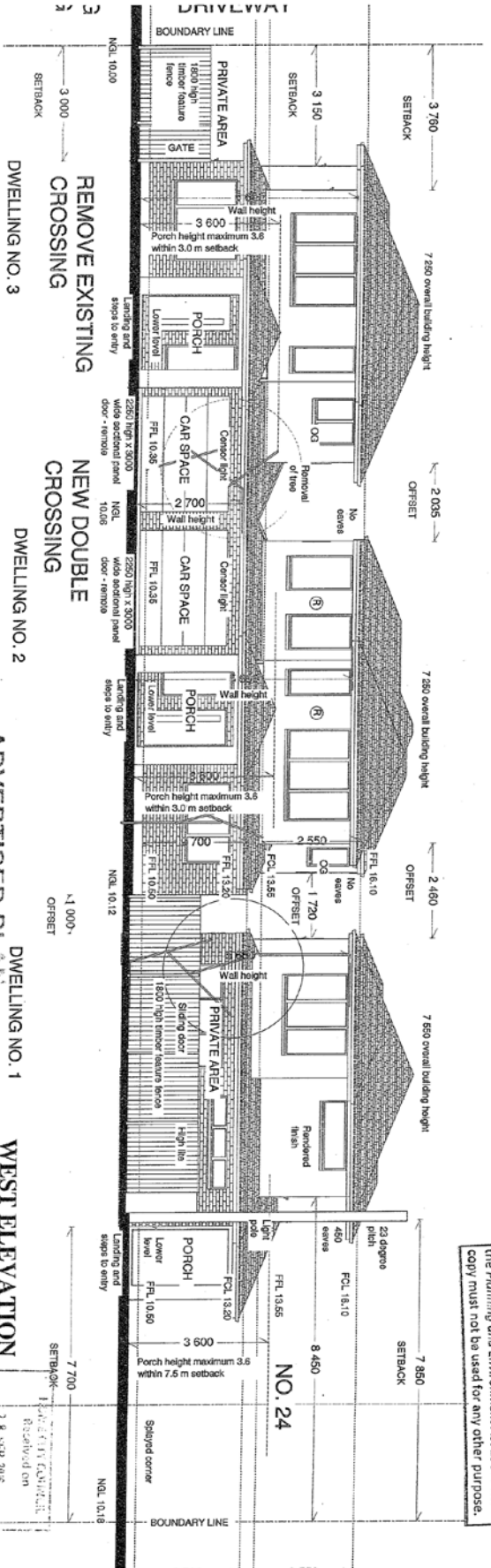
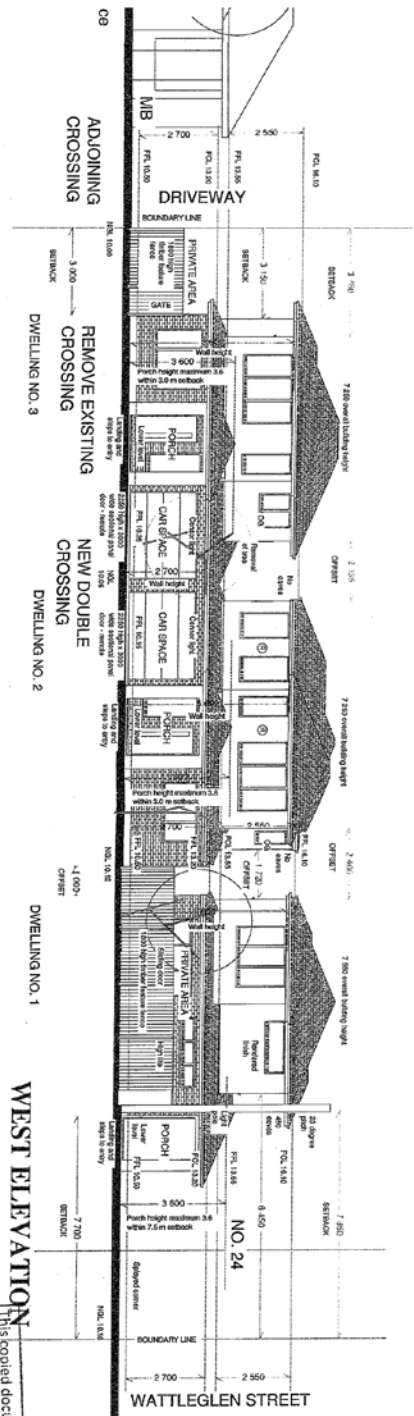
28 SEP 2016



**NORTH ELEVATION  
1 : 100**







<p><b>TOWN PLANNING DRAWINGS</b></p>	<p><b>TOM MOTTA BUILDING DESIGNER</b></p> <p>No. 92 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023. Email: tm_jbd@hotmail.com</p>	<p><b>PROJECT:</b></p> <p>PROPOSED THREE - TWO STOREY DWELLINGS WITH GARAGES - TOTAL 3 NO. 24 WATTLEGLEN STREET, CRAIGIEBURN, 3064.</p>	<p><b>REVISION A 26 / 9 / 2016</b></p>
<p><b>DRAWN:</b></p> <p>TOM MOTTA</p>	<p><b>SCALE:</b></p> <p>AS SHOWN</p>	<p><b>D.P. NO.:</b></p> <p>AD 1335</p>	<p><b>SHEET:</b></p> <p>10 OF 13</p>

ADVERTISED PLAN  
DWELLING NO. 1  
WEST ELEVATION  
1 : 100

ADVERTISED PLAN  
DWELLING NO. 2  
WEST ELEVATION  
1 : 100

ADVERTISED PLAN  
DWELLING NO. 3  
WEST ELEVATION  
1 : 100

**TOWN PLANNING DRAWINGS**

**TOM MOTTA BUILDING DESIGNER**  
 No. 92 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023  
 Email: tm\_jtd@hotmail.com MOBILE: 0409 438 706

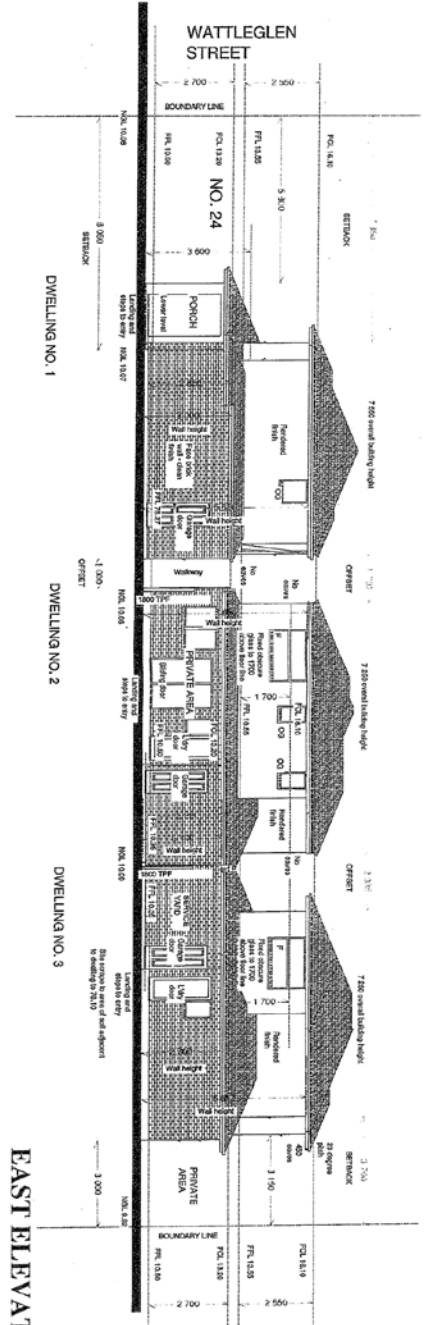
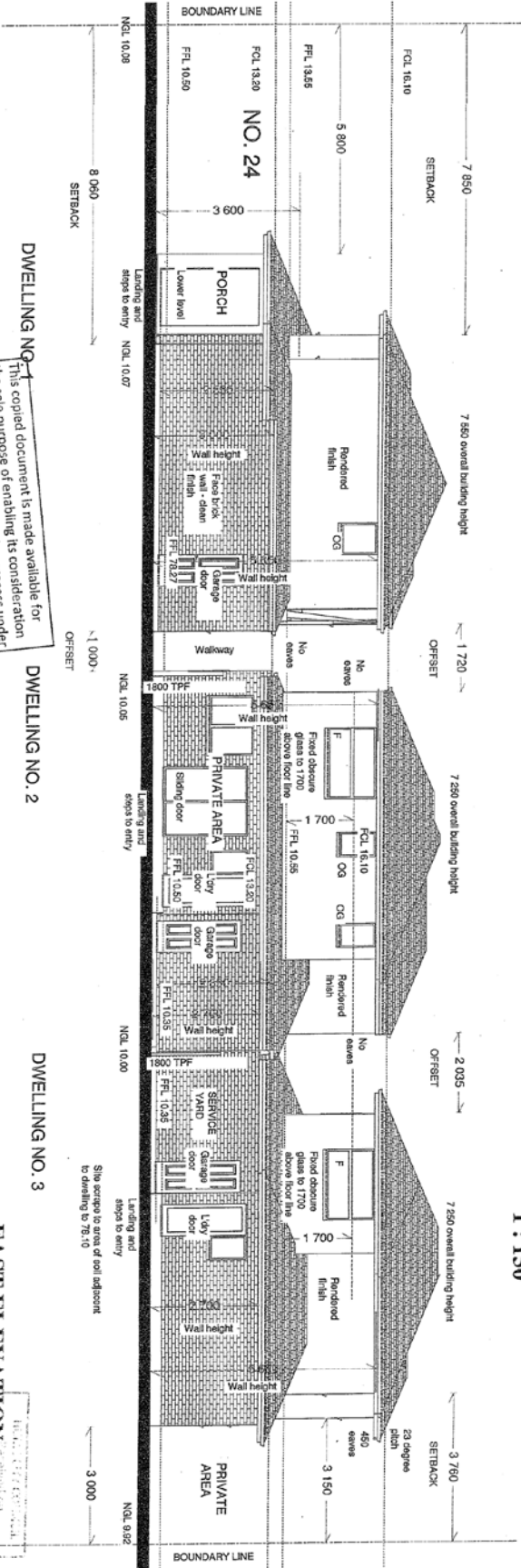
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**REVISION A 26 / 9 / 2016**

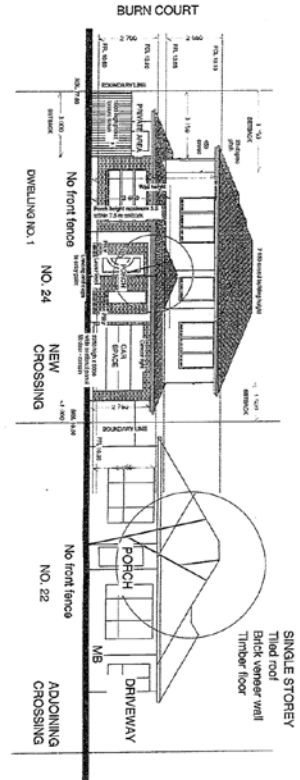
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SCALE:	AS SHOWN	D.P.NO.:	AD 1335
DRG. NO.:	TP 2016 - 08015	SH.EFF.:	11 OF 13

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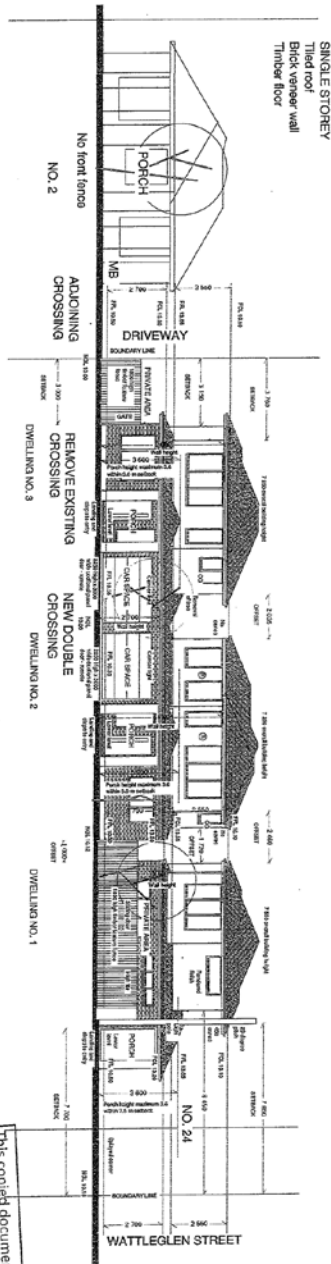
**ADVERTISED PLAN**  
**EAST ELEVATION**  
 1 : 100  
 28 SEP 2018



**EAST ELEVATION**  
 1 : 150



STREET SCAPE ELEVATIONS - WATTLEGLEN STREET  
1 : 200



STREET SCAPE ELEVATIONS - BURN COURT  
1 : 200

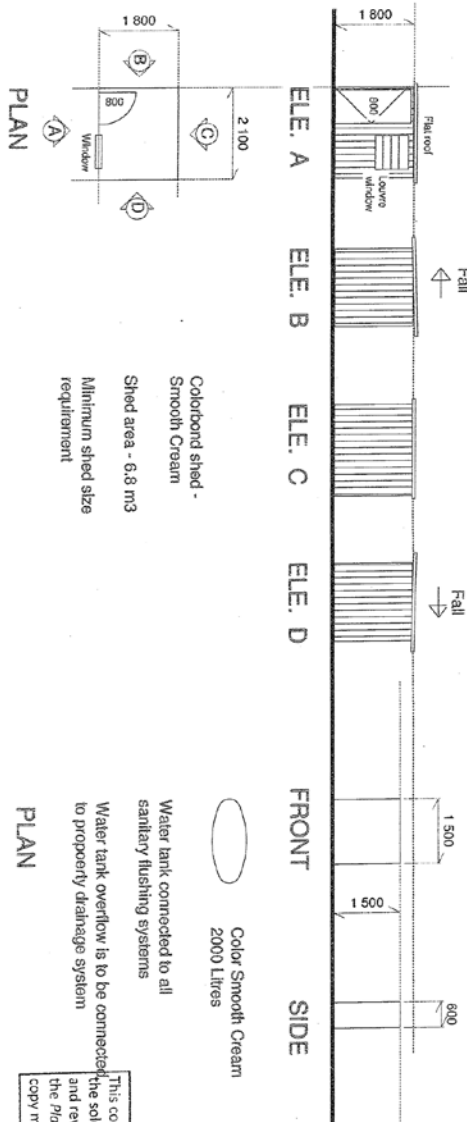
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28 SEP 2016

<p><b>TOWN PLANNING DRAWINGS</b></p>	<p><b>TOM MOTTA BUILDING DESIGNER</b> No. 92 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023. Email: tm_bd@hotmail.com</p>	<p><b>PROJECT:</b> PROPOSED THREE - TWO STOREY DWELLINGS WITH GARAGES - TOTAL 3 NO. 24 WATTLEGLEN STREET, CRANFORD, 3064.</p>	<p><b>DRAWN:</b> TOM MOTTA</p>	<p><b>DATE:</b> AUGUST 2016</p>
			<p><b>REVISION A 26 / 9 / 2016</b></p>	<p><b>SCALE:</b> AS SHOWN</p>
<p>MOBILE : 0409 436 706</p>		<p><b>DRG.NO.:</b> TP 2016 - 08015</p>	<p><b>SHEET:</b> 12 OF 13</p>	

<b>TOWN PLANNING DRAWINGS</b>		<b>TOM MOTTA BUILDING DESIGNER</b>	
No. 92 TENTERFIELD DRIVE, BURNSIDE HEIGHTS, 3023. Email: tm_jbd@hotmail.com		MOBILE: 0419 436 706	
PROJECT: PROPOSED THREE - TWO STOREY DWELLINGS WITH GARAGES - TOTAL 3 NO. 24 WATTLEGEN STREET, CRAIGIEBURN, 3084.			
REVISION A 26 / 9 / 2016			
DRAWN:	TOM MOTTA	DATE:	AUGUST 2016
SCALE:	AS SHOWN	D.P.NO.:	AD 1335
DWG. NO.:	TP 2016 - 08015	SHEET:	13 OF 13

**SHED AND WATER TANK  
1 : 100**



**ADVERTISED PLAN**

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<b>REPORT NO:</b>	SU320
<b>REPORT TITLE:</b>	1C, 2C, 3C, 5C and 6C of 1-13 The Gateway, Broadmeadows - Use of the existing offices for the purpose of an education centre
<b>SOURCE:</b>	Tess Manolis, Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	P20791
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Locality Plan</i></li><li>2. <i>Site and Ground Floor (Overall)</i></li><li>3. <i>Site and First Floor (Overall)</i></li><li>4. <i>Ground Floor (Detailed)</i></li><li>5. <i>First Floor (Detailed)</i></li></ol>

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<b>Application No:</b>	P20791
<b>Proposal:</b>	Use of the existing offices for the purpose of an education centre
<b>Location:</b>	Units 1C, 2C, 3C, 5C and 6C of 1-13 The Gateway, Broadmeadows
<b>Zoning:</b>	Commercial 2 Zone (C2Z) and Special Building Overlay (SBO)
<b>Applicant:</b>	Victorian Arabic Social Services Incorporated C/O Leila Alloush
<b>Date Received:</b>	11 September 2017

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**1. SUMMARY OF REPORT:**

Planning approval is sought to use existing offices encompassing Units 1C, 2C, 3C, 5C and 6C of 1-13 The Gateway, Broadmeadows for the purpose of an education centre. No works are proposed. The application was advertised and six objections were received. The application has been assessed against the relevant policies and provisions of the *Hume Planning Scheme* including consideration of the issues raised in objections. On balance the proposal is considered acceptable and it is recommended that a Notice of Decision to grant a permit be issued subject to conditions.

**2. RECOMMENDATION:**

**That Council, having considered the application on its merits and objections received, resolves to issue a Notice of Decision to Grant a Planning Permit for the use of the existing offices for the purpose of an education centre at Units 1C, 2C, 3C, 5C and 6C of 1-13 The Gateway, Broadmeadows, subject to the following conditions:**

- 1. Before the use permitted by this permit commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted on 23 February 2018 and 18 May 2018, but modified to show:**

REPORT NO: SU320 (cont.)

- (a) Provision of three bicycle parking facilities within the common property area to the west of Unit 1C or 2C.
  - (b) Allocated car parking spaces are to be sign-posted for the use of the education centre.
  - (c) Provision of a 'waiting area' for students within the offices to avoid congregation within the common property areas.
2. The use of the land or of any buildings on the land must not be altered for some other use except as may be lawful or with the prior written consent of the responsible authority.
3. No more than 45 students may be accommodated on the premises at any one time.
4. Noise levels emanating from the land must not exceed the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.
5. The use must be managed so that the amenity of the area is not detrimentally affected, including through the:
  - (a) transportation of materials, goods or commodities to or from the subject land;
  - (b) appearance of any building, works or materials;
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) presence of vermin; or
  - (e) in any other way.
6. This permit will expire if one of the following circumstances applies:
  - The use has not commenced within three years of the date of this permit; or
  - The use is discontinued for a period of two years.

