3 Presentation of officer reports

3.1 49 Peate Avenue, Glen Iris

Application no.: **PP19/0706.01**
Responsible director: **Scott Walker**
Authorised by: **David Cowan**
Report officer: **Amaya De Silva, Senior Planner**

Report abstract

Proposal
This proposal is to amend Planning Permit PP19/0706 for the construction of two (2) dwellings on a lot. The proposed amendments are as follows:

- Deletion of Condition 1. a) ii.
- Re-design of dwellings including changes to setbacks, windows and façade including:
  - Re-arrangement of driveway alignment
  - Garage levels lowered, and basements modified
  - Front setback to Dwelling 1 increased
  - Side setbacks modified
  - Rear setbacks increased to 14.6 metres and 15.2 metres
  - Front façade design changed, addition of balcony, updated materials
  - Addition of pools

The proposal maintains the scope of the previously approved development, being two double storey attached dwellings. The number of dwellings and number of car parking spaces remain unchanged from the previously approved planning permit.

Issues
Key issues in respect of this application include amenity impacts, ResCode, and neighbourhood character.

In addition, the following are concerns that have been raised by objectors:

- Neighbourhood Character
- Heritage Overlay impacts
- Drainage, construction and excavation impacts
- Basements
- Landscaping
- Loss of views
- Overshadowing
- Overdevelopment and dwelling density
- Traffic and congestion

Officer's response

The amended design is considered to appropriately respond to the existing and preferred character of the area, proposing a similar built form to that which has been previously approved on the site. The building materials have been amended to include face brickwork and standing seam cladding, to provide articulation and visual interest.

The proposed amendments to the landscape design are generally supported by Council's Arborist, and conditions are recommended to reduce the extent of paving adjacent to the pools to enable additional deep soil planting areas in the rear setbacks. Recommended conditions also ensure any alterations to the driveway incorporate sufficient soft landscaping areas within the front setback.

The modifications to the setbacks result in an overall increase to setbacks at both ground and first floor levels for each dwelling to each boundary. There is a reduction in the rear setback of the basement, which is not visible to the streetscape.

The proposed amendments achieve full ResCode compliance, subject to one condition with respect to North Facing Windows. The proposed setbacks exceed the requirements specified by Standard B17 (Side and Rear Setbacks) and Standard B19 (Daylight to Existing Windows). The proposal does not overshadow any areas of secluded private open space during the relevant hours at the Equinox in accordance with Standard B21 (Overshadowing open space). Subject to a condition relating to notations on the plans, overlooking has been appropriately managed to comply with Standard B22 (Overlooking), with obscure glass or fixed external screens to habitable room windows.

It is considered the proposed amendment will not unreasonably impact on the amenity of nearby dwellings. Previous planning permit conditions which have been addressed through the proposed plans, or are no longer relevant, and are to be removed.

Details of the proposal, discussion of all objections and assessment against relevant controls and policies are contained in the attachment to this report.

Appendices

This report includes five Appendices:

Appendix A - Plans
Appendix B - Locality Report
Appendix C - Zoning Map
Appendix D - Location of Objectors (Confidential)
Appendix E - Amended Permit Showing Changes

Please note, this report is listed in the confidential section of the agenda in accordance with Section 66(2)(a) and the definitions of 'confidential information' in Section 3(1) of the Local Government Act 2020, due to the inclusion of Appendix D. The information relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Officers' recommendation

That the Urban Planning Delegated Committee resolve that a Notice of Decision to Grant a Planning Permit No. PP19/0706.01 for the construction of two (2) dwellings in accordance with the endorsed plans at 49 Peate Avenue, Glen Iris be issued under the Boroondara Planning Scheme subject to the following conditions:

