

COUNCIL AGENDA PLANNING AND RELATED MATTERS

Wednesday 25 September 2024

Commencing 6.30 pm

Council Chamber, Merri-bek Civic Centre, 90 Bell Street, Coburg

Language Link

This is the Agenda for the Council meeting. For assistance with any of the agenda items, please telephone 9240 1111.

這是市政會會議的議程。您若在理解議程中有需要協助的地方,請打電話給"語言連接 (Language Link)"翻譯服務,號碼9280 1910。

Questo è l'ordine del giorno per la Riunione del consiglio Comunale. Se hai bisogno di aiuto sugli argomenti in discussione, sei pregato di telefonare al Language Link al numero 9280 1911.

Αυτή είναι η Ημερήσια Διάταξη για τη Συνεδρίαση του Συμβουλίου (Council Meeting).Για βοήθεια με οποιοδήποτε από τα θέματα της ημερήσιας διάταξης, παρακαλείστε να τηλεφωνήσετε στο Γλωσσικό Σύνδεσμο (Language Link), στο 9280 1912.

هذا هو جدول أعمال اجتماع الجلس البلدي. للمساعدة بأي بند من بنود جدول الأعمال الرجاء الاتصال بخط Language Link على الرقم 1913 9280. Belediye Meclisi Toplantısının gündem maddeleri burada verilmiştir. Bu gündem maddeleri ile ilgili yardıma ihtiyacınız olursa, 9280 1914 numaralı telefondan Language Link tercüme hattını arayınız.

Đây là Nghị Trình cuộc họp của Uỷ Ban Quy Hoạch Đô Thị. Nếu muốn biết thêm chi tiết về đề tài thảo luận, xin gọi điện thoại cho Language Link qua số 9280 1915.

यह कौंसिल की बैठक का कार्यक्रम है। कार्यक्रम के किसी भी विषय के बारे में सहायता के लिए कृपया 9280 1918 पर फोन कीजिए ।

这是市政府例会的议题安排,如果需要协助 了解任 何议题内容,请拨打9280 0750。

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਦਾ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀ ਕਿਸੇ ਆਈਟਮ ਬਾਰੇ ਮਦਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ 9280 0751 ਤੇ ਟੇਲੀਫੋਨ ਕਰੋ।

Acknowledgement of the traditional custodians of the City of Merri-bek Merri-bek City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Merri-bek, and pays respect to their elders past, present, and emerging, as well as to all First Nations communities who significantly contribute to the life of the area.

1. WELCOME

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. MINUTE CONFIRMATION

The minutes of the Planning and Related Matters Meeting held on 28 August 2024 be confirmed.

5. COUNCIL REPORTS

- 5.1 57, 59-61 AND 59A-61 GRANTHAM STREET, BRUNSWICK WEST PLANNING PERMIT APPLICATION MPS/2023/416
- 5.2 24 JESSIE STREET AND 19 HALL STREET, COBURG MINISTERIAL APPLICATION PPE/2024/310 49

6. URGENT BUSINESS

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5. COUNCIL REPORTS

5.1 57, 59-61 AND 59A-61 GRANTHAM STREET, BRUNSWICK WEST - PLANNING PERMIT APPLICATION MPS/2023/416

Director Place and Environment, Pene Winslade

City Development

Caretaker Statement

The recommended decision is not a decision prohibited by the Act and is a decision that falls within the guidance of the Election Period Policy.

Executive Summary



Property:	57, 59-61 and 59A-61A Grantham Street, Brunswick West		
Proposal:	Construction of buildings and works for a multi-storey, mixed-use development comprising dwellings and an office; use of the land as an office (ground floor); reduction to the standard car parking requirement.		
Zoning and Overlays:	 Residential Growth Zone (Schedule 1) Design and Development Overlay (Schedule 24) Parking Overlay (PO1) Development Contributions Plan Overlay (DCPO1) 		
Strategic setting:	Minimal change Incremental change Increased scale of built form		
Objections:	Four (4) objections have been received to date, which raised the following key issues. Car parking Building scale and design Internal and external amenity impacts		
Objector Consultation:	 Council officers have spoken to objectors via phone. An informal meeting within business hours was also held, which was attended by the applicant, Council officers and one objector. No changes have been agreed following consultation. 		
ESD:	 Minimum average NatHERS rating of 6.5 Stars (to be increased to 7 Stars via permit condition). 52 per cent BESS Score 		
Accessibility:	Adaptable apartments comprise 62 per cent of the proposal (subject to minor changes achievable by permit condition)		
Key reasons for support:	 Acceptable building scale and design Limited off-site amenity impacts 		
Recommendation:	Notice of Decision to Grant a Planning Permit		

Officer Recommendation

That a Notice of Decision to Grant a Planning Permit No. MPS/2023/416 be issued for the construction of buildings and works for a multi-storey, mixed-use development comprising dwellings and an office; use of the land as an office (ground floor); and reduction to the standard car parking requirement at 57, 59-61 and 59A-61A Grantham Street, Brunswick West, subject to the following conditions:

Amended Plans

- 1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the advertised plans prepared by CBG Architects dated 4 June 2024 but modified to show:
 - a) Greater articulation and visual interest provided to the northern boundary wall and the wall associated with the lift core/stairwell through revised materiality and/or detailed design. Recommendations of the Daylight Impact Analysis Report prepared by Ascot Consulting Engineers must form a consideration of any amendments.
 - b) External Finish CT1 (Cementitious panelling) either confirmed as being similar to raw or textured concrete, or replaced with textured/raw concrete, or a product such as Barestone Original or Equitone Grey.
 - c) Maximum height of 1.2m provided to Apartment G01's front fence adjacent to south-facing bedroom, with height shown consistently on floor plans and elevation plans.
 - d) Detailed external materials and colours schedule shown on the plans.
 - e) External finish details for the proposed garage door, including information relating to visual permeability and an example image.
 - f) A window sill height of at least 1m provided to Apartment G01's south-facing bedroom window.
 - g) Canopy/awning provided to the development's eastern/Grantham Street frontage, suitably integrated to the front elevation. The canopy must be designed so that it is setback not less than 750mm from the kerb and at a height of not less than 3m above the level of the footpath.
 - h) Northern wing walls adjacent to the living room windows of Apartments 101, 201 and 301 deleted, or reduced in depth the maximum extent possible, so as to their reduce visibility from Grantham Street. This may require the living room windows to be reduced in width in these locations.
 - i) Bathroom design and layout for claimed adaptable dwellings amended to achieve compliance with the requirements of Clause 55.07-8 (Accessibility Objective Standard B42) with respect to toilet location and notations to shower design.
 - j) A screen diagram drawn at a scale of 1:50 which details the screen associated with north and west facing balconies. This diagram must include:
 - All dimensions, including the width of any slats and the gap between any slats, to confirm that the screens have a maximum 25 per cent transparency.
 - k) Dimension the area occupied by the car stacker as 5.8m long to contain vehicles up to 5.3 metres in length.

- l) Each bicycle parking device dimensioned as 500mm wide, the horizontal bike spaces 1800mm long, and the vertical bicycle spaces 1200mm long, with every space accessed from a 1500mm wide access aisle as required by the Australian Standard for Parking Facilities Bicycle Parking (AS2890.3).
- m) The proposed vehicle crossing provided with 1 metre straight splays on both sides commencing at the property boundary and finishing at the kerb in accordance with Council's Standard Vehicle Crossing design.
- n) Ground floor plan provided with a notation to each pedestrian entrance along the street boundary stating: "Floor to be ramped down to match the level of the Grantham Street public footpath that will be reinstated at 1 in 40 from top of kerb".
- o) A power point close to the horizontal bicycle spaces to charge electric bicycles.
- p) The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 8 of this permit.
- q) The Tree Protection Zone for the street tree as required by Condition 6 of this permit.
- r) Any changes to the plans arising from the:
 - i. Landscape Plan in accordance with Condition 3 of this permit.
 - ii. Tree Protection in accordance with Condition 6 of this permit.
 - iii. Accessibility Report in accordance with Condition 12 of this permit.
 - iv. Acoustic Report in accordance with Condition 14 of this permit.
 - v. Amended Waste Management Plan in accordance with Condition 18 of this permit.
 - vi. Public Works Plan in accordance with Condition 20 of this permit.

Compliance with Endorsed Plans

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Merri-bek Planning Scheme unless specifically noted as a permit condition.

Landscaping

- 3. Prior to the endorsement of plans, an amended landscape plan must be submitted to the Responsible Authority. The landscape plan must be generally in accordance with the advertised plan prepared by Zenith Concepts, dated 2 June 2023, but amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) Trees provided to the northern side setback adjacent to the car stacker and bike parking area.
 - c) Landscaping adjacent to the residential entry, consistent with the architectural plans.
 - d) Strategies for the retainment of vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.
 - e) Details of the location and type of all paved and sealed areas. Porous/permeable paving, rain gardens and other water sensitive urban design features must be in accordance with the Sustainability Design Assessment or Sustainability Management Plan.

- f) Details of all planter boxes, above basement planting areas, green walls, rooftop gardens and similar, including:
 - i. Soil volume sufficient for the proposed vegetation
 - ii. Soil mix
 - iii. Drainage design
 - iv. Details of an automatic irrigation system, including maintenance program and responsibility for maintenance.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.
- 5. All landscaping and irrigation systems must be maintained to the satisfaction of the Responsible Authority in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Responsible Authority.

Tree Protection

- 6. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the following trees must have a Tree Protection Zone (TPZ) in accordance with AS4970 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority:
 - All Council trees located within 3 metres of the site boundary or a vehicle crossing;
 - ii. the trees marked on the endorsed plans as being retained and protected.

The TPZ must meet the following requirements:

a) Tree Protection Fencing

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste.". The TPF signage must be complied with at all times.

c) <u>Irrigation</u>

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

d) Provision of Services

All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970.

e) Access to TPZ

The TPF once erected, must be maintained and not altered, tampered or moved. If any works are proposed within the TPZ or require the TPF to be moved or altered, then such works must only be carried out with the prior written approval of, and under the direction of, a suitably qualified Arborist (minimum Level 5 Diploma of Arboriculture). A copy of the approval must be provided to Council upon request.

Tree Removal

7. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the owner must pay Council the amenity value, removal, replacement and establishment costs in accordance with the Merri-bek Urban Forest Strategy 2017 for each and any street tree removed or damaged through the building works, to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design (ESD)

- 8. Prior to the endorsement of plans, an amended Sustainability Management Plan (SMP) and amended architectural plans must be submitted to the satisfaction by the Responsible Authority. The Sustainability Management Plan must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the Sustainable Management Plan prepared by JBA Consulting Engineers, dated 15 June 2023, but modified to include the following changes:
 - a) Provide preliminary NatHERS ratings assessments for all thermally unique dwellings and achieve an average of at least 7 Stars.
 - b) Commit to a solar PV system of at least 5kWp.
 - c) Amend the BESS report (and any other corresponding documentation) to:
 - i. Commit to electric heat pump hot water systems, induction cooktops and reverse cycle heating and cooling systems in BESS, in lieu of gas
 - ii. Include commitment of a 5kWp solar PV system
 - d) Provide a preliminary NCC Part J facade calculator, demonstrating compliance to NCC Part J and the BESS DtS Energy compliance criteria.
 - e) Show the following ESD initiatives on the development plans:
 - i. An ESD table on the plans for items that cannot be drawn e.g. NatHERS, tap and cooling/heating ratings, etc.
 - ii. 5kWp solar photovoltaic (PV) system, including the proposed location, approximate size and number of individual panels, orientation and tilt angle.
 - iii. The tap and floor waste to each balcony/rooftop terrace/courtyard.
 - iv. Clear annotation of the Solar Reflectance Index (SRI) values of external finishes proposed in the submitted Daylight Modelling Report.
 - f) A STORM report and stormwater management response that maintains a minimum STORM score of 100 per cent but is modified so that:
 - i. Detail of relevant water treatment measures for the balcony/ roof terrace collection areas and a maintenance plan stating periodic actions, requirements and responsibilities are included.

- g) A WSUD (Water Sensitive Urban Design) catchment plan that is consistent with the STORM report, clearly showing:
 - i. The entire site;
 - ii. All permeable areas with dimensions;
 - iii. All stormwater catchment areas (impervious areas and roofs) clearly marked and dimensioned and connected to corresponding Water Sensitive Urban Design (WSUD) treatment measures;
 - iv. Raingardens not located in the Private Open Space of Apartment G01.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

Where alternative ESD initiatives are proposed, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the development must be constructed in accordance with the Sustainable Management Plan (including any BESS and STORM reports and NatHERS Ratings) to the satisfaction of the Responsible Authority.
- 10. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (SMP) approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.
- 11. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained to the satisfaction of the Responsible Authority to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Accessibility

- 12. Prior to the endorsement of plans, an Accessibility Report prepared by a suitably qualified professional must be submitted to the satisfaction of the Responsible Authority. The report must:
 - a) Reflect the development hereby approved and the changes required by Condition 1 of this permit.
 - b) Provide commentary regarding the proposal's response to the relevant requirements of Clause 55.07 of the Merri-bek Planning Scheme, including any change to the built form in order to achieve compliance.

When submitted and approved to the satisfaction of the Responsible Authority, the Accessibility Report will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority prior to the occupation of the development.

13. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Accessibility Report have been implemented in accordance with the approved report.

Acoustic Attenuation

- 14. Prior to the endorsement of plans, an Acoustic Report prepared by a suitably qualified professional must be submitted to the satisfaction of the Responsible Authority. The assessment must be prepared by a suitably qualified acoustic engineer and must detail recommended treatments of the development and/or the adoption of appropriate measures. The report must:
 - a) Reflect the development hereby approved and the changes required by Condition 1 of this permit.
 - b) Consider and make recommendation relating to noise emissions from the development (including the operation of plant, car stackers, roller doors and the use of the car park), so as to ensure these impacts do not impact adversely on the amenity of dwellings within the development and neighbouring residential properties, and to ensure compliance with the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826.2, Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues, Environmental Protection authority, March 2021) or any other superseding regulation, is achieved to the satisfaction to the Responsible Authority.
 - c) Include details of any car stacker operation controls required to minimise noise impacts off site.
 - d) Consider the subject site's location adjacent to a tram route, including any changes to the built form in order to suitably manage noise-related impacts.
 - e) Provide commentary regarding the proposal's response to the relevant requirements of Clause 55.07-7 (Noise Impacts) of the Merri-bek Planning Scheme, including any change to the built form in order to achieve compliance.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. No alterations to the Acoustic Report may occur without the written consent of the Responsible Authority.

- 15. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
- 16. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Acoustic Report approved pursuant to this permit or similarly qualified person or company must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

17. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, post-construction testing is to be undertaken by a suitably qualified acoustic expert. The testing is to be conducted from the nearest sensitive receivers, or an equivalent location, to the satisfaction of the Responsible Authority. The testing is to show that any noise impacts directly from the proposed car stacker on the nearest sensitive receivers meet the relevant requirements set out in the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826.2, Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues, Environmental Protection authority, March 2021) or any other relevant superseding regulation, to the satisfaction of the Responsible Authority.

Waste Management

- 18. Prior to the endorsement of plans, a Waste Management Plan must be submitted to the satisfaction of the Responsible Authority. The plan must:
 - a) Align with the plans for endorsement
 - b) Include calculations of the four main waste streams (recycled glass, general recycling; organics and garbage), size and number of bins;
 - c) Provide no chute systems, so that no waste stream is discouraged;
 - d) Provide a collection frequency of no more than twice per week;
 - e) Include discussion of the other waste streams;
 - f) Show the bins stored out of sight and any enclosed room manually ventilated;
 - g) Confirm waste will be collected by a private contractor who will avoid peak commuter hours for the collection of waste (ie. between the hours of 9.30am and 2.30pm only), to Council's satisfaction.

When submitted and approved to the satisfaction of the Responsible Authority, the Waste Management Plan will be endorsed to form part of this permit. No alterations to the Waste Management Plan may occur without the written consent of the Responsible Authority.

19. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Public Works Plan

- 20. Prior to the endorsement of plans, a Public Works Plan for the site's eastern and southern interfaces must be submitted to the satisfaction of the Responsible Authority. The Plan must be in accordance with the *Merri-bek City Council Technical Notes July 2019*, or any updated version and include:
 - a) A detailed level and feature survey of the footpaths and roads.
 - b) The upgrade of the footpath adjacent to the site. Public concrete footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5 per cent), while public asphalt footpaths (where approved by Council) are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 33.
 - c) Any Council or service authority pole or pit within 1 metre of the proposed vehicle crossing, including the 1 metre splays on the crossings, relocated or modified.
 - d) For any vehicle crossing not being used, the kerb, channel and footpath reinstated.
 - e) Any necessary drainage works.

- f) Provision of additional street trees to Collier Crescent and/or Grantham Street, to the satisfaction of the Responsible Authority. A notation must confirm the supply and installation of the street trees shall be funded and provided by the developer and undertaken to Councils Technical Notes: Tree Pit with Grate Cover C100.06. Installation of tree pits and grates must allow for uninterrupted trafficable passage of a minimum 1.2m.
- g) Details of the works to the Grantham Street and Collier Crescent footpaths, including details of street trees, details of any new kerb, channel and footpath specifications, or details of rectification required to any damaged existing kerb, channel and footpath specifications, and treatment, and the location and layout of the new on-street car parking.
- h) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of the Responsible Authority, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of the Responsible Authority.

- 21. Prior to the commencement of works, detailed engineering plans for the public works are to be submitted for approval to the satisfaction of the Responsible Authority.
- 22. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all public works shown on the endorsed public works plan must be implemented to the satisfaction of the Responsible Authority at the expense of the owner of the land, unless otherwise agreed with prior written consent of the Responsible Authority.

3D Model

23. Prior to the commencement of the development, a 3D digital model of the approved development which is compatible for use on Council's Virtual Merri-bek tools and software for Council and community must be submitted to the satisfaction of the Responsible Authority. The model should be prepared in accordance with Merri-bek City Council's 3D model submission guidelines. A copy of the 3D model submission guidelines and further information on the Virtual Merri-bek Project can be found on Council's website. In the event that substantial modifications to the building envelope are approved under an amendment to this planning permit, a revised 3D digital model must be submitted to, and be to the satisfaction of the Responsible Authority.

Engineering Matters

- 24. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a vehicle crossing must be constructed in every location shown on the endorsed plans to a standard satisfactory to the Responsible Authority (Merribek City Council, City Infrastructure Department).
- 25. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority (Merri-bek City Council, City Infrastructure Department).
- 26. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Responsible Authority.
- 27. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the car park entry gate must be automatic and remote controlled.

- 28. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the bicycle storage areas must be secured from public access and have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
- 29. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the Responsible Authority. Bicycle signage should be at least 0.3 metres wide and 0.45 metres high; display a white bicycle on a blue background on the top half of the sign and display information about the direction of facilities on the bottom half of the sign.
- 30. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the public footpath is to be reinstated with the standard crossfall slope of 1 in 40 from the top of the roadside kerb to the property boundary, with any level difference made up within the site using ramps or steps.

Stormwater

- 31. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of the Responsible Authority (Note: Please contact Merri-bek City Council, City Infrastructure Department).
- 32. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

Car Parking

- 33. The area set aside for the parking of vehicles and access lanes shown on the endorsed plan must, to the satisfaction of the Responsible Authority:
 - Be completed prior to issue of an Occupancy Permit or issue of a Statement of Compliance, whichever occurs first.
 - b) Be maintained.
 - c) Be properly formed to such levels that it can be used according to the endorsed plan.
 - d) Have the boundaries of all vehicle parking spaces clearly marked on the ground to accord with the endorsed plan.
 - e) Not be used for any other purpose other than the parking of vehicles, unless with the prior written consent of the Responsible Authority.
 - f) Be numbered to facilitate management of the car park.
- 34. Before the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the owner / owner's corporation must enter into a car stacker maintenance agreement with the car stacker manufacturer and must submit a copy of the agreement to the Responsible Authority. The car stackers are to remain under a maintenance agreement at all times. If the maintenance agreement is updated, a copy must be provided to the Responsible Authority upon request.
- 35. The car stackers must be routinely serviced and maintained in accordance with the approved maintenance program to the satisfaction of the Responsible Authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.

General

- 36. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.
- 37. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views. This does not include external guttering or associated rainwater down pipes.
- 38. The office windows must not be painted or blocked out in any way, to the satisfaction of the Responsible Authority.
- 39. All lighting of external areas must be designed not to emit direct light onto adjoining property to the satisfaction of the Responsible Authority.

Privacy screens to be installed and maintained

40. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Responsible Authority.

Permit Expiry

- 41. This permit will expire if one of the following circumstances applies:
 - a) the development is not commenced within three (3) years from the date of issue of this permit;
 - b) the development is not completed within five (5) years from the date of issue of this permit.
 - c) the use is not commenced within five (5) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Notes: These notes are for information only and do not constitute part of this permit or conditions of this permit.

- 1. The proposed development requires works within the Declared Road network. Separate approval under the *Road Management Act 2004* for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport and Planning prior to commencing any works.
- 2. Should Council impose car parking restrictions in this street, the owners and/or occupiers of the land would generally not be eligible for residential or visitor parking permits to allow for on street parking. See Council's website for more information: https://www.Merri-bek.vic.gov.au/living-in-Merri-bek/parking-and-roads/changes-to-parking-in-your-area/
- 3. Further approvals are required from Council's City Infrastructure Department who can be contacted on 9240 1143 for any works beyond the boundaries of the property. Planting and other vegetative works proposed on road reserves can be discussed with Council's Open Space Unit on 8311 4300.