The responsible authority may extend the periods referred to if a request is made in writing:

  - before or within six months after the permit expiry date, where the use allowed by the permit has not yet started.

Notes:

1. If a request for an extension of commencement/completion dates is made out of time allowed by condition 6, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.
2. No advertising, direction or identification sign shall be erected on the land (including flags, windvanes, bunting streamers or other like devices) without the consent of the responsible authority, except where in compliance with Clause 52.05 of the *Hume Planning Scheme*.

3. PROPOSAL:

- 3.1 It is proposed to use five existing offices within the existing office and warehouse complex located at 1-13 The Gateway, Broadmeadows for the purpose of an education centre.



REPORT NO: SU320 (cont.)

- 3.2 In terms of the proposed use, the following information has been provided by the applicant:
- A maximum of 50 students will be on site at any one time.
  - A maximum of six staff members will on site at any one time.
  - Days of operation are Monday to Friday.
  - Classes will be offered in two blocks, 9.00am to 2.30pm and 5.00pm to 8.30pm. It is noted that not all classes operate on every operating day.
  - Courses offered include the following:
    - Diploma and Certificate 3 in Childcare
    - Certificates 1 to 4 in EAL (English)
    - Building and construction
  - The proposed use will be housed within five existing offices, as follows:
    - Office 1C (ground floor) will be used as an office area including desks, general seating area and consultation room.
    - Office 2C (ground floor) will be used as a classroom including trainers office.
    - Office 3C (first floor) will be used as an office area including open office space, meeting area and closed office.
    - Office 5C (first floor) will be used as a classroom.
    - Office 6C (first floor) will be used as a classroom.
    - Each office features a kitchenette. Bathroom facilities are available at the ground floor as well as the first floor.
- 3.3 The use will operate entirely within the existing buildings with no buildings and works proposed.
- 3.4 It is noted the use has been operating from the site for a length of time without obtaining relevant planning approvals.
- 3.5 The offices are allocated 18 car parking spaces as per Plan of Subdivision PS614672A. The car parking spaces are contained within a common property area to the east of the offices. The overall car park contains a provision of 98 car parking spaces.

**4. SITE AND SURROUNDS:**

**Site And Surrounds**

- 4.1 The subject site is located on the south eastern corner of the intersection of Camp Road and The Gateway, Broadmeadows. The overall site is approximately 7118 square metres in size. The site has a frontage to The Gateway of approximately 89.88 metres, and a frontage to Camp Road of approximately 72.64 metres.
- 4.2 The site was developed in 2008, containing 22 offices and five warehouses. Ninety eight car parking spaces are provided on site, along with common property accessways and landscaped areas. The site is accessed via a crossover along The Gateway frontage. The site has also been subdivided into 27 lots to reflect the office and warehouse arrangement. All car parking spaces on site are allocated.

**REPORT NO: SU320 (cont.)**

- 4.3 The offices within the site are occupied by various uses including travel agencies, recruitment services, psychological services and human resource firms.
- 4.4 The broader context of the site is primarily commercial and industrial in nature, with developments ranging from commercial uses to warehouses of various sizes.
- 4.5 Camp Road is a major arterial road servicing the municipality. The Gateway is accessed via Camp Road through a controlled intersection. This section of Camp Road allows for two lanes of traffic in each direction, plus additional turning lanes at the intersection. Northcorp Boulevard is directly to the north of the intersection.
- 4.6 The Gateway allows for single lane traffic in each direction, leading to a T-intersection further south and ending in two cul-de-sacs to the east and the west of the intersection, respectively.

**Restrictions on Title**

- 4.7 The lots, formally identified as Lot 8, 9, 19, 21 and 22 to Plan of Subdivision PS614672A respectively, are each encumbered by Covenant Instrument No. AF375675G and Section 173 Agreement Instrument No. AF026502Q.
- 4.8 Covenant AF375675G pertains to building materials, the storage of items outside of buildings, the use of the landscaped areas of the site, restrictions of certain uses (i.e. bank, restaurant, motor vehicle repairs etc.) and subdivision of the land.
- 4.9 Section 173 Agreement AF026502Q pertains to conservation of vegetation on the site.
- 4.10 The proposal does not contravene the restrictive covenant or agreement impacting the land.

**Planning History**

- 4.11 A review of available Council records produced two previous planning permits pertaining to the subject land.
- 4.12 Planning Permit P11825 issued in 2007 for the development of 22 offices, five warehouses and associated carparking.
- 4.13 Planning Permit P12222 issued in 2008 for a 27 lot subdivision (PS 614672A). This subdivision reflects the current lot arrangement.

**Aboriginal Cultural Heritage**

- 4.14 The land is not located within an area of cultural heritage sensitivity as described in the *Aboriginal Heritage Regulations 2007*.

**Major Electricity Transmission Line**

- 4.15 The land is not located within 60 metres of a major electricity transmission line.

**5. PLANNING POLICIES AND CONTROLS:**

- 5.1 The following policies and provisions of the *Hume Planning Scheme* (“the Scheme”) are relevant in the consideration of the application:

<i>State Policies:</i>	Clause 17.01-1: Business
	Clause 19.02-2: Education Facilities
<i>Municipal Strategies:</i>	Clause 21.01: MSS
	Clause 21.03-1: Liveable Communities
	Clause 21.06-1: Economic Development
<i>Zones:</i>	Clause 34.02: Commercial 2 Zone

REPORT NO: SU320 (cont.)

Overlays:	Clause 44.05: Special Building Overlay
Particular Provisions:	Clause 52.06: Car Parking Clause 52.34: Bicycle Parking
General Provisions:	Clause 65: Decision Guidelines Clause 65.01: Approval of an Application or Plan

- 5.2 Clause 17.01-1 has the following objective for business within Hume:
- *“To encourage development which meet the communities’ needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.”*
- 5.3 Clause 19.02-2 identifies the following strategy for education facilities within the municipality:
- *“In planning for the location of education facilities, consideration should be given to demographic trends, the existing and future demand requirements and the integration of facilities into communities.”*
- 5.4 Clause 21.01-2 – Key Issues and Influences recognises the diverse demographic profile of Hume both ethnically and linguistically. Along with a growing population, this brings demand for additional educational facilities.
- 5.5 Clause 21.01-3 – Council and community vision sets out the following vision for Hume:
- *“Hume City Council will be recognised as a leader in achieving social, environmental and economic outcomes with a common goal of connecting our proud community and celebrating the diversity of Hume”.*
- 5.6 The following mission is also specified:
- *“To enhance the social, economic and environmental prosperity of our community through vision, leadership, excellence and inclusion.”*
- 5.7 To achieve the above vision and mission, five strategic themes have been specified, one of which is the aspiration to have *“a well-educated and employed community”*.
- 5.8 Clause 21.03-1 – Liveable Communities provides further guidance, highlighting one of the key issues is to ensure that all residents have good access to a range of quality services and facilities by:
- *“Delivering the infrastructure that is needed to support livable, connected and healthy communities in line with urban growth so that it does not place an unacceptable strain on existing infrastructure and services in established areas.”*
- 5.9 The following objectives / strategies are relevant in this instance:
- *“To ensure the provision of local infrastructure and services that meets the needs of the local community.”*
  - *“Ensure the equitable distribution of a range of community facilities.”*
  - *“Facilitate the co-location of community facilities with complementary uses such as education, recreation and health services.”*
- 5.10 Clause 21.06-1 – Economic Development anticipates increases to employment within the education industry within Hume.
- 5.11 The subject site is located in a Commercial 2 Zone. The purpose of the Commercial 2 Zone is:

REPORT NO: SU320 (cont.)

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies
- To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
- To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

**Planning Permit Trigger/s**

5.12 Pursuant to Clause 34.02-1 of the *Hume Planning Scheme*, an 'education centre' is listed as a Section 2 use (permit required). A planning permit is therefore required to use land for the purpose of an education centre.

5.13 The decision guidelines listed in Clause 34.02-7 provide reference to the State and Local Planning Policy Frameworks and Clause 65 – Decision Guidelines of the *Scheme*.

**6. REFERRALS:**

6.1 The application was not required to be referred to any statutory authorities under Section 55 of the *Planning and Environment Act 1987* ("the Act").

6.2 An internal referral was made to Council's Assets (Traffic) Department.

6.3 Council's Assets (Traffic) Department raised no issue with the proposal as it complies with the car parking requirements found within Clause 52.06 of the *Hume Planning Scheme*.

**7. ADVERTISING:**

7.1 The application was advertised under Section 52 of the *Planning & Environment Act 1987* by way of notices to adjoining land owners and occupiers and three notice boards placed on site for a minimum of 14 days as prescribed in the *Act*. Six objections were received.

7.2 The grounds of objection are summarised below:

- Traffic and parking
- Amenity impacts
- Existing use

**8. OBJECTORS CONCERNS:**

8.1 The grounds of objection are addressed below:

8.2 Traffic and parking

Objectors have raised concerns in relation to car parking and traffic issues on site.

The offices are allocated with 18 car parking spaces. In accordance with the requirements of Clause 52.06 of the *Scheme*, a maximum of 45 students may be permitted on site at any one time. As the proposal has specified 50 students to be in attendance at any one time, a reduction to 45 students will be required and will be enforced via a condition on the permit.

Council's Traffic Engineers have reviewed the proposal and raised no objection subject to a condition being placed on permit capping the number of students to 45.

Sign posts will be erected within the allocated car parking bays to clearly identify the spaces and aid in management of the spaces. This will be secured via a condition on permit.

REPORT NO: SU320 (cont.)

It is noted management of spaces and accessways on site is a matter for the Body Corporate.

8.3 Amenity impacts

Objectors have raised concerns in relation to noise and a perceived decrease in cleanliness. This is affecting the common property foyers, approaches and stairways due to a higher amount of foot traffic.

A condition will be placed on permit to ensure that the noise emanating from the centre is aligned with relevant EPA standards.

A general condition will also be placed on permit ensuring the amenity of the adjoining property is not adversely affected.

In order to avoid students congregating within the common property areas, a condition will also be placed on permit for the operators to allocate a waiting area for students who are not in classes. This will limit any impact of students in these areas upon adjoining tenants.

8.4 Operating without planning approval

Objectors have stated the use is currently operating from the site without planning approval.

This planning permit process aims to bring the operations into compliance with the *Scheme*.

9. **ASSESSMENT:**

**Clause 52.06 – Car Parking**

9.1 Clause 52.06 of the *Scheme* requires the car parking spaces to be provided on the subject land to the satisfaction of the responsible authority prior to:

- A new use commencing or
- A new building being occupied or
- The floor or site area of an existing use being increased or
- The number of patrons, seats or practitioners at an existing use being increased.

9.2 As set out within the table to Clause 52.06-5, an 'education centre – other than listed in this table' must provide 0.4 car parking space to each student that is part of the maximum number of students on site at any time.

9.3 The proposal provides for a total of 18 on-site car spaces.

9.4 According to the above rate, a maximum of 45 students may be permitted on site at any time.

9.5 The permit is to include a condition specifying a maximum of 45 students to be on site at any one time in accordance with the *Scheme*.

9.6 Council's Assets (Traffic) Department have no objection to the granting of a permit subject to the proposal being compliant with the above rate.

9.7 General management of the carpark is to be undertaken by the Body Corporate.

**Clause 52.34 – Bicycle Facilities**

9.8 Pursuant to Clause 52.34-1 of the *Scheme*, a new use must not commence, or the floor area of an existing use must not be increased, until the required bicycle facilities and associated signage has been provided on the land.

9.9 Six staff and up to 45 students are proposed at the site at any one time, the proposed use triggers the requirement of three bicycle spaces.

REPORT NO: SU320 (cont.)

9.10 No bicycle parking has been provided, however there is adequate space in the common property area at the ground floor outside of Unit 1C and 2C to provide such facility which will be secured by a permit condition.

**Is the proposal consistent with State and Local Planning Policy Framework?**

9.11 The proposal is consistent with the broad aims of State Planning Policy Framework within the *Scheme*. The SPPF encourages equitable and accessible educational facilities to meet the needs of existing and future communities. This is further expressed in Local Planning Policy Framework within the *Scheme* which encourages the provision of accessible education facilities that meet the needs of a demographically diverse community. The policy specifically expects increases to educational services within the municipality to further aid with the employment rate.

**Is the proposal appropriate within the zone?**

9.12 Having regard to the purpose of the Commercial 2 Zone, a range of uses are encouraged including “*offices...associated business and commercial services.*” Although an ‘education centre’ does not specifically fall within these categories, the use is closely related and features many similarities due to its nature.

9.13 In the case of *South Eastern Samoan Assembly of God Inc v Greater Dandenong CC [2007] VCAT 1026 (6 June 2007)*, in the context of considering a discretionary use, the following was stated:

- “*While it is clear that the proposed use is not of an industrial nature, it does not follow that it should therefore be regarded as being inappropriate because it is not mentioned in the zone purpose. The use is discretionary within the zone. It is not prohibited. While I agree that the provisions of ... say that it should not be assumed that a permit will be granted because discretion to do so exists, ... section 2 uses should not be treated as prohibited whether or not they are specifically mentioned in policy statements.*”

9.14 This was earlier emphasised in the case of *Sanchez v Port Phillip CC [2006] VCAT 2481 (8 December 2006)*, where the Tribunal also states the following:

- “*This is a discretionary use and it would be wrong to treat the planning controls as if the development was prohibited. The Tribunal is obliged to consider the wider policy matrix and achieve a good planning outcome.*”

9.15 As determined within the above cases, although an education centre is not specifically listed within the purpose of the zone, it is a discretionary use and must be considered. This allows Council to assess the proposal on its own merits, and have the discretion to determine whether that use is appropriate within the context of the site and the zone.

**Will the proposal cause unreasonable amenity impacts?**

9.16 The car parking issues affecting the site may be attributed to multiple businesses operating from 1-13 The Gateway. The management of the parking and accessway areas is to be undertaken by the Body Corporate of the site.

9.17 In *Argus Tallow Merchants Pty Ltd v Greater Dandenong CC [2015] VCAT 1915 (30 November 2015)*, in regards to perceived amenity, the Tribunal stated that:

- “*In the present case, these factors would all suggest that the users of land adjacent to the Argus land must be taken to have at least some objective expectation of occasional off-site odour impacts on their industrial-level amenity. They cannot reasonably expect that there will be no residual air emissions at all from the Argus land. They cannot reasonably expect the same level of amenity as if they were located only amongst other light industry, and they certainly cannot reasonably expect the same level of amenity enjoyed in a residential area. Their level of amenity will therefore be qualitatively quite different to other areas.*”

**REPORT NO: SU320 (cont.)**

- 9.18 As per the above case, the expected level of amenity within this context should be different to that expected within other zones, i.e. residential zone. The land is zoned Commercial 2 Zone which allows for warehousing, industrial, commercial operations or other uses which are likely to pose much greater amenity impacts than an education centre.
- 9.19 It is further noted that an important decision guideline of Commercial 2 zone aims at protecting the nearby residential areas from amenity-related detriment. The nearby residential area which is approximately 200 metres to the west is highly unlikely to be affected by the proposal.
- 9.20 The levels of noise emanating from the proposal will be limited via a condition on permit restricting it to noise levels specified by the EPA.
- 9.21 A general condition will be placed on permit to ensure that no unreasonable amenity impacts are produced by the proposed use.

**10. CONCLUSION**

The proposed use of the existing offices for an education centre suitably complies with the requirements of the *Hume Planning Scheme* subject to the conditions set out in the officer's recommendation. It is recommended the application be supported.





