

**TOWN PLANNING SUBMISSION  
APPLICATION FOR PLANNING PERMIT**

**PROPOSED DUAL-OCCUPANCY DEVELOPMENT  
163 MAHONYS ROAD, RESERVOIR**

**ASSESSMENT AND WRITTEN RESPONSE**

**JULY 2024**

## Introduction

This submission is made in support of proposed dual-occupancy at 163 mahonys Road, Reservoir. The proposal comprise of two single storey dwellings; each has three bedrooms.

The subject site has an area of 870 square metres.

The subject site is located on the south side of Mahonys Road.

The proposal has been specifically designed to utilize the orientation of the land, providing spacious living environment for prospective occupants.

The proposal respond to the constrains and opportunities of the site, the proposal's design conforms to the existing neighborhood character and as such will be a positive addition. Developing the site in this manner is consistent with both the emerging and existing building developments.

The written design response and assessment, as prescribed under ResCode 2001, forms part of this application for planning permit and should be read in conjunction with the site description plan, design response plan and all other documents submitted.

## Subject land

The site has a good access to a full range of local infrastructure and as well connected to by a number of existing metropolitan arterial roads.

The land is currently occupied with a single storey big brick veneer dwelling, with single crossover.

The land is almost flat.

The site has ready access to a range of local facilities, open public spaces and public transport.

The site is situated in an established suburban area – Metropolitan Residential Areas and is ideally located for additional residential development accordance with urban consolidation policies and planning schemes.

The proposal will increase diversity in the range of housing opportunities available by making efficient and effective use of existing infrastructure.

The street has ample capacity to accommodate for vehicle trips generated by the proposed new development.

## The proposal

It is proposed to develop two single storey dwellings.

The proposed development will consist of one single storey dwelling with a direct interface with Mahoneys Road and the other dwelling to the rear. The dwellings have been sited comfortable along the entire site with ample front and rear setback and good articulations from the sides so that no bulk concerns are raised.

The proposed development uses face brick, rendered walls and some timber cladding as a key building material with flat concrete tiled roofs.

### **Restrictions:**

The site is encumbered by a restrictive covenant.

The proposal is not in line with the restriction of the covenant which was issued when the subdivision was approved in 1934. Since then there are so many changes in the local and state planning policy which support a subdivision of smaller size lot to accommodate the growing needs of the increased population and VCAT has in other cases did override this restriction and allowed multi-unit development on other sites within the neighbourhood.

We believe a number of recent approvals for similar applications along the same street and within the same plan of subdivision is a good support for this application and the right approach to meets the increased demands for well designed and attractive development.

### **Aboriginal cultural heritage management plan**

The proposal is an exempt activity and a Cultural Heritage Management Plan (CHMP) is not required under the Aboriginal Heritage Regulations 2007 and the Aboriginal Heritage Act 2006.

## Planning policies

The City of Darebin Planning Scheme includes two tiers of planning policy frameworks: State and Local. The following is a detailed outline of the key planning policies that apply to the proposed development, followed by an assessment of the application against these policies.

### State Planning Policy

The State Planning Policy Framework includes a number of clauses which would apply to the application and these are listed below:

*Clause 11: Settlement*

*Clause 15: Urban design*

*Clause 16: Housing*

*Clause 19: Design and built form*

Clause 11 “Settlement” of the State Planning Policy Framework (SPPF) provides a number of objectives and strategies that would be applicable to any development within the metropolitan area, and in the event of any inconsistencies with other State policies, this policy prevails over any other policy, such as Clause 14 or 19. This policy is generally known as “Melbourne 2030 Strategy”, and was developed to address the predicted population growth in Melbourne within the next 20-30 years. The key principle on which this policy is based is the improved utilisation of existing public infrastructure by increasing development and density to achieve a sustainable outcome. *Creating a more compact city and facilitating sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities* is the first objective in this policy.