REPORT

1. Background

Subject site

The subject site comprises multiple properties across two Certificates of Title, located at the north-west intersection of Grantham Street and Collier Crescent.

The site has a width of 16.16 metres, a depth of 39.26 metres and a total area of approximately 640 square metres, the site fronts Grantham Street and benefits from vehicle access from Collier Crescent.

The site is occupied by single-storey commercial buildings, with a dwelling at the rear.

The site has a party wall easements and Restrictive Covenant 070820 is registered on both Certificates of Title. The proposal does not breach the restrictive covenant.

Surrounds

The site is located within the Grantham Street/Union Street, West Brunswick Neighbourhood Centre.

The surrounding area has a mix of commercial and residential buildings up to threestoreys in height.

To the south and south-east of the site are two storey commercial buildings located within the Commercial 1 Zone (55 and 46 Grantham Street). Also south of the site is a row of attached three storey residential dwellings at 48-52A Collier Crescent.

To the north and west of the site are single storey residential dwellings located within the Residential Growth Zone (63 Grantham Street and 21-23 Howson Street).

External materials commonly used include brickwork, applied render and timber weatherboard.

While some original housing stock from the late-Victorian and Edwardian eras are evident in the immediate surrounds, the area is not in a Heritage Overlay.

A location plan forms Attachment 1.

The proposal

The proposal seeks planning approval for the construction of a four storey (plus rooftop terrace) building that includes :

- 16 dwellings (10 one-beds and six two-beds);
- An office tenancy of 140 square metres at ground-floor level;
- 11 on-site car parking spaces at ground-floor level;
- 11 on-site bicycle spaces.

An overall building height of 16.9 metres (to lift overrun) is proposed, while the fourstorey parapet height is 13.74 metres at the site's Grantham Street frontage.

The Development Plans form Attachment 2.



Figure 1 – Proposed 3D perspective taken from the south-east of the site

Statutory Controls – why is a planning permit required?

Clause 32.07 Residential Growth Zone - Schedule 1	Use A permit is required to use the land for the purposes of an office. A permit is not required to use the land for dwellings. Buildings and Works A permit is required to construct two or more dwellings on a	
	lot and construct a building for a use that requires a planning permit.	
Clause 43.02 Design and Development Overlay - Schedule 24	Buildings and Works A permit is required to construct a building or construct or carry out works.	
Clause 52.02 Easements, Restrictions and Reserves	Easement Removal A permit is required before a person proceeds Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction. The application sought to remove party wall easements. However, given the two properties affected by the party wall	
	easements are owned by the same person, there is no need to remove the easements prior to commencing works, as it is not possible to have an easement in favour of oneself. As the easements will be removed upon registration of the new titles during the future subdivision process (should the project proceed to that stage), there is no need to issue a permit to remove the easements, at this time.	
Clause 52.06 Car Parking	A permit is required to reduce the standard car parking requirement. Given the site is located within the Parking Overlay, the reduced 'Column B' car parking rate is applicable to the development.	

The following Particular Provisions of the Merri-bek Planning Scheme are also relevant to the consideration of the proposal:

- Clause 45.06: Development Contributions Plan Overlay. The Development Contributions Plan has expired and is therefore not relevant to applications determined on or after 1 July 2023.
- Clause 53.18: Stormwater Management in Urban Development, requires that consideration.

2. Internal/External Consultation

Public notification

Notification of the application has been undertaken pursuant to Section 52 of the *Planning and Environment Act 1987* by:

- Sending notices to the owners and occupiers of adjoining and nearby land; and
- Placing signs on the Grantham Street and Collier Crescent frontages of the site.

Council has received four (4) objections to date. A map identifying the location of objectors forms **Attachment 3**.

The key issues raised in objections are:

- Overshadowing of secluded private open space
- Overlooking
- Car parking and traffic impacts
- Internal amenity
- Design details and external materials
- Building height
- Overshadowing of Collier Crescent footpath and abutting medical centre

Council Officers spoke with all objectors either by phone or at the informal consultation meeting held on 30 August 2024.

Internal/external referrals

The proposal was referred to the following internal branches/business units:

Internal Branch/ Business Unit	Comments
Urban Design Unit	Generally supports the proposal as a result of changes to the design made prior to the public notice period. The advice recommends that an increased upper-level setback of 3m to the wall and 1 metre to the balcony is provided to the north-west facade. The proposal seeks approval for a 2.1m setback in this location, with floating balconies built to the boundary. Subject to a recommended permit condition requiring a reduction to the depth of northern boundary wing walls in this location, the proposed arrangement is considered to represent an acceptable response to the context of the site and a suitable transition to the siting of the property to the north (63 Grantham Street). Further recommended changes relating to design detail are addressed by conditions of the recommendation and/or are considered further in Section 4 of this report.

Internal Branch/ Business Unit	Comments
Transport - Development Engineering	Supports the proposal subject to conditions. Recommended changes are addressed by conditions of the recommendation and/or are considered further in Section 4 of this report.
Sustainable Built Environment - ESD Team	Supports the proposal subject to conditions. Recommended changes are addressed by conditions of the recommendation and/or are considered further in Section 4 of this report.

3. Policy Implications

Planning Policy Framework (PPF):

The following policies are of most relevance to this application:

- Municipal Planning Strategy (Clause 2)
- Settlement (Clause 11)
- Environmental Risks and Amenity (Clause 13)
 - Noise (Clause 13.05)
 - Discretionary uses in Residential Zones (Clause 13.07-1L)
- Built Environment (Clause 15.01), including:
 - Urban Design (Clause 15.01-1S, 15.01-1R and 15.01-1L)
 - Vehicle Access Design in Merri-bek (Clause 15.01-1L)
 - Building Design (Clause 15.01-2S and 15.01-2L)
 - Apartment developments in Merri-bek (Clause 15.01-2L)
 - Environmentally Sustainable Development (Clause 15.01-2L-05-1L)
 - Energy efficiency in Merri-bek (Clause 15.01-2L-04)
- Residential Development (Clause 16.01), including:
 - Housing Supply (Clause 16.01-1S and 16.01-1R)
 - Homes in Merri-bek (Clause 16.01-2L)
 - Housing for People with Limited Mobility (Clause 16.01-1L)
 - Housing Affordability (Clause 16.01-2S and 16.01-2L)
- Transport (Clause 18)
 - Sustainable and Safe Transport (Clause 18.02-3S)
 - Roads and Car Parking (Clause 18.02-4S and 18.02-4L)
- Infrastructure (Clause 19.02)

Human Rights Consideration

This application has been processed in accordance with the requirements of the *Planning and Environment Act 1987* (including the Merri-bek Planning Scheme) reviewed by the State Government and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006, including Section 18 (Taking part in public life).* In addition, the assessment of the application has had particular regard to:

Section 12: Freedom of movement

- Section 13: Privacy and Reputation
- Section 20: Property rights

An assessment of whether there is any potential for unreasonable overlooking has been undertaken in Section 4 of this report. The proposed redevelopment of private land does not present any physical barrier preventing freedom of movement. The right of the landowner to develop and use their land has been considered in accordance with the Merri-bek Planning Scheme.

4. Issues

In considering this application, regard has been given to the Planning Policy Framework (PPF), the provisions of the Merri-bek Planning Scheme, objections received, and the merits of the application.

Does the proposal have strategic policy support?

Both State and local planning policies support increased housing and commercial uses in locations that can take advantage of excellent access to public transport and other services within Activity Centres.

Located within a Residential Growth Zone and Neighbourhood Activity Centre, the site benefits from this policy support. As such, a change from the existing character of the surrounding area is expected.

Does the proposal respond to the preferred future character of the area?

The Residential Growth Zone seeks to provide housing at higher densities, which in this case represents a change from the existing character of the area. The Design and Development Overlay (DDO24) guides the design of buildings in these areas, to ensure they make a positive contribution to a new preferred building form.

The proposal seeks to vary the discretionary requirements set out in DDO24 relating to overall building height and upper-level setbacks as summarised below:

Design Element	DDO24 Preferred Control	Proposed	Variation
Building height	13.5m / four- storeys	16.9m (to lift core/stair) 13.74m (to fourth-storey parapet, excluding lift core/stair/rooftop terrace).	Non-compliant by 3.4m (to lift core/stair as these do not meet the height exemptions in DDO24).
Front setback to Grantham Street	0m, with buildings to be constructed to the street boundary.	0m.	Complies.
Side setbacks to northern boundary	2m for secondary outlook (i.e. Apts 105, 205, 305)	2m.	Complies.
Setbacks to southern boundary	0m at corner, then graduate to 3m	0m at the corner, then 1.5m to 4.5m staggered setbacks	Non-compliant by 1.5 metres to part of the boundary.
Rear setbacks to western boundary	3m at ground floor	3m – 4.5m at ground-floor (Apt G01) and first-floor balconies (Apts 104 and 105).	Non-compliant to first-floor balcony by 1.5m – 3m.

Design Element	DDO24 Preferred Control	Proposed	Variation
	6m for built form above 4m in height (ie. Apt G01 and Levels 1-3)	6m to building line (Levels 1 to 3)	Compliant at all other levels.

While departures from some requirements of Schedule 24 to the Design and Development Overlay (DDO24) are sought, the proposal is found to satisfy the design objectives of this overlay, which include:

- To ensure built form outcomes are appropriate to the context of Merri-bek's Neighbourhood Centres.
- To improve the quality of higher density and mixed use developments by providing appropriate built form guidance.
- To improve amenity outcomes for residents in higher density and mixed use developments and for residents in adjacent buildings.
- To ensure that new development makes a positive contribution to the public realm.

Building Height

The proposal generally aligns with the preferred four storey height expected by DDO24. The wall height of 13.74 metres represents a small exceedance of 240mm above the preferred height, to the site's Grantham Street frontage. This is considered acceptable and is not expected to materially detract from the character or amenity of the surrounding area.

The lift core/stairwell structure servicing the rooftop terrace exceeds the preferred height control by a total of 3.4 metres, while a rooftop pergola structure and screening are also non-compliant. This is considered acceptable given the limited footprint of the lift core and pergola structures, the modest visual impact of the rooftop facilities, and the benefit to amenity for residents that it will provide.

A sightline analysis undertaken in Council's 3D modelling platform indicates that the rooftop structures will only be readily visible from mid-range views to the north and north-east. Further, the adjoining sites at 63 and 65 Grantham Street may be consolidated and developed in the future in accordance with the expectations of the Residential Growth Zone and Design and Development Overlay (Schedule 24). Development of these properties at four-storeys would obscure views to the proposed development from the north.

The lift core is not expected to be visible from the opposite footpaths of Grantham Street and Collier Crescent directly adjacent to the site.

Setbacks to Collier Crescent

The proposed development is appropriately built to the corner of Grantham Street and Collier Crescent, with the front 0m setback wrapping around to the site's secondary frontage. Staggered setbacks of between 1.5 and 4.5 metres are proposed towards the western portion of the site's Collier Crescent interface. This is an appropriate change from the commercial character of the Grantham Street corner to the residential character of Collier Crescent. The setbacks appropriately graduate to respect the setback of 23 Howson Street immediately west of the site, which has a side setback to Collier Crescent of approximately 1.5 metres.

Northern Side Setbacks

A two metre setback is provided where there are secondary outlooks from apartments 105, 205 and 305. Recommended permit conditions required the planting of additional trees in this location to ensure compliance with the relevant DDO24 direction.

The wall on boundary at the north-west corner and 1.35 metre setback of the lift and stair is appropriate, enabling similar on-boundary development of the site to the north.

Western Rear Setbacks

The rear elevation is generally compliant with DDO24 requirements from and above Level 1, save for the first-floor balconies of Apartments 104 and 105 within the preferred 6 metre setback requirement by between 1.5 and 3 metres. As shown in the image below, the balustrades essentially form a modest extension to the ground-floor wall.

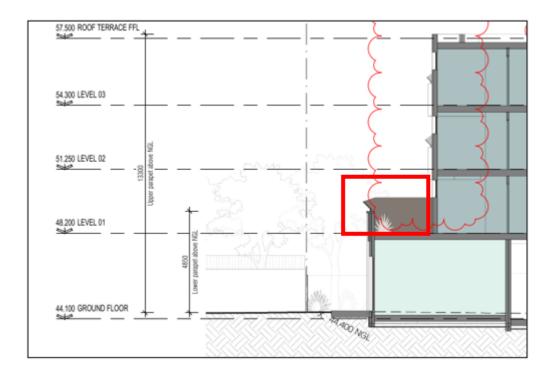


Figure 2 – Southern section, with the area of non-compliance in red box (TP220-C) This variation is considered acceptable, given:

- the balustrading of these balconies is integrated into the design of the building;
- the visual relief provided by staggered setbacks; and
- the landscaped setting that will limit any visual impacts.

Materiality and External Appearance (Detailed Design)

DDO24 identifies the site's Grantham Street frontage for a preferred residential character. The office frontage is considered acceptable, however, given the site's proximity to the Commercial 1 Zone, its main road frontage, and the considered manner in which this elevation has been proposed.

At ground-floor, suitable levels of visual interest and activation are achieved through the use of brickwork and the provision of glazed windows to the office tenancy.

To Collier Crescent, a suitably resolved mix of glazing, planters, a glazed pedestrian entry and an integrated garage door is offered to the streetscape. Partially permeable fencing to the ground level residential dwelling provides further interest and is considered acceptable. The recommendation includes a condition to lower the front fencing, to improve street activation.

Subject to a permit condition confirming the garage door's material, design quality and visual permeability, the proposed garage entrance is considered acceptable, noting:

 The numerous garage doors on the south side of Collier Crescent, directly opposite the site; and The fact the site already has a double garage at its south-west corner.

At the upper levels, a suitable mix of materials are expected to provide sufficient visual interest to the southern, western and eastern elevations.

Insufficient visual interest is provided to the northern elevation, however, with excessive extents of cementitious panels proposed to the northern boundary wall and wall associated with the lift core. While the fibre cement panelling material in a raw finish is considered acceptable when applied as one of multiple finishes - such as it is used on the east, south and west elevations - wider application to the north elevation is considered to offer a bland presentation of an institutional character. Recommended permit conditions require additional visual interest in these locations to ensure excessively bland and monotonous walls are avoided.

Is the proposed office use acceptable?

The proposed office use is considered acceptable given the site's location within 10 metres of a Commercial 1 Zone (located on the opposite side of Collier Crescent) and access to a road in a Transport 2 Zone. The provision of low impact office tenancies within the Residential Growth Zone is acceptable in light of the site's strategic setting within a Neighbourhood Activity Centre.

Does the proposal result in any unreasonable off-site amenity impacts?

DDO24, together with Clauses 15.01-2L and 55 of the Merri-bek Planning Scheme, seek to manage the amenity of adjacent properties within or next to activity centres.

Schedule 1 to the Residential Growth Zone (RGZ) does not vary Clause 55 standards except for the Landscaping Objective. As such, an assessment against the Clause 55 standards is required. However, amenity expectations in this area must be tempered against the strategic direction for change sought by the RGZ, and a suitable balance must be struck when considering off-site amenity impacts. For example, the DDO24 side and rear setback requirements should be given greater weight than the setback requirements set out in Standard B17 of Clause 55, as the DDO24 setbacks allow for the land to be developed in accordance with its higher density expectations. Other key standards relating to external amenity impacts are discussed below.

Overshadowing and Overlooking

The proposal achieves compliance with Clause 55's Overshadowing Open Space Objective (Standard B21). The secluded private open spaces of adjoining properties at 21 and 23 Howson Street would achieve a compliant level of access to sunlight on the equinox.

Impacts of overlooking to the west and north are resolved through the provision of high windowsills to the northern elevation and screening devices to west-facing balconies. The unscreened portion of Apartment 104's west-facing balcony is not provided with opportunities for direct overlooking to the adjoining properties to the west given its distance from 21 Howson St exceeding the 9 metre distance of the overlooking standard, and the presence of two outbuildings in the rear yard of 23 Howson Street.

Habitable room windows associated with the three storey townhouses on the southern side of Collier Crescent are located more than 9 metres from the proposed southfacing windows and balconies, and as such, screening is not required to these areas.

Daylight to Existing Windows

The proposal seeks to vary Clause 55.04-3 (Daylight to Existing Windows - Standard B19), which seeks to protect the amenity of the adjoining property at 63 Grantham Street through ensuring adequate daylight is achieved to south-facing habitable rooms. Of most relevance is the siting of the lift core/stairwell structure, which achieves a clearance of 1.88 metres to the two affected south-facing habitable room windows at the adjoining property. This significantly departs from Standard B19's nominal requirement of an 8.45 metre clearance.

Daylight modelling submitted by the applicant demonstrates that proposal would result in improved daylight access to the affected south-facing rooms at 63 Grantham Street when compared to existing conditions. The two south-facing rooms (Bedrooms 2 and 3, as noted in the advertised Daylight Impact Analysis Report prepared by Ascot Consulting Engineers) currently have an outlook to a darkly coloured, single-storey brick wall constructed approximately 800mm from the common boundary. A daylight factor of 0.25 is achieved to 10 per cent and 19 per cent of the respective floor areas, which sits below the standard BESS daylight requirement for a daylight factor of 0.5 to 10 per cent of each bedroom. By finishing the lift core wall in a lightly-toned reflective manner, the Daylight Impact Analysis Report concludes that these rooms can expect to receive improved daylight compared to the existing conditions, with daylight factors of 0.25 achieved to 34 per cent and 69 per cent of Bedrooms 2 and 3 respectively. While below the standard expectations relevant to daylight access, the amenity of the affected rooms will not be unreasonably impacted by the proposed works. The Daylight Modelling Report has been reviewed and accepted by Council's ESD Unit.

The proposed arrangement is considered acceptable in relation to off-site amenity impacts – particularly given the site's strategic location within a Neighbourhood Activity Centre and Residential Growth Zone, where increased density is to be expected. It's further noted that the neighbouring property to the north may be redeveloped in the future in accordance with the strategic direction of the Neighbourhood Activity Centre.

Does the proposal provide appropriate onsite amenity and facilities?

The proposal achieves compliance with key Clause 55.07 objectives relating to internal amenity such as:

- Communal Open Space (Standard B36), where 158 square metres is provided (in excess of Planning Scheme requirement of 45 square metres);
- Private Open Space (Standard B43), where all dwellings are provided with compliant balconies or courtyards;
- Storage (Standard B44);
- Functional Layout (Standard B46), with all living areas and bedrooms achieving compliance; and
- Natural Ventilation (Standard B49), where 81 per cent of dwellings comply (in excess of the minimum Planning Scheme requirement of 40 per cent).

Has adequate car parking been provided?

The table below outlines the car parking requirements for the development based on the provisions of Clause 52.06 of the Merri-bek Planning Scheme:

Use	Total spaces required	Total spaces provided	Reduction sought
Dwellings (resident)	16	11	5
Dwellings (visitor)	0	0	0
Office Premises	4	0	4
Total	20	11	9

Clause 18.02-4L (Car Parking in Merri-bek) supports reduced car parking rates in developments that are within and close to activity centres, that benefit from excellent access to public transport options, and that provide increased bicycle parking above the rates specified in Clause 52.34.

The proposal is located within the Grantham Street/Union Street, West Brunswick Neighbourhood Centre and benefits from convenient access to public transport, including a north-south tram connection on Grantham Street (Route 58), east-west bus connections on Dawson Street (220m from the site) and Brunswick Road (460m), and Jewell Railway Station (1km). Further, the development provides 11 on-site bicycle parking spaces, exceeding the Planning Scheme requirement of four spaces. Two carshare facilities are located within 450 metres of the site, further adding to the availability of alternative transport modes available to future occupants of the development.

Council's Development Engineers are satisfied that the residential and commercial car parking requirement can be reduced in the manner proposed. Recommended permit conditions require the ongoing maintenance of any car stacker hereby approved. This aims to reduce the likelihood of malfunctions and increases the likelihood of future tenants parking in the garage rather than on the street.

It's noted that, should Council impose car parking restrictions in this street, the new owners and/or occupiers of the development (if approved) would generally not be eligible for residential or visitor parking permits to allow for on street parking. As such, future occupants will be required to park in accordance with applicable restrictions.

Are adequate loading/unloading facilities provided?

Clause 65.01 requires consideration of the adequacy of loading and unloading facilities.

The Traffic Impact Assessment submitted as part of the application recommends that on-site loading for the office and dwellings is not required. This is due to the modest size of the office, and the location of on-street parking spaces within close to the site.

The Traffic Impact Assessment submitted indicates waste collection will be conducted by a private contractor who will utilise adjacent parking spaces or the Collier Crescent. To reduce potential impacts to traffic movements at peak times, recommended Waste Management Plan permit conditions require waste to be collected between the hours of 9.30am and 2.30pm (Monday to Friday) only.

Council's Development Engineers have reviewed the proposal and do not raise concern with the proposed loading or waste collection arrangements.

What impact does the proposal have on car congestion and traffic in the local area?

Council's Development Engineers consider that the proposed use and development will result in eight additional vehicle movements per hour on Collier Crescent. This is not expected to result in unacceptable congestion at nearby intersections and is considered acceptable.

