



27th April 2025

Statutory Planning Department
Bayside City Council
PO Box 27, SANDRINGHAM VIC 3191
Corporate Centre, 76 Royal Avenue, SANDRINGHAM VIC 3191
enquiries@bayside.vic.gov.au

Response to RFI issued 15th November 2024

Project Reference: **Leonard Street**
5/2024/376/1

Dear Leah,

Please refer to Page 02-04 for written response to the RFI issued by Ziqi Xi in November 2024.
Included in this submission is:

- This letter
- Architectural Documentation_REV A
- Arboricultural Impact Assessment prepared by TMZ Reports
- Landscape Concept Plan prepared by Wilde Design Studio
- Traffic Impact Assessment Report prepared by O'brien Traffic
- ESD Report prepared by Urban Digestor

Should you require any additional information or wish to discuss the project details, please do not hesitate to contact us anytime.

Sincerely,

Alice Nadja Sehovic



Architect | Director
SAY ARCHITECTURE

Bayside City Council
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ADVERTISED PLAN
Planning Application No.: 5/2024/376/1
Date: 17 June 2025

Redacted / Removed Application Material

1. Personal Client information has been removed from the Architectural Title Block.

Application Forms

2. TBC?
3. Copy of MPL is attached to email

Title/ Covenant

4. Has been provided via email (16.04.2025) Also included into this submission.

Reports

5. This Cover letter.
6. Included in the documentation (TP00.02)
7. Traffic Report has been prepared by O'brien Traffic detailing the application compliance.
8. Car parking demands assessment has been included in the Traffic report prepared by O'brien Traffic.
9. Arborist report has been prepared by TMZ reports for all trees within the subject site and any neighbouring or street trees that the proposed development impacts.

The report highlights:

Tree 02, as identified in the arborist report, is a Council-owned tree situated within the footprint of the proposed crossover. Its removal is necessary to facilitate the proposed design. As it is Council property, any maintenance or removal must be carried out by Council staff or approved contractors, and written consent must be obtained prior to any works taking place. Relevant conditions, such as those outlined in section 7.2.2.4, may apply. Given the location and necessity of the works, alternative construction methods or design amendments are not required in this instance.

All trees located within the subject site have been assessed as having low retention value and do not require a permit for removal as part of the proposed demolition. Additionally, neighbouring trees will remain unaffected by the development, as they fall outside the building footprint and no works are proposed in their vicinity. Accordingly, no permits are required in relation to these trees.

10. ESD report has been prepared by Urban Digestor and is included in the submission.

3d Model

11. Void. Not required for assessment.

Plans/Elevations

12. B17 setback has been deleted and the Bayside Council setback is retained on all external elevations.
13. General Arrangement plans are retained at a scale of 1:100. Note: if plans are adjusted to a 1:200 scale to fit entire site then the annotations are not legible. Please note a siteplan is included in the documentation (TP10.01 of Existing conditions and TP10.06 of Proposal) which demonstrated the built form proposal across the entire site/title boundary with setbacks clearly identified.
14. Habitable windows of adjoining neighbours has been noted on the existing and proposed siteplan. (note: these are also included in the land survey which was provided upon application).
15. Neighbouring houses and front fence has been included in the southern streetscape.
16. Landscape Concept Plan has been prepared by Wilde Design studio and is included in the submission.

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ISSUES RAISED

Issue A Response:

This matter has been reviewed, and Council has agreed to void the request for a 3-storey townhouse and support the two-storey townhouse proposal in its current form, as outlined in the justification provided via email to Ziqi Xi on 21 January 2025.

RE: RE: 5/2024/376/1 - 25 Leonard Street Hampton East

  Ziqi Xi <zxi@bayside.vic.gov.au>

To:  Alice Nadja Sehovic; Cc:  Eleanor Eade

Monday 3 February 2025 at 1:35 PM

To protect your privacy, some external images in this message were not downloaded. [Download external images](#) [Go to Settings](#)

Hi Alice,

I hope you're doing well.

Following our internal discussion meeting, I'm pleased to confirm that we are ready to progress the application in its current form (townhouses) to the next stage.

Please ensure that all information requested in the RFI letter is prepared and submitted accordingly.

Let me know if you have any questions.

Kind regards

  Ziqi Xi
Principal Statutory Planner
Development Services
03 9599 4408 | zxi@bayside.vic.gov.au

 Bunurong People of the Kulin Nation acknowledgment text: Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders past, present and emerging.



With regards to the front setback:

The proposal currently has a 6.0m setback from boundary to external wall. The overhead eave of the garage has a setback of 5.5m.

Issue B Response:

In response to Council's request for further information regarding car parking provisions, a Traffic Engineer has undertaken a thorough assessment of the proposal, including a car parking demand analysis. The findings of this assessment support the proposed waiver of one car parking space for Dwelling 2.

The proposal provides two car parking spaces for Lot 1 (Dwelling 1), in full compliance with the requirements. For Lot 2 (Dwelling 2), one car parking space has been provided on-site. While this results in a shortfall of one space for Dwelling 2, the Traffic Engineer has concluded that the overall parking demand generated by the development can be reasonably accommodated without adverse impacts on the surrounding area.

The justification for the waiver includes the following considerations:

- The provision of a compliant number of spaces for Dwelling 1.
- The availability of on-street parking in the surrounding area, as identified in the Traffic Engineer's report.
- The site's proximity to public transport options and local amenities, which supports a reduced reliance on private vehicles.
- The compact scale of the development, which is consistent with Council's strategic planning objectives for increased housing diversity in established residential areas.

Based on the above, and supported by expert traffic advice, we believe the proposed waiver is reasonable and appropriate in this context. We trust Council will give due consideration to the supporting evidence and the overall planning merits of the application.

Issue C Response:

In response to Council's request for a detailed landscape plan that aligns with the objectives and guidelines of the relevant Zone Precinct, we confirm that a qualified Landscape Designer has been engaged to prepare a comprehensive garden and planting proposal. This landscape design will directly address the Bayside Landscape Guidelines and incorporate the key principles outlined in the RFI.

The forthcoming landscape plan will:

- Preserve and enhance the backyard character of the site, ensuring the proposed landscaping contributes meaningfully to the broader precinct objective of retaining and celebrating backyardscapes. The design will provide a balanced integration of soft landscaping elements across both front and rear setbacks.
- Incorporate substantial canopy tree planting within appropriate locations across the site, ensuring sufficient space is allocated for long-term tree growth. These trees will be selected in accordance with the species recommendations in the Bayside Landscape Guidelines, with attention given to mature height, canopy spread, and suitability for the local conditions.
- Ensure no canopy trees are proposed over easements or within close proximity to fences and structures, to prevent future conflicts with built form or underground services. Root zones and tree spacing will be carefully planned to support healthy growth without compromising surrounding infrastructure.
- Support the proposed development through complementary landscape design, contributing to both the amenity of future occupants and the broader streetscape character. Where necessary, minor adjustments to the built form will be considered to accommodate optimal tree placement and meet landscape provision expectations.

