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## PLANNING REPORT ASSESSMENT

488 Murray Road, Preston

Proposed mix use development

Municipality: Darebin City Council

Planning Application Number: to be confirmed

Applicant: Planning & Design P/L

Dated: 21 August 2024

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# 01 | Proposal

The proposal seeks to partially demolish and carry out works to an existing building in a General Residential Zone (GRZ2) with a Development Contributions Plan Overlay (DCPO1). Key features of the development are summarized below:

## Areas to be retained:

- Existing building is to be demolished and removed and a new double storey building is proposed.
- The existing building was fire damaged and needs to be demolished.

## Grounds floor alterations:

- According to the Darebin Planning Scheme, The retail sector includes uses such as shops, cafes, restaurants, supermarkets, shopping complexes, convenience stores and other similar activities.
- Ground floor is to be used for retail sector as a restaurant with kitchen facilities, approximately 185.1m<sup>2</sup>.
- The Murray Road frontage of the restaurant is constructed largely of glazing.
- A shared bin storage area, which is located at the rear of the building abutting the car space, is provided for the ground floor restaurant and Dwelling 1.

## First floor alterations:

- A dwelling unit is defined in the Darebin Planning Scheme as:
  - (a) a building that is attached to a shop, office, warehouse or factory and is used, or is intended, adapted or designed for use, as a residence for an occupier or caretaker of the shop, office, warehouse or factory
- First floor is to be used for dwelling unit as a caretaker of the restaurant with an ensuite and two new bedrooms with living, dining and kitchen.
- A balcony to front onto Murray Road that will connect to the living area is proposed.
- Two courtyards are allocated on the first floor between the proposed bedrooms.
- Two staircases access to the frontage of Murray Road and car space/shared bin area abutting the road at rear.

## Roof form, materials/finishes:

- The roof form will present as flat when viewed from the street frontages.
- Wall materials comprise a combination of axon cladding and smooth render.

## Access

- Access to first floor is provided by proposed staircase:
  - Staircase is located along the north side of the restaurant on the ground floor and south side on the boundary.

## Car parking

- The existing building is not provided with any car space and one new car space is proposed towards the rear of the lot, and two new bicycle spaces are proposed at the rear.

## Other features

- Proposed changes will not increase building footprint at ground level.

- The height of the proposed development will be 6.28m on the frontage of the road and will not be out of character in the streetscape.

### Planning Permit Trigger

A permit is required under Clause 32.08-5 of the Darebin Planning Scheme to construct or extend one dwelling on a lot less than 300sqm of the Darebin Planning Scheme and it is under Clause 32.08 Section 2 uses. And the development must meet the requirements of Clause 55.

## 02 | Site and Surrounds

### Subject Site

The subject site is located to the north of Murray Road. It has a total area of 247.35sqm, with front and rear boundaries of 4.88m (south) and 6.77m (north) and side boundaries of 43.04m (east) and 21.12m, 4.25m & 18.02m (west). The site has a fall of approximately 0.6m from southwest to northeast. There is a party wall easement of 0.11m wide present along the west boundary of the site.



The existing single storey building on site features a brick exterior with rendered details on the façade and a flat roof form. The building covers around 75% of the site, with little permeable surface area.



The ground floor of the building was previously used as a shop that has been damaged by fire and needs to be demolished.

### Surrounding Properties

The Neighbourhood and Site Description Plan provides details on the site and surrounding context. The immediate interfaces to the subject site are illustrated below:



To the left of the site:

490 Murray Road - this double storey brick building is in a residential zone with a shop front on the ground level and residential area on the first level. The building façade is commercial in character, with obscured windows and metal doors and frames. The building covers around 50% of the entire property.



#### To the right of the site:

482 Murray Road - this apartment building is a mix use building with a dwelling to the rear and a milk bar shop front at the front to face onto Murray Road. The building consists of a single storey brick dwelling with tile roof and the shop front is a single storey brick building with flat roof to match the other shop fronts along the streetscape. The building also covers around 50% of the entire property. The ground floor is currently used as a commercial space for a milk bar.

#### Neighbourhood Context

The subject site sits within a diverse neighbourhood comprising a broad range of land uses including residential, commercial, mixed and educational uses that all sit within a residential zone along Murray Road that is a Principal Road Network (TRZ2).

Murray Road offers a variety of uses within the neighbourhood setting. There are commercial buildings along with shop fronts and educational schools as well as residential dwellings. New contemporary developments are becoming more present and typically comprises of retail spaces on ground floor and residential apartments above.

The subdivision pattern of the area varies in size, width, and depth, however, the frontage widths are generally very narrow compared to its depth. The area has a very high site coverage percentage and low permeable area percentage.

#### The Locality

Murray Road is a significant municipal road connecting to Gaffney Street (west) and Southern Road (east). The subject site is located within convenient proximity to various community services and facilities.

#### Public Transport services

- Tram service 11 runs nearby on Gilbert Road.
- Bus service 527 runs nearby on Murray Road.
- Preston Station is approximately 550m east. Bus interchanges are available at the station for 2 routes.