5. Response to Objector Concerns

The following issues raised by objectors are addressed in Section 4 of this report:

- Overshadowing of secluded private open space
- Overlooking
- Car parking and traffic impacts
- Internal amenity
- Design details and external materials
- Building height

Other issues raised by objectors are addressed below.

Overshadowing of Collier Crescent footpath and abutting medical centre

Overshadowing of public footpaths and abutting medical centre consulting rooms is not a relevant planning consideration in this application. Nevertheless, the shadow diagrams submitted with the application show only limited shadow on the southern footpath of Collier Cresent at 9am and 10am at the equinox and do not affect the medical centre.

6. Officer Declaration of Conflict of Interest

Council Officers involved in the preparation of this report do not have a conflict of interest in this matter.

7. Financial and Resources Implications

There are no financial or resource implications.

8. Conclusion

The proposed development is considered to represent an acceptable response to the strategic setting of the site and the future character of the surrounding area. At four storeys (plus rooftop), the development respects the amenity of abutting properties, and subject to recommended permit conditions, can achieve acceptable outcomes in relation to building design, appearance and environmentally sustainable design.

On the balance of policies and controls within the Merri-bek Planning Scheme and objections received, it is recommended that a Notice of Decision to Grant Planning Permit No MPS/2023/416 be issued subject to the conditions set out in the Recommendation.

Attachment/s

1 <u>↓</u>	Location and Zoning Plan	D24/418934
2 <u>↓</u>	Proposed Development Plans	D24/418932
3 <u>↓</u>	Objector Location Map	D24/418931

Location and Zoning Plan Attachment 1

Location Plan

57-61 Grantham Street, Brunswick West





Location and Zoning Plan Attachment 1

Zoning Plan

Subject site

57-61 Grantham Street, Brunswick West

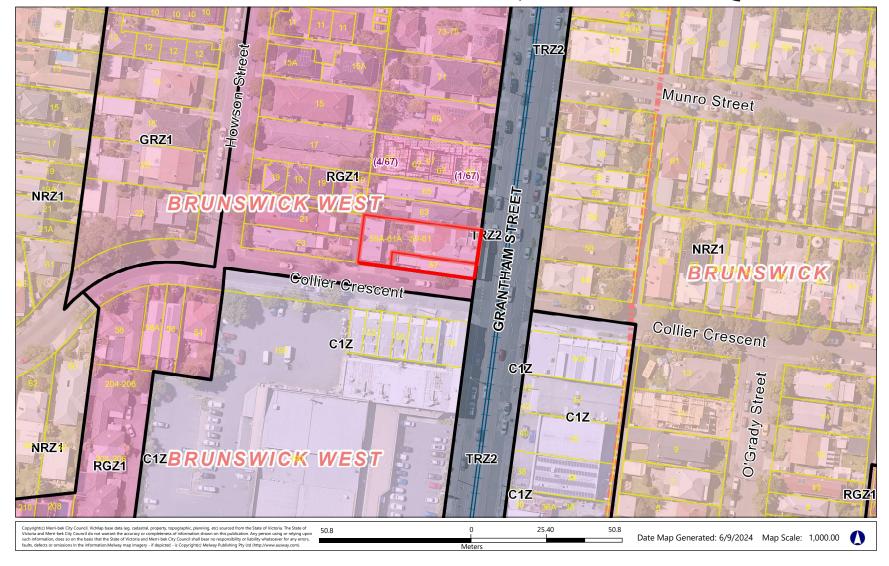
RGZ1 = Residential Growth Zone C1Z = Commercial 1 Zone