This approach ensures that the landscape plan will not only comply with Council's policy objectives but also deliver a high-quality, site-responsive outcome. The final plan will be submitted as part of the revised application documentation.

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Townhouse and Low-Rise Code

Written Statement checklist: 25 LEONARD STREET, HAMPTON EAST VIC

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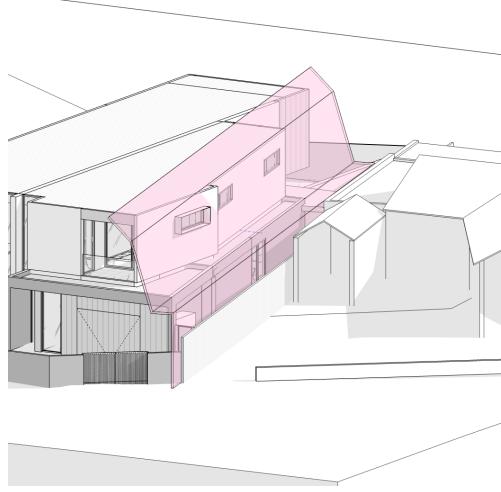


Under clause 55.01 (Application requirements) of the planning scheme an application must be accompanied by "a written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines".

This checklist can be used to complete the written statement.

Where all the applicable standards shaded in grey are met, an objector has no right of appeal.

Standard	Is standard fully met?	Does an objector have a right of appeal?	If the standard is not met, provide a written statement that includes an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines
Standard B2-1 Street setback (Clause 55.02-1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> No, if standard met	
Standard B2-2 Building height (Clause 55.02-2)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> No, if standard met	
Standard B2-3 Side and rear setbacks (Clause 55.02-3)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes, if standard not met <input type="checkbox"/> No, if standard met	<p>Fully met for Lot 01. Minor encroachment to Lot 01 to Eastern Elevation.</p> <p>The proposed encroachment represents a minor variation to Standard B2-3.</p> <p>1. Minimal Impact on Amenity</p> <p>The encroachment triggered by the masterbedroom first floor does not result in any unreasonable visual bulk or loss of daylight or sunlight to adjoining properties. The proposal maintains a reasonable level of separation and privacy consistent with the neighbourhood character.</p>

Standard	Is standard fully met?	Does an objector have a right of appeal?	If the standard is not met, provide a written statement that includes an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines
<p>Bayside City Council Planning and Environment Act 1987</p> <p>ADVERTISED PLAN</p> <p>Planning Application No.: 5/2024/376/1</p> <p>Date: 17 June 2025</p>			<p>2. No Overlooking or overshadowing The encroachment does not introduce any additional overlooking or unreasonable overshadowing impacts beyond what is typically expected within a residential setting, as confirmed through shadow diagrams and overlooking assessments.</p> <p>3. Compliance with Objective While the standard is not fully met, the objective of B2-3 is satisfied by maintaining adequate separation between built forms and protecting neighbouring amenity.</p> <p><i>Pink Hatch below represents setback.</i></p> 

Standard	Is standard fully met?	Does an objector have a right of appeal?	If the standard is not met, provide a written statement that includes an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines
Standard B2-4 Walls on boundaries (Clause 55.02-4)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> <u>No</u>	<input checked="" type="checkbox"/> <u>Yes, if standard not met</u> <input type="checkbox"/> No, if standard met	<p>Fully met for Lot 02. Partially met for Lot 01 for height of wall. Lot 01 has a double garage wall built on its west boundary with a total length of 6.9m which is fully met. However its <u>wall height</u> is a continuous/average of 3.6m H.</p> <p>The wall abuts the neighbours adjoining driveway. The external wall of the neighbouring house is approximately setback 9.44m from the proposed wall on boundary. It is on the western boundary and to the front of the Lot which means that it is not affecting any neighbouring POS, Northern light, overlooking, overshadowing etc.</p> <p>The total width of the proposed lot is 8.49m, 7.34m is allowed for the provision of a double garage with the remainder dedicated toward the pathway/entry to the home, therefore building on the boundary was a necessity.</p>
Standard B2-5 Site coverage (Clause 55.02-5)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> <u>No, if standard met</u>	
Standard B2-6 Access (Clause 55.02-6)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> <u>No</u>	<input checked="" type="checkbox"/> <u>Yes, if standard not met</u> <input type="checkbox"/> No, if standard met	<p>We acknowledge that the development proposes vehicle access across 35.14% of the street frontage, exceeding the 30% maximum outlined in Standard B2-6.</p> <p>This outcome is primarily due to the angled geometry of the site, which constrains opportunities for efficient built form massing and limits flexibility in locating access points. The design retains the existing crossover and introduces a second driveway in response to these site limitations, ensuring practical and safe vehicular access.</p> <p>The additional driveway was necessary to achieve appropriate on-site parking provision and maintain functionality for future residents, without compromising the internal layout or circulation. We believe this approach balances the objectives of the standard while responding to the unique constraints of the site.</p>

Standard	Is standard fully met?	Does an objector have a right of appeal?	If the standard is not met, provide a written statement that includes an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines
Standard B2-7 Tree canopy (Clause 55.02-7)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> <u>No</u>	<input checked="" type="checkbox"/> <u>Yes, if standard not met</u> <input type="checkbox"/> No, if standard met	New development landscape proposal is for new canopy trees to the front setback and also rear setback to both lots. Further relevant information has not been provided at this stage.
Standard B2-8 Front fences (Clause 55.02-8)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> <u>No, if standard met</u>	
Standard B3-1 Dwelling diversity (Clause 55.03-1)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> <u>No, if standard met</u>	
Standard B3-2 Parking location (Clause 55.03-2)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	met
Standard B3-3 Street integration (Clause 55.03-3)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> <u>No</u>	No, irrespective of whether the standard is met or not.	There are provisions in the design proposal. The relevant information has not been provided at this stage.
Standard B3-4 Entry (Clause 55.03-4)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	met
Standard B3-5 Private open space (Clause 55.03-5)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	met
Standard B3-6 Solar access to open space (Clause 55.03-6)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	met