Amended plans required

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and electronic copies provided. When the plans are endorsed they will then form part of the permit. The plans must be substantially in accordance with plans PD02, PD04-PD09, prepared by Archestral, Landscape Plan prepared by Justin Hutchison and Water Quality Plan (STORM) prepared by SJF Associates, advertised 31 August 2021, on but modified to show:

    a. The following changes in accordance with the discussion plans submitted 21 February 2020, prepared by Nicholas Day Architects;

        i. ~~The application of an additional external finish to the façade. The finish must be a high-quality brick or tile and integrate with the streetscape to the satisfaction of the Responsible Authority;~~
        ii. ~~The central recess in the front façade between Dwelling 1 (49) and Dwelling 2 (49a) increased to a minimum of 2 metres at ground and first-floor (measured from the eastern edge of the Dwelling 1 Bed 1 shroud);~~
        iii. The front setback of the Dwelling 1 (49) guest room increased by 1 metre to the windows and 0.5 metre to the wall;
        iv. ~~The front setback of the Dwelling 2 (49a) Bed 1 increase by 1 metre;~~

    b. ~~The curved parapet at the top of the Dwelling 1 (49) front façade deleted;~~
    c. ~~The basement entries to be setback a minimum of 1 mere behind the front wall of each dwelling;~~
    d. ~~The extent and visibility of glazing on the western (front) façade reduced through breaking up of window forms or the application of screening to the satisfaction of the Responsible Authority;~~
    e. ~~The ground floor eastern wall of each dwelling setback a minimum of 12 metres from the eastern property boundary without reducing any southern or northern side setbacks;~~
    f. ~~The rear terrace verandah of each dwelling setback a minimum of 10.5 metres from the eastern property boundary without reducing any southern or northern side setbacks;~~
    g. ~~The front fence, pedestrian and vehicle gates to be no more than one metre high and to step down with the fall of the land;~~
    h. ~~An apex to each basement entrance, 150mm higher than the control pit;~~
    i. ~~A schedule of construction materials, external finishes and colours (including swatch samples); and~~
    j. An Amended Landscape Plan in accordance with Condition 3 of this permit.
    k. Deletion of the two canopy trees directly to the east of the swimming pools.

l. Additional 5m2 of soft landscaping to be provided to southern portion of the driveway of No. 49, and an additional 5m2 of soft landscaping to be provided to north portion of the driveway of No. 49A.
m. Mondo Grass to be inserted into the accessways of each dwelling to the satisfaction of the Responsible Authority.
n. Reduction in the extent of paving (and if required, size of pools) to allow for a minimum 4 metres x 4 metres for each canopy tree at the north-eastern (No. 49) and south-eastern (No. 49A) corners.
o. The setback of southern wall associated with the Retreat of No. 49A increased to a minimum 2.92 metres in accordance with ResCode.
p. The windows labelled “OBS” on the northern and southern elevations, identified as being “obscure glazing”, or labelled as “5” in accordance with the material schedule.
q. The provision of 6m3 of storage to be shown on the plans for each dwelling.
r. The Tree Protection Zone and Structural Root Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property drawn on all site and floor plans;
s. Notation on all site and floor plans that the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property is to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;
t. Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;
u. The siting of any necessary stormwater detention pit, underground services and pits, and/or rainwater harvesting tank to be located outside any area set aside for deep-soil planting and outside the Tree Protection Zone of any trees to be retained/protected.
v. Notation on all site and floor plans that all excavations within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist.
w. Permanent fencing within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property constructed on pier foundations with any required plinths constructed above existing grade.
x. Notation on all site and floor plans that no strip footing is permitted within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property.
y. Tree Management Plan in accordance with Condition 11; and
z. Any resultant changes to the Water Sensitive Urban Design Response in accordance with Condition 6.

Layout not to be altered

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

Landscape plan

3. A landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plan must be drawn to scale with dimensions and electronic copies provided. When endorsed, the plan will form part of the permit.