#### Public open space, sport and recreation facilities

- Margaret Walker Reserve Playground is approximately 400m south.
- H.P. ZWAR Park is approximately 750m southeast.
- Preston Oval is approximately 900m east.
- Ray Bramham Gardens is approximately 1.8km south.

#### [Education services](#)

- Preston West Primary School is approximately 110m south.
- Guardian Childcare & Education Preston is approximately 230m east.
- St Raphael's Primary School is approximately 450m northwest.
- Bell Primary School is approximately 1.8km south.
- Sacred Heart School is approximately 1.7km southeast.
- Melbourne Polytechnic Preston Campus is approximately 800m southeast.
- La Trobe University is approximately 6.0km northeast.

#### [Retail services](#)

- Murray Road Shopping Centre is approximately 750m east.
- Northland Shopping Centre is approximately 3.2km east.
- Preston Central Activity Centre is approximately 1.5km east.
- Preston Market is approximately 700m east.

#### [Religious services](#)

- Sacred Heart Catholic Church Preston East is approximately 1.7km southeast.

#### [Health services](#)

- Murray Road Medical Centre is approximately 750m east.
- La Trobe Private Hospital is approximately 6.1km northeast.

#### [Community services](#)

- Preston Library is approximately 1.3km east.
- Darebin Council is approximately 1.2km east.

#### [Emergency and government services](#)

- Australia Post is approximately 1.2km east.

### **[Site Opportunities & Constraints](#)**

Site opportunities and constraints has been identified through an assessment of the site and context. The proposed development has been designed to respond positively to these matters.

#### [Opportunities](#)

- The site is located within close proximity to numerous services and facilities including public transport, shops, schools and public open space.
- The orientation of the site provides opportunities to capitalise on the northern aspect.

#### [Constraints](#)

- Properties to the east and west contains windows in proximity to the common boundary.
- Properties to the north, east and west contains secluded open space areas adjoining to the common boundary. Overlooking, overshadowing and visual bulk impacts on these areas need to be carefully managed.

## Local Planning Policy Framework

The Municipal Strategic Statement (MSS) and Local Planning Policies outline key objectives and strategies of a given municipality and provide specific guidelines for planning, land use and development. The proposal accords with the following key municipal strategies and local policies:

### Clause 21.01 Municipal Profile:

Darebin City is situated inner north of Melbourne, located 4 to 14 kilometres from central Melbourne. It accommodates one of the largest and most diverse communities in Victoria. The municipality has experienced significant demographical, economical and physical changes over the last decade. Gentrification is having a major impact on land use and development patterns.

### Clause 21.02 Environment

#### Clause 21.02-3 Built Environment

Key objectives and strategies of relevance include:

##### Objective 1 Urban Design Excellence

*To ensure development in Darebin exhibits good urban design and provides distinctive, attractive and engaging places in which to reside, visit or work.*

##### Strategies

- *Encourage high quality design and buildings that respond to characteristics of the locality.*
- *Develop and implement detailed design guidelines for areas where substantial housing change and growth is encouraged.*
- *Ensure that important public views and vistas, where identified in a strategy or guideline adopted by Council, are recognised, protected and enhanced.*
- *Apply urban design principles when developing structure plans, land use strategies, and urban design guidelines.*
- *Encourage streetscape upgrades and street tree planting, particularly in areas where Substantial Housing Change is envisaged.*
- *Collect development contributions from private development for streetscape upgrades.*

##### Objective 3 Environmentally Sustainable Design

*To promote and facilitate development that incorporates best practice environmentally sustainable design and promotes sustainable living and business practices.*

##### Strategies

- *Encourage the adaptive reuse of buildings to reduce the amount of waste going to landfill.*
- *Encourage the design of new and retrofitted buildings and public spaces to incorporate high standards of energy efficient design, water sensitive urban design, sustainable transportation, waste reduction and protection of biodiversity.*
- *Promote the integration of land use and sustainable transport (walking, cycling and public transport) in accordance with the strategies in Clause 21.05-1.*
- *Require the preparation of Sustainable Design Assessments and Sustainability Management Plans for residential and non-residential development as part of the planning permit approval process.*

### Clause 21.03 Housing

#### Clause 21.03-1 Strategic Housing Framework

This framework illustrates the directions for residential land use and development in Darebin as set by the *Darebin Housing Strategy 2013(Revised 2015)*. This framework identifies three types of housing change areas: minimal housing change, incremental housing change and substantial housing change. The subject site is identified under area of incremental housing change, described as follow:

*Residential and commercial areas that have the capacity to accommodate a moderate level of residential development over time. It is expected that the general character of Incremental Change Areas will evolve over time as new yet modest types of development are accommodated.*

*Incremental Change Areas generally display one or more of the following characteristics:*

- *A diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character. Typically areas include some medium density and small apartment development, but the predominant dwelling stock is single to double storey dwellings.*
- *Have some stand-alone or small clusters of heritage sites, including along strategic corridors, however are generally unaffected by extensive heritage recognition.*
- *Are located:*
  - *within an 800 metre walkable catchment of an activity centre*
  - *generally within an 800 metre walkable catchment of train, tram or Smart Bus services.*