# LOCALITY PLAN

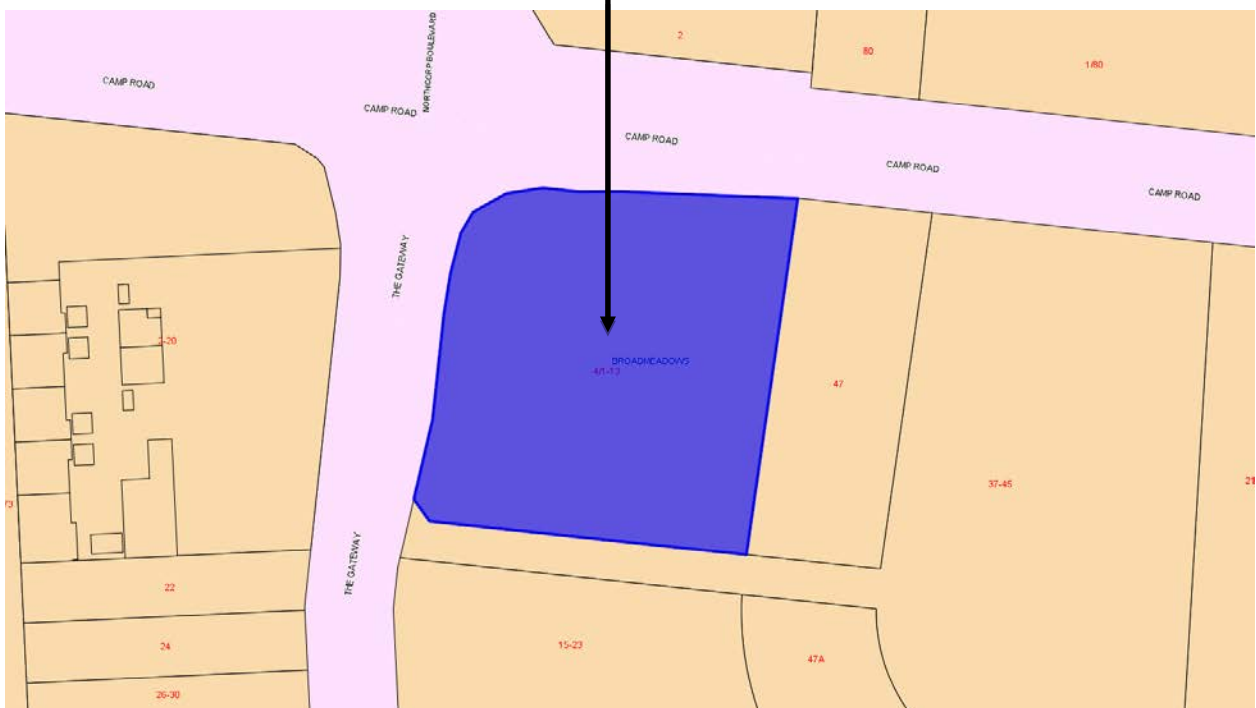
Permit Application: P20791

Site Address: 1C, 2C, 3C, 5C and 6C of 1-13 The Gateway, Broadmeadows

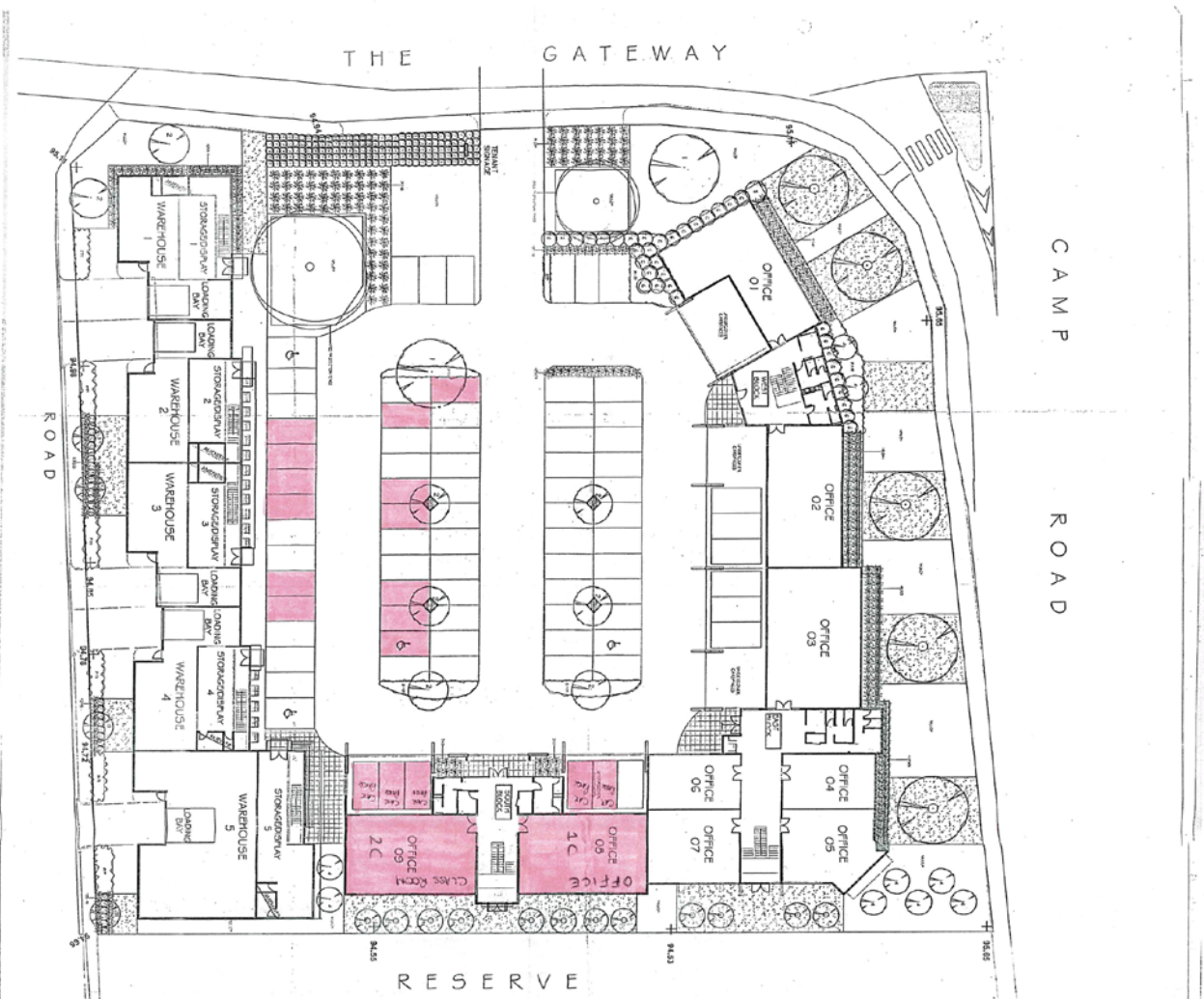
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## Subject Site





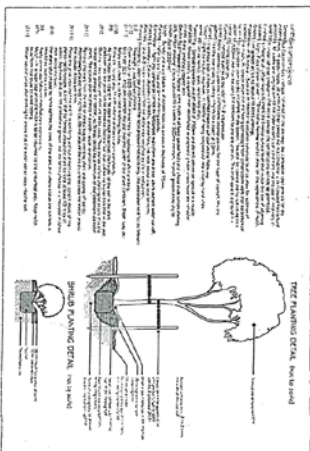


**Zenith Concepts**  
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Project: Proposed Residential Development  
Client: Zenith Concepts  
Site: 11, 1200  
Date: May 2007

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Approved: 14/05/2008  
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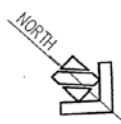
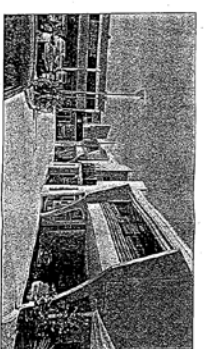
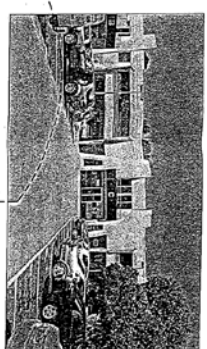
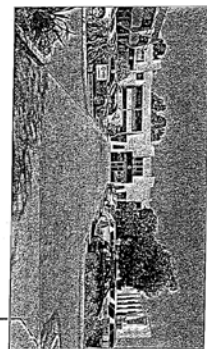
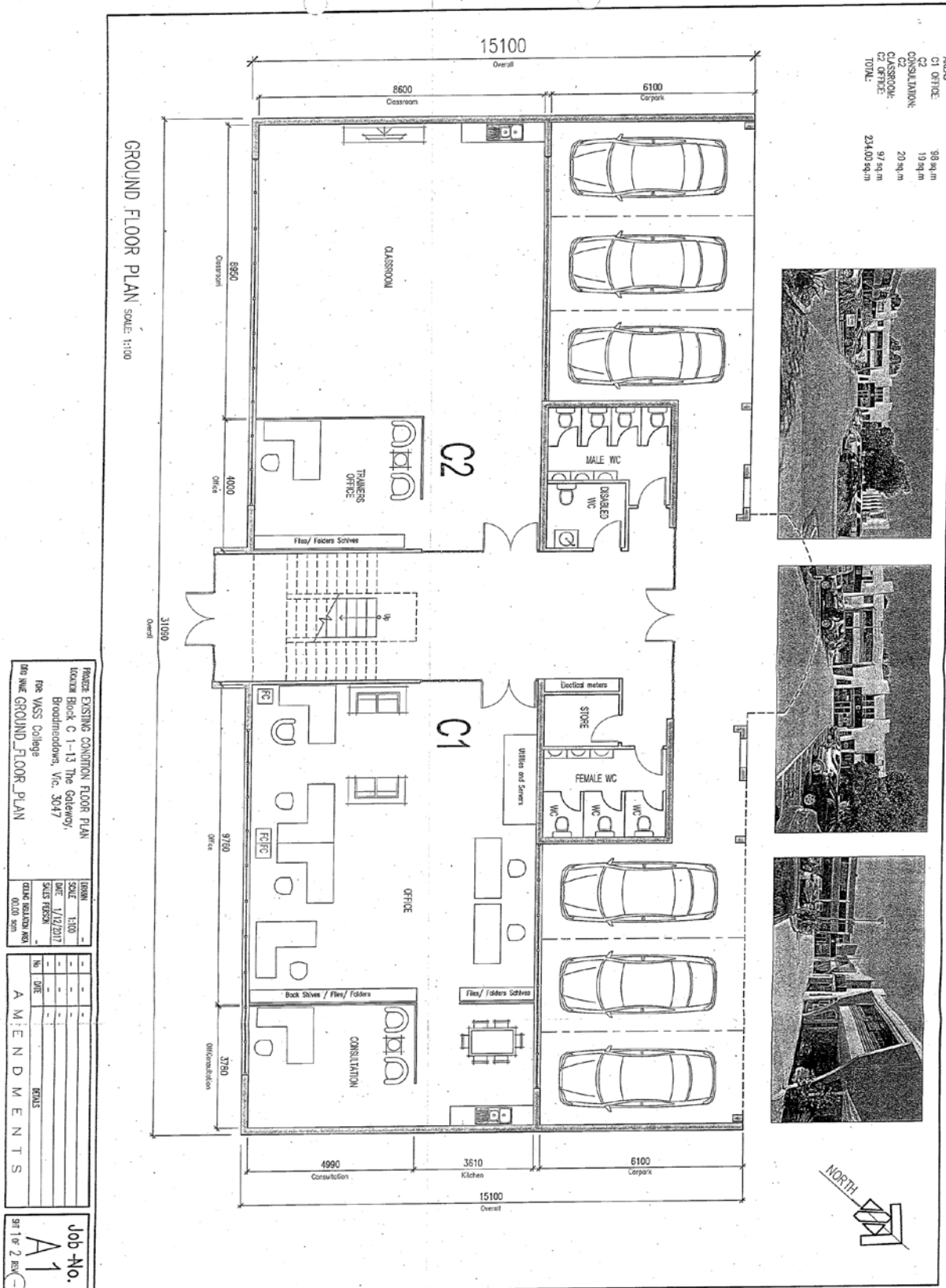
CODE	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT (m)	SPREAD (m)	ROOT SPREAD (m)	NO
1	Argemone mexicana	Yellow Star	1.000	0.500	0.500	7
2	Argemone mexicana	Yellow Star	0.800	0.400	0.400	0
3	Argemone mexicana	Yellow Star	0.600	0.300	0.300	7
4	Argemone mexicana	Yellow Star	0.500	0.250	0.250	18
5	Argemone mexicana	Yellow Star	0.400	0.200	0.200	1
6	Argemone mexicana	Yellow Star	0.300	0.150	0.150	34
7	Argemone mexicana	Yellow Star	0.200	0.100	0.100	195
8	Argemone mexicana	Yellow Star	0.100	0.050	0.050	110
9	Argemone mexicana	Yellow Star	0.050	0.025	0.025	187
10	Argemone mexicana	Yellow Star	0.025	0.012	0.012	421





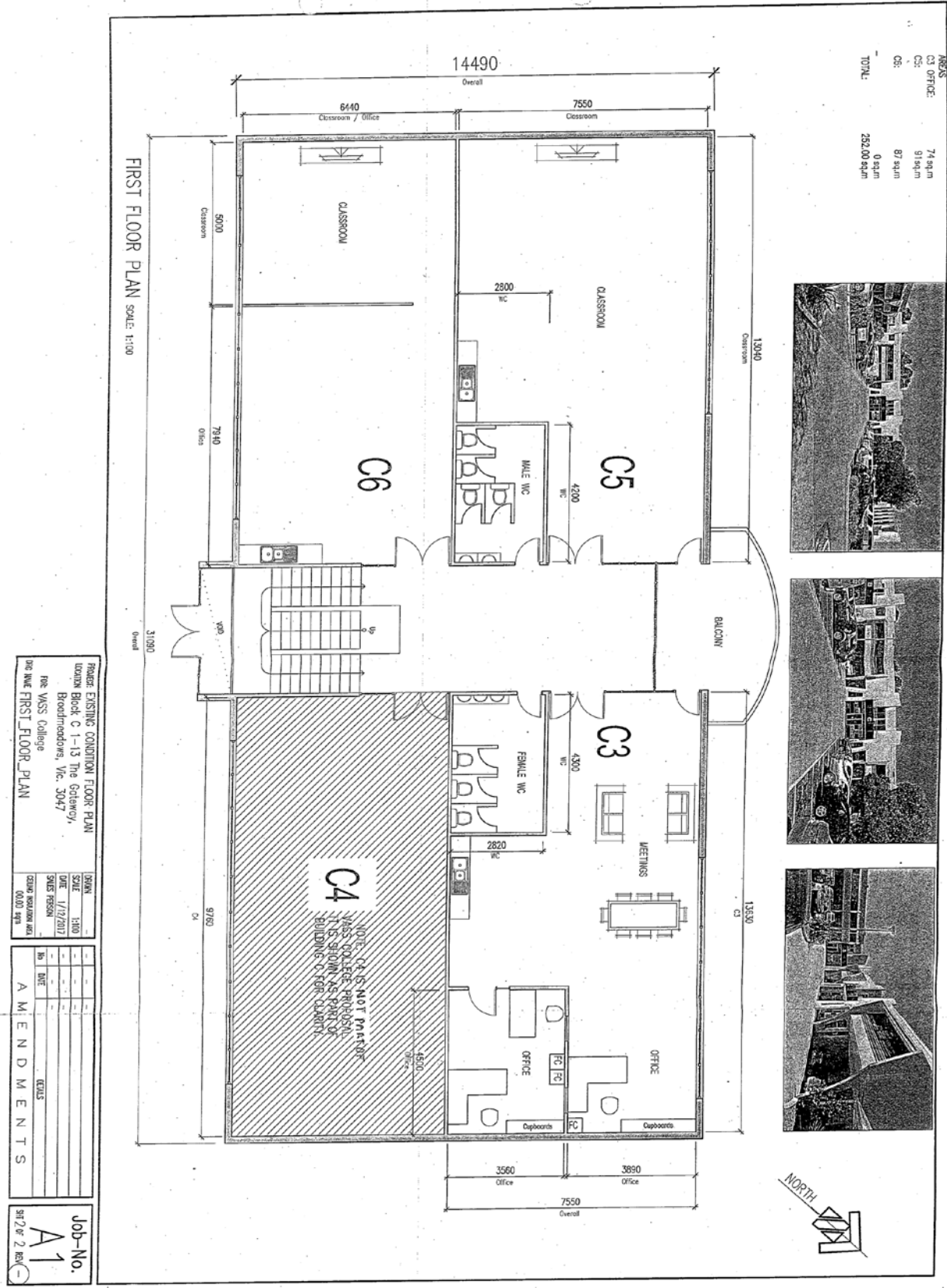














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<b>REPORT NO:</b>	SU321
<b>REPORT TITLE:</b>	Statutory Planning Monthly Report July 2018
<b>SOURCE:</b>	Barb Jones, Administration Officer; Chris Bryce, Senior Town Planner
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	-
<b>POLICY:</b>	Hume Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	4.1 Facilitate appropriate urban development while protecting and enhancing the City's environment, natural heritage and rural spaces.
<b>ATTACHMENTS:</b>	Nil

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## 1. SUMMARY OF REPORT:

This report incorporates the VCAT appeals update and decisions made by Council officers under delegation for the month of June. This report also details some performance indicators.

### 1.1 Performance

Included within this report are bar charts illustrating the following key performance indicators:

- Planning applications received, determined and closed in the previous month.
- Outstanding applications.
- Average gross days in dealing with planning applications.
- Percentage of applications issued in 60 days or less.
- Percentage of applications issued in 60 days or less based on difficulty of applications.

105 permit applications were received in June, 2 more than that received in May. The number of permits issued in June was slightly lower to the number issued in April with 63 permits issued compared with the previous 71. 6 applications were closed off, down from 17 the previous month. The number of total outstanding applications increased by 34 applications in June, this is as a result of an increase in new applications in the months of May and June compared to previous months this year. In May and June the number of new applications reached 103 and 105 respectively, new applications have not reached over 100 per month for over 12 months. This increase is likely due to the then pending end of financial year.

The percentage of applications decided in 60 days or less decreased by 4% in June. The average number of gross days taken to determine planning applications in considerably down on this time last year and has been generally trending downwards over the last 12 months.

The percentage of simple applications issued in 60 days or less decreased by 12% to 76% of applications while average applications issued in 60 days or less decreased by 4% in June. An increase of 51% of complex applications were issued within 60 days up from 29% the previous month and 20% the month prior to that.

The table representing this data has been adjusted to accurately represent time frames and other reporting frameworks available to Council.

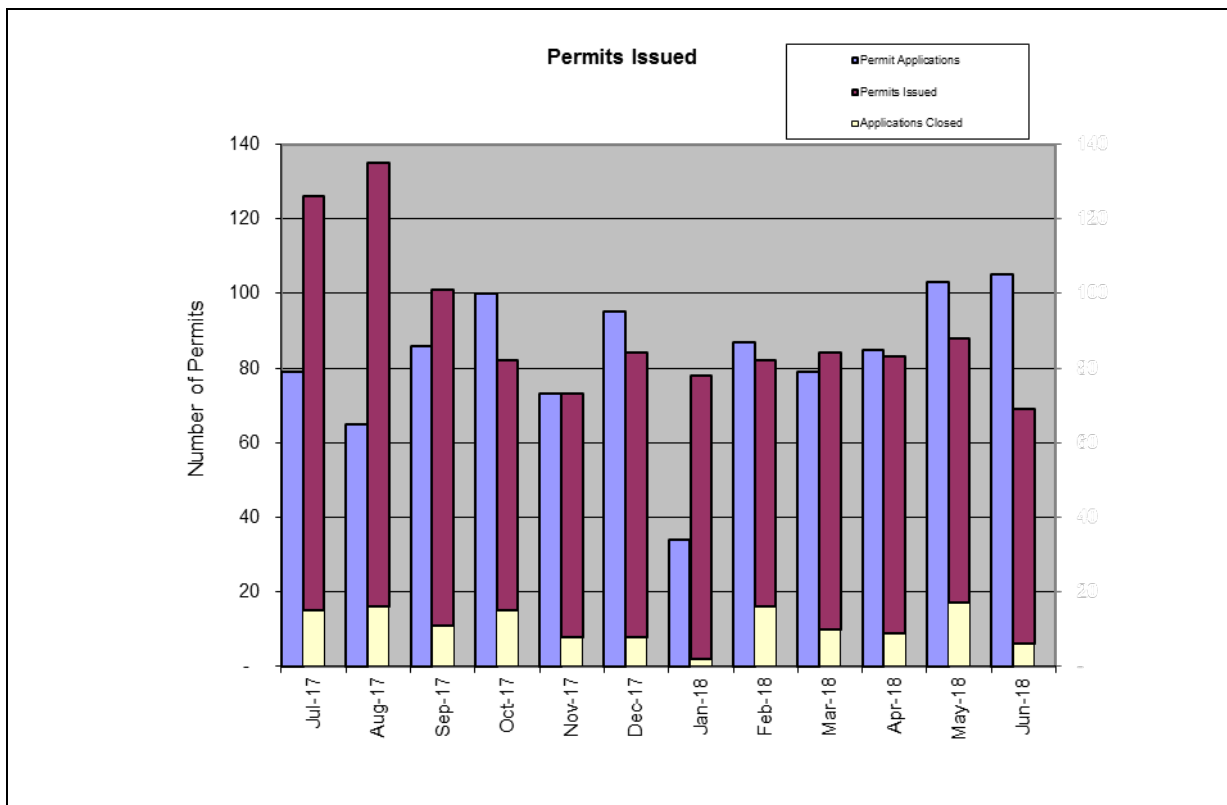
### 1.2 Delegated matters

The table within Section 4 of this report further details applications that have been determined under delegated authority including planning applications that receive two objections or less, applications to amend planning permits or plans, applications to extend planning permits, applications to certify plans of subdivision, and the issuing of Statements of Compliance under the Subdivision Act and Section 173 Agreements signed under delegation.