The landscape plan must be generally in accordance with the advertised landscape concept plan prepared by Justin Hutchison dated 24 June 2021 but modified to show:

a. A survey (including botanical names) of all existing trees to be retained and of those to be removed. The intended status of the trees shown on the landscape plan must be consistent with that depicted on the development layout plan;
b. One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 13 metres and canopy spread of 7 metres) in the front setback of the property (either at No. 49 or No. 49A);
c. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) in the north-eastern secluded private open space of 49 Peate Avenue Glen Iris;
d. One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 13 metres and canopy spread of 7 metres) in the south-eastern secluded private open space of 49a Peate Avenue Glen Iris.
e. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) to the north of the alfresco in the rear secluded private open space of 49 Peate Avenue Glen Iris;
f. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) to the south of the alfresco in the rear secluded private open space of 49A Peate Avenue Glen Iris.
g. Each canopy tree must be provided a minimum of 50sqm of deep soil, with the available soil area clearly shown on the landscape plan;
h. Each small tree must be provided a minimum of 30sqm of deep soil, with the available soil area clearly shown on the landscape plan;
i. All trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use;
j. All canopy trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist;
k. All canopy trees must be planted more than 2 metres away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
l. All small trees must be planted more than 1 metre away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
m. All trees in rear setbacks adequately setback from common boundaries to avoid mature canopy overhang of neighbouring spaces.

Completion of landscaping works

4. Landscaping as shown on the endorsed landscape plan/s must be carried out and completed to the satisfaction of the Responsible Authority prior to the occupation of the development.

Landscaping maintenance

5. All landscaping works shown on the endorsed landscape plan/s must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.

Water Sensitive Urban Design

6. Concurrent with the endorsement of plans, the applicant must provide a Water Sensitive Urban Design Response addressing the Application Requirements of Clause 53.18 'Stormwater Management in Urban Development' to the satisfaction of the Responsible Authority. The response must include:

    a. A site plan showing the location of proposed stormwater treatment measures and the location and area (square metres) of impermeable surfaces that drain to each treatment measure.
    b. A written statement outlining how the application achieves current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (1999). Please note that for the modelling requirement you can use the following free program to demonstrate best practice, which is equivalent to a score of 100% or more: http://storm.melbournewater.com.au
    c. If any water tank is proposed, the plans must indicate the tank's capacity in litres and what the tank is connected to (e.g. toilets).

Drainage

7. The site must be drained to the satisfaction of the Responsible Authority.

Vehicle crossovers

8. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.

Removal of redundant vehicle crossovers

9. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.

Boundary walls

10. The external faces of walls on or facing boundaries must be cleaned and finished to an acceptable standard to the satisfaction of the Responsible Authority.

Tree Management Plan

11. Concurrent with the submission of amended plans required by Condition 1 of this Permit and prior to any demolition or site works, a Tree Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Tree Management Plan must be prepared by a minimum AQF Level 5 qualified and experienced Arborist in relation to the management and maintenance of Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property. The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to ensure that all retained trees remain healthy and viable during construction:

    a. A Tree Protection Plan drawn to scale that shows:
        i. Tree Protection Zones and Structural Root Zones of all trees to be retained;
        ii. All tree protection fenced off areas and areas where ground protection systems will be used;

iii. The type of foundations (illustration or notation) within each Tree Protection Zone;
iv. Any services to be located within the Tree Protection Zone and a notation to state that all services will either be located outside of the Tree Protection Zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the project arborist; and
v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the Tree Protection Zone.

b. Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the project arborist; and details of how any permeable surfaces within the Tree Protection Zone of retained trees will be constructed;
c. Specification that a suitable time must be arranged with Council's Arborist (Environmental Sustainability and Open Spaces), who must be present to supervise any root excavation greater than 5 cm in diameter within the Tree Protection Zone of Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property;
d. Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;
e. All remedial pruning works that are required to be performed on trees during demolition and 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. Note: Only Council or Authorised Council Contractors can prune Trees Nos. 1. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.
f. The recommendations contained in the approved Tree Management Plan must be implemented to the satisfaction of the Responsible Authority and any changes to the endorsed Tree Management Plan will require written authorisation from the Responsible Authority.