*Certain Incremental Housing Change areas should only be considered suitable for limited scale and density of residential development. These are areas which:*

- *Are generally outside of an 800 metre walkable catchment to an activity centre, train station, tram route or Smart Bus route.*
- *Have experienced a modest degree of infill residential development which precludes their classification as minimal change areas.*

#### *Clause 21.03-2 Housing Development*

Key objectives and strategies of relevance include:

*Objective 1 Housing Provision*

*To facilitate housing development that has an appropriate scale and intensity in locations across the municipality.*

*Strategies*

- *Encourage housing development in accordance with the Strategic Housing Framework Plan as follows:*
  - *In Incremental Housing Change Areas, encourage housing development and diversity that is generally consistent with the character of the area and responsive to varying local conditions, allowing for moderate housing growth and diversification over time*
- *On Strategic Opportunity Sites, encourage housing development at increased densities and discourage underdevelopment, with the scale and style of development responsive to location and context.*
- *Ensure that the design of development at interfaces between Substantial Change and Incremental or Minimal Change Areas, or between Incremental and Minimal Change Areas, provides a sensitive transition, with particular consideration given to:*
  - *Design and layout which avoids unreasonable amenity impacts on adjoining sensitive residential interfaces due to overshadowing, loss of privacy and unreasonable visual intrusion*
  - *Site orientation, layout and topography in determining the appropriate built*

form envelope and in assessing the impact of proposed development on adjoining amenity

- Sympathetic response to the identified values of any adjoining heritage overlays.

**Objective2** *Housing Density*

*To achieve higher density housing outcomes in identified locations to accommodate Darebin's projected population growth.*

**Strategies**

- *Support low scale medium density housing development that respects existing neighbourhood character in Incremental Housing Change Areas, particularly in areas that are in proximity to shops, facilities, services and transport.*
- *Encourage housing development in the Preston Central, Northland East Preston, Northcote and Reservoir Activity Centres in accordance with Structure Plans and related zone and overlay provisions in this Planning Scheme.*
- *Encourage apartment development in the Northland residential neighbourhood precinct which extends from Murray Road in the Northland East Preston Activity Centre to (and including) Summerhill Road and between the Albert Street corridor and the Darebin Creek.*
- *Encourage new housing near retail and employment precincts and above ground floor level within these precincts.*
- *Encourage multi-level, mixed use developments that incorporate contemporary designs, providing interesting architectural forms and creative urban design responses, including the development of landmark buildings that contribute to the distinctiveness and positive image of Darebin.*
- *Ensure new housing is located so as to allow pedestrian access to local services, employment and facilities, including commercial areas.*

**Objective3** *Residential Amenity*

*To facilitate residential and mixed use developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity for residents.*

**Strategies**

- *Require a high standard of design (including architectural quality and environmentally sustainable design) be achieved in residential and mixed use developments through the use of design and development overlays, urban design frameworks, development plans and local policies as appropriate.*

**Clause 21.05 Transport and Infrastructure**

***Clause 21.05-2 Integrated and Sustainable Transport***

Key objectives and strategies of relevance include:

**Objective1** *Integration of Transport and Land Use*

*To facilitate an integrated approach to transport and land use planning.*

**Strategies**

- *Support and facilitate a mix of land uses and greater housing densities in and around activity centres and train stations to enable shorter trips to employment, shops and services and support the use of public transport.*

**Objective2** *Accessible Transport*

*To improve access, safety and quality of environment for walkers, cyclists and people with limited mobility.*

**Strategies**

- Encourage good urban design standards in built environments to support walkability and pedestrian amenity in accordance with the objectives and strategies of Clause 21.02-3.
- Require the design of new developments to contribute to a safe, attractive and comfortable pedestrian environment in streets and public open spaces through:
  - building orientation to achieve passive surveillance
  - wide footpaths and verandas on street frontages
  - minimal footpath interruptions by vehicle crossings
  - effective traffic management and signage
  - designated pedestrian routes through car parks and connections to public transport.

**Objective 3 Car Parking**

*To manage the provision of car parking and congestion of car parking in Darebin and encourage use of sustainable transport modes to reduce car parking demand.*

**Strategies**

- Consider existing public transport opportunities when assessing applications to waive or reduce car parking.
- Take into consideration existing car parking demand levels when considering applications to waive car parking and ensure there is demonstrated on-street capacity before waiving an on-site car parking requirement, particularly in locations outside of activity centres.
- Ensure the design of new developments address interfaces with the public realm and support walking, cycling and public transport access, in accordance with the Objectives and Strategies in Clause 21.02-3.

**Clause 22.02 Neighbourhood Character**

Residential Darebin has been grouped under seven major categories of character type areas by the *Darebin Neighbourhood Character Study & Precinct Guidelines 2007*. These areas are further identified with different preferred character statements and design guidelines. The subject site is categorised as E4 (Inter-war/Post-war Mix), the preferred character statement is as follows:

*This precinct will be characterised by its variety of building styles, with the traditional Californian bungalows and Postwar style dwellings sitting comfortably alongside well designed new homes. New dwellings or extensions to existing dwellings will acknowledge the form, scale, siting and materials of Interwar or Postwar buildings where these are a feature of the streetscape. The open, low scale atmosphere of the precinct will be maintained and buildings will allow sufficient space for landscaping and planting of substantial vegetation. Front gardens will continue to be bounded by low or open front fences that allow views to dwellings and gardens.*

**Clause 22.12 Environmentally Sustainable Development**

The overarching objective of the clause is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation. The following elements will need to be considered: energy performance, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology.