REPORT NO: SU321 (cont.)

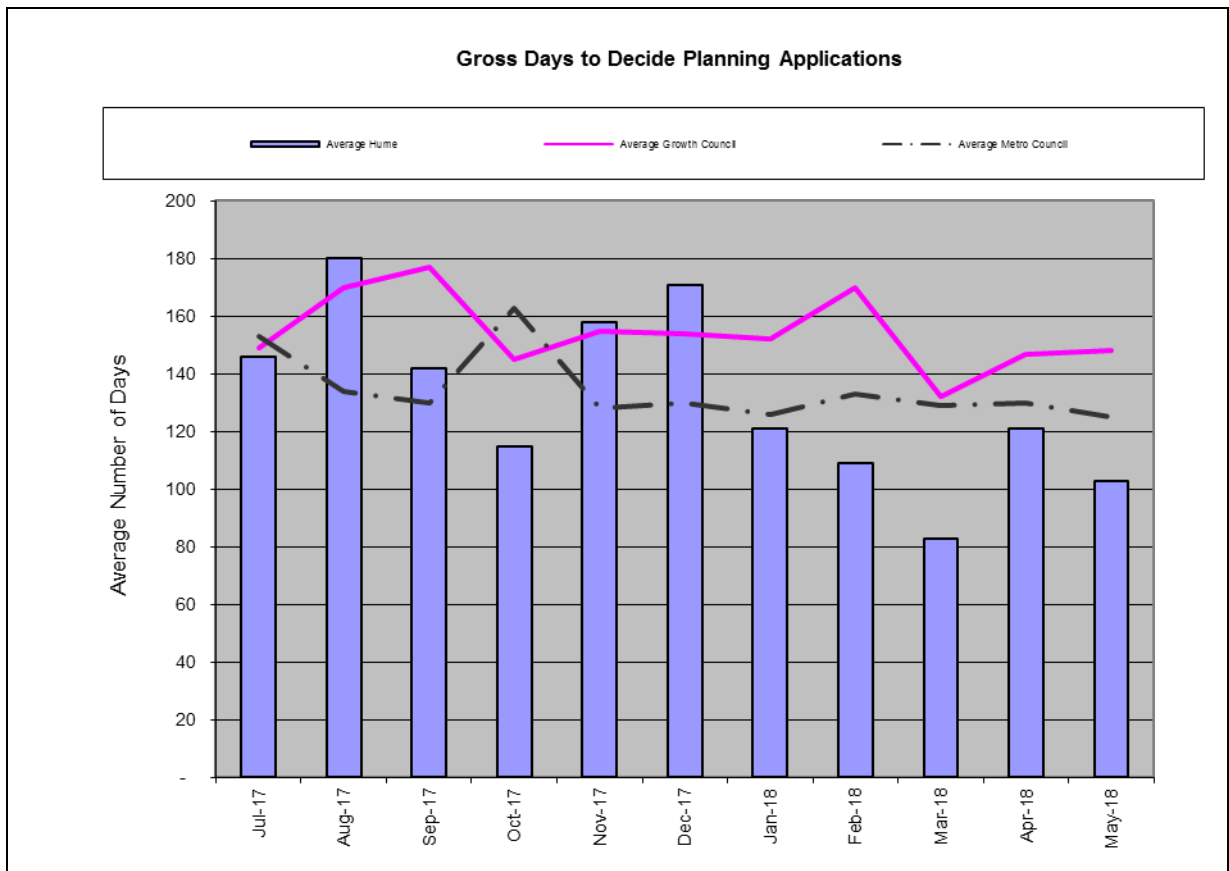
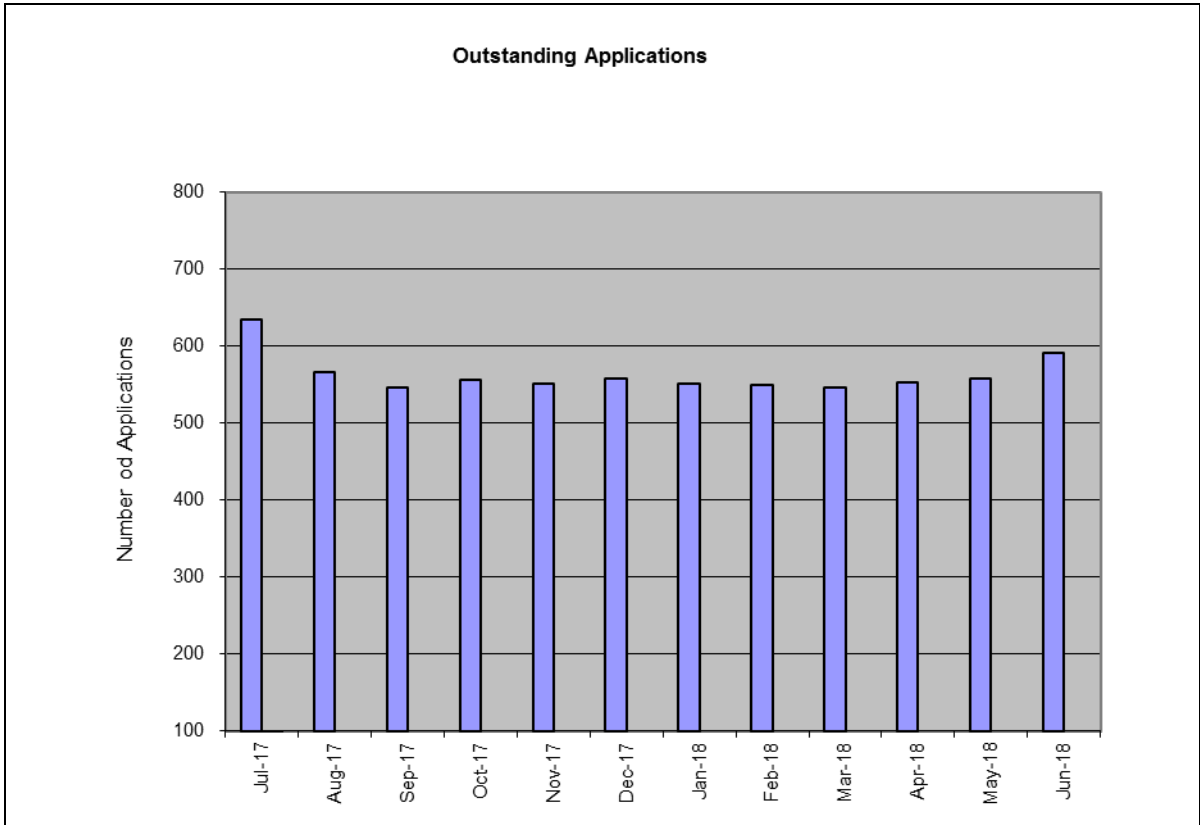
2. RECOMMENDATION:  
That the report be noted.

	June 2018
Permit Applications	105
Permits Issued	63
Applications Closed	6

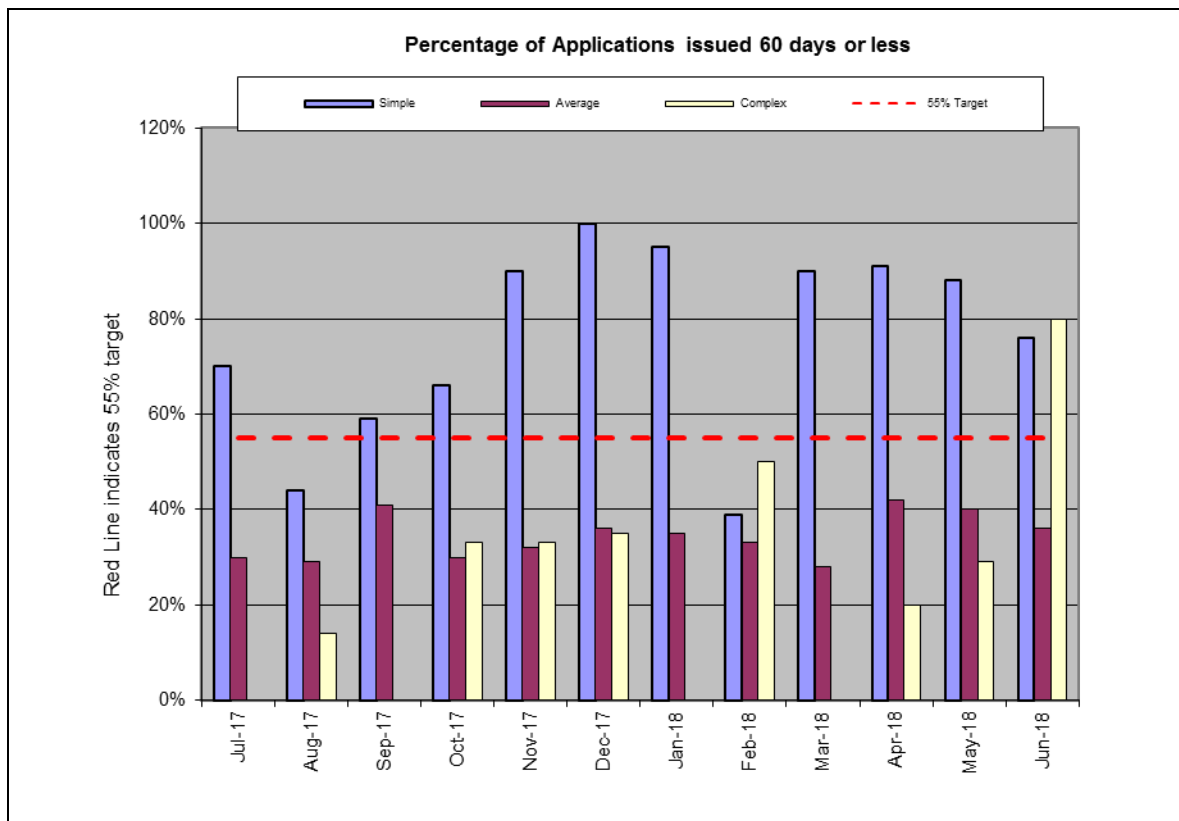
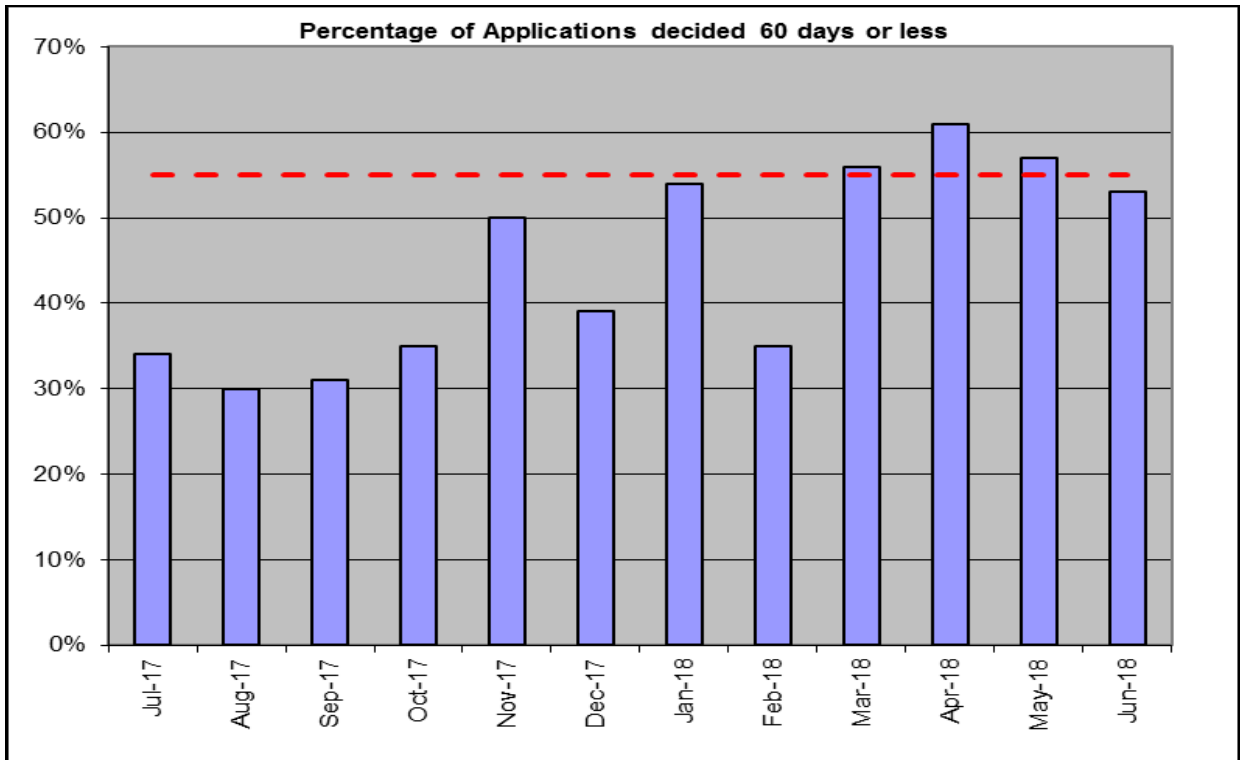


\*Permits issued include: Permits, VicSmart, permit from NOD, VCAT Permit (including S72)  
 \*Applications closed includes: prohibited, no permit required, withdrawn, cancelled, lapsed and, failure to determine (including S72)  
 (not included are Notices Of Decisions and Notices of Refusals)

REPORT NO: SU321 (cont.)



REPORT NO: SU321 (cont.)



REPORT NO: SU321 (cont.)

3. APPEAL DECISIONS TO DATE:

- 3.1 This report includes all VCAT decisions received in the month of June 2018 and further includes the current month prior to the Council meeting to give Council a more up to date report on VCAT decisions.
- 3.2 An appeal was brought by the applicant against Council's failure to determine the application for the development of five dwellings and waiver of carparking at 87 Cuthbert Street, Broadmeadows. The decision of the responsible authority was set aside and the Tribunal ordered the issue of the permit for five double storey dwellings and a reduction of the visitor car parking requirement to zero.
- 3.3 An appeal was brought against Council's refusal of the construction of three double storey dwellings at 20 Walsh Street Broadmeadows. The decision of the responsible authority is set aside and VCAT ordered a permit to issue for the construction of three double storey dwellings to issue.
- 3.4 An appeal was brought against Council's refusal of a staged 74 lot residential subdivision over an area of land indicated within the Craigieburn R2 PSP for Greenvale Reservoir protection. The decision of the responsible authority is set aside and VCAT ordered a permit to issue of the subdivision and creation of easement.

WARD	APP. NUMBER	PROPOSAL	ADDRESS	DECISION	APPEAL TYPE	DATE	STATUS
Jacksons Creek Ward	P19995	Six storey serviced apartments with gym and cafe	1-3 Freight Drive, Tullamarine.	Notice of Decision to Grant a Permit	Appeal by objector	Practice day hearing on 11/05 /2018 Full hearing on 3/07/2018	Awaiting Decision
Aitken Ward	P20276	Two lot subdivision and carriageway easement	350 Konagaderra Road, Oaklands Junction	Notice of Refusal to Grant a Permit	Appeal by applicant	18/04/2018 Full hearing.	Awaiting decision
Jacksons Creek Ward	P13310	Stone extraction without permit	40 Batey Court, Bulla	Enforcement Order	Submitted by Council	Date to be set down	To be heard
Meadow Valley Ward	P20326	Fourteen double storey dwellings.	11 Hillcrest Avenue, Westmeadows	Notice of Refusal to grant a permit	Appeal by applicant.	3/08/2018	To be heard
Jacksons Creek Ward	No application number in this instance	Removal of trees	4,5,11,17 and 22 Alexander Court, Sunbury	To allow part approval of tree removal	Applicant seeking declaration from VCAT to have all trees removed.		Appeal Withdrawn
Meadow Valley Ward	P19980	Double storey dwelling at rear of existing dwelling	152 Lightwood Crescent, Meadow Heights	Failure to determine	Appeal by applicant	24/08/2018	To be heard
Meadow Valley Ward	P20608	Twelve double storey dwellings.	15 Hillcrest Avenue, Westmeadows	Appeal seeking costs against Council	Appeal by applicant	3/8/2018	To be heard

4. MATTERS DETERMINED UNDER DELEGATION:

The following table lists all matters dealt with under delegation between 5 June 2018 and 2 July 2018.