**Clause 16“Housing”** of the SPPF includes objectives and strategies for implementation, some of which applicable to the proposal. Clause 16.02 relates to medium density housing. Clause 6.02-1 objective states:

*“To encourage the development of well-designed medium density housing which:*

- *Respects the neighbourhood character,*
- *Improves housing choice,*
- *Makes better use of existing infrastructure,*
- *Improves energy efficiency of housing”.*

**Clause 16.02-2 General implementation** provides:

*Responsible authorities should use Clause 54 and Clause 55 in considering applications for medium-density housing.*

**Clause 15.03 Urban Design**, of the Planning Scheme outlines the State’s planning objectives for Urban Design, which spells out:

*“To create urban environments that is safe, functional and provides good quality environments with a sense of place and cultural identity.”*

*“To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.”*

**Clause 19.03-2** provides general implementation strategies or provisions, stating that:

*“Development should achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.”*

## **Local Planning Policy**

### Statement of Preferred Future Neighbourhood Character

The character of the precinct is to be retained and enhanced by:

Designing new infill dwellings in a contemporary style to enhance the urban environment in the GRZ1.

Encouraging detailed design variation between dwellings to prevent mirror image street presentations.

Ensuring the scale of new dwellings in the GRZ1 is sympathetic to the existing dwellings on neighbouring properties and the surrounding precinct.

Enhancing the landscape setting by removing environmental weeds where appropriate, and planting native or indigenous trees and understorey vegetation.

Landscaping the front setback to improve the garden setting and discourage car parking in front of dwellings.

Ensuring basement ramps, carports and garages do not dominate the streetscape.

Obscuring household services from street view.

the proposed development has taken into account all the above objectives and the proposed development will contribute to the character of the area and will provide quality and diverse housing opportunities that add value to the residential character of the area. Other strategies adopted in the development include street-oriented development with active street frontages. Use of landscaping and streetscape improvements to create attractive view lines

## 32.08 General Residential Zone

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.

### **The subject site is within General Residential Zone (GRZ1) Schedule 1**

The schedule to the zone does specify the Site Coverage B8 at 50% max and the Private Open Space B28 as an area of 55 square metres with a minimum area of 40 square metres of Secluded POS and a min dimension of 3.5 metres.

### **32.08-4 Min Garden Area Requirements**

An application to construct or extend a dwelling requires a min garden area of 35% when the area of the site is over between 650m<sup>2</sup>

The subject site area is 870m<sup>2</sup>, therefore a min garden area of 305m<sup>2</sup> is required. An area of 350m<sup>2</sup> has been provided for the garden.

### **32.08-07 Requirements of Clause 55**

Standards B6, B9, B17, B18 and B32 of Clause 55 of this scheme were not specified in the schedule to the zone, therefore, the requirement set out in the relevant standard of Clause 55 applies

### **32.08-10 Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that: exceeds the maximum building height specified in a schedule to this zone; or contains more than the maximum number of storeys specified in a schedule to this zone. the max building height allowed for the site is 11m and a max of 3 storeys not including basement.

This application confirm to that requirements and comply with the objectives of the zone

## **52.02 Easement, Restrictions & Reserves.**

Part of the submission is the request to remove the existing covenant on site.

## **52.06 Car Parking.**

All the requirements under this clause are met including the provision of the required number of parking spaces and the access way requirements.

## **52.29 Land adjacent to the principal road network.**

All the requirements under this clause are met since there are no proposed alterations to the existing access and no new access is required.

## **Clause 55, two or more dwellings on a lot and residential buildings**

The purpose is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that is responsive to the site and neighbourhood.

## **ASSESSMENT OF THE APPLICATION AGAINST RELEVANT PLANNING POLICIES**

In addition to the neighbourhood and site description and the design response provided with the architectural plans attached to the report, a detailed assessment, explaining how the proposed development meets the objectives and responds to the neighbourhood and site description is provided below.

Whilst single detached dwellings will continue to represent the largest proportion of Darebin's housing stock, there will be a need for a greater mix of housing in the form of medium and higher density residential developments.

Effective subdivision design should respond to site opportunities and constraints.

The contemporary design allows this development to blend in with emerging buildings and still respecting the amenities of the existing adjoining buildings, some of the applicable items addressed in the design includes...

Contemporary architecture and high design standards  
Provide visual interest and make a positive contribution to the streetscape  
Minimise adverse amenity impacts on adjoining properties  
Use varied and durable building materials  
Incorporate a landscape treatment that enhances the overall appearance of the development  
Integrate car parking requirements into the design of buildings and landform.  
Work with existing ground levels to minimise the excavations and limit the building height by stepping the dwelling to reflect the fall of ground.