**Statutory Planning Controls**

**Zone**

The land is in a General Residential Zone – Schedule 2. The purpose of this Zone includes

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

#### *Minimum Garden Area requirement*

Clause 32.08-4 applies to the construction or extension of a dwelling or residential building. Table below sets out the requirement for the minimum percentage of a lot set aside as garden area:

400-500sqm	25%
Above 500-650sqm	30%
Above 650sqm	35%

#### *Maximum building height requirement for a dwelling or residential building*

Clause 32.08-10 applies to a dwelling or residential building.

- The building height must not exceed 11 metres; and
- The building must contain no more than 3 storeys at any point.

#### *Varied Requirements of Clause 55*

There are no varied Clause 55/ResCode requirements in Schedule 2 to the General Residential Zone.

#### *Overlay*

The land is under the Development Contributions Plan Overlay – Schedule 1. The purpose of this Overlay includes:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

#### *Permit Trigger*

As identified earlier in this report, a planning permit is required under Clause 32.08-5 of the Darebin Planning Scheme to construct or extend one dwelling on a lot of less than 300sqm in a General Residential Zone and it is required under Clause 32.08 Section 2 uses. And the development must meet the requirements of Clause 55.

#### *Particular Provisions*

The following particular provisions are relevant to the consideration of the application:

#### *Clause 52.06 Car Parking*

The clause applies for the provision of car parking. Purpose of this clause is:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.

- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Respond:

- The parking reduction being sought for the proposed development (6 spaces) is less than that of the shortfall for the previous restricted retail premises(7 spaces)
- The site is located within the PPTN, such that a variety of public transport modes including trains, trams and buses are accessible within walking distance to the site
- Parking surveys observed at least 39 off-site parking spaces were available nearby the site, this is significantly greater than the 6 space parking reduction being sought.
- The parking reduction is only applicable to restaurant customers, who are likely to park on-street due to the low utilisation of on-street spaces, and it being relatively more visible than the on-site car park at the rear of the site accessed via a laneway.
- It is impractical to provide additional parking spaces on a site with a site area less than 300 square metres.

#### *Clause 53.18 Stormwater Management in Urban Development*

The clause applies to an application to construct a building. Purpose of this clause is:

- *To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.*

Respond:

Please refer to the Sustainable Design Assessment.

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

The Clause (ResCode) applies as a standard guideline to the proposal. Purpose of this clause is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *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 the neighbourhood.*

#### *General Provisions*

Clause 65 Decision Guidelines establishes a list of considerations prior to deciding on an application or approval of a plan. Relevant matters include:

- *The matters set out in section 60 of the Act.*
- *Any significant effects the environment, including the contamination of land, may have on the use or development.*
- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision. Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the environment, human health and amenity of the area.*
- *The proximity of the land to any public land.*
- *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.*

- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

## 04 | Planning Assessment

### Planning Policy Considerations

The proposal is in accordance with the overarching objectives within the Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement. The findings are as follows:

#### Urban Consolidation

The subject site is situated in an established and highly accessible area, achieving urban consolidation for the efficient use of existing infrastructures and services. It is located within walking distance to public transport. Furthermore, it has excellent proximity to activity centres, schools, recreation facilities and other social infrastructure. The high accessibility of the site will encourage residents to use sustainable transport modes such as walking, cycling and public transport. As sought by Clause 11, 18 and 21.05 of the planning scheme.

#### Housing Supply

The proposed development is designed to comply with the managing of change and growth in the residential areas of Darebin. A double storey mixed use development is proposed to replace an existing fire damaged building. This is respectful to the preferred housing density of an incremental change area. The difference in sizing and layout of the proposed dwelling compared to existing dwellings in the area will contribute to greater housing choice and diversity for the neighbourhood. Housing affordability is also encouraged as multi-dwelling developments are relatively more affordable in comparison to low density developments (single dwelling on a similar sized land). As sought by Clause 16 and 21.03 of the planning scheme.

#### Built Form and Landscape

The proposed development sensitively responds to the interfaces to Murray Road and its wider surrounding, making a positive contribution to the locality. It is high in quality, following the *Darebin Good Design Guide* to encourage sustainability and liveability. Due to the site shape and size restrictions, proposed dwelling will be built to the boundaries of the site. The layout is designed to incorporate pedestrian safety by providing passive surveillance over the public realm, whilst minimising direct overlooking into the neighbouring property. The proposed development is a modern, contemporary interpretation of the traditional built form in the area to distinguish the old from the new. Exterior building materials are selected to complement the architectural style and enhance the neighbourhood and streetscape character of the area. They are high quality and robust to age well with time. As sought by Clause 15, 21.02 and 21.03 of the planning scheme.