MATTERS DEALT WITH UNDER DELEGATION			
P10763	57 lot subdivision & removal of vegetation & removal of easement	305-345 Riddell Rd, Sunbury	Extension of Time issued
P14412	54 dwellings – Bridgehaven Village	1-27 Huntington Dr, Craigieburn	Extension of Time issued

**REPORT NO: SU321 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
P12899	Warehouse & office	8 Gasoline Way, Craigieburn	Amended plans endorsed (Secondary consent)
P16187	Animal boarding facility & dog park in conjunction with carpark & signage	1 Uniting Lane, Bulla	Extension of Time issued
P17774	Dwelling to rear of existing dwelling & 2 lot subdivision	54 Churchill Ave, Tullamarine	Extension of Time issued
P17826	Display homes, reduction car parking & signage	100 Vineyard Rd, Sunbury	Extension of Time issued
P17995	Secondary school & building & works associated with secondary school & primary school & removal of bicycle parking	340 Settlement Rd, Sunbury	Amended plans endorsed (Secondary Consent)
P18140	Single storey dwelling to rear of existing dwelling	18 Lichfield Ave, Jacana	Extension of Time issued
P18211	1 single storey dwelling to rear of existing dwelling	1 Avalon Ave, Broadmeadows	Extension of Time issued
P18322	Food & drink premises, service station, packaged liquor license outlet & creation of new access points to Road Zone Category 1	1550 Pascoe Vale Rd, Coolaroo	Amended plans endorsed (Secondary Consent)
P18338	4 warehouses with reduction car parking	29 Barry Rd, Campbellfield	Extension of Time issued
P18547	2 double storey dwellings	161 Elevation Blvd, Craigieburn	Amended plans endorsed (Secondary Consent)
P19044	4 double storey dwellings	15 Bliburg St, Jacana	Amended plans endorsed (Secondary Consent)
P19098	Warehouse with ancillary office & reduction car parking (7 car spaces)	42 Zakwell Ct, Coolaroo	Amended plans endorsed (Secondary Consent)
P19437	2 lot subdivision	2 Munro Ct, Meadow Heights	Extension of Time issued
P20162	Industry, signage & reduction in car parking requirements	50 Donnybrook Rd, Mickleham	Amended plans endorsed (Secondary Consent)
P20757	Alter existing aged care facility	15-25 Anderson Rd, Sunbury	Amended plans endorsed (Secondary Consent)
P20766	Extension to front of existing dwelling	1/27 Gerbert St, Broadmeadows	Amended plans endorsed (Secondary Consent)
P6579	3 units	127 Melrose Dr, Tullamarine	Amended plans endorsed (Secondary Consent)
P18712.01	Warehouse with office space & car parking & signage	34-46 King William St, Broadmeadows	Amended permit issued
P13616.02	Alterations to existing building for use of dental surgery	10 Greenvale Dr, Greenvale	Amended plans endorsed
P10763.04	Multilot subdivision, removal of vegetation & removal of easemen5t	305-345 Riddell Rd, Sunbury	Amended permit issued
P17115.08	Use of existing building for purpose of restaurant in conjunction with agricultural use & utilise rural outbuildings as art & craft centre with eco-tourism related activities & access to road in Road Zone Category 1	45-165 Sydney Rd, Mickleham	Amended permit issued & amended plans endorsed



REPORT NO: SU321 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
P19420.01	Childcare centre, variation to restrictive covenant & ending of Section 173 Agreement	2-4 Emma Ct, Sunbury	Amended permit issued
P19341.01	Subdivision of land (lake & creek reserves) including creation of carriageway easement	480 Craigieburn Rd, Craigieburn	Amended permit issued
P20953.01	Change of use from showroom to restaurant with non-illuminated sign	3/1640 Pascoe Vale Rd, Coolaroo	Amended permit issued
P19984	Materials recycling	16 Patrick St, Campbellfield	Permit issued
P20352	Trade supplies warehouse & caretaker's house	78-82 Freight Dr, Somerton	Permit issued
P20520	Removal of reserve status over part of reserve No. 1 & creation of road	116-138 Erinbank Cres, Westmeadows	Permit issued
P20590	Portable building as recreation area associated with existing dwelling	420 Wildwood Rd, Wildwood	Permit issued
P20678	Single storey dwelling to rear of existing dwelling	5 Marcus Cres, Coolaroo	Permit issued
P20833	Double storey dwelling & single storey dwelling	14 Bannister St, Jacana	Permit issued
P20855	3 double storey dwellings	77 Malmsbury Dr, Meadow Heights	Permit issued
P20886	Conservation works to Dunalister/ Balbathen Homestead at Oaklands Junction quarry	290 Oaklands Rd, Oaklands Junction	Permit issued
P20935	4 units & garages	48 Gibson St, Broadmeadows	Permit issued
P20949	3 warehouses with ancillary offices & reduction car parking	118 National Blvd, Campbellfield	Permit issued
P20957	Takeaway food & drink premises in association with existing warehouse (frozen food storage) facility	3/36-38 Killara Rd, Campbellfield	Permit issued
P20971	Double storey medical centre with associated signage	50 Arena Ave, Roxburgh Park	Permit issued
P20995	10 double storey dwellings	132 Cuthbert St, Broadmeadows	Permit issued
P21008	Warehouse with ancillary office & reduction car parking	41 The Gateway, Broadmeadows	Permit issued
P21026	Additions & alterations to existing dwelling & associated outbuildings & removal of native vegetation	624 Wildwood Rd, Wildwood	Permit issued
P21031	Warehouse & associated office & use of land for service industry (mechanical equipment repairs) & dispensation of car parking spaces	20 Potter St, Craigieburn	Permit issued
P21040	Single storey dwelling on lot less than 300m <sup>2</sup>	32 Jonesfield St, Craigieburn	Permit issued
P21069	Multilot subdivision & removal of native vegetation	75 Bonds Lane, Greenvale	Permit issued
P21078	4 double storey dwellings	38 Nepean St, Broadmeadows	Permit issued
P21089	13 dwellings & subdivision of land into 13 lots	100 Retreat Cres, Sunbury	Permit issued
P21130	Storage shed ancillary to existing dwelling	50 St Johns Rd, Oaklands Junction	Permit issued
P21136	1 single storey dwelling	19 Brossard Rd, Mickleham	Permit issued
P21137	1 single storey dwelling	15 Brossard Rd, Mickleham	Permit issued

REPORT NO: SU321 (cont.)

MATTERS DEALT WITH UNDER DELEGATION			
P21152	2 single storey dwellings	14 Dianne Dr, Tullamarine	Permit issued
P21164	2 lot subdivision (realignment of common boundary)	200 Donnybrook Rd, Mickleham	Permit issued
P21176	1 single storey dwelling in Melbourne Environs Overlay	17 Herbert St, Dallas	Permit issued
P21196	Research & development centre & alterations to Road Zone 1 access	121-209 Camp Rd, Broadmeadows	Permit issued
P21203	Dwelling on lot less than 300m <sup>2</sup>	8 Cassette St, Kalkallo	Permit issued
P21204	Dwelling on lot less than 300m <sup>2</sup>	6 Cassette St, Kalkallo	Permit issued
P21213	Dwelling on lot less than 30m <sup>2</sup>	27 Nightingale Rd, Mickleham	Permit issued
P21221	Dwelling on lot less than 300m <sup>2</sup>	4 Cassette St, Kalkallo	Permit issued
P21286	6 lot subdivision	35 Sunset Bvd, Jacana	Permit issued
P21292	26 display homes, advertising signage & car parking	Brankeet, 980 Mickleham Rd, Greenvale	Permit issued
P21311	3 lot re-subdivision	625 Riddell Rd, Sunbury	Permit issued
P21342	3 lot subdivision	30 Alma St, Craigieburn	Permit issued
P21343	3 lot subdivision	118 Vantage Bvd, Craigieburn	Permit issued
P21345	Reduction car parking	44 Macedon St, Sunbury	Permit issued
P21350	Leisure & recreation facility (fitness studio)	12-20 West Ct, Coolaroo	Permit issued
P21391	3 lot subdivision	1/17Murtoa St, Dallas	Permit issued
P21394	10 lot subdivision	27A Geach St, Dallas	Permit issued
P21402	3 lot subdivision	66 Gallantry Ave, Craigieburn	Permit issued
P21404	External lift to service existing buildings & reconfigure central courtyard at Salesian College	3-5 Macedon St, Sunbury	Permit issued
P21408	2 lot subdivision	61 Yellowbox Dr, Craigieburn	Permit issued
P21419	Internally illuminated pylon sign	840-8432 Cooper St, Somerton	Permit issued
P21421	2 lot subdivision	11 Kiewa Cres, Dallas	Permit issued
P21444	2 lot subdivision	7 Donatello Rd, Greenvale	Permit issued
P21446	2 lot subdivision	13 Osway St, Broadmeadows	Permit issued
P21472	2 lot subdivision	23 Quarter St, Roxburgh Park	Permit issued
P21490	2 lot subdivision	29 Northpark Dr, Somerton	Permit issued
S008239	Creation of road reserve	116-138 Erinbank Crescent, Westmeadows	Plan Certified 6 June 2018
S007892	5 lot subdivision - industrial	34-44 Freight Drive, Somerton	Statement of Compliance 6 June 2018
S008197	60 lot subdivision - Waratah Estate - Stage 7	425 Donnybrook Road, Mickleham	Statement of Compliance 7 June 2018

**REPORT NO: SU321 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
S008504	3 lot subdivision - multi unit	16 Waratah Avenue, Tullamarine	Statement of Compliance 12 June 2018
S008494	95 lot subdivision - Highlands Estate - Stage 331	475C Mt Ridley Road Craigieburn	Plan Certified 12 June 2018
S008470	35 lot subdivision - Parkview Estate	715 Mickleham Road, Greenvale	Plan Certified 12 June 2018
S008576	3 lot subdivision - multi unit	14 Shankland Boulevard, Meadow Heights	Statement of Compliance 12 June 2018
S008565	3 lot subdivision - multi unit	90 Dallas Drive, Dallas	Plan Certified 13 June 2018
S008556	Plan of Consolidation	27-33 Potter Street, Craigieburn	Plan Certified with Statement of Compliance 13 June 2018
S008364	9 lot subdivision - multi unit	30 Fawkner Street & 25 Turner Street, Westmeadows	Statement of Compliance 14 June 2018
S008452	3 lot subdivision - multi unit	127 Melrose Drive, Tullamarine	Plan Certified 14 June 2018
S008418	20 lot subdivision - Rosenthal Estate - Stage 12	100B Vineyard Road, Sunbury	Plan Certified 15 June 2018
S008118	42 lot subdivision - Kallo Estate - Stage 13	40A Dwyer Street, Kalkallo	Plan Re-Certified 15 June 2018
S008567	Removal of easement	36 Keith Avenue, Sunbury	Plan Certified with Statement of Compliance 15 June 2018
S008537	4 lot subdivision - multi unit	39 Elliott Avenue, Broadmeadows	Plan Certified 15 June 2018
S008497	4 lot subdivision - multi unit	22 Pascoe Street, Westmeadows	Plan Certified 18 June 2018
S008348	87 lot subdivision - Botanical Estate - Stage 1	2090 Mickleham Road, Mickleham	Plan Re-Certified 19 June 2018
S008438	28 lot subdivision - The Maples Estate - Stage 2	25 Hillview Road, Greenvale	Plan Certified 19 June 2018
S008522	32 lot subdivision - The Maples Estate - Stage 3	25 Hillview Road, Greenvale	Plan Certified 19 June 2018
S008544	Plan of consolidation	36 Trap Road & 173 Bulla Road, Bulla	Plan Certified 19 June 2018
S008130	2 lot subdivision - Merrifield Estate - Secondary school (superlot plan)	450A Donnybrook Road, Mickleham	Plan Certified with Statement of Compliance 20 June 2018
S008131	2 lot subdivision - Merrifield Estate - Primary School (superlot plan)	450A Donnybrook Road, Mickleham	Plan Certified with Statement of Compliance 20 June 2018
S008248	93 lot subdivision - Merrifield Estate - Stage 34	500 Donnybrook Road, Mickleham	Plan Re-Certified 20 June 2018
S008399	117 lot subdivision - Merrifield Estate - Stage 35	450A Donnybrook Road, Mickleham	Plan Re-Certified 20 June 2018
S008400	99 lot subdivision - Merrifield Estate - Stage 36	450A Donnybrook Road, Mickleham	Plan Re-Certified 20 June 2018
S008452	3 lot subdivision - multi unit	127 Melrose Drive, Tullamarine	Statement of Compliance 21 June 2018

**REPORT NO: SU321 (cont.)**

<b>MATTERS DEALT WITH UNDER DELEGATION</b>			
S008271	13 lot subdivision - Greenvale Gardens Estate - Stage 14C	25 Straw Flower Circuit, Greenvale	Plan Re-Certified 21 June 2018
S007049	Plan of Subdivision - Highlands Lake Reserve - DP4	440-490 Craigieburn Road, Craigieburn	Plan Certified 22 June 2018
S008432	27 lot subdivision - Mount Holden Estate - Stage 6	100 Retreat Crescent, Sunbury	Plan Certified 26 June 2018
S008336	37 lot subdivision - True North Estate - Stage 15	30-98 Lysterfield Drive, Greenvale	Plan Certified 27 June 2018
S007049	Plan of Subdivision - Highlands Lake Reserve - DP4	440-490 Craigieburn Road, Craigieburn	Statement of Compliance 27 June 2018
S008503	2 lot subdivision - dual occupancy	22 Ernest Street, Broadmeadows	Statement of Compliance 28 June 2018
S008525	3 lot subdivision - multi unit	2 Hume Street, Sunbury	Plan Certified 29 June 2018
S007860	3 lot subdivision - multi unit	24 Housden Street, Westmeadows	Statement of Compliance 2 July 2018
S008565	3 lot subdivision - multi unit	90 Dallas Drive, Dallas	Statement of Compliance 2 July 2018
S008497	4 lot subdivision - multi unit	22 Pascoe Street, Westmeadows	Statement of Compliance 2 July 2018

<b>MATTERS DEALT WITH UNDER DELEGATION WITH OBJECTIONS</b>			
<b>FILE</b>	<b>PROPOSAL</b>	<b>ADDRESS OF PROPERTY</b>	<b>ACTION TAKEN</b>
P20254	2 double storey dwellings	2 Antwerp St, Dallas	Notice of Decision to Grant a Permit
P12520.03	Change of use for purpose of licensed restaurant	254 Craigieburn Rd, Craigieburn	Notice of Decision to Grant a Permit
P20887	Dwelling on lot less than 300m <sup>2</sup>	4A Dartmoor Ct, Craigieburn	Notice of Decision to Grant a Permit
P21037	3 double storey dwellings & 1 single storey dwelling	3 Ernest St, Broadmeadows	Notice of Decision to Grant a Permit

<b>SECTION 173 AGREEMENTS SIGNED UNDER DELEGATION</b>			
<b>FILE</b>	<b>PROPOSAL</b>	<b>ADDRESS OF PROPERTY</b>	<b>ACTION TAKEN</b>
P20098	3 lot subdivision	50 Donybrook Rd, Mickleham	Agreement signed on 20 June 2018
P20346	2 double storey dwellings	11 Hamilton St, Craigieburn	Agreement signed on 25 June 2018

<b>VICSMART PERMITS SIGNED UNDER DELEGATION</b>			
<b>FILE</b>	<b>PROPOSAL</b>	<b>ADDRESS OF PROPERTY</b>	<b>ACTION TAKEN</b>
P21280	2 lot subdivision	139 Hothlyn Dr, Craigieburn	Permit issued
P21427	2 lot subdivision	49 Merri Con, Campbellfield	Permit issued
P21438	2 lot subdivision	94 Mickleham Rd, Tullamarine	Permit issued
P21447	2 lot subdivision	1/18 Woods Cl, Meadow Heights	Permit issued
P21508	2 lot subdivision	2 Feodora St, Greenvale	Permit issued

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<b>REPORT NO:</b>	SU322
<b>REPORT TITLE:</b>	Investigation to determine potential of fencing Jack Ginifer Reserve, Gladstone Park and Jacana Valley to prevent motorcycle hooning
<b>SOURCE:</b>	Justin Crawford, Coordinator Parks Asset Management
<b>DIVISION:</b>	Sustainable Infrastructure and Services
<b>FILE NO:</b>	KUR032
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	4.2 Create community pride through a well-designed and maintained City.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Locality and Ownership Plan</i></li><li>2. <i>Proposed Fence Alignment</i></li><li>3. <i>Potential Pedestrian Access Point Examples</i></li></ol>

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**1. SUMMARY OF REPORT:**

- 1.1 This Council report is in response to a Council resolution (KUR032) on 13 March 2018 'That officers investigate the possibility of a fence between Jack Ginifer Reserve and the Jacana Valley to prevent motorcycle honing and subject to the investigation outcome and costings that this be added to the budget discussions for consideration by Council'.
- 1.2 This report outlines possible options for the control of motorcycle honing at Jack Ginifer Reserve, Gladstone Park. It offers options for the installation of reserve fencing between the eastern boundary of Jack Ginifer Reserve, Gladstone Park and Jacana Valley.

**2. RECOMMENDATION:**

**That Council:**

- 2.1 **Arrange to install a post and pipe fence on the east side of Jack Ginifer Reserve, Gladstone Park at an estimated cost of \$22,000.**
- 2.2 **Note the new fence will include pedestrian access points and lockable gates to permit authorised vehicle and pedestrian access while deterring unauthorised motorcycle access.**

**3. LEGISLATIVE POWERS:**

- 3.1 The planning, provision and development of open space and recreational services is a function specified in accordance with the Local Government Act 1989.
- 3.2 Council's role in improving the community's access to and experience of diverse open spaces is subject to a range of State and Federal Government legislative requirements. This includes, but is not limited to Crownlands Reserves Act 1978 (State), Environment Protection Act 1970 (State), Planning and Environment Act 1987 (State), Catchment and Land Protection Act 1994 (State) and Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth).

**4. FINANCIAL IMPLICATIONS:**

- 4.1 If a fence is to be installed costs would be approximately \$22,000.
- 4.2 If the installation of a fence is supported, funding through Council's Parks Fence Renewal operating budget would be used to cover costs.

**REPORT NO: SU322 (cont.)**

**5. ENVIRONMENTAL SUSTAINABILITY CONSIDERATIONS:**

Access to areas of Jacana Valley will need to be maintained for fire prevention and/or firefighting purposes.

**6. CLIMATE CHANGE ADAPTATION CONSIDERATIONS:**

The proposed options for the Jack Ginifer Reserve boundary fencing do not have any implications for climate change adaptation.

**7. CHARTER OF HUMAN RIGHTS APPLICATION:**

The proposed options for the Jack Ginifer Reserve Boundary fencing do not impact on the Charter of Human Rights.

**8. COMMUNITY CONSULTATION:**

No community consultation is proposed as pedestrian access would be maintained to allow legitimate park users free movement from Jack Ginifer Reserve into Jacana Valley. The proposed fence location would not impact surrounding residents.

**9. DISCUSSION:**

**9.1 Existing Conditions**

- 9.1.1 Jack Ginifer Reserve is located on Carrick Drive, Gladstone Park, just north of the Pyke Drive intersection. The reserve consists of a playing field, pavilion, carpark and surrounding open space.
- 9.1.2 The reserve frontage, on Carrick Drive, is fenced as is the carpark. This prevents unauthorized access to the reserve surrounds by vehicles. The eastern boundary is unfenced.
- 9.1.3 The reserve interfaces with the Jacana Valley open space on the eastern boundary. The adjoining land immediately to the east of Jack Ginifer Reserve is owned by the State Government. The title is listed with the Department of Transport.
- 9.1.4 While Jack Ginifer Reserve is relatively level the land drops away steeply at the interface with Jacana Valley. The unfenced boundary currently allows unencumbered access for maintenance vehicles and emergency management vehicles to the rear of properties which back onto the western edge of the Jacana Valley. This is primarily to provide access in case of fire.
- 9.1.5 Council slashes a narrow strip of grass (on average 25 metres wide) in this area at the rear of the properties backing on to Jacana Valley. Primarily as a fire prevention measure.
- 9.1.6 The Jack Ginifer Reserve property boundary is approximately 240 metres long.
- 9.1.7 Refer to Attachment 1 for the Locality and Ownership Plan.

**9.2 Background**

- 9.2.1 Council, periodically, receives complaints regarding unauthorized recreational motorcycles using the Jacana Valley area. Additionally, damage to the playing surface of the sports field has been sustained due to motorcycle activity.
- 9.2.2 Fencing has been installed at strategic locations along the Jacana Valley ridge, to the south of Jack Ginifer Reserve, in an effort to control this unauthorized motorcycle access. This fencing has reduced, but not eliminated, this motorcycle activity further to the south of the Jacana Valley.

REPORT NO: SU322 (cont.)