## **CLAUSE 55 – RESCODE 2001 ASSESSMENT.**

### **55.01 NEIGHBORHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE**

#### **55.01-1 Neighborhood and Site Description**

The property immediately to the east and west of the subject site contains single storey dwellings. The adjoining property to the south is a double storey dwelling. The properties across the road are light industrial warehouses and businesses. There is a dual occupancy development site on the second adjoining site on the west of the subject site.

#### **55.01-2 Design Response**

The design response for the form of the proposed buildings is driven by the existing surrounding typical hip roofed houses. The proposed dwellings are single storey with brick veneer construction & render finish and some timber cladding to the porch to blend with the existing surrounding buildings.

The design has taken into consideration and accommodates for off site impact and provides sound living environment for prospective occupants. Private open spaces have been provided and are reasonably sized. Overshadowing on adjacent windows is minimal. Very minimal over shadowing on adjoining properties should exist.

The siting and internal configurations of the proposed dwellings utilize private open spaces. This allow views from the interior of the proposed dwelling into private open spaces.

The proposed development will maintain the view of front garden from the street, and will retain an existing tree and nature strip and in addition, plant additional shrubs of dominant species.

## **55.02 02 NEIGHBORHOOD CHARACTER**

### **55.02-1 Neighborhood Character Objectives**

**Standard B1:**

The design and layout of the proposed new dwelling are respectful of the housing in the area and the emergent form of building.

The proposed new dwellings will provide a suitable contribution to the area. This type of development will be sympathetic to the area, as the design is oriented to avoid any direct views into and from the proposed new dwellings. The private open spaces are oriented as best as possible to avoid overlooking into the neighbors open space. As there is no dominant architectural character within this precinct, the proposal will blend with the surroundings.

Visual mass and bulk of the proposed new dwellings are broken by articulation in the elevation. Other design features such as windows placement, break in wall planes, setback and general surface treatment of proposed new dwelling invite the eye to move around the building.

The proposed dwellings will be a suitable contribution to the area, with new native landscaping.

The proposed development has been designed to be respectful of the character of the surrounding neighborhood. The proposal maintains the character of this area, by proposing a dwelling style and form which is similar in scale and massing to other houses in the local neighborhood

### **55.02-2 Residential Policy Objectives**

**Standard B2:**

It is expected that the “state planning Policy Framework and the local Planning Policy Framework, do not have any restriction on such a development.

### **55.02-3 Dwelling Diversity Objective Standard B3**

The development proposes the construction of 2 dwellings and as such this objective is not relevant.

### **55.02-4 Infrastructure Objective Standard B4:**

It is expected that the infrastructure within Mahonys Road area will be more than capable to accommodate such a development.

### **55.02-5 Integration with the street Objective Standard B5:**

Adequate vehicle and pedestrian links to maintain and enhance local accessibility have been provided.

The front entrance of the proposed dwellings are prominent and accentuated by porches.

The proposed site layout will enable all dwellings to have ease of vehicular access.,

The proposed layout will have front entries of all dwellings visible from the street.

The layout provides for buildings that directly address the public street and are relatively consistent with the existing building stock.

## **55.03 SITE LAYOUT AND BUILDING MASSING**

### **55.03-1 Street setback objective Standard B6:**

The front setback is respectful of the setback of the adjoining building. The proposed front setback matches the existing adjoining dwelling as per Table B1 requirements.

### **55.03-2 Building Height Objective Standard B7:**

The proposed building heights for the dwellings respects the existing or preferred neighbourhood character.

The proposed building heights are within the maximum building height of 9 metres.

#### **55.03-3 Site Coverage Objective**

##### **Standard B8:**

The proposed site coverage for the dwellings respects the existing or preferred neighbourhood character. Building site coverage of approximately 40% is well below the 60% achievable under this objective.

#### **55.03-4 Permeability Objective**

##### **Standard B9:**

The proposed dwellings are designed to reduce the impact of stormwater run off on the drainage system and facilitate on-site stormwater infiltration

Permeability of the site is approximately 42% and is well above the 20% minimum as described in this objective.