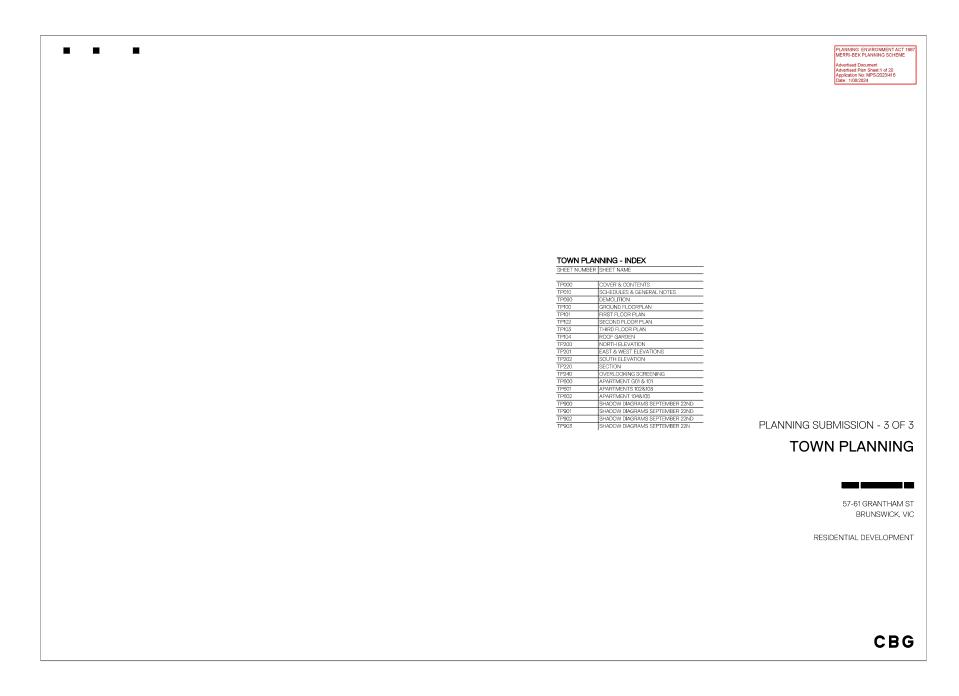
GRZ1 = General Residential Zone

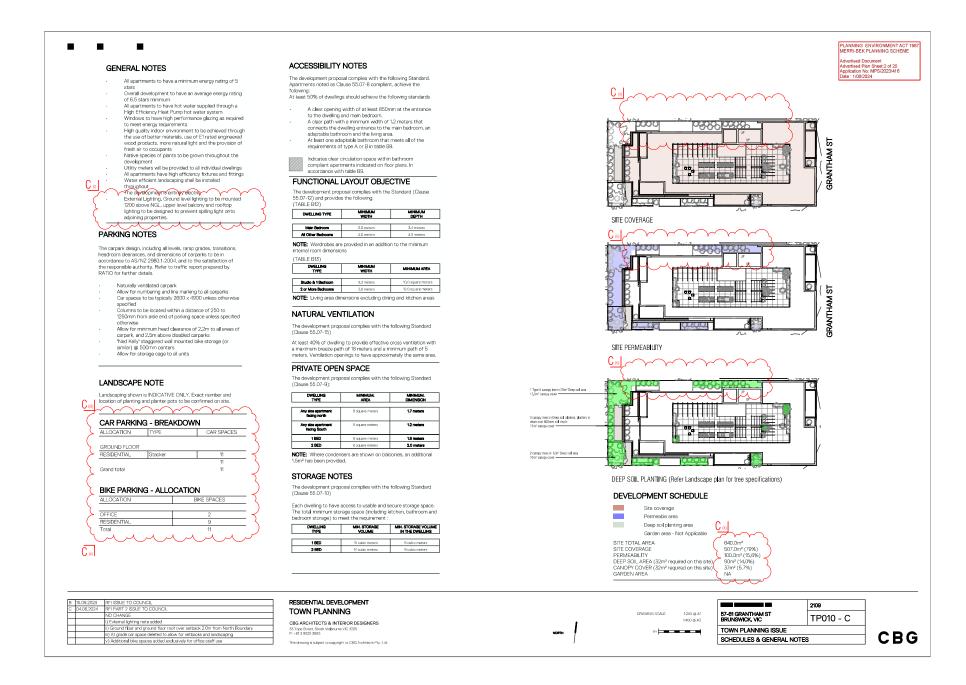
NRZ1 = Neighbourhood Residential Zone

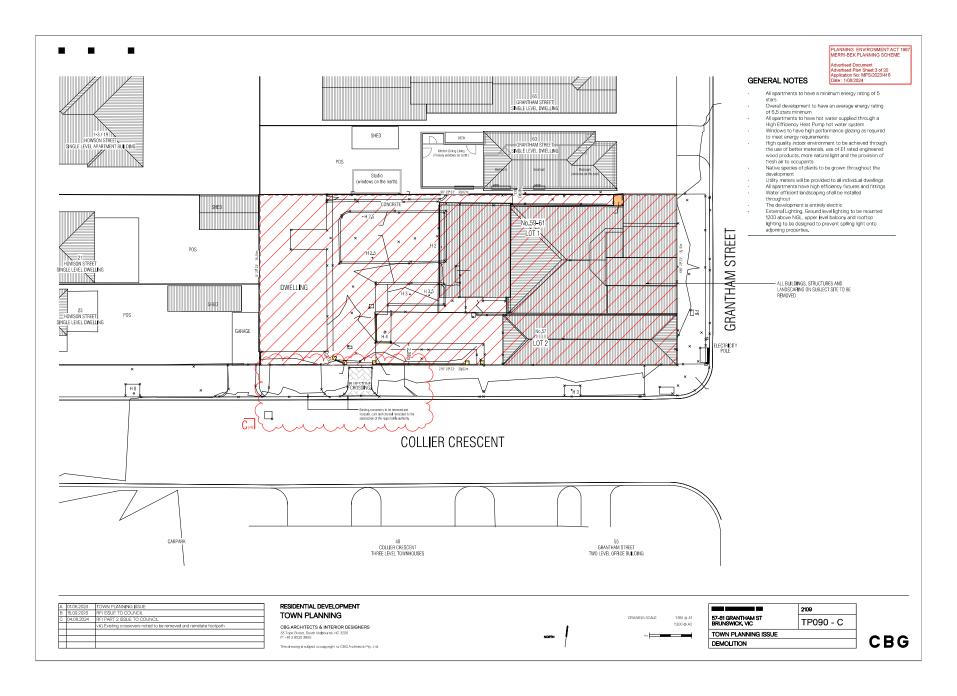
TRZ2 = Transport Zone 2

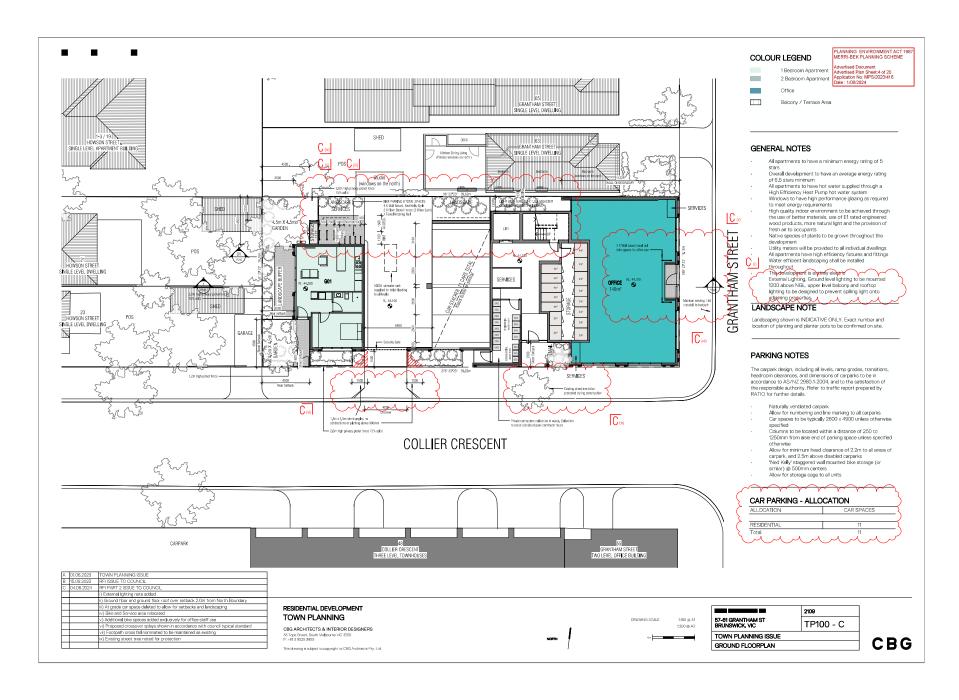


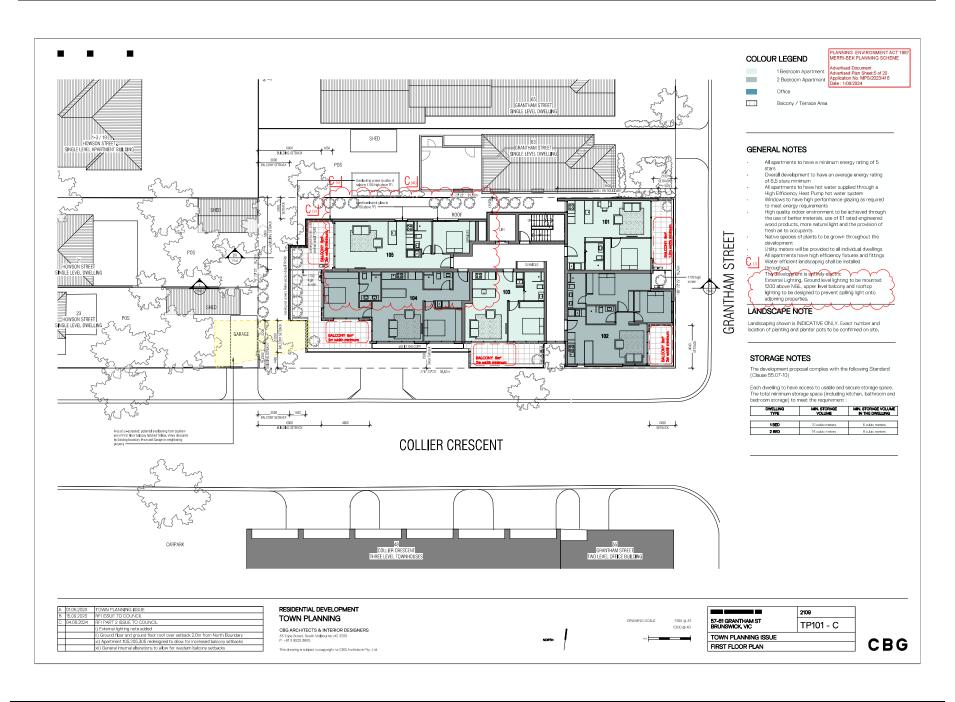


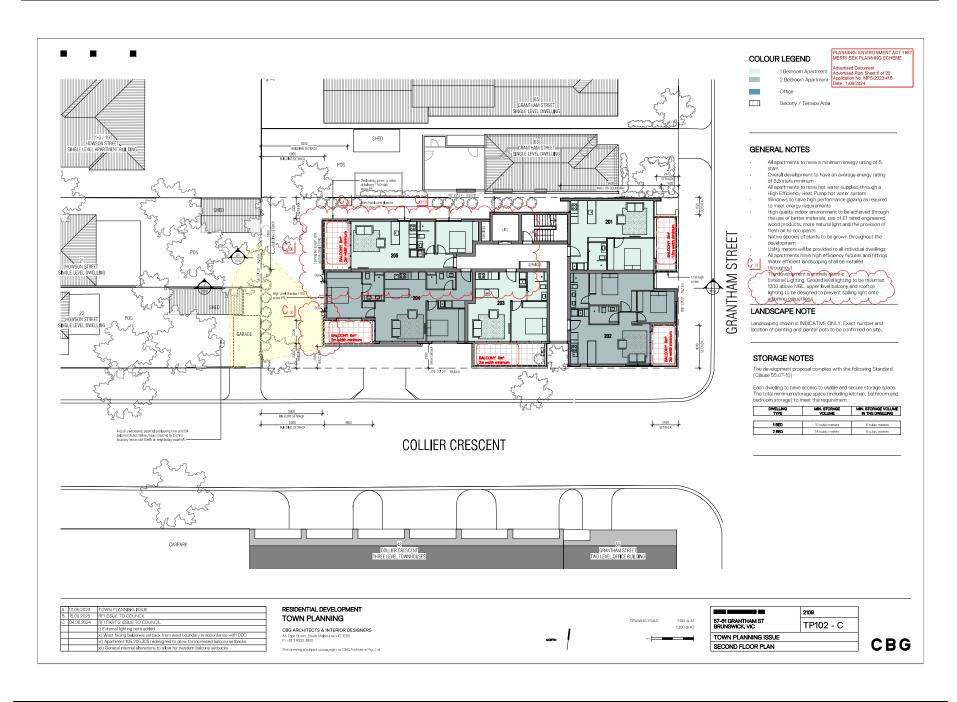


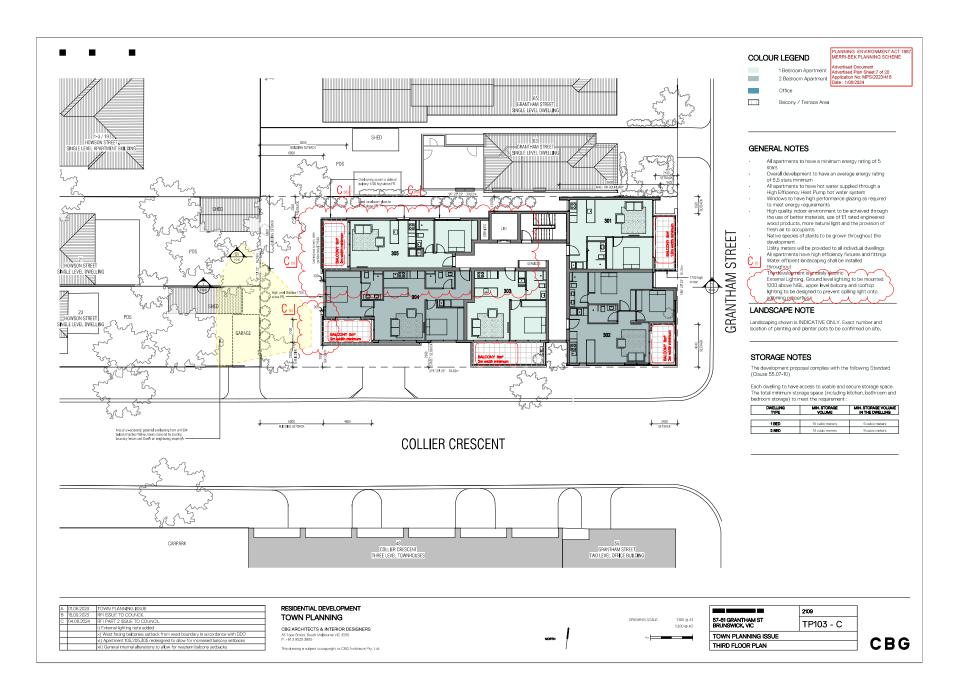


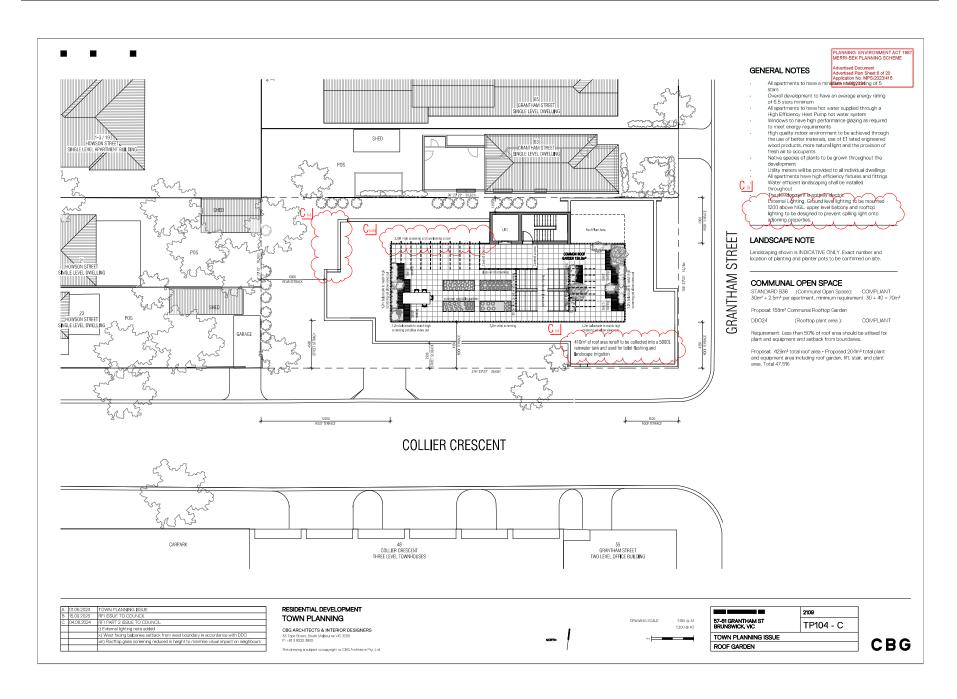


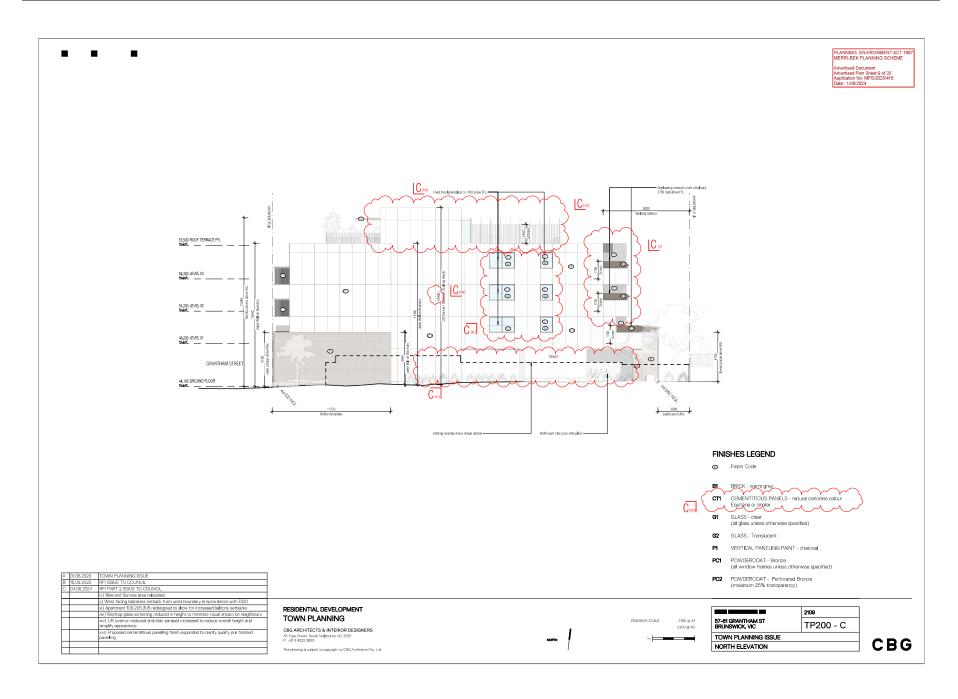


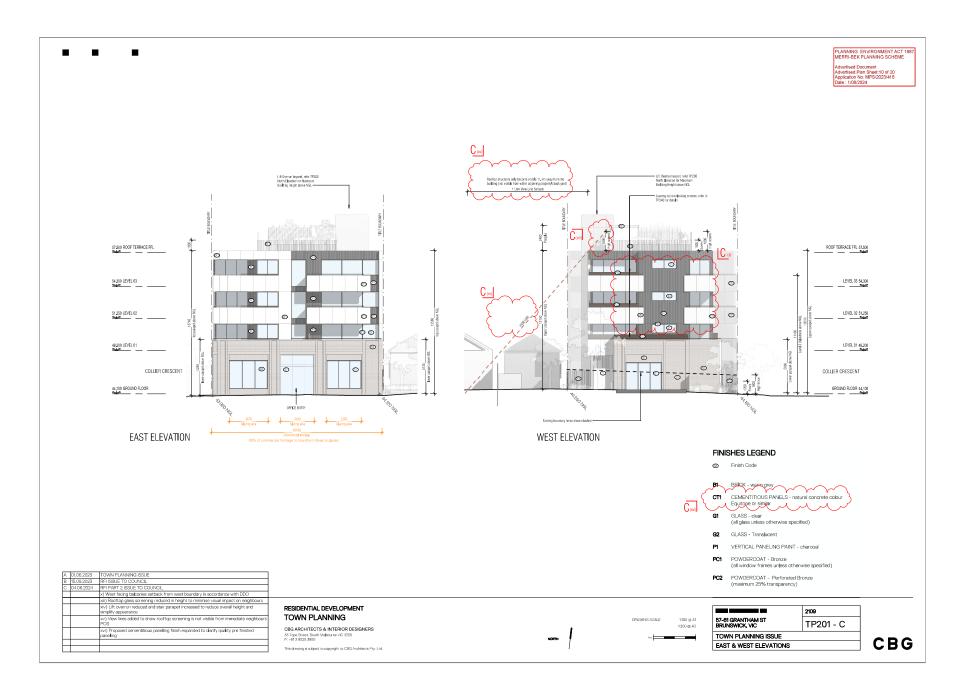


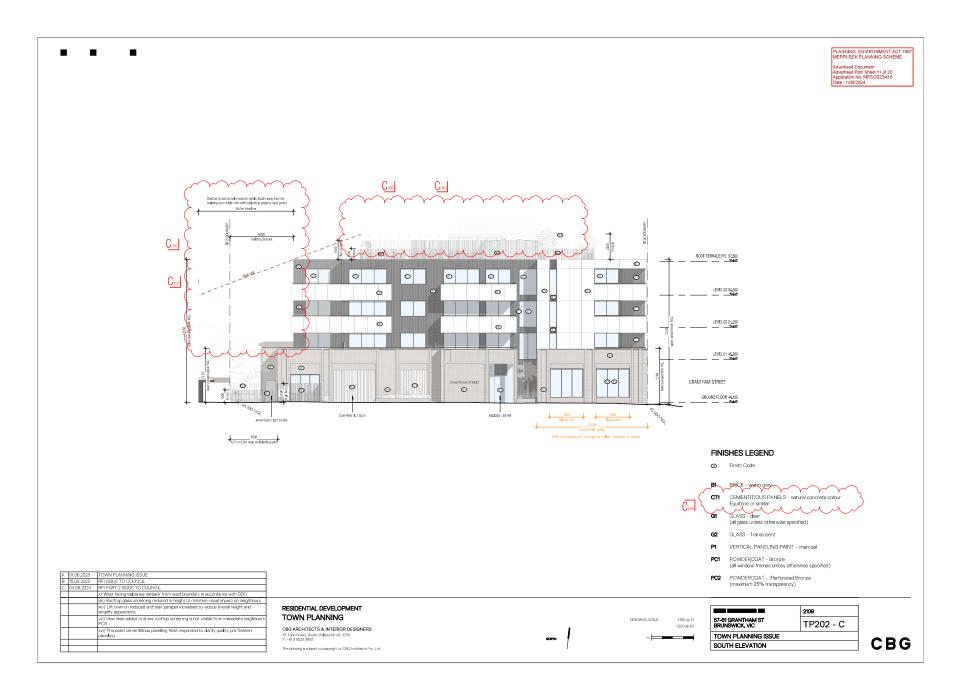


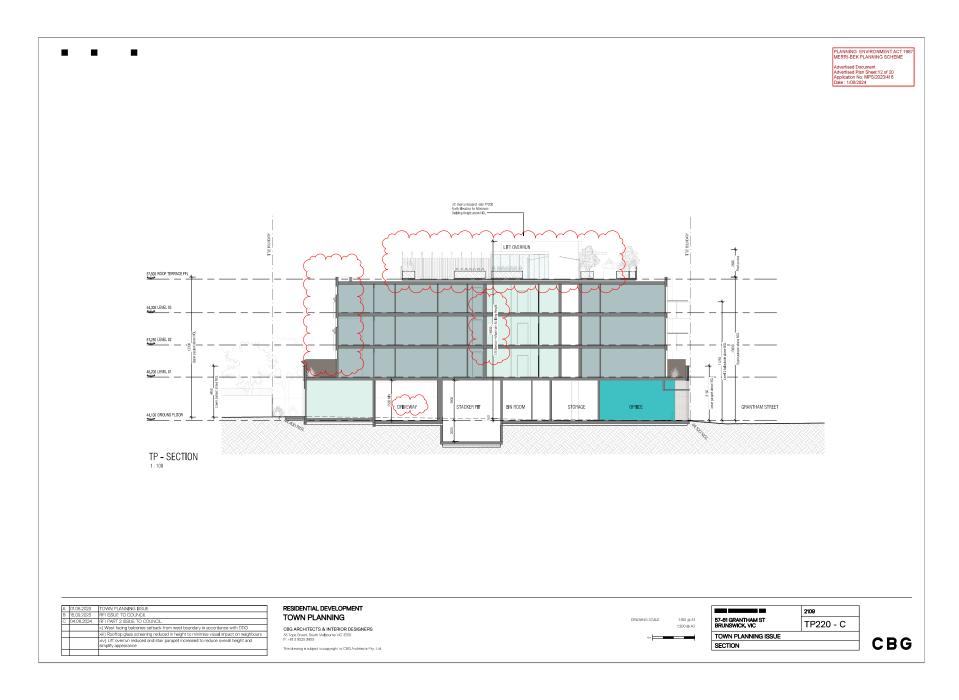


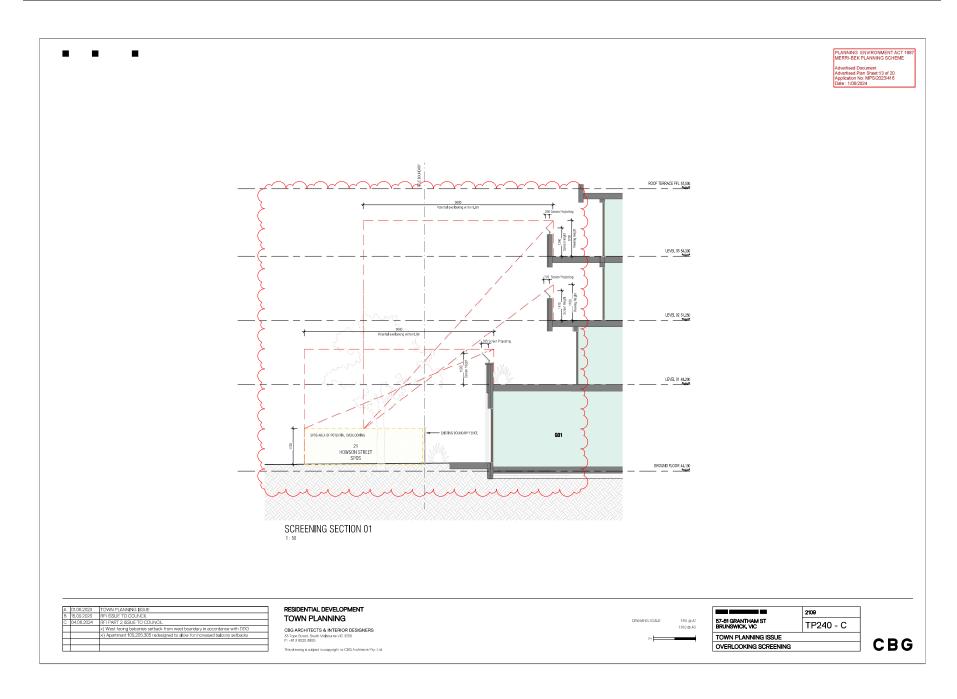


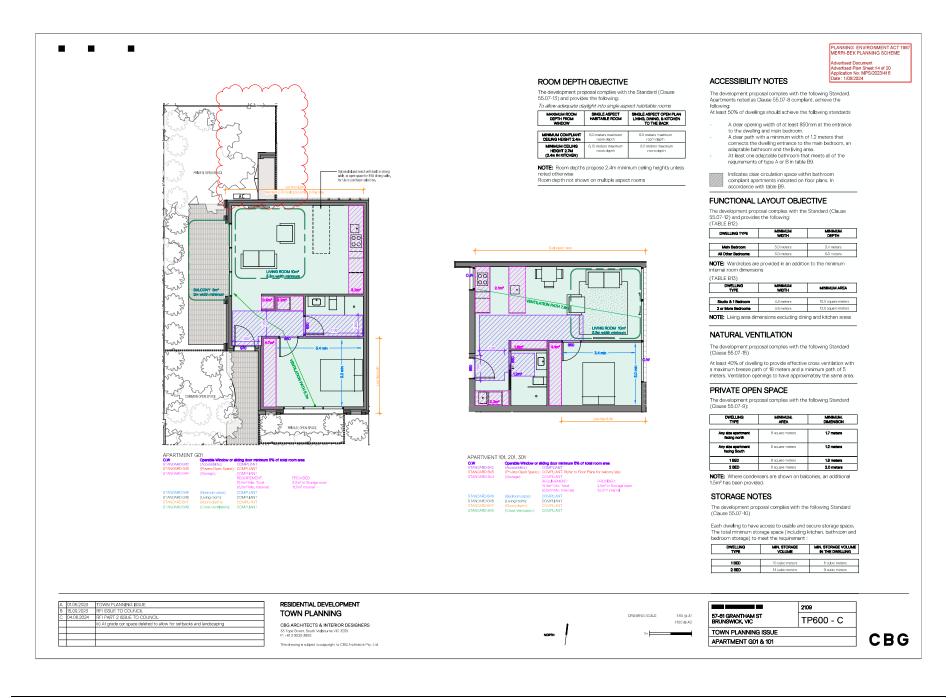


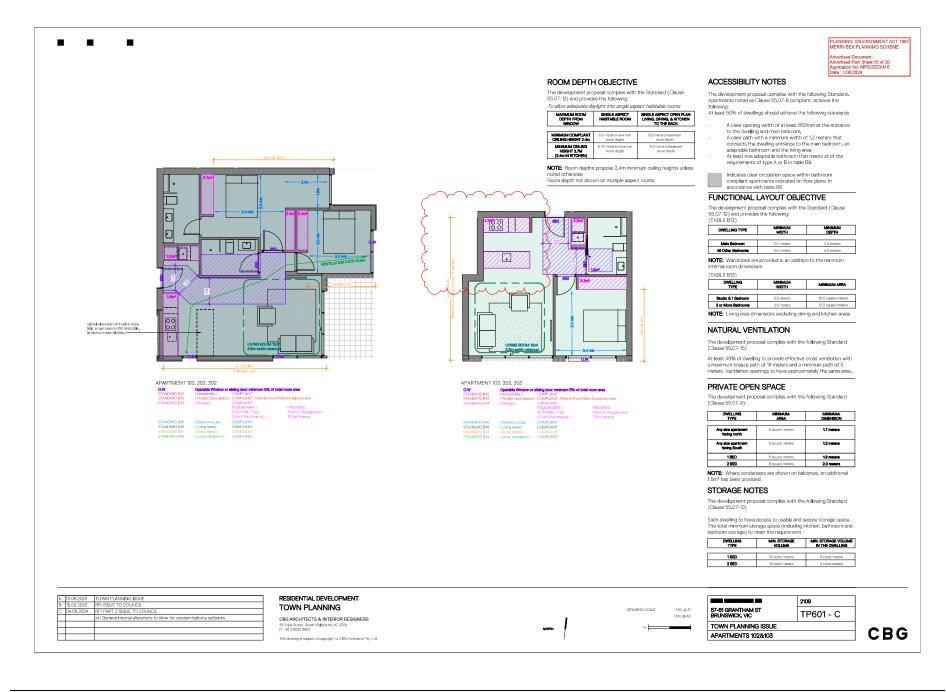


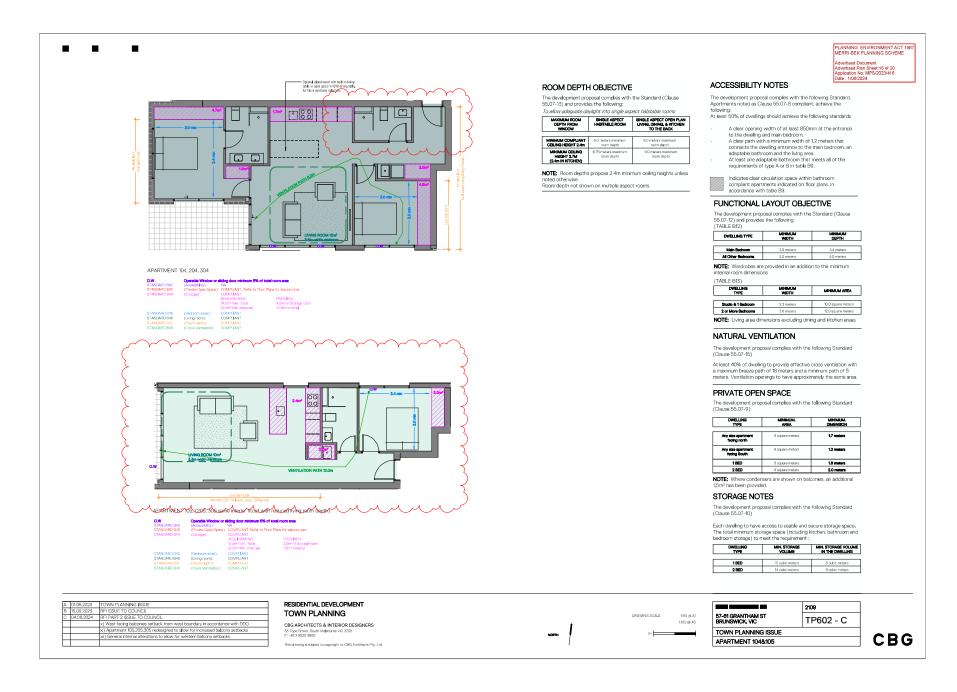


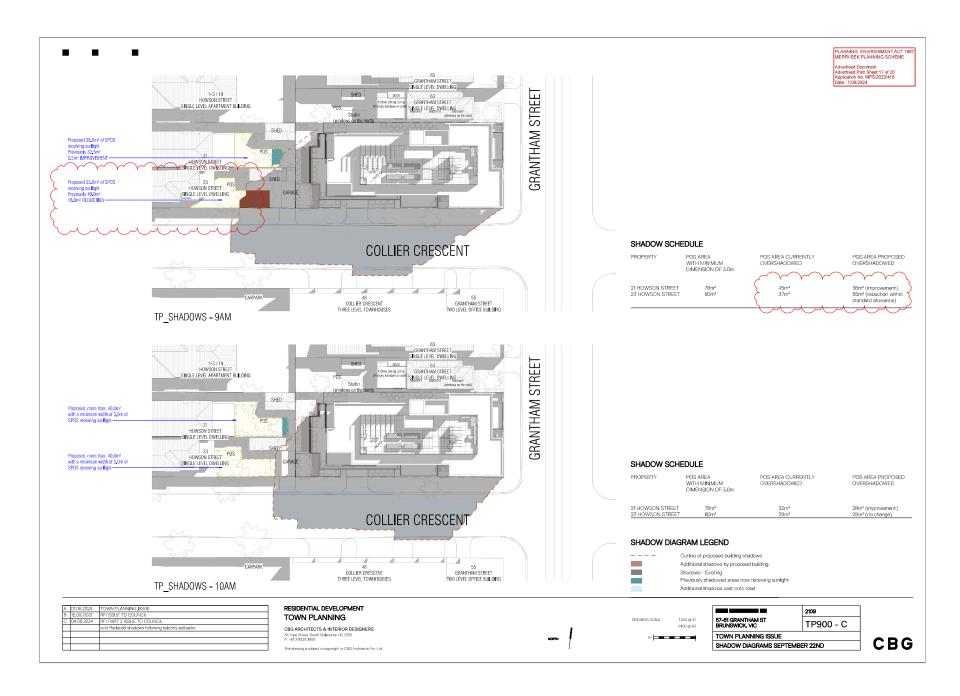


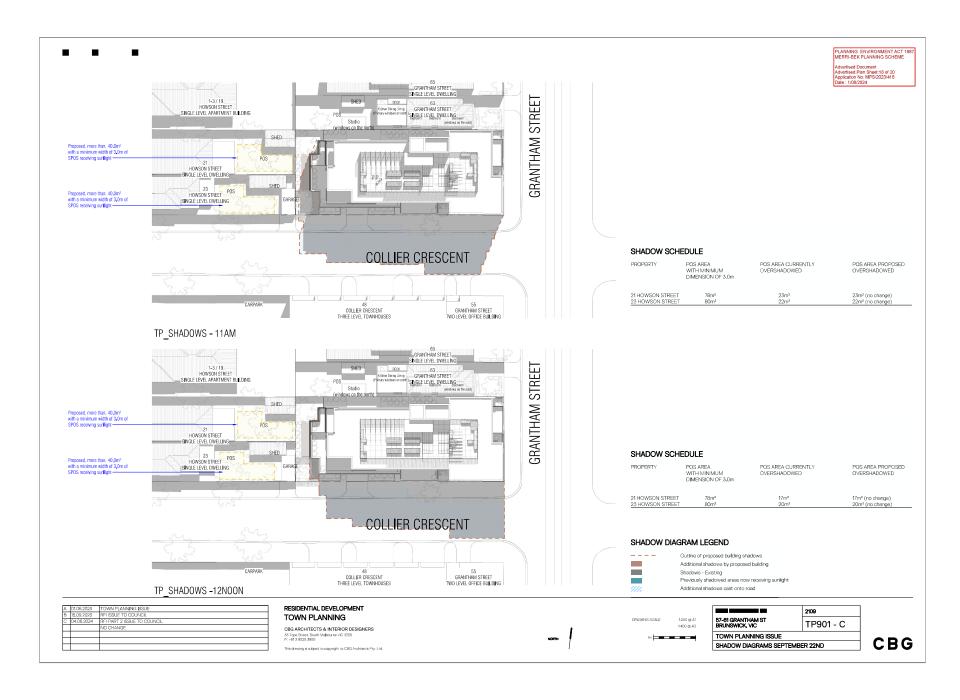


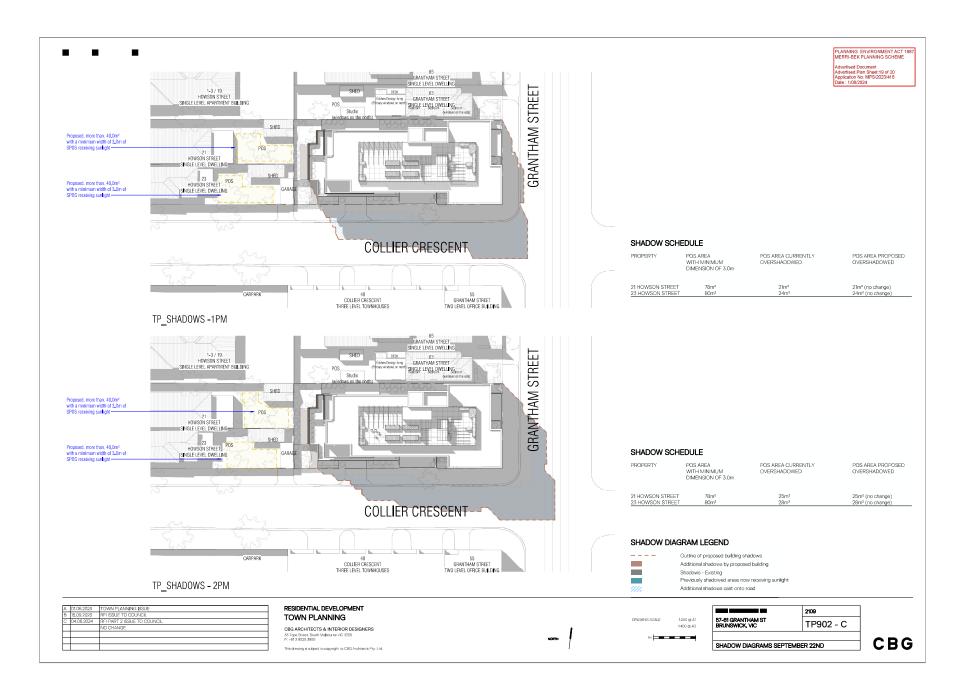


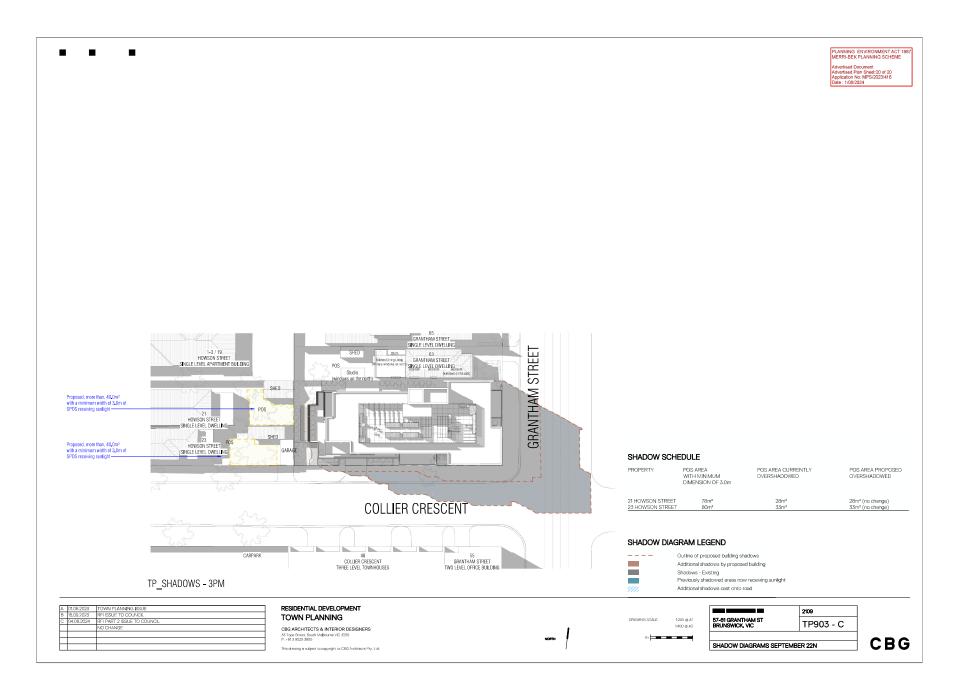












Objector Location Map Attachment 3

Objector Location Map

57-61 Grantham Street, Brunswick West





One objector located outside of map area





5.2 24 JESSIE STREET AND 19 HALL STREET, COBURG - MINISTERIAL APPLICATION - PPE/2024/310

Director Place and Environment, Pene Winslade City Development

Caretaker Statement

The recommended decision is not a decision prohibited by the Act and is a decision that falls within the guidance of the Election Period Policy.

Executive Summary



Property:	24 Jessie Street and 19 Hall Street, Coburg			
Proposal:	To construct 75 social and affordable housing dwellings across two buildings, use of the land for an office, the reduction of the statutory car parking rate, buildings and works in the heritage overlay and the removal of an easement.			
Zoning and Overlay/s:	 Neighbourhood Residential Zone – Schedule 1 Development Contributions Plan Overlay Heritage Overlay – Schedule 573 			
Strategic setting:	Minimal change Incremental change Significant change			
Objections:	Notification of the application has been given by the Minister for Planning and any objections to the application should be submitted to the Department of Transport and Planning			
ESD:	 Minimum average NatHERS rating of 7.1 stars 20kW solar panels on roof 60 per cent BESS Score 			
Accessibility:	Adaptable apartments comprise 60 per cent of the proposal.			
Key reasons for support	 Significant net community benefit with 100 per cent social and affordable housing provision to be owned and operated by a community housing provider Acceptable building heights, setbacks and architecture Adaptable apartments comprise 60 per cent of the proposal 			
Recommendation:	Council's submission to the Department of Transport and Planning (DTP) be one of support for the application subject to conditions outlined in the recommendation.			

Officer Recommendation

That Council's submission to the Department of Transport and Planning (DTP) be that no objection is offered to the issue of a planning permit to construct 75 social and affordable housing dwellings across two buildings, use of the land for an office, the reduction of the statutory car parking rate, buildings and works in the heritage overlay, and the removal of an easement at 24 Jessie Street and 19 Hall Street, Coburg subject to the following conditions:

Amended Plans

- 1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with Merri-bek City Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans dated 05 April 2024 by DKO Architecture but modified to show:
 - a) The dwelling mix amended to have a minimum 10 per cent proportion of 3 (or more) bedroom dwellings with modifications to occur within the approved building envelope.
 - b) Removal of the easement in accordance with Condition 25 of this permit.
 - c) Minimise unreasonable overlooking in accordance with condition 1(d) into habitable room windows and secluded private open space of neighbouring dwellings from the following:
 - i. East facing first floor window of Dwelling A.1.09.
 - ii. North-East first floor window of Dwelling B.1.09.
 - iii. East facing balcony of Dwelling B.1.10.
 - iv. East facing balcony of Dwelling A.2.06.
 - v. East facing balcony of Dwelling A.2.07.
 - vi. North-East facing second floor window of Dwelling B.2.09.
 - vii. South-East facing second floor balcony of Dwelling B.2.10.
 - viii. North-East facing third floor window of Dwelling B.3.08.
 - ix. South-East facing third floor balcony of Dwelling B.3.09.
 - x. All west facing first-floor habitable windows and balconies of the northern building.
 - xi. All west facing second-floor balconies of the northern building.
 - d) A detailed screening diagram which must include:
 - i. Techniques to ensure reasonable outlook from impacted apartments is maintained.
 - ii. All dimensions, including the width of slats and the gap between slats.
 - iii. All side screens.
 - iv. Compliance with Clause 55.04-6 (overlooking) of the Merri-bek Planning Scheme.
 - e) The waste bin room relocated to the eastern side of the car parking under croft (or elsewhere on site) and the western landscape buffer continued to the southern side of the fire tank. The waste bin room must also be redesigned to ensure no bin is placed behind another bin.
 - f) At least 112 bicycle parking spaces for residents.

- g) At least 20 per cent of the resident and staff bicycle parking devices designed to provide ground level horizontal (i.e. 1800mm long) bike parking devices in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
- h) Dimension each bicycle parking device 500mm wide and the horizontal bike spaces 1800mm long and the vertical bicycle spaces 1200mm long, with every space accessed from a 1500mm wide access aisle as required by the Australian Standard for Parking Facilities Bicycle Parking (AS2890.3).
- i) The bicycle storage room to have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3).
- j) A schedule of all proposed exterior decorations, materials, finishes and colours, including colour samples and physical materials board sent to the office of the Responsible Authority.
- k) Notation at each existing crossover stating 'removal and/or relocation of crossover and reinstatement of nature strip to the satisfaction of Merri-bek City Council.
- I) Any changes to plans and reports arising from the:
 - i. Landscape Plan in accordance with Condition 3 of this permit.
 - ii. Tree protection zone(s) in accordance with Condition 6 of this permit, to the Council street trees and Tree Group 1 Pencil Pines.
 - iii. A Tree Management Plan (TMP) and associated protection measures for Tree 2 Moreton Bay Fig in accordance with Condition 7 of this permit.
 - iv. The Environmentally Sustainable Design initiatives that are required to be shown on plans, as contained within Condition 8 of this permit.
 - v. Accessibility Report in accordance with Condition 12 of this permit.
 - vi. Waste Management Plan in accordance with Condition 14 of this permit.
 - vii. Green Travel Plan in accordance with Condition 16 of this permit.
 - viii. Public Works Plans in accordance with Condition 19.
 - ix. Acoustic Report in accordance with Condition 21.

Compliance with Endorsed Plans

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to any exemption specified in Clauses 62.02-1 and 62.02-2 of the Merri-bek Planning Scheme unless specifically noted as a permit condition.

Landscaping

- 3. Prior to the endorsement of plans, an amended landscape plan must be submitted to and approved by the Responsible Authority, in consultation with Merri-bek City Council. The landscape plan must be generally in accordance with the plan prepared by Outlines dated 09 April 2024 but amended to show:
 - a) Any changes required to align with the plans for endorsement.
 - b) An alternative canopy tree to *Acacia implexa* with comparable height and canopy dimensions selected from Merri-bek's Tree Planting Manual for residential Zones 2019.
 - c) Identification of any existing tree(s) and vegetation on site and adjoining land proposed to be removed and retained, including the tree protection zone(s) of trees to be retained and protected.

d) Strategies for the retainment of vegetation (i.e. barriers and signage during the construction process) consistent with any conditions of this permit.

When submitted and approved to the satisfaction of the Responsible Authority, the landscape plan will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 4. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all landscaping works, including installation of automatic irrigation, must be completed in accordance with the endorsed landscape plan to the satisfaction of the Merri-bek City Council.
- 5. All landscaping and irrigation systems must be maintained to the satisfaction of the Merri-bek City Council in accordance with the endorsed landscape plans. Any dead, diseased or damaged plants must be replaced with a suitable species to the satisfaction of the Merri-bek City Council.

Tree Protection

6. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), all Council trees and Tree Group 1 – Pencil Pines (as defined in the Arboricultural Report by John Patrick dated 12 April 2024) must have a Tree Protection Zone (TPZ) in accordance with AS4970 Protection of Trees on Development Sites to the satisfaction of the Merri-bek City Council. The TPZ must meet the following requirements:

a) Tree Protection Fencing

Tree Protection Fencing (TPF) is to be provided to the extent of the TPZ, calculated as being a radius of 12 x Diameter at Breast Height (DBH – measured at 1.4 metres above ground level as defined by the Australian Standard AS 4970.2009). The TPF may be aligned with roadways, footpaths and boundary fences where they intersect the TPZ.

If works are shown on any endorsed plan of this permit within the confines of the calculated TPZ, then the TPF must be taken in to only the minimum amount necessary to allow the works to be completed.

The TPF must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level and of mesh panels, chain mesh or similar material. A top line of high visibility plastic tape must be erected around the perimeter of the fence.

b) Signage

Fixed signs are to be provided on all visible sides of the TPF clearly stating "Tree Protection Zone – No entry. No excavation or trenching. No storage of materials or waste.". The TPF signage must be complied with at all times.

c) <u>Irrigation</u>

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

d) Provision of Services

All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any TPZ, wherever practically possible. If underground services are to be routed within an established TPZ, this must occur in accordance with Australian Standard AS4970.

- 7. Prior to the endorsement of plans, a Tree Management Plan (TMP) must be submitted to the satisfaction of the Responsible Authority in consultation with Merri-bek City Council. The TMP must be prepared by a suitably qualified Arborist and make specific recommendations in accordance with the Australian Standard AS4970: 2009 Protection of Trees on Development Sites to ensure that Tree 2 Moreton Bay Fig (as defined in the Arboricultural Report by John Patrick dated 12 April 2024) remains healthy and viable during construction. The TMP must include the following to the satisfaction of the Responsible Authority:
 - a) A tree protection plan to scale that shows:
 - i. All Tree Protection Zones and Structural Root Zones
 - ii. All Tree Protection Fencing
 - iii. Areas where ground protection systems will be used
 - iv. The type of footings within any Tree Protection Zone