Proposal is assessed in accordance with the preferred character statement and design guidelines in the *Darebin Neighbourhood Character Study & Precinct Guidelines 2007*, please refer to Appendix 1.

### **Zoning and Overlay Considerations**

#### **General Residential Zone**

The proposed development meets the purpose of the General Residential Zone in respecting the neighbourhood character of the area and contributing to the diversity of housing types in a location offering good access to services and transport. The minimum garden area requirement is not relevant as subject site is less than 400sqm in size. The maximum height of the building is met by providing a double storey development of 7.2m high.

#### **Development Contributions Overlay**

The proposed development will abide by the development contribution plan.

### **ResCode Considerations**

The proposal demonstrates a high level of compliance with the objectives and standards of Clause 55/ResCode as detailed in the assessment in Appendix 2.

### **Access and Car Parking Considerations**

Each dwelling will meet the requirements of Clause 52.06-5 of the planning scheme in the provision of one car space for a one to two bedroom dwelling. Proposed dwelling is provided with two car spaces to the rear of the lot.

The proposed parking meets the design standard for the safe and efficient movement of vehicles and pedestrians. Vehicle access to the site is provided via the rear lane way and vehicle parking will not be visible along the streetscape. Please refer to Appendix 3 for a detailed assessment of the objectives and standards in Clause 52.06-9 of the planning scheme.

### **Stormwater Considerations**

The proposed development provides an appropriate stormwater management system on site to mitigate the impacts of stormwater on the environment, property and public safety.

## **05 | Conclusion**

In summary, the proposed mixed use development of the existing commercial building accords with the policies in the Planning Scheme. It is an appropriate form of development for the site based on existing buildings in the immediate and surrounding area. Therefore, the proposal is deemed worthy of Council support and it is requested that a planning permit be granted.

# 06 | Appendices

## Appendix 1 – Neighbourhood Character Assessment

The proposal demonstrates a high level of compliance with the preferred character statement and design guidelines of the *Darebin Neighbourhood Character Study & Precinct Guidelines 2007* as per the assessment below.

### Preferred Character Statement

<ul style="list-style-type: none"> <li>▪ <i>Retaining the traditional Interwar and Postwar dwellings, where they contribute to the valued character of the area.</i></li> <li>▪ <i>Designing new dwellings that interpret elements of the Interwar era in a contemporary manner, while respecting existing period architecture.</i></li> <li>▪ <i>Encouraging more contemporary architectural styles in streets that have few period dwellings. These buildings must adopt the predominant scale, form and setbacks of their streetscape context, while showing design innovation.</i></li> <li>▪ <i>Respecting the predominant height and setbacks of nearby buildings.</i></li> <li>▪ <i>Keeping front fences low-medium height and preferably transparent or in a style consistent with Californian bungalows.</i></li> <li>▪ <i>Encouraging planting in all gardens to enhance the landscape quality of the area. In smaller gardens, selecting species that are appropriate to small planting areas.</i></li> <li>▪ <i>Increasing street tree planting in parts of the area lacking street trees.</i></li> </ul>	<p>Not applicable</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Not applicable</p> <p>Complies</p> <p>Not applicable</p>
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### Design Guidelines

<p><b>Existing buildings</b></p> <p><i>To encourage the retention of older dwellings that contribute to the valued character of the area in the design of development proposals.</i></p> <ul style="list-style-type: none"> <li>▪ <i>In streets that contain intact groups of Interwar and Postwar dwellings, consider retaining and/or adapting those buildings that are in good condition, particularly the front section, wherever possible in new development.</i></li> </ul> <p><b>AVOID:</b></p> <ul style="list-style-type: none"> <li>▪ <i>Loss of intact streetscapes and new development that is out of scale and character with the existing Interwar dwellings.</i></li> </ul>	<p>No existing dwelling is present on the site.</p>
<p><b>Vegetation</b></p> <p><i>To maintain and strengthen the garden setting of the dwellings.</i></p> <ul style="list-style-type: none"> <li>▪ <i>Applications for new development should be accompanied by a landscape concept plan that includes retention of substantial trees and shrubs wherever possible, and provides for the planting of new vegetation.</i></li> <li>▪ <i>Buildings should be sited and designed to retain large, established trees where present and to incorporate space for the planting of substantial vegetation, such as canopy trees, on larger sites.</i></li> </ul> <p><b>AVOID:</b></p> <ul style="list-style-type: none"> <li>▪ <i>Lack of landscaping and substantial vegetation.</i></li> <li>▪ <i>Large areas of impervious surfaces.</i></li> <li>▪ <i>Removal of large, established trees and the location of buildings on top of the root zone of trees.</i></li> <li>▪ <i>Dwellings that do not provide sufficient setbacks to accommodate trees.</i></li> </ul>	<p>Proposed dwelling is built to the site boundaries. No setback is provided for gardening. Planting is proposed on the balcony and courtyards.</p>