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Standard	Is standard fully met?	Does an objector have a right of appeal?	If the standard is not met, provide a written statement that includes an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines
Standard B3-7 Functional layout (Clause 55.03-7)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	met
Standard B3-8 Room depth (Clause 55.03-8)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	Met. Not a single aspect habitable room development.
Standard B3-9 Daylight to new windows (Clause 55.03-9)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	met
Standard B3-10 Natural ventilation (Clause 55.03-10)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No, irrespective of whether the standard is met or not.	There are provisions in the design proposal. The relevant information has not been provided at this stage.
Standard B3-11 Storage (Clause 55.03-11)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No, irrespective of whether the standard is met or not.	The relevant information has not been provided at this stage.
Standard B3-12 Accessibility for apartment developments (Clause 55.03-12)	<input type="checkbox"/> Yes <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	n/a for this development.
Standard B4-1 Daylight to existing windows (Clause 55.04-1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> No, if standard met	Bayside City Council Planning and Environment Act 1987
Standard B4-2 Existing north-facing windows (Clause 55.04-2)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> No, if standard met	ADVERTISED PLAN Planning Application No.: 5/2024/376/1 Date: 17 June 2025

Standard	Is standard fully met?	Does an objector have a right of appeal?	If the standard is not met, provide a written statement that includes an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines
Standard B4-3 Overshadowing secluded open space (Clause 55.04-3)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> No, if standard met	
Standard B4-4 Overlooking (Clause 55.04-4)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input checked="" type="checkbox"/> No, if standard met	Bayside City Council Planning and Environment Act 1987
Standard B4-5 Internal views (Clause 55.04-5)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	ADVERTISED PLAN Planning Application No.: 5/2024/376/1
Standard B5-1 Permeability and stormwater management (Clause 55.05-1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	Date: 17 June 2025
Standard B5-2 Overshadowing domestic solar energy systems (Clause 55.05-2)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes, if standard not met <input type="checkbox"/> No, if standard met	
Standard B5-3 Rooftop solar energy generation area (Clause 55.05-3)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No, irrespective of whether the standard is met or not.	There are provisions in the design proposal. The relevant information has not been provided at this stage.
Standard B5-4 Solar protection to new north-facing windows (Clause 55.05-4)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No, irrespective of whether the standard is met or not.	All windows have met this standard other than Lot 02 (W2.15). This window is setback 8m from the first floor of the Lot 01 development therefore does not get harsh northern sun penetrate it, a external sun shading shroud can be incorporated if council deems necessary.

Standard	Is standard fully met?	Does an objector have a right of appeal?	If the standard is not met, provide a written statement that includes an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines
Standard B5-5 Waste and recycling (Clause 55.05-5)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> <u>No</u>	No, irrespective of whether the standard is met or not.	There are provisions in the design proposal. The relevant information has not been provided at this stage.
Standard B5-6 Noise impacts (Clause 55.05-6)	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	
Standard B5-7 Energy efficiency for apartment developments (Clause 55.05-7)	<input type="checkbox"/> Yes <input type="checkbox"/> No	No, irrespective of whether the standard is met or not.	n/a for this development.

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PLANNING REPORT FOR PERMIT APPLICATION

ADDRESS: 25 LEONARD STREET, HAMPTON EAST, VICTORIA 3188

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1.0 INTRODUCTION

Subject Site Address: 25 Leonard Street, Hampton East, Victoria 3188
Title Plan Reference: Lot 1 on LP 44641

This submission addresses a Planning Permit Application proposing subdivision and 2 double storey townhouses.

The subject land is located and zoned within the Activity Centre Zone – Schedule 1 (ACZ1) and is affected by a Development Contributions Plan Overlay – Schedule 1 (DCPO1). The site is also contained within an area of Aboriginal Cultural Heritage Sensitivity (which is exempt from the heritage management plan requirement).

In response to the planning controls, a planning permit is required to construct a building and carry out works pursuant to Clause 37.08-5 (ACZ1) and also to subdivide land pursuant to Clause 37.08-4 (ACZ1).

Other overlays in the vicinity not directly affecting this land is a Design and Development Overlay (DDO).

This submission describes the site and the broader urban context in which it is located, the development proposal, identifies the relevant planning controls and policies set out in the Bayside Planning Scheme and provides and assessment of the planning merits of the proposal against these policies and controls.

This submission should be read in conjunction with the following attached documents:

- Certificate of Title;
- Architectural Plans prepared by SAY Architecture
- Landscape Plan prepared by XXXXXX

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2.0 SUBJECT SITE AND SURROUNDS

2.1 Site Context

This site is located to the eastern side of Leonard street at the intersection of Leonard and Seafoam Street, Hampton East. The site's locational context is illustrated in Figure 1 below:

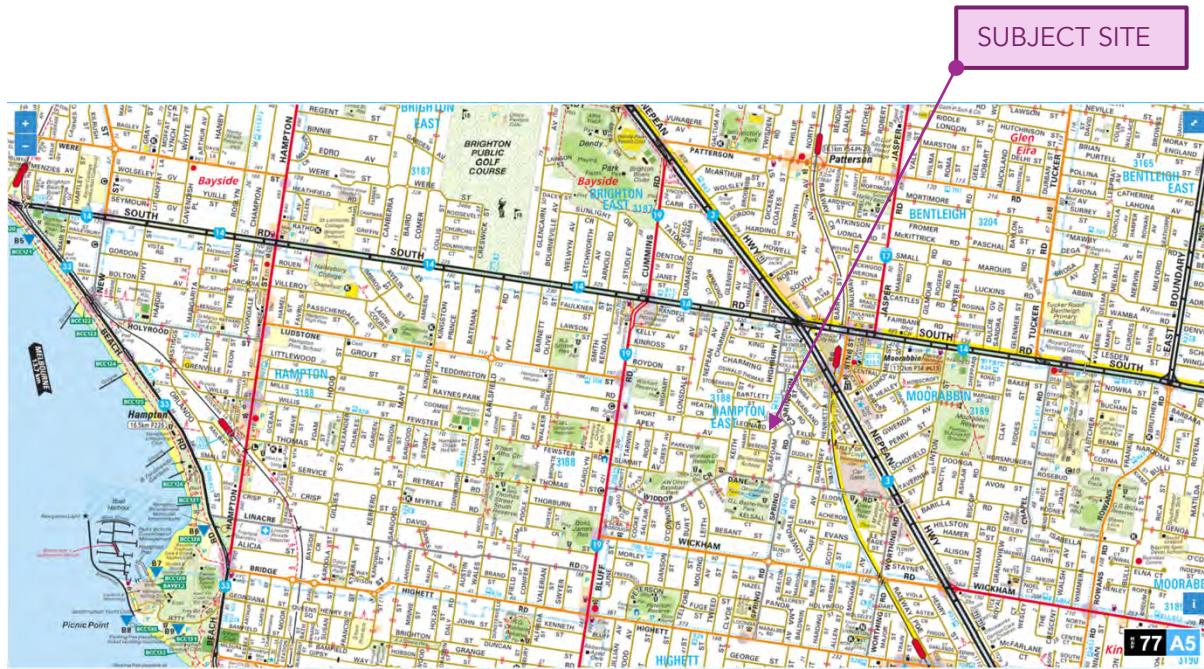


FIGURE 1: ONLINE MELWAY REFERENCE



FIGURE 02: ONLINE MAPSHARE SCREENSHOT

The site is situated within an established residential area proximate to a wide range of recreational, community and commercial facilities contained within the Hampton East Activity Centre (located in the Bayside Municipality). Within a 3km radius of the subject site, there is access to Parks, reserves, primary schools, private schools and many sporting facilities.