 - v. The location of services within any Tree Protection Zone
 - b) The location and design of Tree Protection Fencing.
 - c) Details of appropriate footings within the Tree Protection Zone.
 - d) The method of installing any services through the Tree Protection Zone.
 - e) Details of how the root zone within the Tree Protection Zone will be managed throughout the project.
 - f) A timetable outlining works requiring supervision by the Project Arborist.
 - g) The results of any exploratory trenching where there is encroachment (construction or excavation) greater than 10 per cent into the Tree Protection Zone (in accordance with Australian Standard AS4970:2009 Protection of Trees on Development Sites) of any tree to be retained. This must include photographic evidence of any trenching/ excavation undertaken.
 - h) All remedial pruning works that are required to be performed on the tree during the development of the site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

When submitted and approved to the satisfaction of the Responsible Authority, the TMP will be endorsed to form part of this permit. The recommendations of the endorsed TMP must be implemented to the satisfaction of the Merri-bek City Council.

Environmentally Sustainable Design (ESD)

- 8. Prior to the endorsement of plans, an amended Sustainability Management Plan (SMP) and plans must be submitted to the satisfaction by the Responsible Authority in consultation with Merri-bek City Council. The SMP must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the SMP prepared by Blue Bee Sustainable Services, dated 02/04/2024 (Rev 1), but modified to include the following changes:
 - a) Show the following ESD initiatives on the development plans:
 - i. An ESD table on the plans for items that cannot be drawn e.g. NatHERS, tap and cooling/heating ratings, etc.

- ii. Horizontal, fixed, external shading devices to all north facing habitable room windows and glazed doors where not located directly under an eave or overhang. Draw and label all shading on the plans and elevations with FSD (Fixed Shading Device). Provide a dimensioned section diagram or photograph of the shading. The depth of the device must be equal to 25 per cent of the distance from sill height to the base of the device. The shading device must also extend horizontally to both sides of the window or glazed door by a distance equal to the depth of the device.
- iii. External operable shading devices to all east/west windows and glazed doors to habitable rooms drawn and labelled with ASD (Adjustable Shading Device) on the floor plan and elevations. Ensure windows that have external adjustable shading can open when using the blind.
- iv. The proposed solar PV system, including location, spatial size and system output size.
- v. The roofs and driveways specified as no darker than 'Medium (roofs = Solar Absorptance ≤0.60, paint, render, cladding and driveways = Light Reflectance Value ≥60)'
- b) An amended WSUD (Water Sensitive Urban Design) catchment plan that is consistent with the STORM report, clearly showing:
 - i. All impervious surfaces (dimensioned in square metres) and their treatment/non treatment to align with the entries in the amended STORM Report, to ensure all areas are included.
 - ii. Where all stormwater will drain, with downpipes marked and the direction of water flow shown with arrows.
 - iii. All water tanks and WSUD features (such as raingardens), including dimensions, sections, plant types, etc.
 - iv. If permeable paving is used: A section and details of any permeable paving.
 - v. If raingardens are used: They must be setback at least 300mm from site boundaries or building footings. They cannot be located in areas of secluded private open space.
 - vi. Ensure consistency between the plans, SMP and STORM calculator.

Where alternative ESD initiatives are proposed to those specified in the conditions above, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.

When submitted and approved to the satisfaction of the Responsible Authority, the amended Sustainability Management Plan and associated notated plans will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority.

- 9. Prior to the issue of a Statement of Compliance or Certificate(s) of Occupancy whichever occurs first, all works must be undertaken in accordance with the endorsed Sustainable Management Plan report to the satisfaction of Merri-bek City Council. No alterations to these plans may occur without the written consent of the Responsible Authority.
- 10. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Sustainability Management Plan (SMP) approved pursuant to this permit, or similarly qualified person or company, must be submitted to Merri-bek City Council. The report must be to the satisfaction of Merri-bek City Council and must confirm (with documented evidence) that all measures specified in the SMP have been implemented in accordance with the approved plan.

11. All stormwater treatment devices (e.g., raingardens, rainwater tanks etc.) must be maintained to the satisfaction of Merri-bek City Council to ensure water quality discharged from the site complies with the performance standard in the endorsed Sustainability Management Plan.

Accessibility

- 12. Prior to the endorsement of plans, an Accessibility Report prepared by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority. The report must:
 - a) Align with the plans for endorsement
 - b) Detail how the development will incorporate design features in accordance with Standard D17 (Accessibility) of Clause 58 of the Merri-bek Planning Scheme, including the detailed design of the adaptable bathrooms (e.g. confirmation of hobless showers and removable hinges to doors).

When submitted and approved to the satisfaction of the Responsible Authority, the Accessibility Report will be endorsed to form part of this permit. No alterations to the plan may occur without the written consent of the Responsible Authority. The recommendations of the report must be implemented to the satisfaction of the Merribek City Council prior to the occupation of the development.

13. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Accessibility Report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Accessibility Report have been implemented in accordance with the approved report.

Waste Management

- 14. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to the satisfaction of the Responsible Authority. The plan must be generally in accordance with the report prepared by Ratio dated 27 March 2024 but modified to:
 - a) Align with the plans for endorsement
 - b) The waste bin room designed to ensure no bin is placed behind another bin.
 - c) Specify that the waste will be collected by a private waste collection company.

When submitted and approved to the satisfaction of the Responsible Authority, the WMP will be endorsed to form part of this permit. No alterations to the WMP may occur without the written consent of the Responsible Authority.

15. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Merri-bek City Council unless with the further written approval of the Merri-bek City Council

Green Travel Plan

- 16. Prior to the endorsement of plans, an amended Green Travel Plan (GTP) must be prepared, submitted to and approved by the Responsible Authority. The amended GTP must be generally in accordance with the GTP by Ratio dated 03 April 2024 but modified to:
 - a) Align with the plans for endorsement.

When approved to the satisfaction of the Responsible Authority, the Green Travel Plan will be endorsed to form part of this permit. No alterations to the endorsed Green Travel Plan may occur without the written consent of the Responsible Authority.

17. The Green Travel Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Merri-bek City Council unless with the further written approval of the Merri-bek City Council.

Affordable Housing Management Plan

- 18. Prior to commencement of the development, an Affordable Housing Management Plan must be submitted to and approved by the Responsible Authority in consultation with Merri-bek City Council. The plan must:
 - a) Require 25 per cent of the dwellings to be in the form of social housing rented to households on the Victorian Housing Register under provisions of the *Housing Act 1983*.
 - b) Require 75 per cent of the dwellings to be in the form of affordable housing at a maximum 74.9 per cent of median market rent in the suburb and no more than 30 per cent of income (whichever is lower).
 - c) Require 10 per cent of the dwellings to have 3 or more bedrooms.
 - d) Collect demographic information, including age, sex and occupations of each household living in an affordable housing dwelling and use this information to inform and evaluate affordable housing and key worker policy objectives.
 - e) Provide for annual reporting of items (a), (b) and (d) above to the Responsible Authority and Merri-bek City Council for five consecutive years from the one year anniversary of issuing of the Statement of Compliance or Certificate of Occupancy (whichever occurs first) and further reporting at five year intervals thereafter up to the twenty-fifth year.

When submitted and approved to the satisfaction of the Responsible Authority, the Affordable Housing Management Plan will be endorsed to form part of the permit. No alterations to the Affordable Housing Management Plan may occur without the written consent of the Responsible Authority.

Public Works Plan

- 19. Prior to the commencement of the development, a Public Works Plan and associated construction drawing specifications detailing the works to the land directly in front of the site to Jessie and Hall Streets must be submitted to the satisfaction of Merri-bek City Council. The Plan must include:
 - a) All construction details in accordance with the *Merri-bek City Council Technical Notes July 2019* (or any updated version);
 - b) A detailed level and feature survey of the footpaths and roads.
 - c) The upgrade of the footpath adjacent to the site. Public footpaths are to be reinstated to the previous levels with a maximum cross fall slope of 1 in 40 (2.5 per cent).
 - d) Any Council or service authority pole or pit within 1 metre of the proposed vehicle crossing, including the 1 metre splays on the crossings, relocated or modified.
 - e) For any vehicle crossing not being used, the kerb, channel and footpath reinstated.
 - f) Any necessary drainage works.
 - g) The relocation or replacement of existing and installation of new street furniture and infrastructure, such as parking and traffic signs, public seating, bicycle parking and similar.
 - h) The provision of new street tree planting or landscaping along Hall and Jessie Streets in appropriate locations in consultation with Merri-bek City Council (Open Space Department).

- i) The existing 'No Stopping' sign at the proposed new vehicle crossing annotated "to be relocated".
- j) Any other works to the public land adjacent to the development.

When submitted and approved to the satisfaction of Merri-bek City Council, the Public Works Plan will be endorsed to form part of the permit. No alterations to the Public Works Plan may occur without the written consent of Merri-bek City Council.

20. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all public works shown on the endorsed Public Works Plan must be implemented to the satisfaction of the Merri-bek City Council at the expense of the owner of the land, unless otherwise agreed prior written consent of Merri-bek City Council.