<p><b>Siting</b></p> <p>To provide space for front gardens.</p> <ul style="list-style-type: none"> <li>Buildings should be set back from the front boundary a sufficient distance to accommodate a front garden.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>Loss of front garden space.</li> </ul> <p>To ensure new development retains substantial space for landscaping.</p> <ul style="list-style-type: none"> <li>Set new development back from side or rear boundaries so that generous space is maintained for landscaping</li> <li>Planting of canopy trees and shrubs is encouraged.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>Lack of garden space for landscaping.</li> <li>No setback from the rear boundary.</li> </ul> <p>To maintain and reinforce the side boundary setback pattern and the existing rhythm of spacing between dwellings.</p> <ul style="list-style-type: none"> <li>Buildings should be set back from the side boundaries in accordance with the predominant setback pattern in the street.</li> <li>Where a new development is proposed to be sited on one side boundary, the section of the building on the boundary should be set back further than the facade of the building to create the appearance of space between buildings.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>Boundary to boundary development in streetscapes where a detached style predominates.</li> <li>No reflection of the predominant side boundary setback pattern.</li> <li>Lack of garden space for landscaping.</li> </ul> <p>To minimise the loss of front garden space and the dominance of car parking structures.</p> <ul style="list-style-type: none"> <li>Locate garages and carports behind the line of the dwelling.</li> <li>Minimise paving in front garden areas including driveways and crossovers.</li> <li>Use permeable driveway materials.</li> <li>Provide a maximum of one vehicular crossover per frontage.</li> <li>Provide vehicular access from a rear laneway if available.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>Car parking structures that dominate the façade or view of the dwelling.</li> <li>Creation of new crossovers.</li> <li>Creation of wide driveways or crossovers.</li> <li>Front setbacks dominated by impervious surfaces</li> </ul>	<p>Proposed dwelling is built to the site boundaries.</p> <p>Proposed dwelling is built to the site boundaries.</p> <p>Proposed dwelling is built to the site boundaries.</p> <p>Proposed car space are located towards the rear of the site. Vehicle access to the site will be via the rear lane way.</p>
<p><b>Height and Building Form/ Frontage Width</b></p> <p>To ensure that buildings and extensions respect the predominant height and form of buildings in the streetscape.</p> <ul style="list-style-type: none"> <li>Upper levels should be set back a substantial distance from the front façade (e.g. the distance of one room) or accommodated within roof spaces.</li> <li>Incorporate low pitched roof forms with eaves where this is a dominant characteristic of the street.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>Buildings that are out of scale with adjoining buildings or that appear to dominate the streetscape.</li> </ul>	<p>Proposed upper level is accommodated within roof space. A flat roof is proposed to not protrude from the site boundaries.</p>

<p>To maintain, where present, the consistency of frontage widths and building heights and forms.</p> <ul style="list-style-type: none"> <li>▪ New development should maintain the appearance of the predominant frontage widths in the street.</li> <li>▪ Subdivisions and multi-dwelling developments should be designed to maintain, when viewed from the street, the predominant scale and form of a single dwelling.</li> <li>▪ Lengthways subdivisions may be allowed, provided all other siting and design requirements are met.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>▪ Subdivisions that appear to reduce the predominant frontage width evident in the street.</li> <li>▪ Lengthways subdivisions with prominent boundary treatments through the middle of the site (e.g. fencing).</li> <li>▪ Lengthways subdivisions that result in multiple vehicular crossings on narrow sites and substantial loss of nature strip planting.</li> </ul>	<p>Subject site has already been subdivided.</p>
<p><b>Materials and Design Detail</b></p> <p>To encourage buildings that contribute positively to the streetscape through the use of innovative architectural responses and by presenting visually interesting facades to the street.</p> <ul style="list-style-type: none"> <li>▪ Articulate the form and façades of buildings through the use of different colours and materials, through the composition of openings and setbacks and through variations in wall surfaces.</li> <li>▪ In streets with many Interwar and Postwar dwellings, new development should interpret the defining elements of these styles in a contemporary way.</li> <li>▪ Cultural expression through colour, building details and architectural reinterpretation may be included in the design.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>▪ Large, bulky buildings with unarticulated facades.</li> </ul>	<p>Proposed dwelling is designed with a range of materials and colours to provided visual interest.</p>
<p><b>Front Boundary Treatment</b></p> <p>To maintain the openness of the streetscape and views to established gardens and dwellings.</p> <ul style="list-style-type: none"> <li>▪ Front fences should be appropriate to the building era (e.g. picket, low brick or wire), or reflect the typical fencing height and style of the street.</li> <li>▪ Provide a front fence that allows views through or over the fence into the front garden and to the dwelling.</li> </ul> <p>AVOID:</p> <ul style="list-style-type: none"> <li>▪ High, solid front fencing.</li> </ul>	<p>Proposed dwelling is built to the site boundaries. No room is available for front fence.</p>

## Appendix 2 – ResCode (Clause 55) Assessment

The proposal demonstrates a high level of compliance with the ResCode standards and meets the objectives of Clause 55 of the Planning Scheme as per the assessment below.