The facilities proximate to the site include:

- Curly Rourke Reserve Park (120m)
- Basterfield Park (350m)
- Hampton East Primary School (350m)
- Moorabbin Railway Station (650m)
- Retail Precinct off Nepean Highway (E&S, Snooze, Mercedes Benz) (650m)
- Kingston Arts Centre (750m)
- Zone Bowling Club (700m)
- Retail and Food Precinct located on Station Street (750m)
- Moorabbin Primary School (950m)
- Woolworth Supermarket and retail precinct located on Taylor Street (1km)
- Moorabbin Baseball Park (1km)
- Holmesglen TAFE (Moorabbin campus) and Moorabbin Primary School (1km)
- Bayside Retirement Living (1.4km)
- Hampton United Cricket Club (1.5km)
- Hampton East Football Club (1.2km)
- Sandringham Athletics Center (1.7km)
- Holmesglen Private Hospital (1.9km)
- Haileybury College (2.9km)
- St. Leonards College (2.9km)
- Hampton Beach (3.7km)

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2.2 Site Description

No.25 Leonard Street, Hampton East is known as Lot 1 on LP44641 and contains a single storey brick dwelling, a detached brick shed/outbuilding and a detached cement sheet shed.



FIGURE 03 & 04: STREET PHOTOS OF SUBJECT SITE

Vehicle access to the site is via a single width driveway and a shared double width crossover with No.27 Leonard Street located on the south/east corner boundary. The Existing dwelling has a front street setback of 7.5m and also 8.4m.

The land is an irregularly shaped parcel with a wider street frontage boundary on Leonard street of approximately 15.24m and a 45degree bend of 6.10m and a narrow width of 9.45m to the rear north boundary due to the sites angles on both the western and eastern boundary. The site length is 44.15m on its western boundary and 44.96m on its eastern boundary. The overall area of the site is approximately 682m2.

Easement (E-1) occupies an area 2.44m wide and 9.45m long located at the northern boundary of the land. It is set aside as 'Drainage & Sewerage'. There is also a Sewer Vent located at the sites north-west boundary corner.

There are no canopy or significant trees located on the subject site.

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2.3 Immediate Surrounds



FIGURE 05: SURVEY (AERIAL PHOTO)

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2.3.1 To the North

To the northern boundary of the subject site, is No.9 Carrington Street. The site is currently under construction, preparing for a 5 lot subdivision (Townhouse development). The subject site abuts the neighbours SW corner which appears to be the proposed POS of one of the proposed dwellings. Vehicle access to the dwellings is via a basement accessed from Carrington Street. Private open spaces are positioned to the sites southern boundary. The existing fence separating the 2 properties is a 2.0m H Timber Paling fence.



FIGURE 06: 3D Render of proposed development (Advertised DWGS Set prepared by ALTA Architecture 16/12/2021)

2.3.2 To the East

To the east of the subject site is No.27 Leonard Street. This property contains a double storey brick dwelling with a pitched tile roof. The dwelling has a 3.4m H brick wall built on its western boundary with a flat tin roof. It also includes a attached carport to the south and a covered porch to the north. The POS is located on the properties NW corner. Vehicle access to the site is via a single width driveway off the western boundary and a shared double width crossover with No.25 Leonard Street (subject site). The Existing dwelling has a front street setback of 7.5m.



FIGURE 07 & 08: STREET PHOTOS OF 27 LEONARD STREET

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2.3.3 To the south

To the east of the subject site, on the opposite side of Leonard street are 3 properties.

Date: 17 June 2025

- 20 Leonard Street (Double storey weatherboard dwelling)
- 22 Leonard Street (Corner Block, Single storey brick dwelling)
- 24 Leonard Street (Corner Block, Single storey brick dwelling)



FIGURE 09: STREET PHOTO OF 20-22 LEONARD STREET (GOOGLE MAPS)



FIGURE 10: STREET PHOTO OF 24 LEONARD STREET (GOOGLE MAPS)

2.3.4 To the West

To the west of the subject site is No.23 Leonard Street. This property contains a single storey rendered brick dwelling with a pitched tile roof. Vehicle access to the site is via a single width driveway located at its SE corner. The Existing dwelling has a front street setback of 11.4m and 4.1m setback from its eastern boundary (from subject site boundary). The subject site shares a 2.0m H timber paling fence with No.23 Leonard Street. The sites POS is north facing and located at its north/eastern boundary and has multiple tin sheds scattered through its northern rear yard.



FIGURE 11: STREET PHOTO OF 23 LEONARD STREET

3.0 THE PROPOSAL

It is proposed to demolish the existing dwelling and construct two (2) double storey dwellings (dual occupancy townhouses) with individual garage parking and associated landscaping.



FIGURE 12: 3D Render_South Elevation Streetscape



FIGURE 13: 3D Render_North Elevation

Dwelling 01 will consist of four bedrooms with an open plan living/dining/kitchen area at ground level with direct access to a north-facing alfresco and garden area. The dwelling has a secure double garage and front door entry accessed from the south streetscape. A new crossover is proposed to accommodate a double car width driveway. Landscaping includes a western courtyard and a below ground pool in its north facing rear. As well as bedrooms, the upper level consists of a retreat, study and north facing balcony off the master bedroom.

Dwelling 02 will consist of three bedrooms + a study with an open plan living/dining/kitchen area at ground level with direct access to a north-facing alfresco and garden area. The dwelling has a secure single garage and front door entry accessed from the south streetscape. A new crossover is proposed to accommodate a single car width driveway. Landscaping includes a covered alfresco and rear garden area. As well as bedrooms, the upper level consists of a retreat and south facing balcony off the master bedroom.

Note: For further details on the proposed scheme and development, refer to the Architectural Plans prepared by SAY Architecture.

3.1 Building and Works

The dwellings are proposed as a side by side dual occupancy running north to south. The development is contemporary in style with varying materials and finishes which includes polished render / metal cladding & roofing / grooved cement sheeting and glazing. The building will be articulated through varying building setbacks, change in materiality and striking feature windows at varying scales.

The proposed development has:

- Maximum overall height of 7m
- Site coverage of 52.2%
- Site permeability of 32.4%

The following setbacks @ ground level:

- Southern (front) setback: 6m for both dwellings.
- Eastern (side) setback: Dwelling 01 is built on the boundary. Dwelling 02 has a setback of 1m.
- Northern (rear) setback: Dwelling 01 setback of 14.9m – 12.5m & Dwelling 02 setback of 20m.
- Western (side) setback: Dwelling 02 is built on the boundary. Dwelling 01 has a setback of 2m.