- 9.2.3 Fencing of reserve boundaries can reduce but not eliminate unauthorized motorcycle access due to the need to provide pedestrian access for legitimate park users.
- 9.2.4 Jack Ginifer Reserve and the adjoining Jacana Valley area are well used by dog walkers and other legitimate users as it provides a large expanse of open space and views up and down the valley.
- 9.2.5 The topography of the land adjacent to Jack Ginifer Reserve in Jacana Valley includes a steep gully. The steep gully provides a “pinch’ point which, along with strategically placed fencing, may reduce lateral motorcycle movement at the rear of the properties backing onto the valley.
- 9.2.6 Any fencing is likely to direct unauthorized motorcycle activity further down into the valley away from the rear of adjoining residential properties.
- 9.2.7 The council reserve property line crosses the steep gully and prevents fence alignment being on the property line. Additionally, trees in this area also complicate the alignment of any fencing with the property line.
- 9.2.8 The fence would need to be aligned so as to avoid trees and the steep gully. This alignment would mean the fence would need to be approximately 260 metres long.
- 9.2.9 The fence would require a number of gates so as to allow maintenance and emergency vehicle access.
- 9.2.10 The fence would need a number of pedestrian access points. Pedestrian access points would need to be constructed so as to allow walkers but not motorcycles through.
- 9.2.11 Refer to Attachment 2 for proposed fence alignment.
- 9.2.12 Refer to Attachment 3 for potential pedestrian access point examples.

**9.3 Fencing of the western Boundary of Jack Ginifer Reserve**

Option 1 – Construct fence

- 9.3.1 Strategically align the fence to utilise the topography of the land to hinder unauthorised motorcycle access. The post and pipe fence would be about 260 metres in length.
- 9.3.2 Provide 3 gates to allow future vehicle access needs.
- 9.3.3 Provide 2 pedestrian access points in the fence line.

Option 2 – Status Quo

- 9.3.4 Leave the unfenced boundary as is.

Analysis of Options

- 9.3.5 Option 1 would reduce but not eliminate motorcycle activity in this area due to the need to allow legitimate user access. Option 1 would also indicate to concerned residents that efforts to control this nuisance are being implemented.
- 9.3.6 Option 2 will definitely not provide any resolution to the current issues but will save the cost of fence install and continue to provide unrestricted access for maintenance and emergency management vehicles.
- 9.3.7 Option 1 is recommended as it will help restrict unauthorised motorcycle access between the Reserve and the Valley and along the west side of the Valley. The proposed lockable gates and pedestrian access points will help limit the impact on legitimate users of the reserve.

**REPORT NO: SU322 (cont.)**

**10. CONCLUSION:**

- 10.1 The installation of fencing should reduce unauthorised motorcycle activity but not eliminate it.
- 10.2 Impact on legitimate users of the reserve through installing the fence can be reduced by use of lockable gates and pedestrian access points.
- 10.3 It is recommended that Council arrange to install the post and pipe fence on the alignment shown in Attachment 2 at an estimated cost of \$22,000.



ATTACHMENT 1 - LOCALITY AND OWNERSHIP PLAN



Jack Ginifer Reserve – Carrick Drive, Gladstone Park.

Shaded area HCC land adjacent to State Government Department of Transport owned land





ATTACHMENT 2 - PROPOSED FENCE ALIGNMENT

JACK GINIFER RESERVE/JACANA VALLEY FENCE ALIGNMENT TO AVOID STEEP GULLY



**ATTACHMENT 3 - PEDESTRIAN ACCESS POINT EXAMPLES**



Chicane style pedestrian access – generally installed reserve path access points



Post style pedestrian access point



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<b>REPORT NO:</b>	SU323
<b>REPORT TITLE:</b>	Meadowlink Linear Shared Path - Land Management Arrangements
<b>SOURCE:</b>	Noel Gately, Coordinator Urban Development
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	HCC17/1050
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	4.3 Create a connected community through efficient and effective walking, cycling, public transport and car networks.
<b>ATTACHMENT:</b>	1. <i>Meadowlink Shared Path Land</i>

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**1. SUMMARY OF REPORT:**

To provide Council with information on the 1.3km Meadowlink linear shared path, and the proposed land management arrangements for the future care and management and community use of this Government owned land.

**2. RECOMMENDATION:**

**That Council:**

- 2.1 resolves to take on care and management of 72 Railway Crescent Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 069; 56 Blair Street Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 741; and 61 Blair Street Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 059 should the aforementioned land be transferred to the Crown and Council is appointed as Committee of Management in accordance with the *Crown Land Reserves Act 1978*.**
- 2.2 authorises the CEO to write to the Minister for Planning agreeing to take on responsibility for the management of the Meadowlink linear shared path.**
- 2.3 notes that updates will be provided on the progress of construction of the linear shared path.**

**3. LEGISLATIVE POWERS:**

- 3.1 This report seeks approval for Hume City Council to accept Committee of Management responsibilities for the Meadowlink linear shared path under the *Crown Land (Reserves) Act 1978*. Government has requested confirmation that Council is seeking to be appointed Committee of Management.
- 3.2 Upon rezoning of the land to Public Park and Recreation Zone, which is in progress, Government will change the status of the land from freehold (held by the Minister for Planning) to reserved Crown land. Following this, Committee of Management arrangements can be made. Management responsibility can be given to Hume City Council by appointment as Committee of Management under the *Crown Land (Reserves) Act 1978* if the Minister is of the opinion that the land will be principally used for the recreation, health or enjoyment of the local population in the area in which the land is situated.
- 3.3 The role of the Committees of Management under the *Crown Land (Reserves) Act 1978* is to “manage improve maintain and control” Crown land reserves. The powers given under the Act enable the Committee to:
  - 3.3.1 manage and develop the reserve;

**REPORT NO: SU323 (cont.)**

- 3.3.2 undertake financial transactions, including borrowing money (with the Victorian Treasurer's consent) and enter into contracts;
  - 3.3.3 enter tenure arrangements, such as leasing and licensing, for part or all of the reserve, subject to the Minister's approval; and
  - 3.3.4 enforce regulations.
- 3.4 Appointment as Committee of Management is an administrative arrangement which Hume is well suited to undertake given the considerable amount of Crown Land already managed by Council across the municipality.

**4. FINANCIAL IMPLICATIONS:**

- 4.1 The land that will comprise the 1.3km long Meadowlink shared path (72 Railway Crescent and 56 and 61 Blair Street) is currently owned by the Minister for Planning. Attachment 1 details the extent of this land.
- 4.2 The Minister has provided \$2.1m in grant funds to construct and landscape this walking and cycling shared path. When planning this project, Government indicated to Hume City Council that it would seek to retain ownership of this land upon completion of the shared path but would not take on the long term care and management of the land.
- 4.3 Hume will be managing construction of the shared path on behalf of Government and a lease has been drafted to authorise Council's role in undertaking these works. In addition, the lease provides for the arrangements that will apply should Council take on Committee of Management responsibility.
- 4.4 In taking on this lease, and should Council be appointed Committee of Management, Council will be responsible for ongoing maintenance requirements following construction completion of Meadowlink.
- 4.5 Council's forward budget will include landscape maintenance in accordance with the following indicative project timeframes.

Date	Description
July 2018 – December 2018	Construction (grant funded)
December 2019	Establishment/defects liability which will rest with the contractor
December 2019 ongoing	Budgeted maintenance commences (Approx. \$36,000 p.a)

**5. DISCUSSION:**

- 5.1 The majority of the land for Meadowlink is free of structures that might incur additional ongoing management costs with the exception of 72 Railway Crescent which contains a 820m<sup>2</sup> warehouse that formed part of the former Roof Truss business. This structure will be transferred to the care and management of Council under the terms of the previously mentioned construction lease and upon appointment as Committee of Management. It has been made clear to the State Government that there is no obligation by Council to retain the structure, particularly as the scope of the contract to construct Meadowlink excludes improvements to the structure and, furthermore, the capital grant that will fund construction of Meadowlink does not identify funds to repair, adapt or demolish the Truss building.
- 5.2 Currently, the former Truss building presents a blank façade to Railway Crescent and blocks view lines towards Blair Street along the soon to be constructed linear shared path. There is 5 metres in width between the building and neighbouring houses. This narrow access will not impede construction of the shared path. However it limits view lines of the linear shared path and will hamper surveillance, and potentially safety, once the shared path is operational.



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- 5.3 Alternative uses for the Truss building were considered when preparing the design for the shared path. These included the creation of a roofed gathering and recreation space by removing wall cladding to open up the structure.
- 5.4 Further investigations will be undertaken on the options for reuse or removal of the former Truss building and the findings reported to a subsequent meeting of Council.

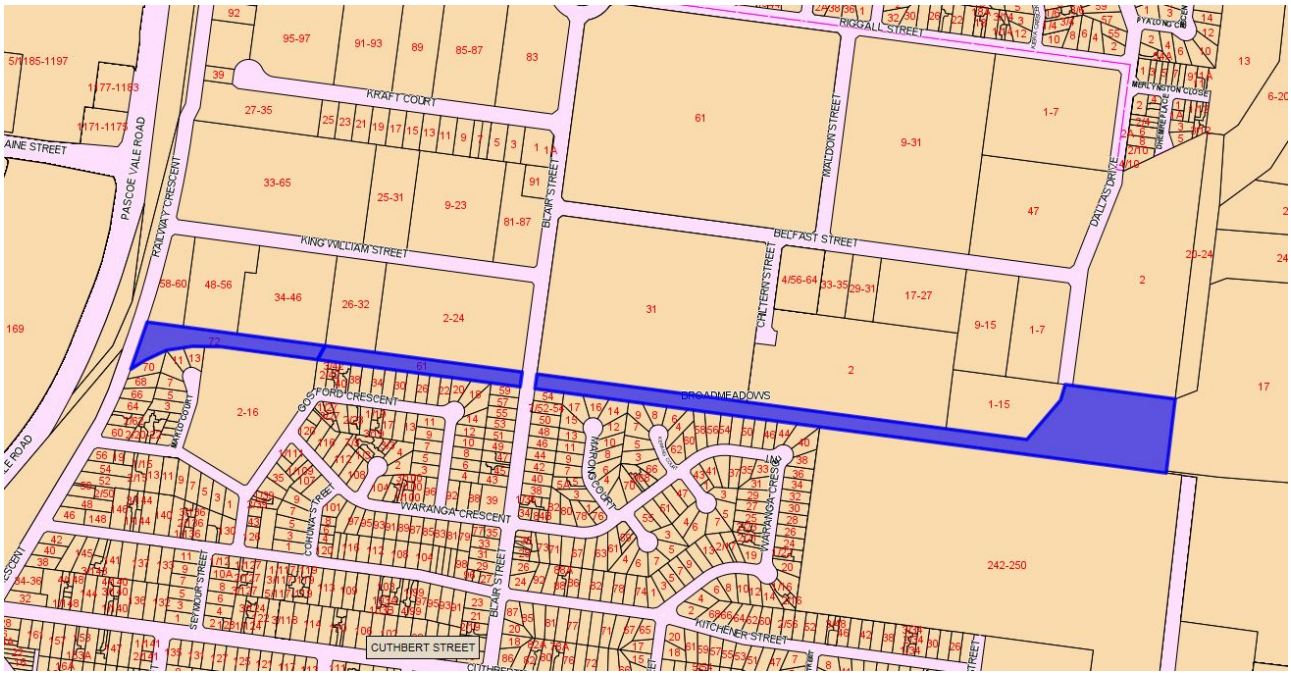
**6. MEADOWLINK CONSULTATION:**

- 6.1 Feedback from local residents and stakeholders on the proposal to construct Meadowlink has been positive.
- 6.2 Discussions with the developer of the former Yakka site (at the corner of King William and Blair streets) has secured a positive interface between the shared path and the residential development that is proposed to front Meadowlink. The developer also proposes to construct a café that will face onto the shared path at Blair Street. These outcomes, in combination with pedestrian access through the Yakka site to King William Street will add to surveillance of the shared path and increase its attractiveness as a walking and cycling connection to the Merlynston Creek, Seabrook Reserve and Railway Crescent.
- 6.3 In addition, the developer proposes to incorporate materials from the now demolished factory in the new homes and install interpretative signage/images on the site to promote its former use and the history and community significance of the Yakka site as a local employer.
- 6.4 Almost 90% of the existing households that adjoin the soon to be constructed linear path have responded to the invitation to comment on the implementation of this project. The majority of these households support the project, and almost all of these households have accepted Council's offer to install a gate in their back fence to enable pedestrian access to this new shared path.
- 6.5 More widely, community feedback indicates support for improved pedestrian and cycle friendly access to local open space, and the benefits of a car free walking path that will improve access for children attending Hume Central Secondary College and Broadmeadows Primary School on Blair Street.
- 6.6 This level of community and stakeholder support can be seen as a positive input to Council's goals of securing local custodianship, use and activation of the shared path.
- 6.7 Noting community and stakeholder support for the new linear path, it is considered appropriate that Hume City Council assume responsibility for the management and ongoing maintenance of the landscaping and linear path that will be delivered by the construction of Meadowlink. By accepting Committee of Management responsibility Council can manage and consider further enhancements to this reserve to promote activity and local custodianship of this asset.

**7. CONCLUSION:**

This report seeks Council approval for the CEO to write to the Minister for Planning seeking appointment of Hume City Council as Committee of Management for 72 Railway Crescent Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 069, and 56 Blair Street Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 741, and 61 Blair Street Broadmeadows, being the land contained in Certificate of Title Volume 11335 Folio 059, and also known as the Meadowlink linear shared path.







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REPORT NO:	GE280
REPORT TITLE:	S173 Agreements - Building Over Easement - 1 April 2018 - 30 June 2018
SOURCE:	Peter Jolly, Municipal Building Surveyor
DIVISION:	Planning and Development
FILE NO:	HCC18/305
POLICY:	Construct Buildings Over Easements
STRATEGIC OBJECTIVE:	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
ATTACHMENT:	1. <i>Section 173 Agreements 1 April 2018 - 30 June 2018</i>

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**1. SUMMARY OF REPORT:**

This report details agreements entered into under Section 173 of the *Planning and Environment Act 1987* (the Act). 40 Section 173 Agreements relating to consent to build over easements granted with conditions were entered into during the period 1 April 2018 to 30 June 2018. This report advises Council of the signing of the Agreements under Council delegation. The signing of the listed agreements finalises these consents.

**2. RECOMMENDATION:**

**That Council notes the listing of all Agreements under Section 173 of the *Planning and Environment Act 1987* dealt with under delegation between 1 April 2018 and 30 June 2018 (Attachment 1).**

**3. LEGISLATIVE POWERS:**

3.1 *Building Regulations 2018*.

3.2 S173 of the *Planning and Environment Act 1987*.

**4. DISCUSSION:**

4.1 Proposal

4.1.1 Regulation 36 (3) of the *Building Regulations 2018* requires the consent and report of a Council and other service authorities to an application for a Building Permit to construct a building over an easement vested in the Council or a service authority.

4.1.2 Section 173 of the *Planning and Environment Act 1987* enables a Responsible Authority to enter into an agreement with a landowner for an area covered by a planning scheme for which it is the responsible authority.

4.1.3 Council has received applications to construct buildings over drainage easements and can consent to these proposals pursuant to Regulation 36(3) of the *Building Regulations 2018*.

4.1.4 The Municipal Building Surveyor has delegated authority to consent to construction over a drainage easement.

4.1.5 Council has adopted the *Construct Buildings over Easements Policy*, which guides staff in assessing such applications where easements are vested in Council. The procedure for assessing such applications is as follows:

- (a) Plans of the proposal, together with a copy of the property title and relevant service authority comments (if available), are referred to the Traffic and Civil Design teams for comment.

**REPORT NO: GE280 (cont.)**

- (b) If the application is to be approved, the owner is required to enter into an agreement, made pursuant to Section 173 of *the Planning and Environment Act 1987*, which preserves Council's interests in the easement.
- (c) When the agreement is completed, the consent is granted and a building permit can be issued.
- (d) Council must execute the completed agreement. The signed agreement is lodged with the Office of Titles for registration on the certificate.

**5. CONCLUSION:**

This report provides details of Section 173 Agreements signed under Council delegation. The signing of the listed agreements finalises these consents.

Ref.	Address
BRC20170352	2 Lot 6010 Lemnos Walk, Greenvale, Vic. 3059
BRC20170354	6 Lot 6008 Lemnos Walk, Greenvale, Vic. 3059
BRC20170355	8 Lot 6007 Lemnos Walk, Greenvale, Vic. 3059
BRC20170374	2 Lot 340 Grasmere Court, Greenvale, Vic. 3059
BRC20170418	4 Lot 105 Provati Drive, Greenvale, Vic. 3059
BRC20180016	50 Lot 25 Gerbert Street, Broadmeadows, Vic. 3047
BRC20180019	30 Lot 342 Beckview Crescent, Sunbury, Vic. 3429
BRC20180027	52 Lot 26 Gerbert Street, Broadmeadows, Vic. 3047
BRC20180053	148 Lot 44 Langton Street, Jacana, Vic. 3047
BRC20180054	11 Lot 22165 Bolwarra Street, Craigieburn, Vic. 3064
BRC20180060	4 Lot 1 Alexander Court, Broadmeadows, Vic. 3047
BRC20180061	3 Lot 2 Alexander Court, Broadmeadows, Vic. 3047
BRC20180079	17 Lot 3015 Docker Circuit, Mickleham, Vic. 3064
BRC20180083	8 Lot 765 Ortolan Avenue, Broadmeadows, Vic. 3047
BRC20180085	73 Lot 84 Dunfermline Avenue, Greenvale, Vic. 3059
BRC20180090	6 Lot 35 Benalla Street, Dallas, Vic. 3047
BRC20180091	8 Lot 268 Flinders Street, Sunbury, Vic. 3429
BRC20180092	8 Lot 943 Parkfront Crescent, Roxburgh Park, Vic. 3064
BRC20180096	1 Lot 29 Avisha Way, Greenvale, Vic. 3059
BRC20180106	9 Lot 709 Wandin Street, Meadow Heights, Vic. 3048
BRC20180112	20 Lot 248 Alma Street, Craigieburn, Vic. 3064
BRC20180113	10 Lot 152 Marion Court, Craigieburn, Vic. 3064
BRC20180122	27 Lot 10 Shawlands Drive, Tullamarine, Vic. 3043
BRC20180127	9 Lot 8 Macbean Court, Greenvale, Vic. 3059
BRC20180129	17 Lot 249 Landy Road, Jacana, Vic. 3047
BRC20180139	3 Lot 143 Altitude Street, Greenvale, Vic. 3059
eBRC20180028	8 Lot 135 Ottery Court, Craigieburn, Vic. 3064
eBRC20180049	35 Lot 20418 McKane Street, Kalkallo, Vic. 3064
eBRC20180051	6 Lot 132 Cassara Way, Greenvale, Vic. 3059
eBRC20180052	15 Lot 22126 Bombala Crescent, Craigieburn, Vic. 3064
eBRC20180061	1 Lot 307 Bernwood Road, Mickleham, Vic. 3064
eBRC20180062	17 Lot 1 Jackson Street, Sunbury, Vic. 3429
eBRC20180066	20 Lot 1 Heatherbrae Crescent, Sunbury, Vic. 3429
eBRC20180073	11 Lot 1106 Hixon Way, Mickleham, Vic. 3064
eBRC20180075	2 Lot 9 Davies Court, Sunbury, Vic. 3429

<b>eBRC20180084</b>	<b>58 Lot 2172 Canning Drive, Mickleham, Vic. 3064</b>
<b>eBRC20180096</b>	<b>10 Lot 960 Argenta Street, Mickleham, Vic. 3064</b>
<b>eBRC20180113</b>	<b>61 Lot 1335 Aldergrove Parade, Mickleham, Vic. 3064</b>
<b>eBRC20180115</b>	<b>45 Lot 642 Ambition Drive, Greenvale, Vic. 3059</b>
<b>eBRC20180116</b>	<b>72 Lot 1 Jackson Street, Sunbury, Vic. 3429</b>



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<b>REPORT NO:</b>	GE281
<b>REPORT TITLE:</b>	Building Control Services Delegations Report - 1 April 2018 - 30 June 2018
<b>SOURCE:</b>	Peter Jolly, Municipal Building Surveyor
<b>DIVISION:</b>	Planning and Development
<b>FILE NO:</b>	HCC18/344
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENT:</b>	1. <i>Delegations Report 1 April 2018 - 30th June 2018</i>

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**1. SUMMARY OF REPORT:**

- 1.1 Council has discretionary powers under the *Building Act 1993 'Act'* and the *Building Interim Regulations 2017 'Regulations'* to approve building proposals that do not comply with the “deemed to satisfy” Rescode provisions of the regulations.
- 1.2 The new Building Regulations 2018 came into effect on 2<sup>nd</sup> June 2018. The new regulations replace the previous Building Interim Regulations 2017. The new regulations regulate the same matters as the previous regulations, however the regulation numbering and order has changed. There are matters listed in this report which include the new numbering.
- 1.3 Council also has discretionary powers to approve other siting matters such as constructing buildings over easements, on land not sewered, on flood prone land and on designated land.
- 1.4 Places of Public Entertainment are required to comply with requirements for Occupancy Permits.
- 1.5 The siting and erection of Prescribed Temporary Structures require approval as set out in the Act and the Regulations.
- 1.6 This report provides Council with a summary of the 107 approvals granted during the period 1<sup>st</sup> April 2018 to 30<sup>th</sup> June 2018.