<p><b>Neighbourhood character</b> Clause 55.02-1 Standard B1</p>	<p><b>Complies with standard and objective.</b></p> <p>The proposed development is appropriate to the neighbourhood and the site. Refer to the Neighbourhood and Site Description Plan and Design Response.</p> <p>The existing fire damaged building is to be removed and a new a new double storey mixed use development is proposed to be built. This respects the preferred building height in the area.</p>
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	<p>The proposed dwelling is a modern, contemporary interpretation of the traditional built form in the area to distinguish the old from the new. They will maintain the predominant built form in the area.</p> <p>The building materials proposed for the dwelling have the dual purpose of softening the appearance of the development whilst providing different textures that complement the existing architectural style and enhance the neighbourhood and streetscape character of the area.</p>
<b>Residential policy</b> Clause 55.02-2 Standard B2	<p>Complies with standard and objective.</p> <p>The proposed development meets the objectives in aspects such as affordable housing and providing needs of residents at various stages of life.</p> <p>The quality of the design, site layout, side and rear setbacks, provision of car parking and open space allocation will ensure that the development provides a good standard of amenity for future residents and good standard for future development in the area.</p> <p>The subject site is within close proximity of a number of community facilities and services including open space facilities, schools and shopping facilities are all within proximity of the site. The proposed development supports medium density in an area that can take advantage of public transport and community infrastructure and services.</p> <p>The proposed development complies with the State Government's initiatives of urban consolidation and will not cause detriment to the amenity of adjoining properties and will not be out of character with the area.</p>
<b>Dwelling diversity</b> Clause 55.02-3 Standard B3	<p>Not applicable.</p> <p>The development does not meet or exceed ten dwellings.</p>
<b>Infrastructure</b> Clause 55.02-4 Standard B4	<p>Complies with standard and objective.</p> <p>The dwellings are proposed in an established area with appropriate utility services and infrastructure.</p> <p>They should also not represent any unreasonable burden on existing services and facilities.</p>
<b>Integration with the street</b> Clause 55.02-5 Standard B5	<p>Complies with standard and objective.</p> <p>Proposed development will have direct integration with Murray Road. The dwelling layout is designed to incorporate pedestrian safety by providing passive surveillance over the public realm.</p>
<b>Street setback</b> Clause 55.03-1 Standard B6	<p>Complies with standard and objective.</p> <p>Proposed development is built to the boundaries of the site. This complies with the standard in having the same distance as the setback of the neighbouring dwelling.</p>
<b>Building height</b> Clause 55.03-2 Standard B7	<p>Complies with standard and objective.</p> <p>The overall total height of the proposed development is 7.2m to the top of the roof ridge. This is less than the limit of 11m as specified to the zone.</p> <p>The development will have minimal visual impact on adjoining properties or when viewed from the street.</p>

<b>Site coverage</b> Clause 55.03-3 Standard B8	<b>Complies with objective, variation sought to standard.</b> The proposed site coverage is 74.9%, which is more than the maximum 60%. Variation is sought as the proposal respects the existing or preferred neighbourhood character and responds to the features of the site.  For the Pre-app communication, Senior Statutory Planner – Paul Moriarty confirm the site coverage can exceed the Standard.
<b>Permeability</b> Clause 55.03-4 Standard B9	<b>Complies with objective, variation sought to standard.</b> The proposed site permeability is 0%, which is under the minimum 20%. Variation is sought as the proposal reduces the impact of increased stormwater run-off on the drainage system.
<b>Energy efficiency</b> Clause 55.03-5 Standard B10	<b>Complies with standard and objective.</b> The proposal is deemed to achieve a minimum rating of 6 stars as part of the building permit stage.  The proposed dwelling is sited, oriented and designed to ensure that the energy efficiency of the existing dwellings on abutting properties is not unreasonably reduced. Solar panels are absent on the adjoining properties.
<b>Open space</b> Clause 55.03-6 Standard B11	<b>Not applicable.</b> The development is not located adjacent to any public and communal open space.
<b>Safety</b> Clause 55.03-7 Standard B12	<b>Complies with standard and objective.</b> The entrances are not obscured or isolated from the street or internal accessways. They will enable casual surveillance of visitors and the street.  The balcony and court yard for upper dwelling will be appropriately designed and sited.
<b>Landscaping</b> Clause 55.03-8 Standard B13	<b>Complies with standard and objective.</b> Planting is proposed on the balcony and courtyards.
<b>Access</b> Clause 55.03-9 Standard B14	<b>Not applicable.</b>
<b>Parking location</b> Clause 55.03-10 Standard B15	<b>Complies with standard and objective.</b> There are two parking spaces located at the rear of the site.
<b>Side and rear setbacks</b> Clause 55.04-1 Standard B17	<b>Not applicable.</b> Ground floor is a restaurant.
<b>Walls on boundaries</b> Clause 55.04-2	<b>Complies with standard and objective.</b> Proposed development is built to the boundaries of the site.