Acoustic Attenuation

- 21. Prior to the endorsement of plans, an Acoustic Report prepared by a qualified Acoustic Engineer must be submitted to the satisfaction of the Responsible Authority. The Report must:
 - Consider potential acoustic impacts of the proposed development on nearest sensitive receivers including, but not limited to, vehicle movements within the site and plant equipment.
 - b) Ensure future residents are not adversely affected by nearby non-residential uses including plant equipment within and outside the site (e.g. John Fawkner Hospital), in accordance with Clause 55.07-7 (Noise impacts objective) of the Merri-bek Planning Scheme.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit. No alterations to the Acoustic Report may occur without the written consent of the Responsible Authority

- 22. The building must be constructed and thereafter maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
- 23. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a report from the author of the Acoustic Report approved pursuant to this permit or similarly qualified person or company must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

Section 173 Agreement – Affordable Housing

- 24. Prior to the commencement of the development, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with Merri-bek City Council and register the agreement on the title for the land in accordance with Section 181 of the *Planning and Environment Act 1987* to provide for the following:
 - a) All the dwellings must comply with either:
 - i. the meaning of 'affordable housing' at Section 3AA of the Planning and Environment Act1987 and must be affordable to households consistent with Section 3AB of the *Planning and Environment Act 1987* or
 - ii. another meaning of "affordable housing" acceptable to the Responsible Authority and Merri-bek City Council.

- b) All the dwellings on site must be delivered, managed, leased in accordance with the approved Affordable Housing Management Plan required by Condition 18 of the permit for 25 years from issuing of the Statement of Compliance or Certificate of Occupancy (whichever occurs first).
- c) The agreement must otherwise be in a form to the satisfaction of Merri-bek City Council. The owner of the land must pay all of the Merri-bek City Council's reasonable legal costs and expenses of this agreement concerning the preparation, execution, and registration on title.

Easement

25. Prior to the endorsement of plans, the applicant is to arrange for the removal of the sewerage and carriageway easement on Lot 1 of TP 11416T.

Engineering Matters

- 26. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, a vehicle crossing must be constructed in every location shown on the endorsed plans to a standard satisfactory to Merri-bek City Council (City Infrastructure Department).
- 27. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, any existing vehicle crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of Merri-bek City Council (City Infrastructure Department).
- 28. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, access to the site, any vehicle crossover and any ancillary road and road drainage works must be constructed in accordance with any requirement of Merri-bek City Council (City Infrastructure Department).
- 29. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all telecommunications and power connections (where by means of a cable) and associated infrastructure to the land must be underground to the satisfaction of the Merri-bek City Council.
- 30. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, the bicycle storage room must have self-closing and self-locking doors or gates that are only accessible using keys, codes or swipe cards in accordance with the Australian Standard for Bicycle Parking (AS2890.3) to the satisfaction of the Merri-bek City Council.
- 31. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the Responsible Authority. Bicycle signage should be at least 0.3 metres wide and 0.45 metres high; display a white bicycle on a blue background on the top half of the sign and display information about the direction of facilities on the bottom half of the sign, to the satisfaction of the Merri-bek City Council.

Stormwater

- 32. All stormwater from the land, where it is not collected in rainwater tanks for re-use, must be collected by an underground pipe drain approved by and to the satisfaction of Merri-bek City Council (Note: Please contact Merri-bek City Council, City Infrastructure Department).
- 33. The surface of all balconies are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Merri-bek City Council.

Car Parking

- 34. The area set aside for the parking of vehicles and access lanes shown on the endorsed plan must, to the satisfaction of the Merri-bek City Council:
 - a) Be completed prior to issue of an Occupancy Permit or issue of a Statement of Compliance, whichever occurs first.
 - b) Be maintained.
 - c) Be properly formed to such levels that it can be used according to the endorsed plan.
 - d) Have the boundaries of all vehicle parking spaces clearly marked on the ground to accord with the endorsed plan.
 - e) Not be used for any other purpose other than the parking of vehicles, unless with the prior written consent of the Responsible Authority.
 - f) Be numbered to facilitate management of the car park.

General

- 35. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all boundary walls must be constructed, cleaned and finished to the satisfaction of Merri-bek City Council.
- 36. Unless with the prior written consent of the Responsible Authority, any plumbing pipe, ducting and plant equipment must be concealed from external views to the satisfaction of Merri-bek City Council. This does not include external guttering or associated rainwater down pipes.
- 37. All lighting of external areas including balconies must be designed not to emit direct light onto adjoining property to the satisfaction of Merri-bek City Council.
- 38. All external lighting, other than balcony lighting, must be no higher than 1.2 metres above ground level with automatic or sensor-controlled lighting installed and maintained on the land to illuminate pedestrian access to the development between dusk and dawn with no direct light emitted onto adjoining property to the satisfaction of Merri-bek City Council.

Privacy screens to be installed and maintained

39. Prior to the issue of an Occupancy Permit or issue of a Statement of Compliance, whichever comes first, all visual screening measures shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. All visual screening and measures to prevent overlooking must be maintained to the satisfaction of the Responsible Authority. Any screening measure that is removed or unsatisfactorily maintained must be replaced to the satisfaction of the Merri-bek City Council.

Retention of Architect

40. DKO Architecture or an equivalent Architect must be retained to complete and provide architectural oversight during construction of the detailed design as shown on the endorsed plans, to the satisfaction of the Responsible Authority.

Permit Expiry

41. This permit will expire if one of the following circumstances applies:

Development

- a) the development is not commenced within three (3) years from the date of issue of this permit;
- b) the development is not completed within five (5) years from the date of issue of this permit.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

- within six months after the permit expires to extend the commencement date.
- within 12 months after the permit expires to extend the completion date of the development if the development has lawfully commenced.

Removal of Easement

- a) The easement removal is not commenced within two years of the date of issue of this permit as evidenced by a Plan of Removal of Easement being certified by the Council within that time.
- b) The Certified Plan of Removal of Easement is not registered within five years from the date of the Certification of the Plan.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or;

• within six months after the permit expires to extend the commencement date (as referred to in point (a) above).

Section 7 of the *Subdivision Act 1988* does not allow for any extension of time for the registration of the certified Plan of Removal of Easement as outlined in point (b) above.

Notes: These notes are for information only and do not constitute part of this permit or conditions of this permit.

Note 1: Should Council impose car parking restrictions in this street, the owners and/or occupiers of the land would generally not be eligible for residential or visitor parking permits to allow for on street parking. See Merri-bek City Council website for more information:

https://www.Merri-bek.vic.gov.au/living-in-Merri-bek/parking-and-roads/parking-permits-and-fines/residential-parking-permits/

REPORT

1. Background

Subject site

The subject site is located at 24 Jessie Street and 19 Hall Street, Coburg. It is roughly 5,980 square metres in area comprising four allotments and has a frontage to both Jessie Street to the south, and Hall Street to the north. In the central portion of the site is a two storey building that currently operates as an office and a drug and alcohol rehabilitation centre.

There are two crossovers to Jessie Street providing access to formal carparking and drop off/pick-up areas. A crossover to Hall Street provides access to informal car parking and ancillary buildings. A single storey dwelling is located in the north-western part of the site.

A heritage listed Moreton Bay Fig tree is located within the south-eastern part of the site

There are no restrictive covenants indicated on the Certificate of Title.

Surrounds

To the north, east and west of the site are dwellings within the Neighbourhood Residential Zone. These dwellings are a mix of single and double storey and are mostly detached, semi-detached or multi-unit housing.

To the south opposite Jessie Street is the John Fawkner Private Hospital which contains numerous buildings ranging from one to six storeys. The building fronting Jessie Street includes a three storey brick building and three storey carpark.

The site is approximately 190 metres from the entrance of Moreland Train Station, the Upfield Shared Bike Path and 451 metres from Sydney Road.

A location and zoning plan forms **Attachment 1**.

Planning Permit history:

Council records indicate a number of planning permits dating from 1996 which allowed various extensions and for the land to be used as a drug rehabilitation centre, medical centre and education centre.

Application Process and Responsible Authority

This application has been lodged with the Department of Transport and Planning (DTP) under Clause 53.23 (Significant Residential Development with Affordable Housing) of the Merri-bek Planning Scheme. Clause 72.01 of the Scheme sets out that the Minister for Planning, not Council, is the Responsible Authority in relation to the use and development of land to which Clause 53.23 applies. Further, this particular provision allows the Responsible Authority the ability to waive or vary any building height or setback requirement.

The Proposal

The proposal is summarised as follows:

- Remove all structures on site and retention of the heritage listed Moreton Bay Fig tree.
- Construction of 75 dwellings across two buildings. 56 Affordable Housing dwellings (75 per cent of total) and 19 Social Housing dwellings (25 per cent of total), all of which are to be managed as long-term affordable or social housing.
- The building fronting Hall Street is three storeys and the building fronting Jessie Street is four storeys with 19 car parks and 121 bicycle parking spaces.

- Communal open space is provided at ground floor and a first-floor terrace.
- A 1156 square metres office is proposed to be utilised by Uniting as its central hub for the northern region ("The Uniting Hub"). This will accommodate up to 140 staff and have operational hours of Monday Friday, 8.00 am 4.00 pm. Use of land includes retention of Uniting services including drug and alcohol counselling, education courses, youth alcohol and other drug services, playgroups, support for families and for young people, rehabilitation, asylum seeker project and disability employment services.
- Remove the easement affecting Lot 1 on TP 11416T (sewerage and carriageway).

The Development Plans and 3D renders form **Attachment 2**.

Statutory Controls – why is a planning permit required?

Control	Permit Requirement	
Clause 32.09 - Neighbourhood Residential Zone – Schedule 1	An 'Office' associated with affordable housing requires a planning permit for the use. No permit is required to use land as a dwelling. A permit is required to construct more than one dwelling on a lot. A permit is required for buildings and works associated with the office.	
Clause 43.01 – Heritage Overlay	A permit is required to construct a building or construct or carry out works.	
Clause 52.06 – Car Parking	A permit is required to reduce the car parking requirement from 109 spaces to 19 spaces.	
Clause 52.02 - Easements, Restrictions and Reserves	A permit is required to create, vary or remove an easement.	

The following Particular Provisions of the Merri-bek Planning Scheme are also relevant to the consideration of the proposal:

- Clause 45.06: Development Contributions Plan Overlay. The Development Contributions Plan has expired and is therefore not relevant to applications determined on or after 1 July 2023.
- Clause 53.18: Stormwater Management in Urban Development.
- Clause 53.23: Significant Residential Development with Affordable Housing
- Clause 55: Two or More Dwellings on a Lot and Residential Buildings

2. Internal/External Consultation

Public notification

The Minister for Planning is the Responsible Authority for determining the application, and for carrying out notification of the application under Section 52 of the *Planning and Environment Act 1987* (the Act). The public notice of this application commenced on 10 September 2024 and included public notices on the site and letters to nearby owners/occupiers. At the time of finalising this report, Council has not been advised of any objections, lodged with DTP.

The process for considering objections (including from Council) can include the following:

• A decision on the planning application is made under delegation by Officers at DTP or by the Minister for Planning.

 The Minister for Planning appoints a Standing Advisory Committee (SAC) to consider the application and all submissions before making a recommendation to the Minister for Planning.

On 3 September 2024, DTP notified Council of the application under Section 52(1) of the *Planning and Environment Act 1987*. While Council or any other person may lodge an objection to the planning permit application, due to Clause 53.23-5, there are no rights of appeal to VCAT.

Council's comments and position will assist the Minister for Planning in making a decision.

Internal/external referrals

Referrals to external agencies will be carried out by the Minister for Planning as the Responsible Authority.

The proposal was referred to the following internal Council business units:

Internal Branch/Business Unit	Comments	
Urban Design Unit	Supports the proposal noting that the massing to both street frontages is appropriately designed with recessive upper levels, the carpark has been concealed from views within Jessie Street, residential and office entries are easily distinguishable, layout of office spaces and circulation through the development is well considered and material choice is appropriate.	
Transport - Development Engineering	Supports the proposal. Made recommendations regarding additional resident bike parking, additional details of bike parking facilities waste room design and waste collection. Recommended changes are addressed by conditions of the recommendation and are considered further in Section 4 of this report.	
Sustainable Built Environment - ESD Team	Supports the proposal. Additional detail is required on shading, solar panels and the water sensitive urban design response. Recommended changes are addressed by conditions of the recommendation and are considered further in Section 4 of this report.	
City Development - Heritage Advisor	Supports the proposal, which retains and protects the Moreton Bay Fig.	
Open Space Design and Development Unit	Supports the recommendations of the arborist report and proposed landscaping response, with recommendations for an alternative canopy tree species in the landscape plans, a Tree Protection Management Plan for the heritage tree and tree protection zone for the other retained trees. Recommended changes are addressed by conditions of the recommendation and are considered further in Section 4 of this report.	

Comments
Supports the proposal as the location is suitable for social and affordable housing and type of housing is appropriate. The management by a community housing organisation is positive. Recommends the development should include a proportion of 3 bedroom dwellings. Recommended changes are addressed by conditions of the recommendation and are considered further in Section 4 of this report.
; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;

3. Policy Implications

Planning Policy Framework (PPF)

The following policies are of most relevance to this application:

- Municipal Planning Strategy (Clause 2)
- Settlement (Clause 11)
- Environmental and Landscape Values (Clause 12),
- Environmental Risks and Amenity (Clause 13), including;
 - Discretionary Uses in Residential Zones (Clause 13.07-1L)
- Built Environment (Clause 15.01), including:
 Heritage (Clause 15.03),
- Residential Development (Clause 16.01),
- Economic Development (Clause 17),
- Transport (Clause 18), including:
 - Sustainable Transport in Merri-bek (Clause 18.02-1L)
 - Car parking (Clause 18.02-4S and 18.02-4L)

Human Rights Consideration

This application has been reviewed by Council in accordance with the requirements of the *Planning and Environment Act 1987* (including the Merri-bek Planning Scheme) reviewed by the State Government and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006, including Section 18 (Taking part in public life).* In addition, the assessment of the application has had particular regard to:

- Section 12: Freedom of movement
- Section 13: Privacy and Reputation
- Section 20: Property rights

An assessment of whether there is any potential for unreasonable overlooking has been undertaken in section 4 of this report. The proposed redevelopment of private land does not present any physical barrier preventing freedom of movement. The right of the landowner to develop and use their land has been considered in accordance with the Merri-bek Planning Scheme.

4. Issues

In considering this application, regard has been given to the Planning Policy Framework (PPF), the provisions of the Merri-bek Planning Scheme and the merits of the application.

Does the proposal have strategic policy support?

The planning framework allows for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing. Council's Housing Framework Plan designates this location for minimal housing change. In these areas Local Policy encourages a mix of single dwellings and lower density multi-dwelling developments that contribute to a low density, open and landscaped character.

This large site has traditionally been used for non-residential purposes and the proposal provides significant community benefit in the form of 100 per cent affordable housing, which aligns with the following purpose of Clause 53.23 (Significant Residential Development with Affordable Housing):

To facilitate residential development that includes affordable housing to meet existing and future needs.

The policy setting for affordable housing proposals, allows the decision-maker to approve a four storey building which would normally be prohibited in the zone.

In assessing the suitability of three and four storey buildings at this location, consideration has been given to the following:

- The large area of the site and ability to minimise off-site amenity impacts.
- The surrounding context which includes the hospital building.
- The contribution to social and affordable housing provision.
- Amenity impacts on neighbouring occupiers.
- The design response.
- Provision of landscaping.

Balancing the above considerations, the higher built form on this site is supported. This will be discussed below.

Does the proposal respond to neighbourhood character, positively contribute to the local context and enhance the public realm?

The policy setting allows affordable housing proposals to create a new character despite the zoning and policy considerations in respect of neighbourhood character.

The properties fronting Hall Street are located within the Neighbourhood Residential Zone and are single and double storey dwellings. The proposal has sought to soften the appearance of the third storey facing Hall Street, through greater upper-level setbacks and contrasting material being light green metal finish.

In addition, the proposed dwellings fronting Hall Street have street setbacks that respect the siting of dwellings at 17 and 23 Hall Street, next door.

Jessie Street is a slightly different context as it includes single and double storey dwellings in the Neighbourhood Residential Zone but also includes the John Fawkner Private Hospital which borders roughly 50 per cent of Jessie Street on the southern side. The buildings that present to Jessie Street have three storey sheer walls including a brick hospital building and a three storey car park structure. Fronting Jessie Street, the proposal is three storey with a recessive fourth storey and has been setback to respect the dwelling at 30 Jessie Street.

It should also be noted that the width of the building frontage on Jessie Street is narrow, with most of the building located further back in the centre of the site. Many of the existing pine trees, heritage Fig tree and landscaping areas are being retained which contribute positively to the Jessie Street streetscape.

The proposal includes high quality and durable materials that will also provide distinction between the ground floor podium and the upper levels. Staggered setbacks and a central break between buildings to Hall Street assists with reducing the building's dominance when viewed from the street. Active street frontages with balconies and feature balustrading also makes a positive contribution to the street.

The proposal includes a central green space between buildings, which breaks up the mass of the development when viewed from nearby back yards. This means the nearby backyards mostly adjoin landscaped areas or in the case of 30 Jessie Street a single storey fire water tank.

Does the proposal result in any unreasonable off-site amenity impacts?

Side setback requirements of Clause 55 (Rescode) seek to limit the impact of new development on the amenity of existing dwellings. The proposed side setbacks of the northern building demonstrate full compliance with Rescode.

The southern building has non-compliance to the east and west boundaries. These non-compliances range between 0.89 metres to 6.2 metres, noting the policy setting for affordable housing proposals allows variation to setback standards.

Consideration of non-compliant setbacks requires an assessment of the impact on the amenity of habitable room windows and secluded private open space of existing dwellings. The reduced western setbacks of the western wall are supported as the neighbouring dwelling at 30 Jessie Street has two of its three ground floor habitable windows within a carport resulting in limited outlook from these windows. The other ground floor habitable room window is separated by a minimum of 8.80 metres from the western wall and the first-floor habitable room window is setback 8.25 metres from the western wall of the development. These separations will allow adequate daylight into the respective windows noting compliance with the daylight to existing windows objective of Clause 55 (Rescode).

Regarding the non-compliant eastern setbacks, there are no windows close to this portion of the building that require an assessment. The key consideration is the impact on outlook from neighbouring rear yards. The proposed dwellings that encroach into the setback area are located adjacent to the far rear portions of the rear yards of 22 Jessie Street and 15 and 17 Hall Street (notably, 15 Hall Street is currently a vacant lot with no planning approvals). The relationship that the proposed building has with these lots ensures that outlook will not be unacceptable.

It is also noted that the fire water tank has been designed to be semi-submerged to lessen the visual impact on 30 Jessie Street. This wall is also built adjacent to an existing boundary wall at 23A Hall Street. On the eastern elevation, the residential bike parking area uses a metal mesh screen to limit the visual impact on 17 Hall Street.

Section diagrams have been provided for the western elevation of the southern building to demonstrate that overlooking of 30 Jessie Street has been reduced through screening and/or appropriate separation. This is accepted. However, the same level of detail has not been provided for other portions of the development. A condition on the recommendation seeks additional detail to demonstrate that overlooking is appropriately addressed.

The north-south orientation of the subject site and surrounding lots ensures that all immediate neighbouring residential properties retain acceptable levels of sunlight. Notably, 15 Hall Street is currently vacant, and 22 Jessie Street is labelled as a commercial use and owned by the same organisation as the site.

Does the proposal provide appropriate onsite amenity and facilities?

Clause 55.07 (Apartment Developments) provides the standards for new apartment developments ensuring a quality level of amenity for future residents.

The proposal includes significant ground level communal open spaces. Whilst a technical reading of the standard would conclude that the solar access to the central courtyard is non-compliant. The development also has a southern communal open space, which whilst nearer the office building, is able to be used by residents and has excellent solar access. The technical non-compliance is supported.

Is the proposed office use appropriate for this location?

Current Uniting operations will be maintained onsite, including general office/administration uses, alcohol and other drug rehabilitation services, asylum seeker project and disability employment services.

The site is proposed to be utilised by Uniting as its central hub for the northern region ("The Uniting Hub"). This will accommodate up to 140 staff and have operational hours of Monday - Friday, 8.00 am - 4.00 pm.

The office and community outreach uses will continue on-site as part of the proposed development, and benefit from existing use rights.

Is the social and affordable housing proposal appropriate?

An Affordable Housing Report has been submitted which provides a comprehensive description of the project, relevant statistics on housing need and the affordability of housing in the local area. This was reviewed by Council's Principal Advisor, Social and Affordable Housing, who generally supports its findings noting that the location is suitable, the development will provide good amenity for future residents, and it will be managed by a community housing organisation. The one recommendation is that social and affordable housing for families in addition to homes for singles and couples should be captured. A condition in the recommendation seeks to provide a minimum 10 per cent of dwellings to be three (or more) bedroom dwellings. The recommended Section 173 Agreement condition also requires the dwellings to be delivered, managed, leased in accordance with an approved Affordable Housing Management Plan for a period of 25 years.

Will the removal of the easement burden any party?

The removal of easement is supported as the easement will not be required given the demolition of the existing buildings on both allotments and redevelopment of these sites. Council's Development Engineer has confirmed that there are no assets within the easement.

Has adequate car and bicycle parking been provided?