The following setbacks @ first level:

- Southern (front) setback: 7.4m for both dwellings.
- Eastern (side) setback: Dwelling 01 is built on the boundary. Dwelling 02 has a setback of 2m and 3.5m.
- Northern (rear) setback: Dwelling 01 setback of 9.6m – 12m & Dwelling 02 setback of 20m.
- Western (side) setback: Dwelling 02 is built on the boundary. Dwelling 01 has a setback of 2m.

Front Fencing is proposed to be 1.5m high in aluminium blade profile allowing for 50% visual permeability and connectivity to the streetscape.

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3.2 Carparking, Access and Facilities

Vehicle Access

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Dwelling 01 – is proposed via a new crossover to the sites SW corner which leads to a double width car driveway and secure double garage. The garage has access to both the western courtyard/service area and also internal entryway. There is space for x4 cars to be parked within the sites boundary (x2 in garage, x2 in driveway).

Dwelling 02 – is proposed via the existing crossover located on the sites SE corner which leads to a generous single width car driveway and secure single garage. The garage has access to both the eastern service area and also internal entryway. There is space for x2 cars to be parked within the sites boundary (x1 in garage, x1 in driveway).

Pedestrian Access

To both dwellings is provided via a pathway adjacent to driveways which lead to the front doors accessed from its southern streetscape.

Waste Collection

Both dwellings have designated bin areas to accommodate for easy access from interior to respective side service pathways and front street access.

3.3 Tree Removal and Landscaping

- It is proposed to remove all existing trees and shrubs on- site, which are all low and of no retention value. None of these trees proposed to be removed require a Local Law Permit to be removed as there are no significant or canopy trees located on the site.
- It is proposed to replace existing trees with a variety of new trees, shrubs and ground cover. Refer to the accompanying Landscape Plan for further detail.



FIGURE 14: Photo's of existing front yard and rear yard (25 Leonard Street)

4.0 RELEVANT PLANNING CONTROLS

4.1 Zoning

The subject site is located within the Activity Centre Zone – Schedule 1 (ACZ1) of the Bayside Planning Scheme (Clause 37.08). Schedule 1 applies to the *Hampton East (Moorabbin) Activity Centre*.



FIGURE 15: Screenshot of Zoning Map

4.1.1 Clause 37.08 – Activity Centre Zone

The purpose of the Activity Centre Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage a mixture of uses and the intensive development of the activity centre.
- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.
- To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.
- To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.
- To facilitate the use and development of land in accordance with the Development Framework for the activity centre.

The Use of Land:

- Any requirement in the schedule to this zone must be met.

Subdivision:

- A permit is required to subdivide land.
- Any requirement in the schedule to this zone must be met.

Buildings and works:

- A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

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4.1.2 Clause 37.08 – Activity Centre Zone – Schedule 1

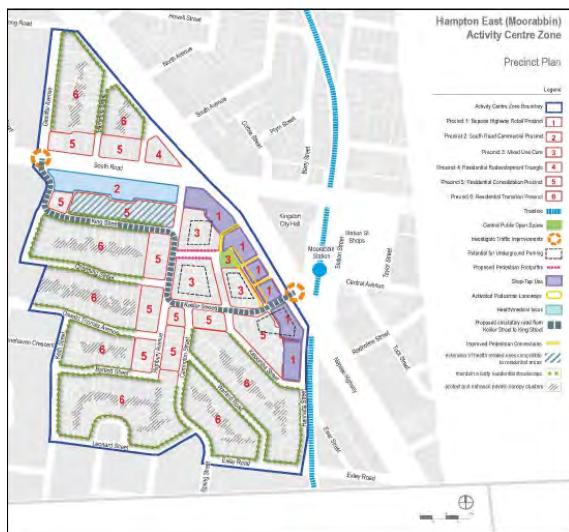


FIGURE 16: Screenshot of Framework Plan

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Land use and development:

To create a well-connected centre to live, work and play with a range of housing choices, services, facilities and vibrant, accessible public spaces that meet the ongoing needs of Bayside community.

Land use:

- Increase housing diversity to meet the housing needs of the varied population.
- Improve the economic viability of the centre by increasing the local population.

Builtform:

- Provide high-quality housing at a range of densities to meet the needs of a diverse community by offering a range of housing choices.
- Provide a transition to the Neighbourhood Residential Zone to the south and west of the Activity Centre, where character will be maintained and re-development will be limited.
- Limit the impact on the amenity of streetscapes in all areas by transitioning streetwall heights according to site context.

Landscape and environment:

- Preserve private open space at the rear of properties in residential transition areas to ensure landscaping and amenity benefits.

Subdivision:

- A planning permit is required to subdivide land.
- An application to subdivide land must demonstrate how the proposal will facilitate creation of development sites that achieve development objectives of the Hampton East (Moorabbin) Structure Plan.
- Applications for the subdivision of land that are not associated with a development proposal that supports the objectives of this schedule are discouraged.

Construction and Extension of two or more dwellings on a lot, dwellings on common property and residential buildings:

The requirements of clause 55 apply to the following:

- Construct two or more dwellings on a lot

4.1.3 5.6 Precinct 6 – Residential Transition Precinct

Precinct Objectives:

- Provide a transition in residential densities from the core of the centre to the established areas outside the Structure Plan boundary.
- Retain and preserve backyards and strongly encourage the use of front and backyard landscaping.
- Encourage modest residential infill with streetscape qualities and backyardscape aspect.



FIGURE 17: Screenshot of 5.6-1 Precinct Map

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Precinct Requirements:

- Maximum preferred building height (excluding basement) of 3 Storeys (11 meters).
- Building setback of 6m from street frontage.
- Maximum street wall height of 2 storeys (6 meters).

Precinct Guidelines:

- Provide sufficient space for landscaping including canopy trees.
- Development should maintain and enhance the garden setting of the dwellings, particularly through encouraging the provision of canopy trees in front and rear yards and, where possible, the retention of existing large, established trees.
- A distinct tree canopy should be established through residential streetscapes.
- Development should maintain visual separation between buildings by siting dwellings to create the appearance of space between buildings and accommodating substantial vegetation.
- New buildings should be designed to provide an articulated and interesting façade through incorporating a combination of materials, textures and colours as well as the provision of projecting elements and recessed elements.
- Development should maintain the openness of the streetscape through the provision of low, transparent front fencing.
- Townhouse development with compact gardens are the preferred housing typology for this precinct.

4.2 Overlays



FIGURE 18: Screenshot of Overlay Map

The subject site has a Development Contributions Plan Overlay (DCPO) – Subject to Schedule 1 (DCPO1)

The purpose of this overlay is:

- 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.

Schedule 1 to the DCPO1 outlines the summary of required levy contributions to the 'Bayside Drainage Development Contributions Plan'.