Standard B18	The length of the wall does not exceed the length of the existing or simultaneously constructed wall on the adjoining lot. The height of the wall exceeds 3.6m as it is abutting a higher existing or simultaneously constructed wall.
<b>Daylight to existing windows</b> Clause 55.04-3 Standard B19	<b>Not applicable.</b> No existing windows are present in proximity to the subject site.
<b>North-facing windows</b> Clause 55.04-4 Standard B20	<b>Not applicable.</b> No existing north-facing windows are present within 3m of a boundary.
<b>Overshadowing open space</b> Clause 55.04-5 Standard B21	<b>Complies with standard and objective.</b> Refer to the proposed Shadow Diagram. Overshadowing to the secluded private open space of the surrounding dwellings due to the proposed dwellings will be minimal and not substantially greater than the extent of shadows cast by the existing boundary fences and outbuildings.
<b>Overlooking</b> Clause 55.04-6 Standard B22	<b>Complies with standard and objective.</b> Windows have been designed to limit overlooking into habitable room windows and secluded open space of adjacent properties.  Views from living areas are orientated towards the private open space where possible.
<b>Internal views</b> Clause 55.04-7 Standard B23	<b>Complies with standard and objective.</b> The proposed dwellings have been designed to limit the views into the secluded private open space and habitable room windows of other dwellings within the development.
<b>Noise impacts</b> Clause 55.04-8 Standard B24	<b>Complies with standard and objective.</b> The site is not situated close to any excessively high noise sources, such as a busy road, railway line or industry.  The proposed development has been designed to contain noise sources within the development and to protect residents from external noise.  There are no mechanical plants proposed adjacent to or located near bedrooms of immediately adjacent existing dwellings. Noise sensitive rooms and secluded private open space of the new dwellings have been designed and sited to take into consideration noise sources on immediately adjacent properties.
<b>Accessibility</b> Clause 55.05-1 Standard B25	<b>Complies with standard and objective.</b> The proposed dwellings have been designed to take into consideration people with limited mobility. The internal layout and configuration of the proposed dwellings can be altered to accommodate people with limited mobility.  The dwelling has access to the entrance from the pedestrian links and accessways.
<b>Dwelling entry</b> Clause 55.05-2 Standard B26	<b>Complies with standard and objective.</b> The dwelling will have its own sense of identity and address.

	The entrances for the proposed dwelling is appropriately oriented to front onto Murray Road or real laneway.
<b>Daylight to new windows</b> Clause 55.05-3 Standard B27	<b>Complies with standard and objective.</b> The proposed dwelling has been designed to provide adequate daylight into new habitable room windows.  All windows have a light court with a minimum area of 3sqm and minimum dimension of 1m clear to the sky
<b>Private open space</b> Clause 55.05-4 Standard B28	<b>Complies with objective, variation sought to standard.</b> The development will provide sufficient private open space for the reasonable recreation, service and storage needs of residents. The private open space for the dwelling is located on the balcony and courtyards.  The proposed design meets the requirement of minimum 20% of lot area of private open space (POS) and minimum 25sqm of secluded private open space (SPOS) with a minimum dimension of 3m.
<b>Solar access to open space</b> Clause 55.05-5 Standard B29	<b>Complies with standard and objective.</b> The design has sought to orientate the open space areas to capitalize on the northern aspect as far as applicable.
<b>Storage</b> Clause 55.05-6 Standard B30	<b>Not applicable.</b>
<b>Design detail</b> Clause 55.06-1 Standard B31	<b>Complies with standard and objective.</b> The design detail of the proposed dwellings respects the neighbourhood character of the area. The detailing, massing, and building materials are designed to both enhance and integrate with the streetscape. The garages are designed to be visually compatible with neighbourhood characteristics and form an integral part of each dwelling.
<b>Front fences</b> Clause 55.06-2 Standard A20	<b>Not applicable.</b> No front fence is proposed for the development.
<b>Common property</b> Clause 55.06-3 Standard B33	<b>Complies with standard and objective.</b> The proposed development avoids future management difficulties in areas of common ownership, as the subject site can be functionally subdivided into separate allotments. Vehicle accessways to the dwellings will be functional and capable of efficient management. Car parking, access areas and site facilities are practical, attractive and easily maintained.
<b>Site services</b> Clause 55.06-4 Standard B34	<b>Complies with standard and objective.</b> Adequate and accessible site facilitates will be provided to each dwelling, including mailboxes and bins enclosures.

### Appendix 3– Car Parking Assessment

The proposal satisfies the design standards for car parking in Clause 52.06-9 of the Planning Scheme as per the assessment below.

<b>Accessways</b> Design standard 1	<b>Complies with standard.</b> The accessways are functional, with a minimum width of 3m, and corner visibility splays.
<b>Car parking spaces</b> Design standard 2	<b>Complies with standard.</b> A single car space is at least 4.9m long and 2.6m wide and a single garage is at least 6m long and 3.5m wide.
<b>Gradients</b> Design standard 3	<b>Not applicable.</b> Accessway grades are not steeper than 1:10 within 5m of the frontage.
<b>Mechanical parking</b> Design standard 4	<b>Not applicable.</b>
<b>Urban design</b> Design standard 5	<b>Complies with standard.</b> The car spaces are designed to be visually compatible with neighbourhood characteristics and form an integral part of the dwelling.
<b>Safety</b> Design standard 6	<b>Complies with standard.</b> The design of the car spaces will maximise natural surveillance and pedestrian visibility from adjacent buildings.
<b>Landscaping</b> Design standard 7	<b>Not applicable.</b> No landscaping is proposed due to lack of space.