The table below outlines the car parking requirements of the Planning Scheme:

Use	Total spaces required	Total spaces provided	Reduction sought
75 dwellings including 23 x 1 bedroom and 52 x 2 bedrooms dwellings	75	19	56
Office: 1156 sqm	34	0	34
Total	109	19	90

As shown above, all car parking is allocated to the residential component of the development. This is comprised of 18 resident spaces in an under-croft car park and one car share space positioned at the car park entrance. Given the proximity of the open sided under croft car park to the neighbouring property and different acoustic environment that it will create a condition on the recommendation requires an acoustic report to assess any potential impacts of vehicle movements on 30 Jessie Street.

Council's car parking policy (Clause 18.02-4L) supports reduced car parking rates in developments:

- Within and close to activity centres
- With excellent access based on frequency and location to a range of public transport options
- With increased provision of bicycle parking above the rates specified in Clause 52.34.

The proposal is located 410 metres walking distance from the Coburg Activity Centre and has excellent access to public transport including:

- A 250m walk of the (to city) Moreland Station entrance (north-south travel);
- A 430m walk of the (to city) Route 6 tram stop (north-south travel);
- A 570m walk of the (from city) Route 19 tram stop (north-south travel);
- A 310m walk of the (east-bound) Route 510 bus stop (east-west travel);
- A 200m, 280m or 700m to the three closest car share vehicles of the same company (one membership fee); and
- Close to good bicycle routes, including the strategic cycling corridor along the Upfield bike path (north-south) and marked bike lanes on Moreland Road (eastwest).

The development provides 121 bicycle parking spaces which is above the 28 spaces required by the State Bicycle Parking Provision. These spaces are easily accessible and well located at ground level to encourage their use and that of nearby bicycle routes. There are also end of trip facilities for the office use in the form of four showers and supporting facilities. Bicycle parking spaces are divided as follows:

- 75 resident spaces
- 36 office spaces
- 10 visitor spaces

While the bike parking exceeds planning scheme requirements, Council's Development Engineer recommends that two bicycle parking spaces per every reduced car parking space is provided. This recommendation is adopted in the conditions.

It is often held, and is stated in the submitted traffic report, that staff car parking demand is often a function of supply. That is, the more readily car parking is available, the more people will drive to work. The lack of on-site car parking and limited availability in the street is expected to influence the travel mode behaviour, especially considering access to alternate modes as detailed above.

With respect to the residential component, it has been demonstrated that car ownership in affordable/social housing developments is lower than standard car ownership rates. The traffic report also provides several examples of this in other similar locations.

A Green Travel Plan has been prepared to support this application which encourages the use of sustainable transport and discourages private vehicle use and ownership. Green Travel Plans are an effective means of monitoring and encouraging positive travel behaviour change within new developments. A condition on the recommendation requires compliance with the Green Travel Plan.

Council's Development Engineer team is satisfied that the car parking requirement can be reduced for this application.

Vehicles, whether related to this or other developments in the street, can only park on the street in accordance with any parking regulations. The number of vehicles that can park on the street and at what time will be dictated by the parking restrictions and the availability of on-street car spaces. Furthermore, the dwellings will not be eligible for parking permits in the event that parking on-street restrictions are imposed by Council. This is included as a note on the planning permit in the recommendation.

Balancing all the above considerations, the reduced provision of 19 car parking spaces is supported.

Are adequate loading/unloading and waste facilities provided?

A Waste Management Plan (WMP) has been provided as part of the application which is generally supported. However, the plans show that the waste bin room is too small. The bins have been placed two bins deep which is unacceptable as less mobile individuals (elderly, frail, children, etc) are unable to dispose of their waste when front bins are full. The WMP does not specify that the waste will be collected by a private contractor (as Council cannot manage these bins). A condition on the recommendation seeks to address these issues.

What impact does the proposal have on car congestion and traffic in the local area?

Council's Development Engineer considers that the development will result in 100 vehicle movements per day. The existing vehicle generation on site (community outreach facility) is estimated to be 80 vehicles per day, based on the 36 existing off-street car parking spaces which connect to Jessie Street and Hall Street Therefore approximately 20 additional vehicles per day will be generated from this site than is generated by the site currently and will travel along Jessie Street and Hall Street (a local access street). The additional vehicles are not expected to cause unacceptable congestion at the nearby intersections.

What impact does the proposal have on cycling, bike paths and pedestrian safety, amenity and access in the surrounding area?

The proposal removes two of the three existing vehicle crossings for the site (reinstating the nature strip and kerb) resulting in only one crossover for the entire development. This will result in additional on-street car parking.

Does the proposal incorporate adequate Environmental Sustainable Design (ESD) features?

ESD features of the development are adequate and include 60 per cent BESS score, minimum average NatHERS rating of 7.1 stars, 20KW of Solar Panels, 25 per cent of the site is landscaping/vegetation and rainwater harvesting system for toilet flushing and irrigation.

Is the proposal accessible to people with limited mobility?

60 per cent of apartments meet the accessibility standard of Rescode which exceeds the minimum provision of 50 per cent.

Does the proposal provide adequate tree protection and landscaping?

There is a heritage listed Moreton Bay Fig tree in the south-eastern portion of the site. To ensure that impacts to this tree by the proposed development have been adequately considered, an arborist report was submitted with the application which has assessed the impacts of any works near the tree. This has been reviewed by Council's Open Space Unit who support the assessment noting that the condition of the tree may even improve by virtue of removing the existing south-eastern driveway subsequently increasing permeability. There is also a large linear group of Pencil Pines along the southern boundary which are proposed to be retained and protected, this is supported and will assist with screening the new development.

Council's Open Space Unit support the proposed landscaping with a recommended change to species selection included as a condition in the recommendation.

6. Officer Declaration of Conflict of Interest

Council Officers involved in the preparation of this report do not have a conflict of interest in this matter.

7. Financial and Resources Implications

There are no financial or resource implications from this recommendation on a planning permit application before the Minister for Planning.

8. Conclusion

The proposed development provides outstanding community benefit, with 75 social and affordable housing dwellings to help meet the needs of vulnerable members of the community. The development will provide quality living conditions for future residents, has been sensitively designed to keep off-site amenity impacts to minimum, and will contribute positively to the Jessie and Hall Streets through its siting and quality architecture.

Subject to conditions, there is considered to be a significant overall net community benefit being offered which warrants support for the increase in building height above the Neighbourhood Residential Zone requirements

The proposal includes above best practice ESD and exceeds minimum provisions of accessible housing.

It is therefore recommended that Council advise the Minister for Planning of its support the proposed development, subject to the conditions outlined as part of this recommendation.

Attachment/s

1 Location and Zoning Plan D24/432607 Architectural Plans and 3D Renders D24/432608

Location and Zoning Plan Attachment 1

24 Jessie Street, Coburg

Location and Zoning Plan

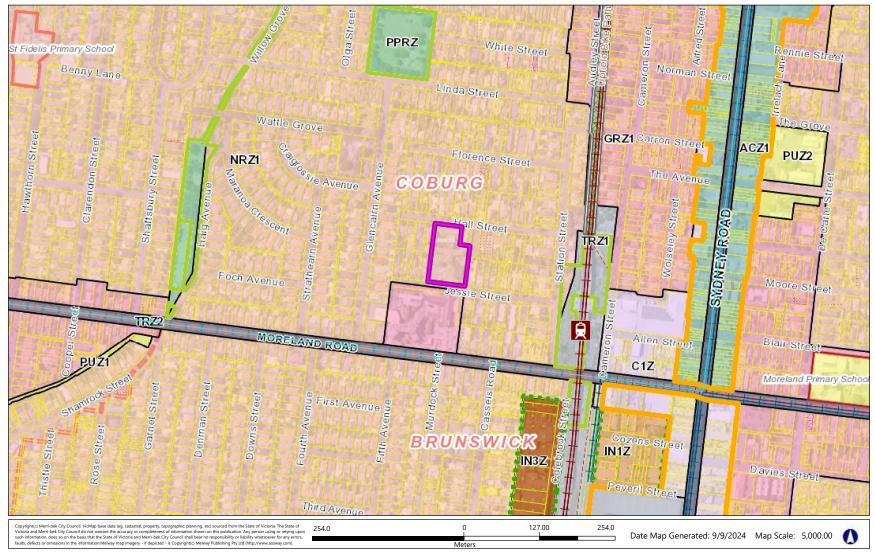
NRZ1 - Neighbourhood Residential Zone - Schedule 1 GRZ1 - General Residential Zone - Schedule 1

PUZ1 - Public Use Zone - Schedule 1 PUZ2 - Public Use Zone - Schedule 2 PPRZ - Public Use and Recreation Zone IN1Z - Industrial 1 Zone IN3Z - Industrial 3 Zone C1Z - Commercial 1 Zone

ACZ1 - Activity Centre Zone - Schedule 1

TRZ1 - Transport Zone 1 TRZ2 - Transport Zone 2





24 Jessie Street Coburg

MERRI-BECK CITY COUNCIL Town Planning Package 05/04/2024

TP Town Plannir		
ID Layout Name	Scale R	evision
TP000 Cover Page		-
TP100 Site Survey	1:200	-
TP101 Demolition Plan	1:200	-
TP200 Ground Floor Plan	1:200	-
TP201 Level 1 Plan	1:200	-
TP202 Level 2 Plan	1:200	-
TP203 Level 3 Plan	1:200	-
TP204 Roof Plan	1:200	-
TP205 Development Summary		-
TP300 Sections - Sheet 1	1:150	-
TP301 Sections - Sheet 2	1:150	-
TP302 Elevations - Sheet 1	1:200	-
TP303 Elevations - Sheet 2	1:200	-
TP304 Internal Elevations - 1	1:200	-
TP305 Overlooking Sections	1:100	-
TP400 Shadows - Sheet 1	1:300	
TP401 Shadows - Sheet 2	1:300	-
TP402 Shadows - Sheet 3	1:300	-
TP403 Shadows - Sheet 4	1:300	-
TP404 Shadows - Sheet 5	1:300	-
TP405 Shadows - Sheet 6	1:300	-
TP406 Shadows - Sheet 7	1:300	-
TP407 Shadows - Sheet 8	1:300	-
TP408 Shadows - Sheet 9	1:300	-
TP409 Shadows - Sheet 10	1:300	-
TP410 Shadows - Sheet 11	1:300	-
TP411 Shadows - Sheet 12	1:300	-
TP412 Shadows - Sheet 13	1:300	-
TP413 Shadows - Sheet 14	1:300	-
TP500 Artist's Impression		-
TP501 Artist's Impression		-
TP502 Artist's Impression		-
TP600 Clause 58 - Ground	1:200	-
TP601 Clause 58 - Level 1	1:200	-
TP602 Clause 58 - Level 2	1:200	-
TP603 Clause 58 - Level 3	1:200	-
TP700 Site Coverage - Exist	1:200	-
TP701 Site Coverage	1:200	-
TP702 Permeable Area	1:200	-
TP703 Garden Area	1:200	-
TP704 Deep Soil	1:200	

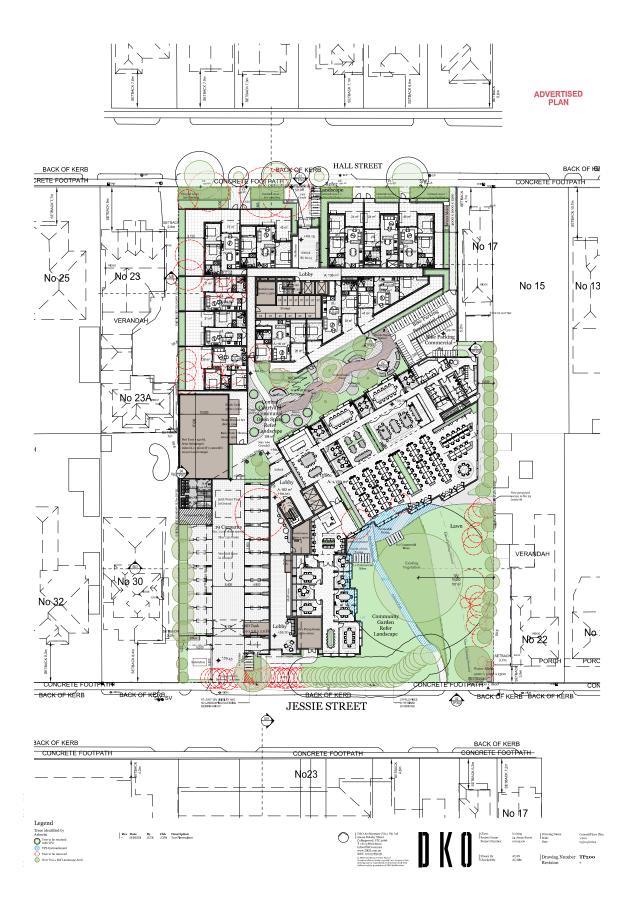
ADVERTISED PLAN

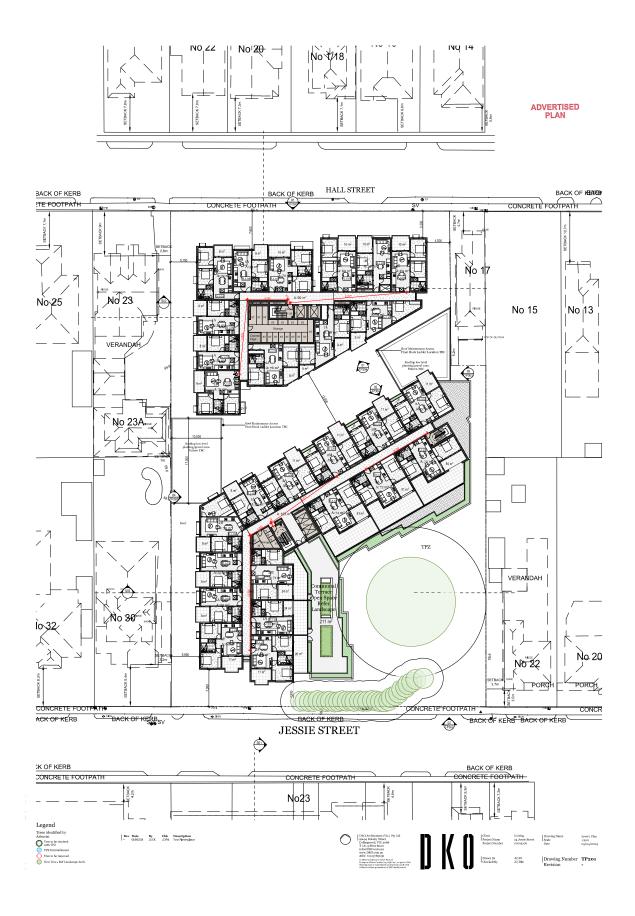


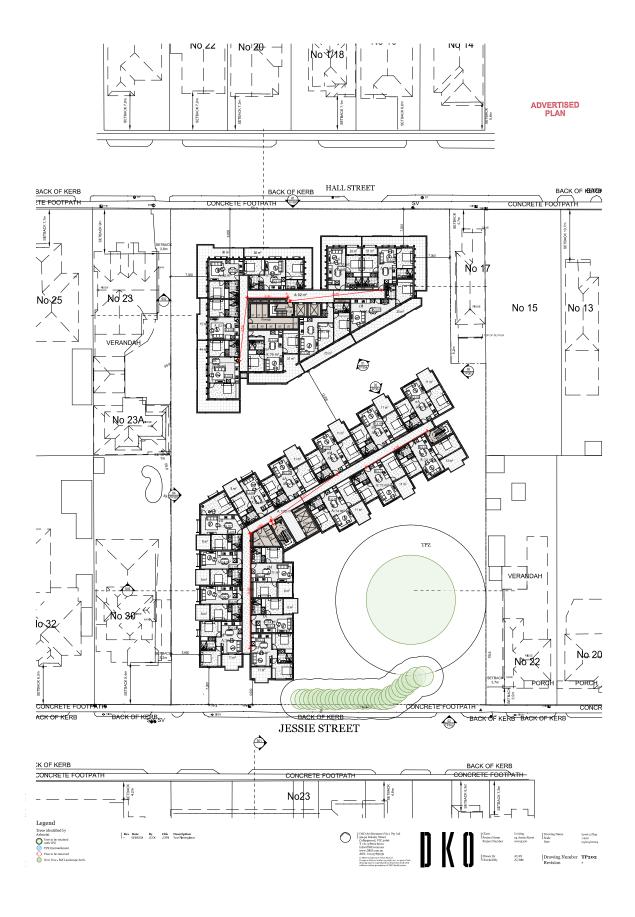
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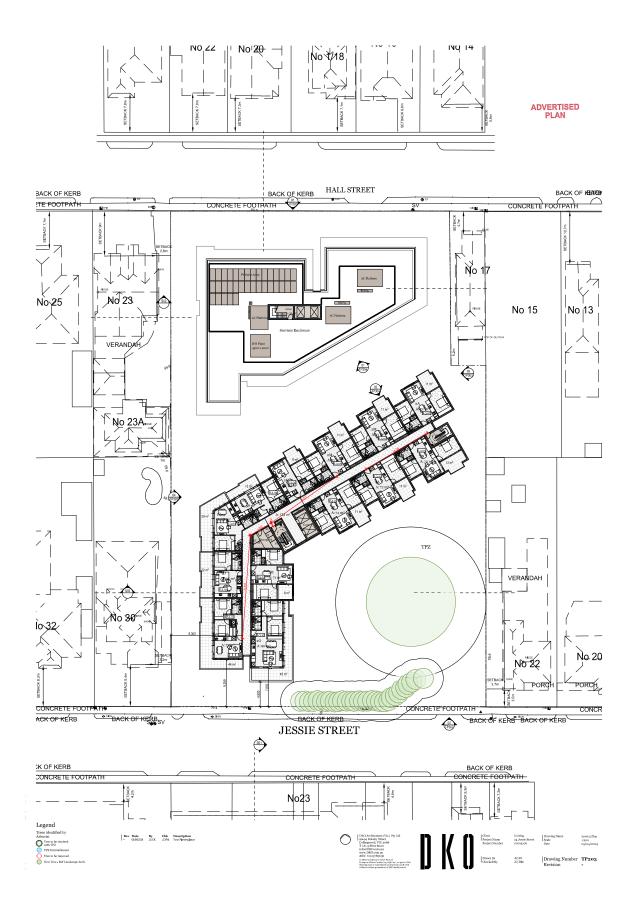


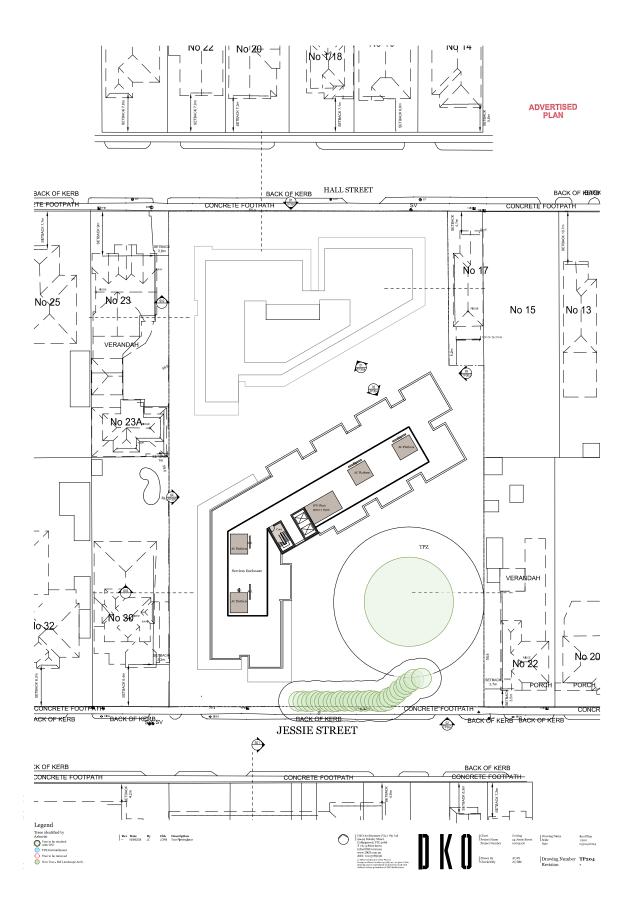


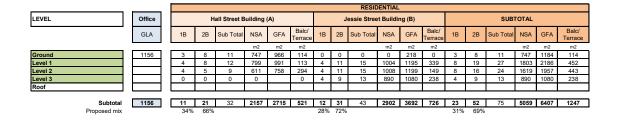












LEVEL	
Ground	
Level 1	
Level 2	
Level 3	
Roof	, and the second
	Subtotal Proposed mix

Carpark	Bikes		
#	Resi	Comm.	Visitor
19	75	36	16
19	75	36	16

Communal Open Space
398
211
600

- 1 These areas are schematic only and subject to council and other requisite approval. Areas are not to be used for marketing purposes.
- 2 This scheme has been prepared generally within the bounds of the current site dimensions. Dimensions are subject to detailed discussion with council, hence may be subject to change once advice is received.

 3 This design has been prepared without structural or services engineering input. Design is subject to change once advice is received.