Contractors to be advised of trees to be retained and protected

12. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and protected as detailed in the endorsed Tree Management Plan and are advised of any obligations in relation to the protection of those trees.

Regulation of activities in Tree Protection Area

13. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area as detailed in the endorsed Tree Management Plan without the prior written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.

Documentation and Certification by Project Arborist

14. a) Prior to the commencement of any site works, including demolition and excavation, the Responsible Authority must be provided with evidence that a project arborist has been engaged as part of the ongoing consultant team to oversee the design and construction, and to ensure the development does not have a detrimental impact on the ongoing health and stability of the trees to be retained. The project arborist must hold suitable qualifications and experience to the satisfaction of the Responsible Authority. Evidence of the appointment of the project arborist must be submitted to the satisfaction of the Responsible Authority (quoting the Planning Permit number and site address, emailed to Boroondara@boroondara.vic.gov.au) not less than seven (7) days before the commencement of works on site.

Permit to expire:

15. This permit will expire if:
    a) The development does not start within two (2) years of the issue date of this permit; or
    b) The development is not completed within four (4) years of the issue date of this permit.

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

(i) within six (6) months afterwards if the development has not commenced; or
(ii) within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

BOROONDARA
City of Harmony

STATUTORY PLANNING OFFICERS REPORT Urban Planning Committee

Application Number	PP19/0706.01
Date Application Received	02/07/2021
Planning Officer	Amaya De Silva
Applicant	Archestral
Owner	Taiju Pty Ltd
Property Address	49 Peate Avenue, Glen Iris
Existing Permit Preamble	Construction of a two (2) dwellings on a lot
Existing Permit Number	PP19/0706
Proposal	Amend Planning Permit PP19/0706 (Construction of two (2) dwellings on a lot). Deletion of Condition 1. a) ii) Re-design of dwellings including changes to setbacks, windows and façade including: • Re-arrangement of driveway alignment • Garage levels lowered, basement footprint modified • Front setbacks increased • Side setbacks modified • Rear setbacks increased to 14.6 metres and 15.2 metres • Front façade design changed, addition of balcony, updated materials • Addition of pools
Ward	Gardiner
Zoning	Neighbourhood Residential Zone - Schedule 3
Overlays	Nil
Potential Overland Flow?	No
Advertised?	Public notice of the application was given on 25 June 2020 by Council posting notices to abutting and nearby property owners and occupiers and by the display of a sign(s) on the site for a period of not less than 14 days.
Number of Objections	14
Recommendation	Amend Planning Permit (Notice of Decision)
Plans Assessed	Plans advertised on 31 August 2021

PERMIT/SITE HISTORY

Planning Permit PP19/0706 was issued on 2 July 2020. The permit allows for the construction of two (2) dwellings on a lot in accordance with the endorsed plans. The applicant/owner did not submit plans for endorsement.

Subject Site			
Application No	**Date of Decision**	**Decision**	**Description of Proposal**
PP19/0706	2 July 2020	Permit	Construction of two (2) dwellings on a lot

It is noted that the previous permit was appealed at VCAT by the permit applicant with respect to Conditions imposed by Council. The objectors did not appeal Council's notice of decision within the 28 day timeframe, however two objectors joined as parties to the Conditions appeal. The permit applicant subsequently withdrew this Conditions appeal, and submitted a Section 72 amendment (this application).

Nearby Properties				
Address	**Application No.**	**Date of Decision**	**Decision**	**Description of Proposal**
47 Peate Avenue	PP17/01169	11/01/2020	Permit	Construction of two (2) dwellings on a lot
51 Peate Avenue	PP18/00580	14/02/2019	Permit	Construction of two (2) dwellings on a lot
1/53 & 2/53 Peate Avenue	PP17/00758	14/05/2018	Permit	Construction of two (2) dwellings on two lots and common property

PROPOSAL

Appendix A - Plans

An application has been made to Council pursuant to Section 72(1) of the Planning & Environment Act 1987 for an amendment to the existing planning permit.
Only the proposed changes are able to be assessed and determined rather than a reconsideration of the development as a whole. The proposal maintains the two storey attached dwelling typology, and the number of dwellings has not changed, and the number of car spaces provided has not decreased.