Facility	Levies payable by the development (\$)					
	Development infrastructure		Community infrastructure		All infrastructure	
	residential	non-residential	residential	non-residential	residential	non-residential
Drainage	2000	520	0	0	2000	520
TOTAL	2000	520	0	0	2000	520

FIGURE 19: Screenshot summary of contributions

The levy payable by development on residential land is specified in dollars per dwelling (note: a ground floor dwelling equates to 2 upper floor dwellings) and for other development in dollars according to site area. The amounts in this schedule are in December 2014 dollars. The responsible authority will adjust the levy annually commencing in 2017 by applying the Building Price Index, as published in the latest edition of Rawlinsons Australian Construction Handbook.

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4.3 Particular Provisions

The requirements of the particular provisions apply to all planning permit applications for use and / or development, where relevant. Particular provisions relevant to the consideration of this application include:

- **Clause 55 – Two or More Dwellings on a Lot and Residential Buildings**

Clause 55 (ResCode) of the Planning Scheme applies when considering applications to construct two or more dwellings under five (5) storeys. Clause 55 outlines the objectives and standards by which to assess a residential proposal and seeks a site responsive design that is respectful of the existing neighbourhood character and provides for reasonable standards of amenity.

Pursuant to Clause 55, the objectives set out in ResCode must be met while a standard "should normally" be met. It is also noted that "if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered".

4.4 General Provisions

Decision Guidelines at Clause 65

The decision guidelines at Clause 65.01 of the Scheme require consideration of a range of matters, most relevantly including:

- 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 an 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 and such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

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5.0 RELEVANT PLANNING POLICIES

5.1 Municipal Planning Strategy

The Municipal Planning Strategy (MPS) is contained at Clause 02 of the Bayside Planning Scheme.

The MPS provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

Both historically and today Bayside's development centres around defined 'villages' or activity centres that are accessible by public transport. These centres are a focus for retail, entertainment, employment and apartment living. Each of these 'villages' has a defined character that is highly regarded by the local community.

Clause 02 must be taken in account and given effect to when making a decision under the Bayside Planning Scheme. The following clauses of the MPS are particularly relevant to the proposal:

- **Clause 02.02 VISION**

"Bayside will be a city which protects and enhances the quality and character of the natural and built environment through environmentally sustainable development and management of land. Bayside will be an environmentally focussed city in which its natural resources are valued, present needs are met and development is responsibly managed for the benefit of current and future generations."

- **Clause 02.03-1 SETTLEMENT**

Acknowledges that Bayside comprises of a hierarchy of activity centres, some of which are located entirely within Bayside and some of which are shared with other municipalities. Hampton East (part of the Moorabbin Activity Centre) is a 'Major Activity Centre' identified within Plan Melbourne.

Relevant Strategy includes:

- Supporting higher density residential developments with active commercial uses at ground Floor level that is compatible with the scale and role of each centre.
- Establishing a built form that respects the existing character and scale of each centre and provides a transition to adjoining residential areas.

- **Clause 02.03-4 BUILT ENVIRONMENT AND HERITAGE**

Urban & Building Design

Bayside is renowned for its 'village' environment with distinct community precincts along the foreshore. Bayside is characterised by low rise residential suburbs, which have ample outdoor living space with predominantly tree lined streets, premium real estate and historic homes, much of it in a seaside setting.

Council seeks to:

- Achieve built form and public realm design that conserves and enhances valued urban character and heritage places.
- Provide attractive pedestrian environments that are safe and accessible for people with all levels of mobility.
- Preserve the visual amenity and landscape values afforded by the golf courses.

Maintain visibility of the Bay.

Sustainability

Council is committed to enhancing the sustainability of the built environment by encouraging development to incorporate environmentally sustainable design principles and natural resource management to benefit current and future generations.

Council seeks to:

- Reduce greenhouse gas emissions and car dependence by encouraging more environmentally sustainable development.

- Clause 02.03-5 HOUSING

Forecast population increases and a trend towards smaller household sizes and an ageing population is increasing the demand for a greater variety of housing types and more affordable housing. To meet the forecast population increases and demographic changes, additional dwellings will be required.

Activity centres will play an increasingly important role in providing for future housing needs, particularly as opportunities diminish elsewhere due to neighbourhood character, heritage and environmental constraints.

The redevelopment potential within and around selected activity centres provides opportunities for medium density housing, resort style accommodation and shop top housing.

Relevant strategies for managing the provision of additional dwellings within the municipality include:

- Manage development associated with population growth and minimise any detrimental impact on amenity.
- Direct increased housing densities to Major Activity Centres, Large Neighbourhood Activity Centres and residential opportunity areas, particularly those with good access to public transport routes as identified in the Residential strategic framework plan at Clause 02.04-1. (Refer Figure 25 below)
- Encourage a diversity of housing types in well serviced locations to meet the needs of the community over time, including housing for older people and affordable housing.



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FIGURE 20: CLAUSE 02.01-2 Context Plan

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5.2 Planning Policy Framework

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The Planning Policy Framework (PPF) is contained at Clauses 10-19 of the Bayside Planning Scheme.

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The PPF underpins the key objectives of the Planning and Environment Act 1987 and its objectives are a fundamental and determinative consideration in the administration of land use and development planning across Victoria. It informs the preparation and implementation of local planning policy objectives and the introduction of zone and overlay controls. It is therefore necessary that planning permit applications build on and achieve these important objectives.

Clauses 11-19 constitute Planning Policy Framework that provides policy direction whereby the 'community' will benefit from clear and consistent policy framework within which decisions about the use and development of land can be made.

The following clauses of the PPF are particularly relevant to the proposal:

Clause 11 (Settlement)

- Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.
- Recognise the need for: Health & wellbeing, diversity, economic viability, waste minimisation, adaptation, protecting, conserving and improving biodiversity.

Clause 11.01-1S (Settlement)

- Seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.
- Provide for growth in population and development of facilities and services across a regional or sub-regional network.
- Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Clause 11.01-1R (Settlement – Metropolitan Melbourne)

- Seeks to maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city and protect the values of non-urban land.
- Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.

Clause 11.03-1S (Activity Centres)

- seeks to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.
- Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that provides different types of housing, including forms of higher density housing.

Clause 15 (Built Environment and Heritage)

- Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.
- Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.
- Planning should protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.
- Planning should promote development that is environmentally sustainable and minimise detrimental impacts on the built and natural environment.

Clause 15.01-1S (Urban Design)

- seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Clause 15.01-1R (Urban design – Metropolitan Melbourne)

- Seeks to create a distinctive and liveable city with quality design and amenity.
- Support the creation of well-designed places that are memorable, distinctive and liveable.