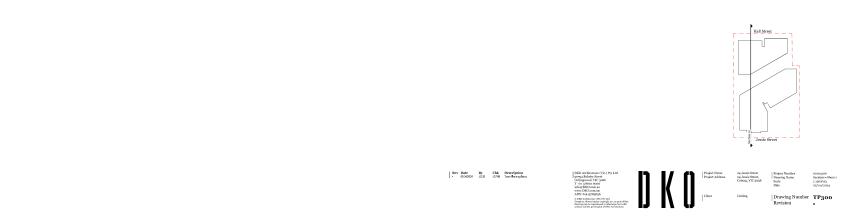
 4 The information contained herein is believed to be correct at time on preparation based on the information available at time of preparation. Recipients must make their own investigations to satisfy themselves in all aspects.

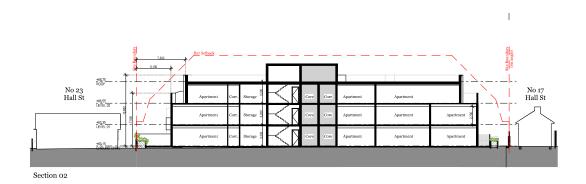
- 5 The design and accompanying documentation contained herein is and remains the intellectual property of DKO Architecture.
 6 All areas measured to PCA method of measurement
 7 Retail / Commercial GLA includes external walls.
- 8 GFA excludes balconies, planters, terraces, roof plant or voids 9 GFA/GBA excludes projecting Architecture elements

Rev Date By Chk Description
- 0596050 JCJS JCRV Toxi-Floring Inse



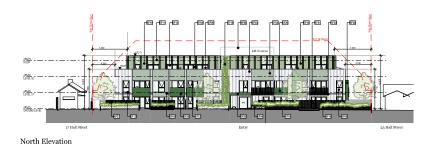


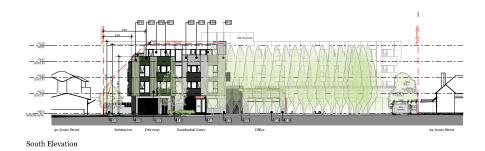






















EXTERNAL FINISHES LEGEND



DKO Architecture (Vic.) Pey Ltd 90-04 Roledy Street Odlingswood, VIC 9060 Y-62 g 860x 6000 infeed DKO-com-an wave, DKO-com-an ADN: 64433743926

Rev Date By Chk Description 05040024 JCJG JOHN TemPlaning Issue

D K 0

Project Name 24-J
Project Address 24-J
Cob

24 Jessie Street 24 Jessie Street, Ceburg, VIC 3058 Uniting fember 00013106
Name Elevations - 81
1200@A3
00/04/2024

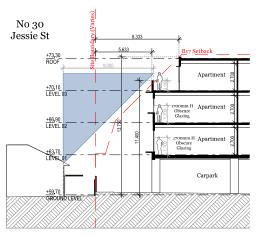


Internal South Elevation (Hall Street Building A)

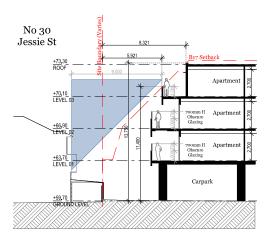


Internal North Elevation (Jessie Street Building B)

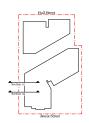




Overlooking Section 01 (Window Condition Western facade)



Overlooking Section 02 (Balcony Condition Western facade)



Rev Date By Chk Description (658022) JOH JORN Ton Harring Inve



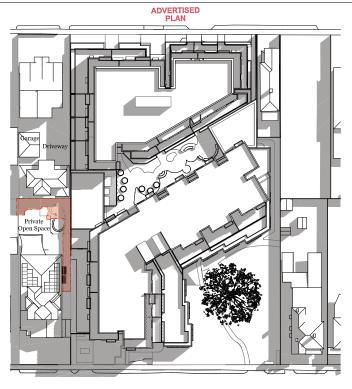


Uniting as 24 January Street ooo13006 JC/JS JC/RM

Existing 9am Equinox



Proposed 9am Equinox



Rev Date By Chk Description - 05/96/250 JCGS JCRW Town Rening Issue





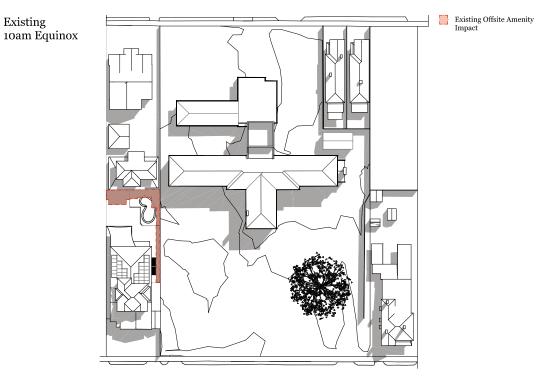
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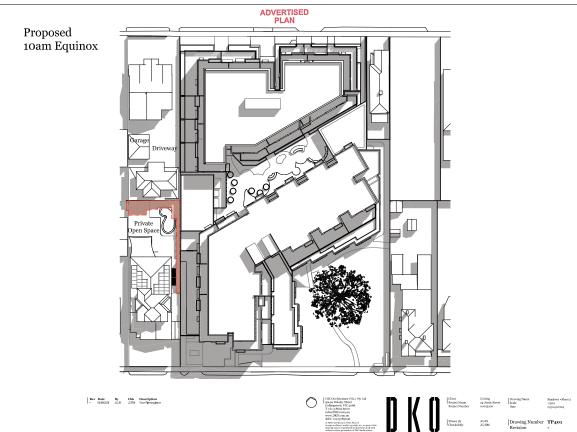
Drawn By
Checked By

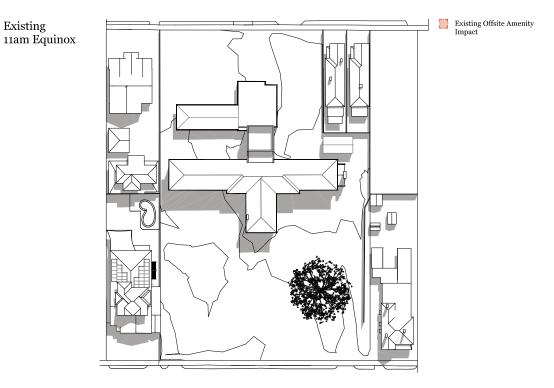
Uniting
24 Jessie Street
00013006

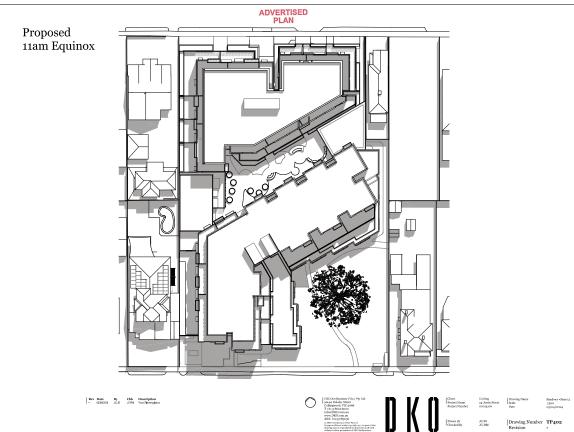
JC/JS
JC/JSM

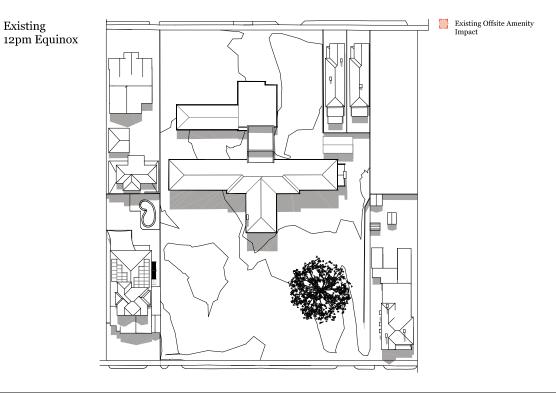
Drawing Number TP400 Revision -

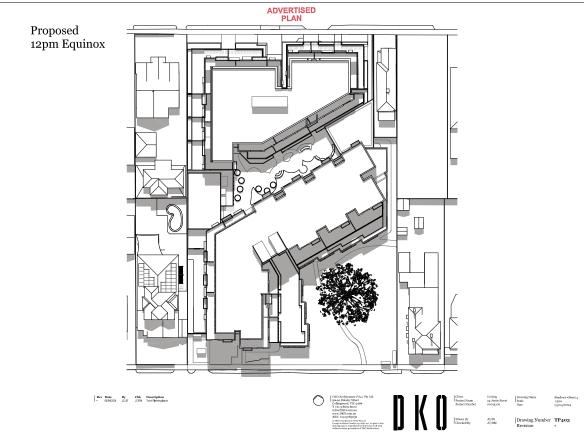


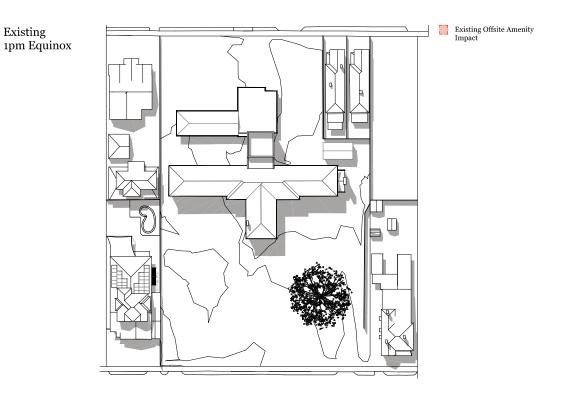


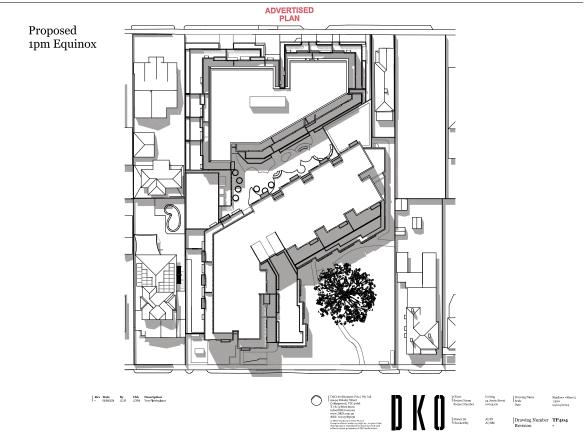




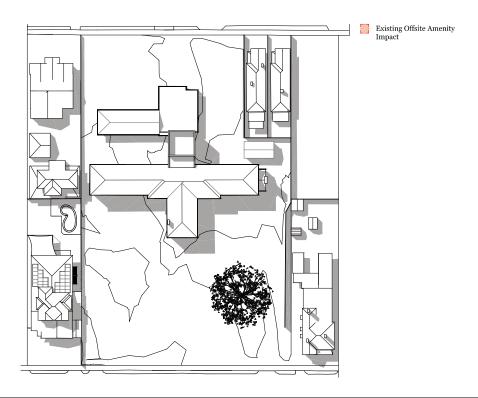




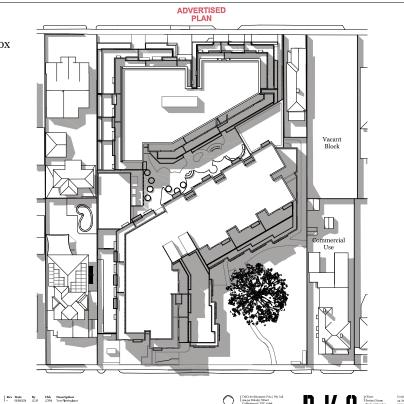




Existing 2pm Equinox

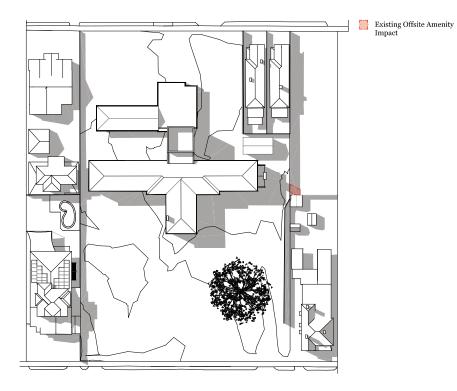


Proposed 2pm Equinox

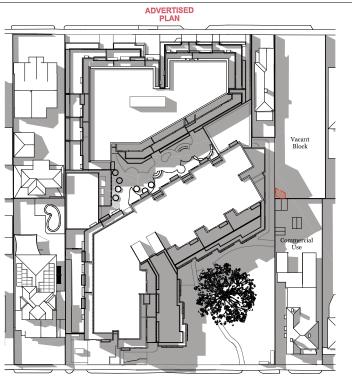




Existing 3pm Equinox



Proposed 3pm Equinox



Rev Date By Chik Description 05/94/2521 JCUS JCRN Ton Planing law





Client Project Name 2
Project Name 2
Project Name 0

Drawn By 3
Checked By 3

Uniting 24 Jacobs Street coorgand JC/JS JC/RM | Drawing Name | Shadows - Sheet | 1300 | Date | 05/04/2024 | | Drawing Number | TP406 |

Proposed 9am Winter Soltice

21 June



Primary Communal Outdoor Space : (609m²)

Unshaded: 15 m² (2.4%)

Rev Date By Chk Description - 05/60222 JCUS JCRN Toxic Planting late











Proposed 10am Winter Soltice

21 June



Primary Communal Outdoor Space : (609m²)

Unshaded: 59 m² (9.6%)

Rev Date By Chk Description - 05/60222 JCUS JCRN Toxic Planting late





Proposed 11am Winter Soltice

21 June



Primary Communal Outdoor Space : (609m²)

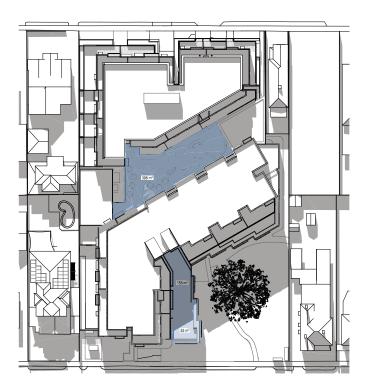
Unshaded: 69 m² (11.3%)





Proposed 12pm Winter Soltice

21 June



Primary Communal Outdoor Space : $(609m^2)$

Unshaded: 53 m² (8.7%)

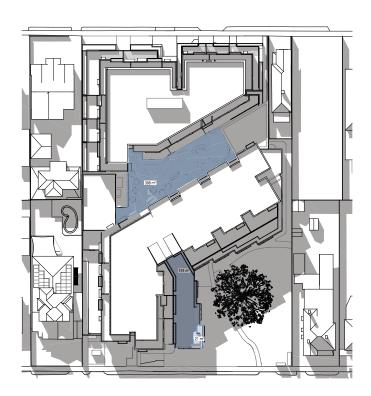
Rev Date By Chk Description - 05/60222 JCUS JCRN Toxic Planting late





Proposed 1pm Winter Soltice

21 June



Primary Communal Outdoor Space : $(609m^2)$

Unshaded : 21 m² (3.4%)





Proposed 2pm Winter Soltice

21 June



Primary Communal Outdoor Space : $(609m^2)$

Unshaded: 0 m² (0%)

Rev Date By Chk Description (ISBN 250 JCIS JCRN Ton Plening Inve





Proposed 3pm Winter Soltice

21 June



Primary Communal Outdoor Space : $(609m^2)$

Unshaded: 6 m² (1%)







Jessie Street - View 01

ADVERTISED PLAN



Jessie Street - View 02

Rev Date By Chk Description
- 0586220 JCJS JCRN Tour Planting Insue





Jessie Street - View 03









Hall Street - View 01

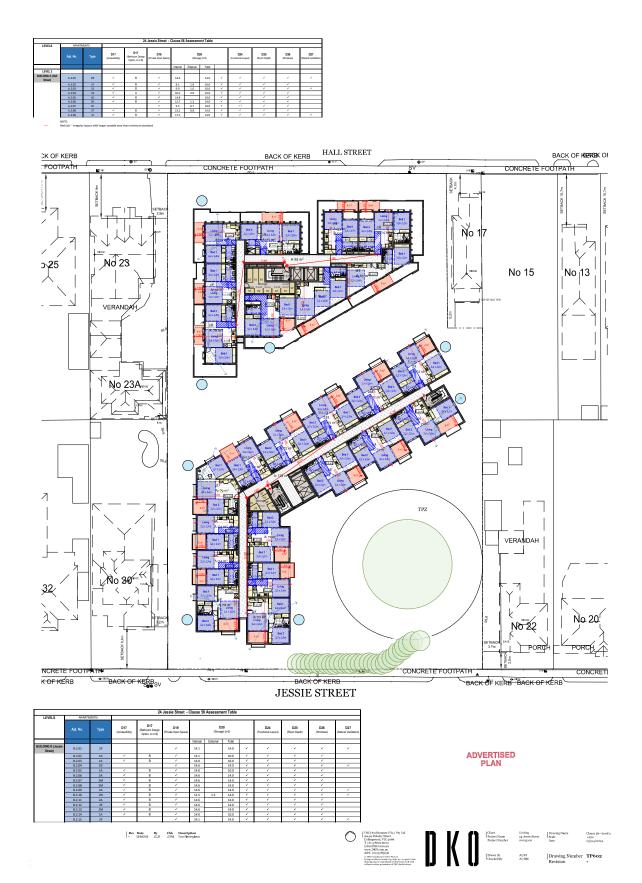
Rev Date By Chk Description 0590250 JCJS JCRN Ton Paning Inve









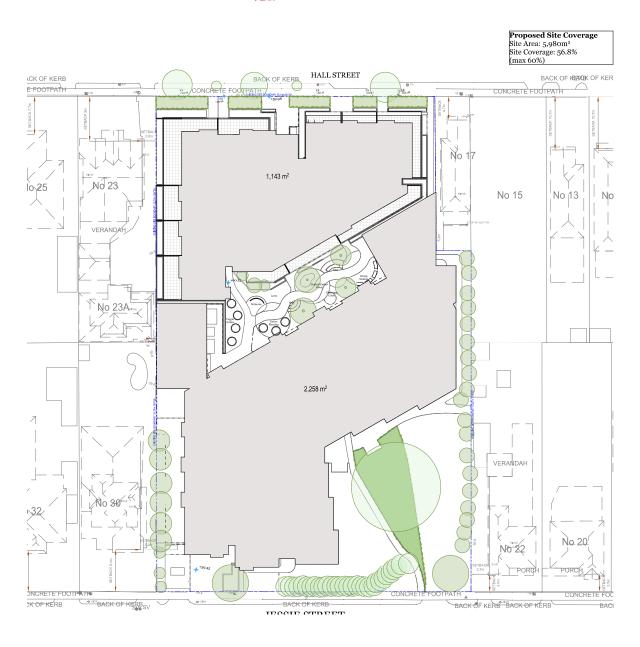




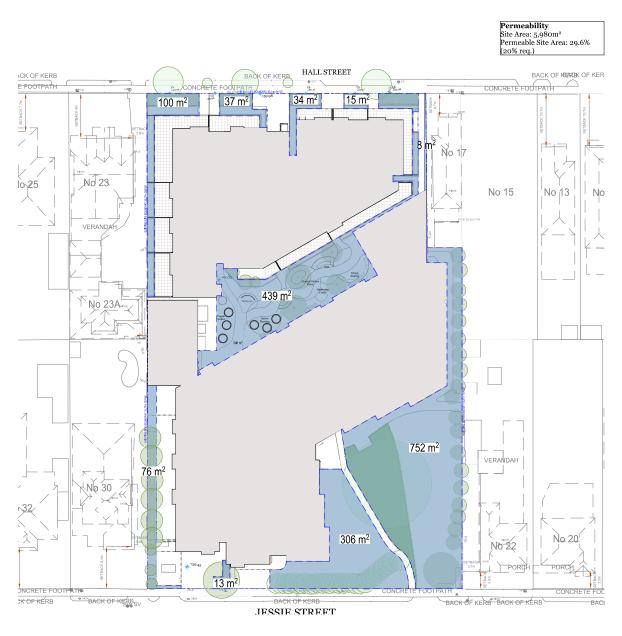


Planning and Related Matters Meeting 25 September 2024

Rev Date By Chk Description
- 0596050 JCJS JCRV Toxi-Floring Inse



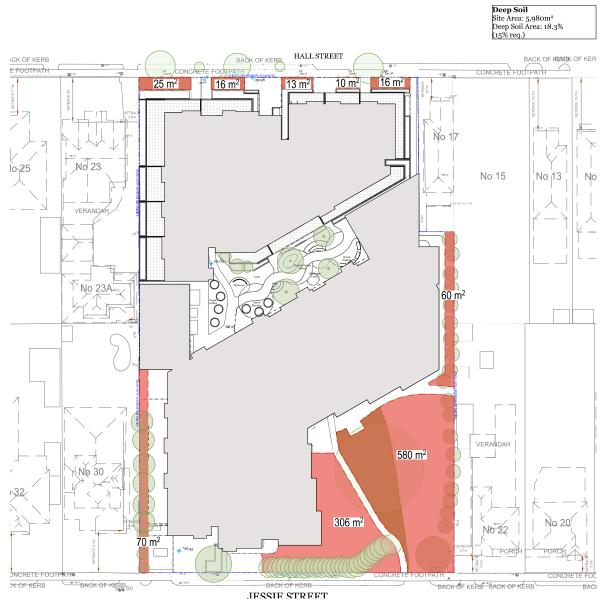
| Live Date | Decomption | Deco



| The Date | Property | Continues | Contin







| Total Park | Class | Total Park | Class | Total Park |