Details of the proposed Section 72 amendment are provided below:

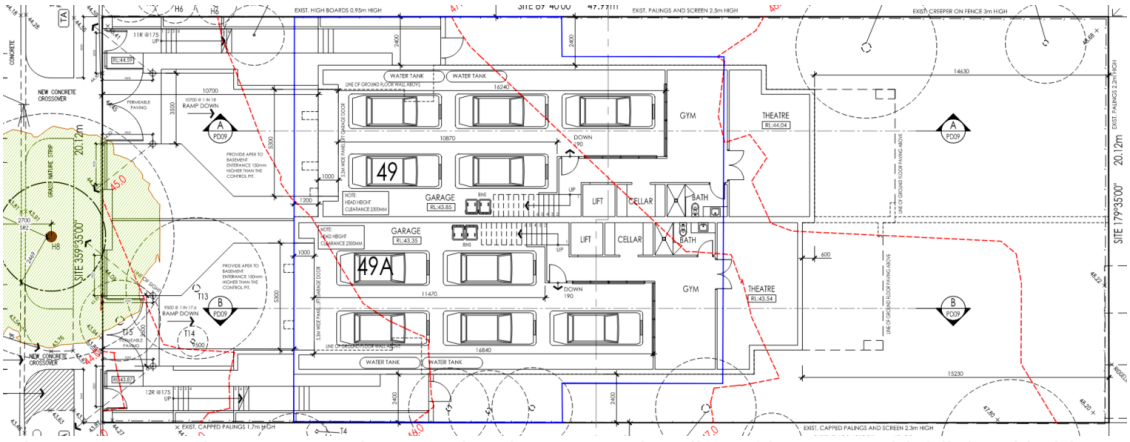
- Deletion of Condition 1. a) ii)
- Re-design of dwellings including changes to setbacks, windows and façade including:
  - Re-arrangement of driveway alignment ;
  - Garage levels lowered, basement footprint modified;
  - Front setbacks increased;
  - Side setbacks modified;
  - Rear setbacks increased to 14.6 metres and 15.2 metres;
  - Front façade design changed, addition of balcony, updated materials;
  - Addition of pools.

	Dwelling 1 (49)	**Dwelling 2 (49A)**
Number of Storeys	Double	Double
Maximum Height of Dwelling	7.5m	7.5m
Ground Floor Area	181m^2	185m^2
First Floor Area	173m^2	173m^2
Garage/Carport Type	Basement garage	Basement Garage
Total No. of Car Spaces Provided	Minimum 2	Minimum 2
Total Secluded Private Open Space	145m^2	150m^2
Site Coverage	43%	
Permeability	46.9%	
Front Fence Details	Proposed 1 metre high	
Crossover	A new crossover is proposed for Dwelling 49. Dwelling 49A will utilise the existing crossover (moved north 2 metres)	

Basement Plan:

It is proposed to modify the basement as follows:

- Alterations to the alignment of the basement ramp, increasing the paving associated with the driveway.
- Reduce rear setback of basement - 3.96 metres (No. 49A), 4.53 metres (No. 49)
- Increase side setbacks of the basement by 2.4 metres (each dwelling)
- Front setback of basement of No. 49 increased by 1.2 metres
- Reduction in levels of the basement by 0.19 metres for both dwellings.