Clause 15.01-1R (Urban design – Metropolitan Melbourne)

- Seeks to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.
- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Improve the energy performance of buildings through siting and design measures that encourage:
- Passive design responses that minimise the need for heating, cooling and lighting.
- On-site renewable energy generation and storage technology.
- Use of low embodied energy materials.
- Restrict the provision of reticulated natural gas in new dwelling development.
- Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.
- Encourage water efficiency and the use of rainwater, stormwater and recycled water.
- Minimise stormwater discharge through site layout and landscaping measures that support on-site stormwater reuse.
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development is designed to protect and enhance valued landmarks, views and vistas.
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.
- Encourage development to retain existing vegetation.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Clause 15.01-2L-01 (Energy and Resource Efficiency)

Design development to:

- Promote sustainable design measures such as water efficient design and solar access using site layout, design and construction techniques.
- Allow for adaptive re-use in the future.
- Use landscape design to assist with passive solar heating and cooling.
- Make use of buildings and materials with minimal environmental impact, such as recycled materials and re-use of existing buildings.

Clause 15.01-5S (Neighbourhood Character)

- Seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

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Clause 15.03-2S (Aboriginal cultural heritage)

- seeks to ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.
- Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.
- Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.

Clause 16 (Housing)

- Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.
- Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.
- Planning for housing should include the provision of land for affordable housing.

Clause 16.01-1S (Housing supply)

- Seeks to facilitate well-located, integrated and diverse housing that meets community needs.
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Identify opportunities for increased residential densities to help consolidate urban areas.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.
- Encourage the development of a well-designed housing that:
 1. Provides a high level of internal and external amenity.
 2. Incorporates universal design and adaptable internal dwelling design.
- Support opportunities for a range of income groups to choose housing in well-serviced locations.
- Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

Clause 16.01-1R (Housing supply – Metropolitan Melbourne)

- Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations.
- Create mixed-use neighbourhoods at varying densities that offer more choice in housing.

Clause 16.01-1L (Housing supply)

- Provide for increased diversity and density of housing to meet the needs of the community and increased activity in activity centres including.
- Encouraging redevelopment of larger sites for higher density residential dwellings.
- Encouraging the more efficient use of built form
- Discouraging the replacement and construction of single dwellings.

Clause 16.01-2S (Housing Affordability)

- Seeks to deliver more affordable housing closer to jobs, transport and services.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.



Clause 18.02-4L (Car Parking)

- Facilitate laneway widening, connectivity and visibility for the provision of off-street car parking where possible.
- Provide car parking to satisfy the needs of residents and their visitors and other road users.
- Preserve access to on street car parking for shoppers, traders, disabled persons, workers, commuters and tourists in areas of high demand such as around railway stations, activity centres and the foreshore.
- Avoid development that would reduce existing numbers of public parking spaces in activity centres and along the coast.
- Provide off-street car parking and drop-off areas that are adequate to meet the needs of institutional uses.

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6.0 KEY PLANNING CONSIDERATIONS

The provisions of the Bayside Planning Scheme requires that Council decide whether a proposal will produce acceptable outcomes in terms of the decision guidelines of Clause 65 of the Planning Scheme.

Having regard to these decision guidelines, the key planning considerations raised by the proposed development are:

- Is the proposal supported by the Planning Policy Framework?
- Is the proposal consistent with the Activity Schedule Zone – Schedule 1 (ACZ1)?
- Will the proposal have any unreasonable off-site amenity impacts?
- Will the proposal deliver reasonable on-site amenity?

These matters are considered in further detail in the following sections of this report.

It is submitted that, having regard to the following assessment, the proposed development:

IS consistent with the relevant Planning Policy Framework and the ACZ1, avoids unreasonable off-site amenity impacts whilst providing a high level of amenity for future occupants.

6.1 Is the proposal supported by the Planning Policy Framework?

The proposed development responds to the provisions of the Planning Policy Framework as:

- As outlined, the site is located on the edge of the Hampton East Street (Moorabbin) Activity Centre and is proximate to variety of facilities and services including open space areas, retail / shops, community facilities as well as public transport options. Moorabbin Train Station is located approximately 1 kilometre metres northeast of the site. The proposed development will facilitate the site's efficient redevelopment and facilitates the creation of 20-minute neighbourhoods, consistent with Clause 11.03-1R, 11.03-1S, 15.01-4R, 16.01-1S and 16.01-2S.
- The proposal supports and protects the neighbourhood character by ensuring the preferred neighbourhood character of a Townhouse typology identified with medium and higher density housing. The building design contributes positively to the local context by ensuring that the form, scale and appearance of the development enhances the public realm through its materials/finishes, roof form, setbacks and landscaping. (Clause 15.01-1S, 15.01-1R, 15.01-2S, 15.01-5S)
- The proposal will be of high-quality construction and is well considered and articulated through its form, scale, fenestration, building expression and the variation in materials and finishes. (Clause 15.01-2S)
- The proposal ensures that it promotes sustainable design measures such as water efficient design and solar access using considered site layout, design and construction techniques. Through a dual townhouse development, the site is able to accommodate increased area for landscaping, permeability and natural light into the buildings. It incorporates a combination of mechanical and natural ventilation bringing in fresh air and drawing out hot air through the development. The development will include high energy and water conservation fittings (Clause 15.02-1L)
- The proposal will increase and diversify housing within the surrounding area, in line with Clause 16.01-1S and Clause 16.01-1L to increase the proportion of housing in designated established areas including activity centres.

Having regard to the above considerations, the proposed development will make a positive contribution to achieving the objectives of the Planning Policy Framework.

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6.2 Is the proposal consistent with the Activity Schedule Zone – Schedule 1 (ACZ1)?

Schedule 1 to the Activity Centre Zone identifies the subject land to be contained within 'Precinct 6 – Residential Transition Precinct', and sets out design objectives, requirements and guidelines to be achieved. Its location within the Hampton East (Moorabbin) Activity Centre Framework Plan is outlined in the below image.



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It is submitted that the proposed development is consistent with the Precinct's objectives, requirements and guidelines. Specifically:

- The proposed development comprises two storeys and has a maximum height of 7 metres, which sits under the preferred maximum building height of 3 storeys (11 metres).
- The proposed development has a minimum setback of 6m at ground level and 7.4m at level 01 from Leonard Street, consistent with the preferred minimum setback of 6m from street frontages.
- The proposed street wall height is single storey (3.5 metres) with the first floor addition setback from the streetwall to reduce visual bulk. Consistent with the preferred maximum streetwall height of 2 storeys (6m)
- The proposed development provides a well balanced transition in residential densities from the core of the centre. The subject site located on Leonard Street is on the very cusp of the ACZ_precinct 6 transition zone, directly facing a NRZ (Neighbourhood residential zone). Therefore it is also prudent to not overwhelm the transition with a overbuilt site.
- The proposed development is a modest residential infill that balances the need to increase housing diversity and density in well-established areas while providing a landscaped outcome.
- The proposed development will preserve backyardscapes and will incorporate both front and backyard landscaping. The proposal incorporates a well-vegetated outcome, with planting proposed around the perimeter of the site where practical with canopy trees encouraged at a 'maximum' size that the site allows.