**2. RECOMMENDATION:**

**That this report be received and noted.**

**3. LEGISLATIVE POWERS:**

- 3.1 *Building Act 1993*
- 3.2 *Building Interim Regulations 2017*
- 3.3 *Building Regulations 2018.*

**4. DISCUSSION:**

- 4.1 Council is responsible for the administration and enforcement of the *Building Act 1993* and the *Building Regulations* within the municipal district. The legislation gives discretionary powers to Council to approve building proposals that do not meet the “deemed to satisfy” provisions in the regulations. Such applications are processed and decided under delegation from Council.
- 4.2 Part 4 of the regulations (which mirrors Rescode in the Planning Scheme) controls the siting and design of single dwellings and associated outbuildings on allotments of area

REPORT NO: GE281 (cont.)

greater than 300m<sup>2</sup>. A person may apply to Council for approval of a building design that does not comply with the standard (deemed to satisfy) siting provisions. The legislation refers to such approval as being the “Report and Consent” of Council. Such approval must be granted to facilitate the issue of a Building Permit.

- 4.3 It should be noted that Building Regulations ‘Rescode’ siting requirements do not apply to multi dwelling developments or single dwellings on allotments with a site area less than 300m<sup>2</sup>; and do not override Planning Permit siting requirements. For example, the minimum street setback applying to a dual occupancy development is determined by ‘Rescode’ under the Planning scheme and administered through the relevant Planning Permit. The Building Regulations do not apply.
- 4.4 The Municipal Building Surveyor has delegated authority from Council to decide such applications. The powers are exercised in accordance with the Planning Minister’s Guideline MG/12 and Council’s instrument of delegation. The regulations control a number of building siting and design matters as follows:
- 4.4.1 Regulation 408 - Maximum street setback (*BR2018 – r.73*)
  - 4.4.2 Regulation 409 - Minimum street setback (*BR2018 – r.74*)
  - 4.4.3 Building height (*BR2018 – r.75*)
  - 4.4.4 Regulation 411 - Site coverage (*BR2018 – r.76*)
  - 4.4.5 Regulation 412 – Permeability (*BR2018 – r.77*)
  - 4.4.6 Regulation 413 - Car parking (*BR2018 – r.78*)
  - 4.4.7 Regulation 414 - Side and rear setbacks (*BR2018 – r.79*)
  - 4.4.8 Regulation 415 - Walls and Carports on boundaries (*BR2018 – r.80*)
  - 4.4.9 Regulation 416 - Daylight to existing habitable room (*BR2018 – r.81*)
  - 4.4.10 Regulation 417 - Solar access to existing north-facing windows (*BR2018 – r.82*)
  - 4.4.11 Regulation 418 - Overshadowing of recreational private open space (*BR2018 – r.83*)
  - 4.4.12 Regulation 419 – Overlooking (*BR2018 – r.84*)
  - 4.4.13 Regulation 420 - Daylight to habitable room windows (*BR2018 – r.85*)
  - 4.4.14 Regulation 421 - Private open space (*BR2018 – r.86*)
  - 4.4.15 Regulation 422 - Siting of Class 10a buildings (*BR2018 – r.87*)
  - 4.4.16 Regulation 424 - Front fence height (*BR2018 – r.89*)
  - 4.4.17 Regulation 425 - Fence setbacks from side and rear boundaries (*BR2018 – r.90*)
  - 4.4.18 Regulation 426 - Fences on or within 150mm of a side or rear boundary (*BR2018 – r.91*)
  - 4.4.19 Regulation 427 - Fences on intersecting street alignments (*BR2018 – r.92 & r.93*)
  - 4.4.20 Regulation 428 - Fences and daylight to windows in existing dwellings (*BR2018 – r.94*)
  - 4.4.21 Regulation 429 - Fences and solar access to existing north-facing (*BR2018 – r.95*)
  - 4.4.22 Habitable room windows (*BR2018 – r.95*)
  - 4.4.23 Regulation 430 - Fences and overshadowing of recreational private open space (*BR2018 – r.96*)

REPORT NO: GE281 (cont.)

- 4.4.24 Regulation 431 - Masts, poles etc (*BR2018 – r.97*)
- 4.4.25 Regulation 513 – Projections beyond street alignment (*BR2018 – r.109*)
- 4.5 Council also has powers to approve (give Report and Consent) the construction of buildings in other circumstances. Such applications are decided under delegation by the Municipal Building Surveyor in consultation with other relevant departments. Such approval must be granted to facilitate the issue of a Building Permit. The relevant regulatory provisions are:
- 4.5.1 Regulation 310(1) (*BR2018 – r.130*) prohibits the construction of a building over an easement unless the Report and Consent of the service authority has been granted. Council is the service authority where an easement is vested in the Council. Council has adopted the Policy No. CP2006/05/72 to guide the administration of such applications.
- 4.5.2 Regulation 801 (*BR2018 – r.132 & r.187*) prohibits the construction of a building on land that does not have connection to sewerage unless the Report and Consent of Council has been granted.
- 4.5.3 Regulation 802 (*BR2018 – r.153*) prohibits the construction of buildings on land designated as being flood prone unless the Report and Consent of Council has been granted.
- 4.5.4 Regulation 806 (*BR2018 – r.154*) prohibits the construction of buildings on land designated under Part 10 of the *Water Act 1989* unless the report and Consent of Council has been granted.
- 4.5.5 Regulation 604 (*BR2018 – r.116*) provides that the consent of Council must be obtained for any precautions intended to protect the safety of the public during building works that are proposed to be erected over the street alignment.
- 4.6 Places of Public Entertainment (*POPE*) are subject to requirements in the legislation for Occupancy Permits. Events involving the gathering of a large number of people, such as Concerts, Festivals, Fairs, Carnivals and Shows, are covered by the requirement for an Occupancy Permit, whether held on public or privately owned land.
- 4.7 Section 57 of the Act requires that the Municipal Building Surveyor approve the siting and erection of any Prescribed Temporary Structure on any land within the municipal district. This requirement applies to structures such as circus tents, large marquees, concert stages and the like, whether they are associated with a POPE or a private event.
- 4.8 Council has adopted the Policy No. CP2006/03/65 “Building Control Policy for Places of Public Entertainment and Prescribed Temporary Structures” which guides Council’s Building Surveyors in the assessment and approval of such applications. The purpose of the policy is to ensure that permits and approvals are granted taking into account public safety and amenity.
- 4.9 There were 107 of these matters approved during the period 1 April 2018 to 30 June 2018 as shown in Attachment 1.

**5. CONCLUSION:**

Council has various discretionary powers under building legislation to approve building siting and design proposals to facilitate the issue of a Building Permit. These powers are exercised by Council officers under delegation. Policy and procedures have been put in place to ensure that permits and approvals for Places of Public Entertainment and Prescribed Temporary Structures take into account public safety and amenity. This report provides Council with a summary of the approvals granted within the three month period to 31 March 2018.



Ref.	Address
BRC20170352	2 Lot 6010 Lemnos Walk, Greenvale, Vic. 3059
BRC20170354	6 Lot 6008 Lemnos Walk, Greenvale, Vic. 3059
BRC20170355	8 Lot 6007 Lemnos Walk, Greenvale, Vic. 3059
BRC20170374	2 Lot 340 Grasmere Court, Greenvale, Vic. 3059
BRC20170418	4 Lot 105 Provati Drive, Greenvale, Vic. 3059
BRC20180016	50 Lot 25 Gerbert Street, Broadmeadows, Vic. 3047
BRC20180019	30 Lot 342 Beckview Crescent, Sunbury, Vic. 3429
BRC20180027	52 Lot 26 Gerbert Street, Broadmeadows, Vic. 3047
BRC20180053	148 Lot 44 Langton Street, Jacana, Vic. 3047
BRC20180054	11 Lot 22165 Bolwarra Street, Craigieburn, Vic. 3064
BRC20180060	4 Lot 1 Alexander Court, Broadmeadows, Vic. 3047
BRC20180061	3 Lot 2 Alexander Court, Broadmeadows, Vic. 3047
BRC20180079	17 Lot 3015 Docker Circuit, Mickleham, Vic. 3064
BRC20180083	8 Lot 765 Ortolan Avenue, Broadmeadows, Vic. 3047
BRC20180085	73 Lot 84 Dunfermline Avenue, Greenvale, Vic. 3059
BRC20180090	6 Lot 35 Benalla Street, Dallas, Vic. 3047
BRC20180091	8 Lot 268 Flinders Street, Sunbury, Vic. 3429
BRC20180092	8 Lot 943 Parkfront Crescent, Roxburgh Park, Vic. 3064
BRC20180096	1 Lot 29 Avisha Way, Greenvale, Vic. 3059
BRC20180106	9 Lot 709 Wandin Street, Meadow Heights, Vic. 3048
BRC20180112	20 Lot 248 Alma Street, Craigieburn, Vic. 3064
BRC20180113	10 Lot 152 Marion Court, Craigieburn, Vic. 3064
BRC20180122	27 Lot 10 Shawlands Drive, Tullamarine, Vic. 3043
BRC20180127	9 Lot 8 Macbean Court, Greenvale, Vic. 3059
BRC20180129	17 Lot 249 Landy Road, Jacana, Vic. 3047
BRC20180139	3 Lot 143 Altitude Street, Greenvale, Vic. 3059
eBRC20180028	8 Lot 135 Ottery Court, Craigieburn, Vic. 3064
eBRC20180049	35 Lot 20418 McKane Street, Kalkallo, Vic. 3064
eBRC20180051	6 Lot 132 Cassara Way, Greenvale, Vic. 3059
eBRC20180052	15 Lot 22126 Bombala Crescent, Craigieburn, Vic. 3064
eBRC20180061	1 Lot 307 Bernwood Road, Mickleham, Vic. 3064
eBRC20180062	17 Lot 1 Jackson Street, Sunbury, Vic. 3429
eBRC20180066	20 Lot 1 Heatherbrae Crescent, Sunbury, Vic. 3429
eBRC20180073	11 Lot 1106 Hixon Way, Mickleham, Vic. 3064
eBRC20180075	2 Lot 9 Davies Court, Sunbury, Vic. 3429

<b>eBRC20180084</b>	<b>58 Lot 2172 Canning Drive, Mickleham, Vic. 3064</b>
<b>eBRC20180096</b>	<b>10 Lot 960 Argenta Street, Mickleham, Vic. 3064</b>
<b>eBRC20180113</b>	<b>61 Lot 1335 Aldergrove Parade, Mickleham, Vic. 3064</b>
<b>eBRC20180115</b>	<b>45 Lot 642 Ambition Drive, Greenvale, Vic. 3059</b>
<b>eBRC20180116</b>	<b>72 Lot 1 Jackson Street, Sunbury, Vic. 3429</b>

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<b>REPORT NO:</b>	GE282
<b>REPORT TITLE:</b>	Correspondence received from or sent to Government Ministers or Members of Parliament - June 2018
<b>AUTHOR:</b>	Paul White, Coordinator Knowledge Management
<b>DIVISION:</b>	Corporate Services
<b>FILE NO:</b>	HCC04/13
<b>POLICY:</b>	-
<b>STRATEGIC OBJECTIVE:</b>	5.3 Provide responsible and transparent governance, services and infrastructure which responds to and supports community needs.
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. <i>Status Resolution Support Service Payments</i></li><li>2. <i>Financial Aid to Duplicate the Bulla Bridge</i></li><li>3. <i>Mandating Indented Parking Bays</i></li><li>4. <i>Sanitary Napkins at Hume Global Learning Centres and Leisure Centres</i></li><li>5. <i>Public Libraries Funding Program</i></li><li>6. <i>Community Revitalisation Employment Readiness Program</i></li><li>7. <i>Grant Announcements</i></li></ol>

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**1. SUMMARY OF REPORT:**

This report presents a summary of correspondence relating to Council resolutions or correspondence that is considered to be of interest to Councillors received from and sent to State and Federal Government Ministers and Members of Parliament.

**2. RECOMMENDATION:**

**That Council notes this report on correspondence sent to and received from Government Ministers and Members of Parliament.**

**3. DISCUSSION:**

There is a range of correspondence sent to and received from State and Federal Government Ministers and Members of Parliament during the normal course of Council's operations. Correspondence of this nature registered in the Council recordkeeping system during June 2018 are summarised below in three tables:

Table 1	Correspondence in relation to Council general business items
Table 2	Correspondence that may be of interest to Councillors
Table 3	Correspondence announcing grant / funding opportunities from State and Commonwealth government.

Copies of the documents are provided as attachments to this report.

REPORT NO: GE282 (cont.)

**TABLE 1 CORRESPONDENCE IN RELATION TO COUNCIL GENERAL BUSINESS ITEMS**

Direction	Subject	Minister or Member of Parliament	Date Received / Sent	Responsible Officer	Council Minute Reference	Attachment
Inwards	General Business - Status Resolution Support Service Payments	Minister for Home Affairs	15/06/2018	Manager Community Strengthening	TAY025	1
Inwards	General Business - Request for Financial Aid to Duplicate the Bulla Bridge	Minister for Roads and Road Safety	21/06/2018	Manager Assets	JOH026	2
Inwards	General Business - Request to Planning Minister and Local Member Mandating Indented Parking Bays	Minister for Planning	25/06/2018	Manager Assets	MED232	3
Inwards	General Business – Support for Sanitary Napkins at Hume Global Learning Centres and Leisure Centres	Member for Sunbury	7/05/2018	Manager Community Strengthening	TAY023	4

**TABLE 2 GENERAL CORRESPONDENCE THAT MAY BE OF INTEREST TO COUNCILLORS**

Inwards	Public Libraries Funding Program 2018-19 Allocations	Minister for Local Government	22/06/2018	Manager Community Strengthening		5
Inwards	Community Revitalisation Employment Readiness Program - Funding support of \$196,500.00 to support delivery of Passport to Work and Employment Readiness and Career Counselling programs	Minister for Industry & Employment	25/06/2018	Manager Economic Development		6

**TABLE 3 CORRESPONDENCE ANNOUNCING GRANT / FUNDING OPPORTUNITIES FROM STATE AND COMMONWEALTH GOVERNMENT.**

Inwards	Grant Opportunities Available: <ul style="list-style-type: none"> <li>Pick my Project</li> <li>Sports Grants</li> <li>Animal Welfare Fund Grant Program</li> </ul>			Coordinator Grants and Advocacy		7
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**THE HON PETER DUTTON MP  
MINISTER FOR HOME AFFAIRS  
MINISTER FOR IMMIGRATION AND BORDER PROTECTION**

Ref No: MC18-008999

Cr Geoff Porter  
Hume City Council  
PO Box 119  
DALLAS VIC 3047

Dear Mayor

Thank you for your correspondence of 20 April 2018 concerning recent changes to the Status Resolution Support Services (SRSS) programme. I appreciate the time you have taken to bring this matter to my attention.

The SRSS programme commenced in 2014 and since then has provided short-term support to individuals while they engage with the Department of Home Affairs to resolve their immigration status, either through grant of a substantive visa or departure from Australia. The programme has been regularly reviewed and updated to ensure it aligns to community standards and continues to support status resolution outcomes. On 1 May 2018, a more targeted approach, delivering case specific support, was implemented.

The SRSS programme encourages clients with work rights to support themselves and their family throughout the process of their immigration status being resolved. Services provided to individuals through the SRSS programme will be assessed regularly on a case-by-case basis, with appropriate consideration given to individual and familial needs. If barriers to employment or resolving their immigration status are identified, those individuals will continue to be supported through the SRSS programme until these barriers are overcome, or their status is resolved.

When an individual has had their claims assessed and been found not to be owed protection, they should then engage with the Department to return to their country of origin.

Thank you for bringing Hume City Council's concerns to my attention.

Yours sincerely

  
PETER DUTTON 05/06/18





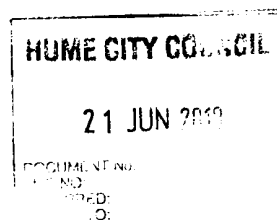
The Hon Luke Donnellan MP

Minister for Roads and Road Safety  
Minister for Ports

1 Spring Street  
Melbourne, Victoria 3000 Australia  
Telephone: +61 3 8392 6150  
DX210292.

CMIN002439  
(File No.: PC035723)

Cr Geoff Porter  
Mayor  
Hume City Council  
PO Box 119  
DALLAS VIC 3047



Dear Cr Porter

Thank you for your letter received 3 May 2018, regarding Bulla Bridge. I apologise for the delay in responding.