An underground stormwater drainage system proposed for the site will have ample capacity to accommodate the drainage run-off generated by the proposal.

#### **55.03-5 Energy Efficiency Protection Objective**

##### **Standard B10:**

The buildings have been designed to provide optimum levels of solar/daylight penetrations and energy efficiency for the proposed dwellings, whilst at the same time having little effect to solar/daylight penetration to adjoining properties.

Solar access to adjoining dwellings and their principal open space will not be compromised.

The dwellings have been designed in such a way as to maximise on natural ventilation and solar energy.

The internal configurations of the dwellings were designed to be unique without compromising on energy efficiency.

The living and meals area in particular have direct access to open space and oriented for daylight enjoyment.

The main living areas are placed along the north where possible to maximise on private open space enjoyment and achieve good morning solar access.

Windows have been positioned for natural cross ventilations.

#### **55.03-6 Open Space Objective**

##### **Standard B11:**

Designated open space (access way and associated landscape) abuts the dwellings  
Adequate daylight is allowed into all habitable room windows.

Good size secluded private open space is provided for each dwelling with good direct access from living areas.

Integrated open space with the living spaces with direct access and have a good exposure to northern sun.

#### **55.03-7 Safety Objective**

##### **Standard B12:**

The proposed layout of the dwellings have been designed to accentuate safety and security.

The entrances are not obscured or isolated from the street and any access way.

No unsafe planting will be planted in front of and around dwellings.

The development designed to promote good lighting, visibility and surveillance of car parks and internal access ways.

Private open spaces are sealed off from the public areas with privacy fencing and will not be used as thoroughfare for the public.

#### **55.03-8 Landscaping Objective**

##### **Standard B13:**

The proposed development respects the landscape character of the neighborhood.

The retention of existing street trees and planting of new trees has been recommended and designed by a qualified landscape designer to comply with Darebin tree policy..

#### **55.03-9 Access Objective**

##### **Standard B14:**

The proposed access ways allow convenient, safe and efficient vehicle movement and connections within the development and the street network

The drive way connects to the street in a street zone.

Access ways have achieved a 3 metre minimum width.

The access way does not take up more than 33& or 40% of the street frontage.

#### **55.03-10 Parking Location Objective**

##### **Standard B15:**

The car parking provided is adequate for the need of residents.

The proposed new dwellings 1 have been provided with a lock up garage plus a tandem car space. Doors and windows ensure that the garages are well ventilated.

The car parking has been designed to allow for safe and efficient movement within the development.

**Parking Provision Objective**  
**Clause 52.06:**

Two car spaces have been provided for both dwellings to comply with Clause 52.06.

**55.04 Amenity Impacts**

**55.04-1 Side and rear setbacks Objective**  
**Standard B17:**

The proposed side and rear setbacks for the dwelling respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

The proposed building is within the side and rear setback as stated in Standard B17 Diagram B1.

Any sunblind, porches, eaves, fascias, gutters, chimneys, flues, pipes, and heating or cooling equipment are within the allowable distance of encroachment as stated in Standard B17.

**55.04-2 Walls on Boundaries Objective**  
**Standard B18:**

Not Applicable

**55.04-3 Daylight To Existing Windows Objective**  
**Standard B19:**

The proposed dwelling has been designed to allow for adequate daylight into any existing habitable room windows.

**55.04-4 North facing windows Objective**  
**Standard B20:**

Not Applicable.

**55.04-5 Overshadowing Open Space Objective  
Standard B21:**

The proposed dwellings has a minimal impact on adjoining and do not overshadow existing secluded private open space of the surrounding properties. Conforming to Standard B21, open space to the adjoining land will be unaffected by overshadowing caused by the proposed dwelling.

**55.04-6 Overlooking Objective  
Standard B22:**

The design of the proposed dwellings limit views into existing secluded private open space and habitable room windows. There are no any overlooking on the adjoining properties. The proposed floor levels are lower than the current existing house floor level.