6.2.1

5.6-4 Precinct Guidelines

Precinct Guideline	Proposal Assessment
Provide sufficient space for landscaping including canopy trees.	Complies. Landscaping is proposed to both dwellings (front and backyardscapes) with the inclusion of canopy trees.
Development should maintain and enhance the garden setting of the dwellings, particularly through encouraging the provision of canopy trees in front and rear yards and, where possible, the retention of existing large, established trees.	Complies. It is proposed to remove all existing trees and shrubs on site – which are all of low retention value (no medium/large or canopy trees are located on site). The proposed landscaping will incorporate new trees and a large canopy tree within the front yard and also trees to the eastern and western boundaries for privacy and shading. Varied native planting and permeability is prioritised and celebrated throughout the front and backyard gardens to both properties.
A distinct tree canopy should be established through residential streetscapes	Complies. A large canopy tree will be incorporated to the front yard / streetscape.
Development should maintain visual separation between buildings by siting dwellings to create the appearance of space between buildings and accommodating substantial vegetation.	Complies. The only boundary wall is located on dwelling 01 (double garage wall) which only spans approximately 6.3m. the buildings otherwise have very healthy setbacks to all boundaries. This not only allows visual breathing space between neighbouring buildings but also provides ample natural light into the proposed dwellings.
New buildings should be designed to provide an articulated and interesting façade through incorporating a combination of materials, textures and colours as well as the provision of projecting elements and recessed elements.	Complies. The building will be well-articulated through the application of contrasting materials / finishes and form composition. Materials / finishes include render, metal cladding and roofing, and glazing.
Development should maintain the openness of the streetscape through the provision of low, transparent front fencing.	Complies. Front fencing comprises of a 1.5m high metal blade with 50% spacing + rendered solid wall, allowing a sense of openness and views into the front garden.
Townhouse development with compact gardens are the preferred housing typology for this precinct.	Complies. A townhouse development typology is proposed with a compact front garden and backyard. This dual-occupancy typology seeks to respond to the sites title shape constraints and also its location on the outer edge of precinct 6 (transition) and direct proximity/connection to the NRZ zone.

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6.3 Will the proposal have any unreasonable off-site amenity impacts?

The subject site has an interface with three (3) adjoining properties, which are located to the north (No. 9 Carrington Street), west (No. 23 Leonard Street) and east (No. 27 Leonard Street). The key issues for consideration in terms of off-site amenity impacts are visual bulk, overlooking, overshadowing and impact on daylight access. The proposal's off-site amenity impacts, having regard to Clause 55 of the Planning Scheme, is discussed below:

Assessment Item	Proposal Assessment
Visual Bulk (Standard B17)	<p>An assessment of the proposed development finds that it will comply with Standard B17 to both North & South Elevations.</p> <p>However it requires some variation to the preferred Bayside Side Setback of 2m along the Northern interfaces at the upper level. The South Elevation only required variation to Dwelling 01.</p> <p>Bayside City Council Planning and Environment Act 1987</p> <p>ADVERTISED PLAN</p> <p>Planning Application No.: 5/2024/376/1</p> <p>Date: 17 June 2025</p>
	<p>North Elevation</p> <p>South Elevation</p> <p>It is submitted that the variations are relatively minor and are largely confined to a small section of the upperstorey form of the proposed building and will meet the objective of B17 to respect the existing or preferred neighbourhood character and limit the amenity impact on existing dwellings. This is considered to be acceptable for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development is consistent with the preferred and emerging character of the area. The subject site is located within Precinct 6 of the Activity Centre Zone – Schedule 1 (ACZ1) where "townhouse development with compact gardens are the preferred housing typology". It is noted that the ACZ1 allows for a maximum building height of 3 storeys (11 metres), however only 2 storeys are proposed in this application. - The proposed development will have limited amenity impacts on the adjoining residential properties.
Overlooking (Standard B22)	<p>Overlooking is considered to have been appropriately address through either screening, obscure glazing or highlight windows will heights up to 1.7 metres above finished floor level to all upper level habitable room windows facing north, east and west. Overlooking at ground level will be managed by boundary fencing with heights ranging between 1.85 to 2 metres. The proposed development complies with Standard B22 (Overlooking) of Clause 55.</p>

Overshadowing (Standard B21)	<p>To the west (23 Leonard Street) There will be some additional shadow impact on the property's SPOS in the front yard (52.3m²) and backyard (38.9m²) primarily in the morning at approximately 9am. By 10am the additional shadow is contained to the driveway at the front and an additional 15m² to the backyard. From 11am-3pm there is no additional shadow impacting the property.</p> <p>To the east (27 Leonard Street) No additional shadow impacting the property from 9am-1pm. At 2pm there is a small amount of shadowing caused by the timber paling fence onto the driveway (replacing existing). By 3pm any additional shadowing caused by the proposed building is contained to the existing driveway with an additional 13m² to the front garden.</p> <p>No additional shadow impacts the northern neighbour. The resultant shadow impacts from the proposed development will meet Standard B21 (overshadowing open space) and is not considered to be unreasonable.</p>
Daylight Access (Standard B19)	<p>The proposed development will comply with Standard B19 (daylight to existing windows) of Clause 55, as the development will be set back at least 6 metres from any existing habitable room windows to the west (23 Leonard street) and 10metres from any existing habitable room windows to the east (27 Leonard street).</p>

6.4 Will the proposal deliver reasonable on-site amenity?

The proposed dwellings are designed with careful consideration of the future residents' amenity expectations. Key aspects of internal amenity include:

- Each dwelling features a spacious open floor plan with a combined living, dining, and kitchen area, along with direct access to north-facing backyards at ground level, measuring 60m² and 105m².
- Secure car parking is provided for each dwelling, with one or two car spaces, and garages offer direct access to the homes.
- Dwellings include home storage, bin storage, and secure plant access.
- At least one bedroom per dwelling is located on the ground floor and includes an ensuite, designed for easy adaptation for individuals with limited mobility.

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7.0 CONCLUSION

As detailed in this submission, it is argued that the proposed development is suitable for the site for the following reasons:

- The proposal aligns with the objectives of the Activity Centre Zoning and Planning Policy Framework by enhancing housing density and diversity in a well-established area with easy access to amenities and services.
- The design ensures a respectful transition from the ACZ to the surrounding residential area.
- The proposal integrates well with the surrounding environment, featuring a thoughtfully designed layout and well-maintained landscaped garden.
- The development will not impose any unreasonable impacts on the amenity of neighbouring properties.
- On-site car parking is adequately provided.

For these reasons, it is concluded that the proposed development complies with relevant planning controls and policies and is therefore deserving of a planning permit.

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