As stated in my letter to you dated 5 January 2018 (copy attached), in regards to your suggestion for duplicating the existing Bulla Bridge on the existing alignment in the short-term, the existing route along Bulla Road is constrained by steep grades and tight curves, as the road crosses Deep Creek. Duplicating the bridge with these existing constraints is unlikely to achieve significant travel time benefits for motorists, while still coming at significant cost and requiring a similar, detailed planning investigation that explores all environmental, social and heritage impacts.

You may also be aware that the Minister for Planning, the Hon Richard Wynne MLA, asked me to consider further options that address safety and congestion and future traffic demands for the Sunbury and Bulla communities. VicRoads is continuing to undertake that work.

Safety improvements on Sunbury Road between the Tullamarine Freeway and Oakland Road have begun and are expected to be completed by July 2018. These works are part of a \$1.1 billion investment to reduce deaths and serious injury on Victoria's roads and include new flexible safety barriers, widening of the road to accommodate safety barriers and upgrading public lighting.

In addition to the above safety improvements, the 2018-19 Victorian State Budget includes a significant investment in the Suburban Roads Upgrade, with over \$1 billion to be spent on widening and improving safety on roads across Melbourne's northern suburbs. As part of this package of works, Sunbury Road will be widened from two lanes to four between Powlett Street and Bulla-Diggers Rest Road in Sunbury.



Thank you for raising this matter with me.

Should you require any further information, Mr Vince Punaro, VicRoads Regional Director, Metropolitan North West Region (Tel: 9313 1111), would be pleased to assist.

Yours sincerely



**Hon Luke Donnellan MP**  
Minister for Roads and Road Safety

15 / 7 / 2018

ENCL.



The Hon Luke Donnellan MP

Minister for Roads and Road Safety  
Minister for Ports

1 Spring Street  
Melbourne, Victoria 3000 Australia  
Telephone: +61 3 8392 6150  
DX210292.

COPY

CMIN180036  
(File No.: PC034322)

Cr Geoff Porter  
Mayor  
Hume City Council  
PO Box 119  
DALLAS VIC 3047

Dear Cr Porter

Thank you for your letter dated 17 November 2017, regarding Bulla Bridge. I apologise for the delay in responding.

VicRoads recently completed a detailed planning investigation for a link between Melbourne Airport and the future outer metropolitan ring road transport corridor, which included a bypass of the Bulla township.

The Minister for Planning, the Hon Richard Wynne MLA, has asked me to consider further options that address safety and congestion and future traffic demands for the Sunbury and Bulla communities. VicRoads is currently undertaking that work.

In regards to your suggestion to duplicate Bulla Bridge on the existing alignment in the short-term, I understand that the existing route along Bulla Road is constrained by steep grades and tight curves as the road crosses Deep Creek. In addition, duplicating the bridge within these existing constraints will come at a significant cost and would require a similar, detailed planning investigation exploring environmental, social and heritage impacts.

VicRoads completed safety improvement works on Bulla Road between Bulla-Diggers Rest and Wildwood Roads in 2016 and reduced the speed limit on Sunbury Road from 100km/h to 80km/h in 2015. VicRoads will continue to work with the council to identify further opportunities to improve safety and access to and from Sunbury while the planning works for a bypass are in progress.



Thank you for raising this matter with me.

Should you require any further information, Mr Vince Punaro, VicRoads Regional Director, Metropolitan North West Region (Tel: 9313 1111), would be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Luke Donnellan', with a long, sweeping flourish extending to the right.

**Hon Luke Donnellan MP**  
Minister for Roads and Road Safety

5/1/2018

Cc: Mr Josh Bull MP, Member for Sunbury

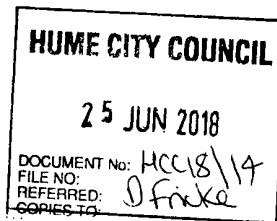


Hon Richard Wynne MP

Minister for Planning

8 Nicholson Street  
East Melbourne, Victoria 3002  
Telephone: 03 8683 0964  
DX210098

Councillor Geoff Porter  
Mayor  
Hume City Council  
PO Box 119  
DALLAS VIC 3047



Ref: MIN044223



Dear Mayor

**INDENTED PARKING BAYS**

Thank you for your letter of 18 May 2018, requesting that I change the Victoria Planning Provisions (VPPs) to require new developments and precinct structure plans (PSPs) to include indented parking bays.

I appreciate your comments about ensuring good car parking arrangements are provided for residents, however, I do not consider there is a need to introduce further control over car parking in the VPPs.

The Hume Planning Scheme already provides your council, as the responsible authority, with decision-making powers over car parking at Clause 21.07, which requires car parking plans for new and expanding activity centres. Clause 52.06 also provides sufficient guidance for your council when considering the number, design and siting of car parking spaces for new developments.

I encourage your council to continue to work with the Victorian Planning Authority in the development of PSPs in your municipality and the car parking, traffic management and urban design components of these plans.

If you have further questions, please contact Jane Homewood, Executive Director, Statutory Planning Services, Department of Environment, Land, Water and Planning, on (03) 8683 0975 or email [jane.homewood@delwp.vic.gov.au](mailto:jane.homewood@delwp.vic.gov.au).

Yours sincerely

HON RICHARD WYNNE MP  
Minister for Planning  
17.6.18







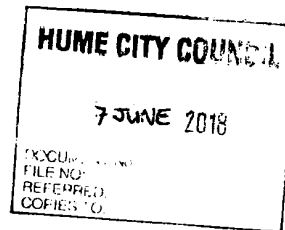
# Josh Bull MP

STATE MEMBER FOR SUNBURY



07 May 2018

Domenic Isola  
CEO – Hume City Council  
PO BOX 119  
Dallas VIC 3047



Dear Domenic,

I am writing to you in regards to the recent motion from Cr. Taylor at the Council meeting on the Monday 13 April 2018.

Cr. Jana Taylor raised the following motion:

**“That Council investigates the opportunity to provide free sanitary napkins upon request at Hume Global Learning Centres & Leisure Centres within the municipality.”**

I would like to add my full support to Cr. Taylor’s motion and urge Hume City Council to explore this further.

I commend the motion to Council.

Yours sincerely,

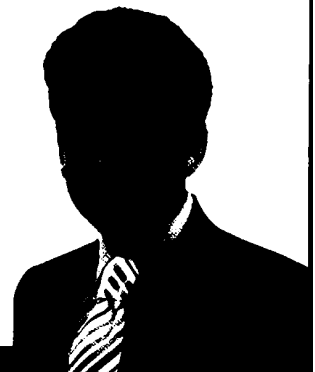


Josh Bull  
State Member for Sunbury

**OFFICE:** Shop 4, 33-35 Macedon Street Sunbury 3429

**POSTAL:** PO Box 635, Sunbury 3429

**P:** 9740 4091 **F:** 9740 4978 **E:** josh.bull@parliament.vic.gov.au







Hon Marlene Kairouz MP

Minister for Local Government  
Minister for Consumer Affairs, Gaming and Liquor Regulation

121 Exhibition Street  
Melbourne, Victoria 3000  
Telephone: 03 8685 1555  
DX210077

Cr Geoff Porter  
Mayor  
Hume City Council  
geoffp@hume.vic.gov.au

Ref: MBR036489



Dear Cr Porter

**PUBLIC LIBRARIES FUNDING PROGRAM 2018-19 ALLOCATIONS**

I am pleased to inform you that the Victorian Government will provide \$1,301,207 to Hume City Council as part of the 2018-19 *Public Libraries Funding Program*. This funding assists local government in providing library services to Victorians.

This funding will be paid to Hume City Council in two installments, subject to satisfactory completion of the milestones in the multi-year funding agreement that is already in place.

The Victorian Government has allocated a record \$43.62 million to the *Public Libraries Funding Program* in 2018-19 which will support councils, regional library corporations and Vision Australia.

In addition to the recurrent funding support provided to local government through the *Public Libraries Funding Program*, the Victorian Government is also providing \$4.4 million over four years as part of the *Premiers' Reading Challenge Book Fund* to enable libraries to purchase additional resources and \$18 million over four years through the *Living Libraries Infrastructure Program* to improve public library facilities.

If you require any further information regarding the *Public Libraries Funding Program* please contact Ms Amanda Minniti, Program Manager at Local Government Victoria, on 9948 8538 or by email, [amanda.minniti@delwp.vic.gov.au](mailto:amanda.minniti@delwp.vic.gov.au)

Thank you for your ongoing support of library services in Victoria.

Yours sincerely

**HON MARLENE KAIROUZ MP**  
Minister for Local Government

27 JUN 2018





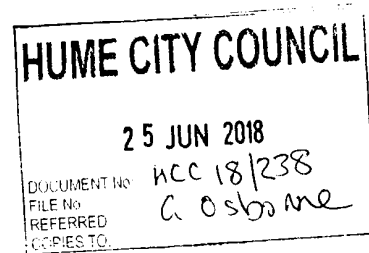


The Hon Ben Carroll MP

Minister for Industry and Employment

Level 16, 121 Exhibition Street  
Melbourne, Victoria 3000 Australia  
Telephone: +61 3 8392 2240  
DX 210074

Ref: BMIN18002138R  
File: DOC/18/349048



Mr Domenic Isola  
Chief Executive Officer  
Hume City Council  
Economic Development, 3rd Floor, Hume City Council  
Tanderrum Way, Broadmeadows Vic 3047

Dear Mr Isola

**COMMUNITY REVITALISATION EMPLOYMENT READINESS PROGRAM**

I am pleased to advise that the Victorian Government is able to offer Hume City Council funding support of \$196,500 (exclusive of GST) to support delivery of the 'Passport to Work' and Employment Readiness and Career Counselling programs as two social innovation initiatives for the Hume (Broadmeadows) Community Revitalisation project.

The funding offer will remain valid for 30 days from the date of this letter. The acceptance of this offer will not constitute any binding agreement until formal agreements have been executed by the parties. This funding offer is made on a confidential basis and formal legal agreements will set out the conditions upon which the assistance will be provided. Payment of the funding amounts will be dependent on the achievement of agreed milestones and deliverables.

I am delighted to make this offer to Hume City Council to deliver two programs that will support the outcomes of the Community Revitalisation project.

If you require further information, please contact Fiona Wright, Manager Community and Social Innovation, Department of Economic Development, Jobs, Transport and Resources on telephone (03) 9651 9019 or [Fiona.wright@ecodev.vic.gov.au](mailto:Fiona.wright@ecodev.vic.gov.au).

Yours sincerely

The Hon Ben Carroll MP  
Minister for Industry and Employment





# Ros Spence MP

STATE MEMBER FOR YUROKE



25<sup>th</sup> May 2018

Cr Geoff Porter  
Mayor  
Hume City Council  
PO Box 119  
DALLAS VIC 3047

**COPY**

Dear Mayor, *Geoff*

I am writing to let you know that applications for the latest round of the Andrews Labor Government's Animal Welfare Fund grants program are now open.

Animal welfare services and shelters are encouraged to apply for funding for projects that benefit cats, dogs, horses, rabbits, reptiles, caged birds, guinea pigs, ferrets, rats or mice. Eligible organisations can apply for a small grant of up to \$10,000 or a large grant of \$10,001 to \$50,000.

The fund is looking for proposals for animal welfare projects that fit into one of the several different categories, including community education programs, emergency support for animals, rehoming/reunification initiatives, upgrades to welfare facilities, and improvements to managing volunteers and donations.

Applications for Round 6 grant funding are now open and close Friday 15 June 2018 at midnight. Information about the program can be found online at:  
<http://agriculture.vic.gov.au/pets/community-and-education>.

I encourage you to share this news with suitable groups in our community. For assistance with applications, including a letter of support, please get in touch on 9305 7177.

Kind regards,

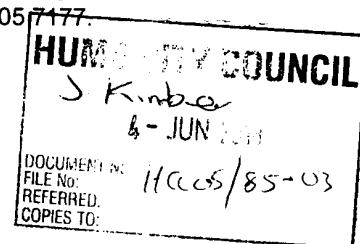
**Ros Spence MP**  
State Member for Yuroke  
Parliamentary Secretary for Public Transport  
Parliamentary Secretary for Roads

CC: Aitken Ward & Meadow Valley Ward Councillors; Joel Kimber

**OFFICE:** 3A Hamilton Street, Craigieburn, VIC 3064

**POSTAL:** PO Box 132, Craigieburn, VIC 3064

**P:** 9305 7177 **F:** 9305 7362 **E:** [ros.spence@parliament.vic.gov.au](mailto:ros.spence@parliament.vic.gov.au)



# Ros Spence MP

STATE MEMBER FOR YUROKE



31<sup>st</sup> May 2018

Cr Geoff Porter  
Mayor  
Hume City Council  
PO Box 119  
DALLAS VIC 3047

<b>HUME CITY COUNCIL</b>	
12 JUN 2018	
DOCUMENT No:	cc Bruce Foreham
FILE No:	cc. Regi Whitford
REFERRED:	cc. Mayor
COPIES TO:	HCC 12/459-02

Dear Mayor,

### Sports grants now open for clubs in Yuroke

The Andrews Labor Government is giving grassroots sporting clubs a historic boost to fund modern, inclusive and safe facilities, grounds, equipment and uniforms.

There are a range of different sports grants rounds currently open, and I'm keen to see our local clubs get their share. The grants currently open are:

- *Community Sports Infrastructure Fund*, which funds facility upgrades such as clubrooms, ovals and lights;
- *Female Friendly Facilities Fund* to ensure Victorian women and girls have the facilities they need to play the sport they love;
- *Sporting Club Grants Program*, assisting clubs to purchase uniforms and equipment;
- *Better Indoor Stadiums Fund*, to build multi-sports venues like basketball stadiums; and
- *Defibrillators for Sporting Clubs and Facilities Program*, which allows sporting clubs to acquire a defibrillator for their club or facility.

In addition, there is also \$100 million available in the *Community Sport Infrastructure Loans Scheme*, which provides low interest loans to fast track important community sporting facilities that might otherwise fall short on funding. This scheme will open later this year.

I have enclosed a list of these sports grants, a short description of each program, and their closing date. For more information about all these grants or to apply online visit [www.sport.vic.gov.au](http://www.sport.vic.gov.au).

I am happy to assist with applications for these grants, including providing a letter of support, and I can be contacted on 9305 7177 or via email at [ros.spence@parliament.vic.gov.au](mailto:ros.spence@parliament.vic.gov.au).

Kind regards,

**Ros Spence MP**  
**State Member for Yuroke**  
**Parliamentary Secretary for Public Transport**  
**Parliamentary Secretary for Roads**

CC: *Aitken Ward & Meadow Valley Ward Councillors; Joe*

**OFFICE:** 3A Hamilton Street, Craigieburn, VIC 3064

**POSTAL:** PO Box 132, Craigieburn, VIC 3064

**P:** 9305 7177 **F:** 9305 7362 **E:** [ros.spence@parliament.vic.gc](mailto:ros.spence@parliament.vic.gc)



**Community Sports Infrastructure Fund**

The Community Sports Infrastructure Fund provides grants for planning, building new, and improving existing facilities where communities conduct, organise and participate in sport and recreation.

<http://www.sport.vic.gov.au/grants-and-funding/our-grants/community-sports-infrastructure-fund>

**Status:** Open

**Closing:** 25/06/2018

**2018-19 Female Friendly Facilities Fund**

The Female Friendly Facilities Fund is a Victorian Government funding program that assists local clubs and organisations to develop grounds, pavilions, courts and lighting to enable more women and girls to participate in sport and active recreation.

<http://www.sport.vic.gov.au/grants-and-funding/our-grants/2018-19-female-friendly-facilities-fund>

**Status:** Open

**Closing:** 23/07/2018

**Better Indoor Stadiums Fund**

The Better Indoor Stadiums Fund is a Victorian Government funding program that helps provide indoor multi-sports stadiums across metropolitan Melbourne and regional Victoria.

<http://www.sport.vic.gov.au/grants-and-funding/our-grants/better-indoor-stadiums-fund>

**Status:** Open

**Closing:** 06/08/2018

**Significant sporting events program**

The Significant Sporting Events Program helps sporting, community and event organisations to deliver significant sporting events in Victoria.

<http://www.sport.vic.gov.au/grants-and-funding/our-grants/significant-sporting-events-program>

**Status:** Open

**Closing:** 30/06/2022

**Defibrillators for sporting clubs and facilities program**

The Defibrillators for Sporting Clubs and Facilities Program provides Victorian sporting clubs with the opportunity to acquire an automated external defibrillator (also known as an 'AED') for their club or sports facility.

<http://www.sport.vic.gov.au/grants-and-funding/our-grants/defibrillators-sporting-clubs-and-facilities-program>

**Status:** Open

**Closing:** 20/06/2018

**Sporting club grants program**

The Sporting Club Grants Program provides grants to assist in the purchase of sports uniforms and equipment and to improve the capacity and accessibility of Victorian clubs and other community sport and recreation organisations and increase the skills of their coaches, officials and managers.

<http://www.sport.vic.gov.au/grants-and-funding/our-grants/sporting-club-grants-program>

**Status:** Open

**Closing:** 27/06/2018

**Emergency: Sporting and Recreational Equipment Grant**

These grants provide assistance to grassroots sport and active recreation clubs and organisations to replace essential sporting or first aid equipment that has been lost or destroyed as a consequence of fire, flood, significant storm event, theft or criminal damage.

<http://sport.vic.gov.au/grants-and-funding/our-grants/emergency-sporting-and-recreational-equipment>

**Status:** The grants must be applied for within 3 months of damage occurring.

**Paul White**

---

**From:** Susan Kelty <Susan.Kelty@parliament.vic.gov.au>  
**Sent:** Wednesday, 13 June 2018 4:47 PM  
**To:** Susan Kelty  
**Subject:** Pick My Project - Do you have a great idea for a community project?  
**Attachments:** Pick My Project Flyer.pdf

Good afternoon

Please find attached information from the State Government regarding the **Pick My Project** initiative. Pick My Project is a new \$30 million community grants program which is currently accepting submissions. It is the first of its kind in Victoria and gives **Victorians aged 16 and over** the chance to apply for funding for any project ideas that will make their community an even better place to live.

Individuals are encouraged to work with partner organisations to submit grassroots ideas that could range from upgrades to a local library, water harvesting for sports lawns and gardens, solar panels for a community centre, to new recreational education or inclusion programs.

Eligible ideas will then be voted on by the community, which means locals decide on the projects they would like to see in their areas.

Applications need to be submitted online before **Sunday, 24 June 2018**. Further information regarding this program can be obtained from <https://www.pickmyproject.vic.gov.au/>.

Kind regards.

**Frank McGuire MP**  
State Member for Broadmeadows  
Parliamentary Secretary for Medical Research  
Parliamentary Secretary for Small Business & Innovation  
Phone: (03) 9300 3851 Fax: (03) 9300 3915  
Mail PO Box 3213, Broadmeadows VIC 3047  
Email: [frank.mcguire@parliament.vic.gov.au](mailto:frank.mcguire@parliament.vic.gov.au)



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