**55.04-7 Internal Views Objective  
Standard B23:**

Views have been limited to the secluded private open space and habitable room window area of the dwellings within the development

**55.04-8 Noise Impacts Objective  
Standard B24:**

The proposed dwelling will be provided with insulation, hence improving acoustics. Noise sources such as driveway are not located near bedrooms of immediate or adjacent dwellings.

Noise sensitive rooms and secluded private open space areas of new dwellings and adjacent dwellings have taken into account noise sources from immediately adjacent properties.

High privacy fencing will insure acoustic protection to the private open space area.

## 55.05 ON SITE AMENITY AND FACILITIES

### 55.05-1 Accessibility Objective

#### Standard B25:

The topography of the land makes it easy to access and egress for people with limited mobility.

The ground floor of a dwelling is able to be made accessible for people with limited mobility.

### 55.05-2 Dwelling Entry Objective

#### Standard B26:

Entry point of new dwellings is visible and easily identifiable from the street and other public areas.

Entry points provide shelter, a sense of personal address and a transitional space around the entry.

### 55.05-3 Daylight to New Windows Objective

#### Standard B27:

All habitable windows face an outdoor space with a minimum area of 3 square metres and a minimum dimension of 1 metre clear to the sky.

The proposed dwellings have been designed to allow adequate daylight into new habitable room windows.

Ample windows have been provided for each habitable room to ensure adequate solar/daylight access with adequate separation open to the sky from any other building in accordance with Standard B27

### 55.05-4 Private Open Space Objective

#### Standard B28:

The proposed dwelling have been designed to provide adequate private open space for the reasonable recreation and services needs of residents as per table below.

Private Open Space Provision:

Dwelling	Private Open Space	Secluded POS.
Dwelling 1	190m <sup>2</sup>	54m <sup>2</sup>
Dwelling 2	176m <sup>2</sup>	161m <sup>2</sup>

The open spaces are directly accessible from the living/meals areas.

The amount of open space for each dwelling achieves the requirement set out in Standard B28

**55.05-5 Solar Access to Open Space Objective**

**Standard B29:**

The proposed dwellings setout has been designed to provide adequate solar access into the secluded open space.

Good solar access to secluded open space allowed a good exposure to northern sun and direct sunlight throughout most parts of the day.

**55.05-5 Storage Objective**

**Standard B30:**

Each dwelling has been equipped with a 6 cubic metre minimum external storage area as an external shed with an area of 3m<sup>2</sup> and 2m high as per the requirement of Standard B30

**55.06 DETAILED DESIGN**

**55.06-1 Design detail Objective**

**Standard B31:**

The proposed dwelling uses design detail that respects the existing or preferred neighborhood character. The proposed materials, being aligned with current residential trends, seeks to revitalize the neighborhood character.

The new dwelling has used articulation in the elevations, windows placement, verandahs, eaves setbacks and general surface treatment invite the eye to move around the building

Roof forms used respect the existing or preferred neighbourhood character.

The garages are visually compatible with the development and the existing or preferred neighbourhood character.

**55.06-2 Front Fence Objective**

**Standard B32:**

No front fence is proposed for the development therefore respect the existing or preferred neighbourhood character. And will comply with Standard B32 and Table B3

#### **55.06-3 Common Property Objective Standard B33:**

The proposed dwellings will have a small and manageable common property areas. All access areas and site facilities are designed to be practical, attractive and common property will be easily managed and maintained.

#### **55.06-4 Site Services Objective Standard B34:**

All site services can be installed that if not already existing, and easily maintained. All site facilities are accessible, adequate and attractive.

Bin and recycling enclosure, mailboxes and other facilities are adequate in size and blend with the development

Bin and recycling enclosures are located for convenient by the residents.

Mailboxes are provided and located for convenient access by Australia post.

The dwellings will have a separate letter box facility at the frontage of the site, whilst sufficient outdoor area is proposed to allow for the provision of outdoor clothes drying facilities for each dwelling

### **CONCLUSION**

The proposal will enhance the character and amenity of the neighbourhood by means of providing a well designed and attractive development that will suit the site and is consistent with the existing or preferred neighbourhood character.

The proposal will make a positive contribution to the character of the area and neighbourhood.

The constraint on the site and characteristics of the area have been addressed and are reflected in the site description plan and design response.