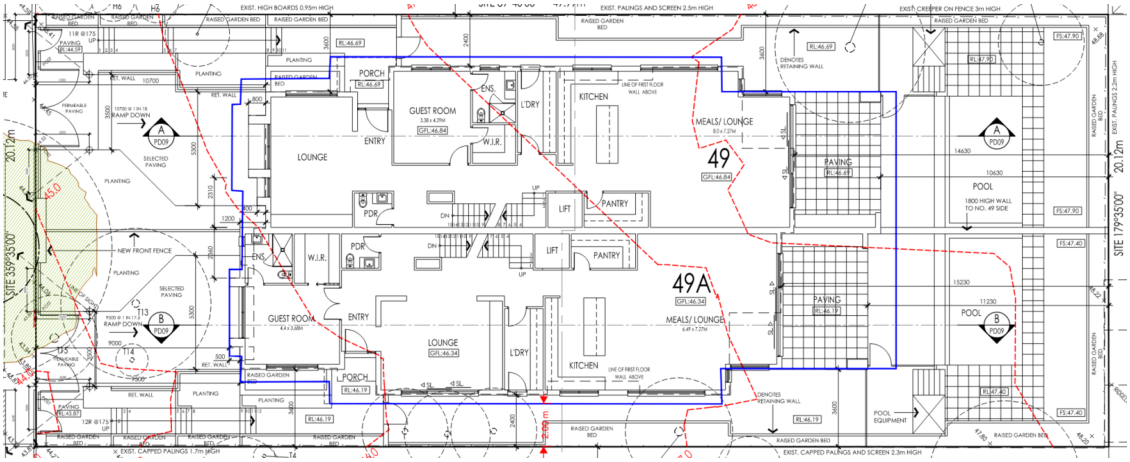


Above: Proposed Basement Plan, previously approved outline of basement highlighted in blue

Ground Floor Plan:

It is proposed to modify the ground floor as follows:

- Increase the side setbacks by a minimum 0.4 metres (each dwelling).
- Increase the rear setbacks by 5.29 metres (No. 49A) and 4.72 metres (No. 49).
- Increase front setback of No. 49 by a minimum 1 metre.
- Addition of pools to rear of each dwelling.

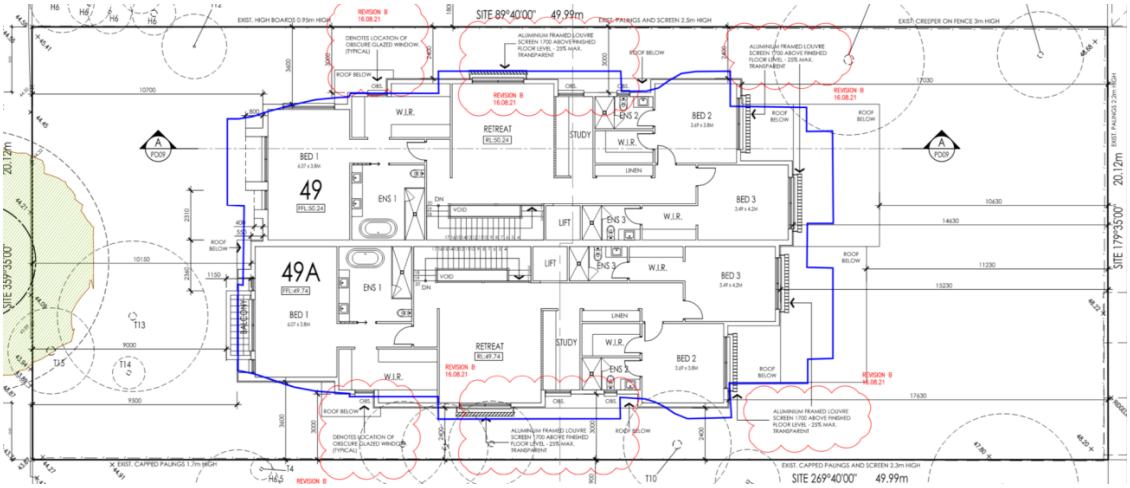


Above: Proposed Ground Floor Plan, previously approved outline of ground floor in blue

First Floor Plan:

It is proposed to modify the ground floor as follows:

- Increase the rear setbacks by a minimum 2 metres for each dwelling.
- Increase side setbacks of retreat, Bedroom 2 and ensuite by between 0.5 metres and 1.2 metres for each dwelling.
- Increase side setbacks of Bedroom 3 by approximately 2.6 metres for each dwelling.
- Increase front setbacks of Bedroom 1 by 0.9 metres for No. 49.
- Reduce side setbacks of WIR of Bedroom 1 by 0.5 metres for each dwelling.
- Addition of a balcony on the front façade of No. 49A.
- “Squaring” of previously curved walls, resulting in some reduced setbacks (additional 0.5 metres for Bedroom 1 of No. 49 and No. 49A, and 0.5 metres for Bedroom 2 of No. 49)

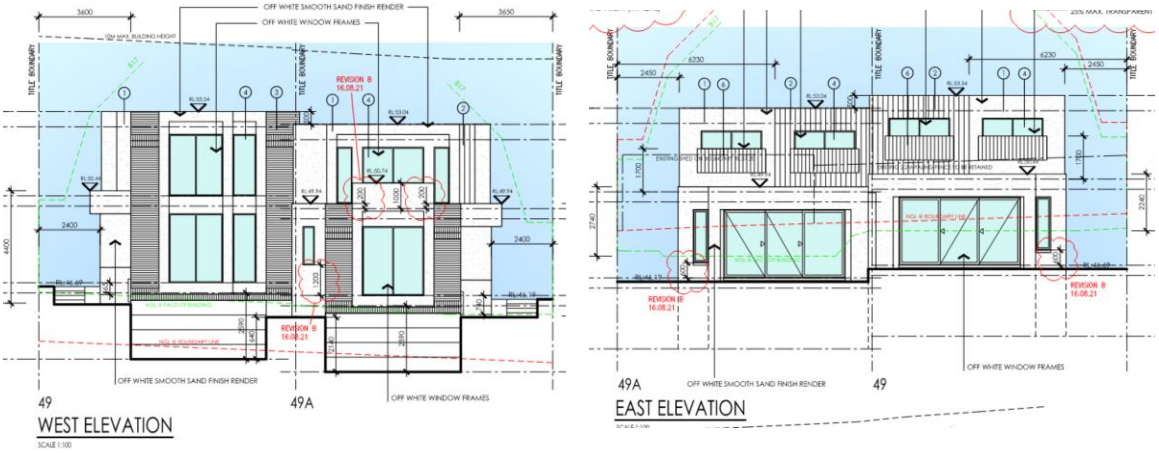


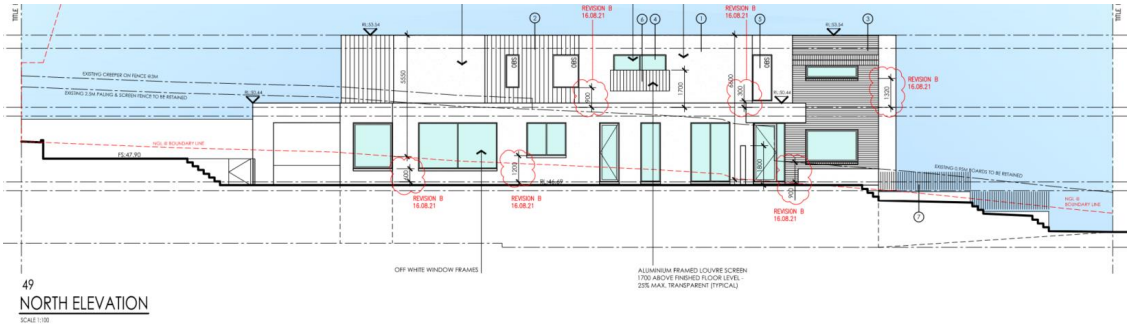
Above: Proposed First Floor Plan, previously approved outline of first floor highlighted in blue

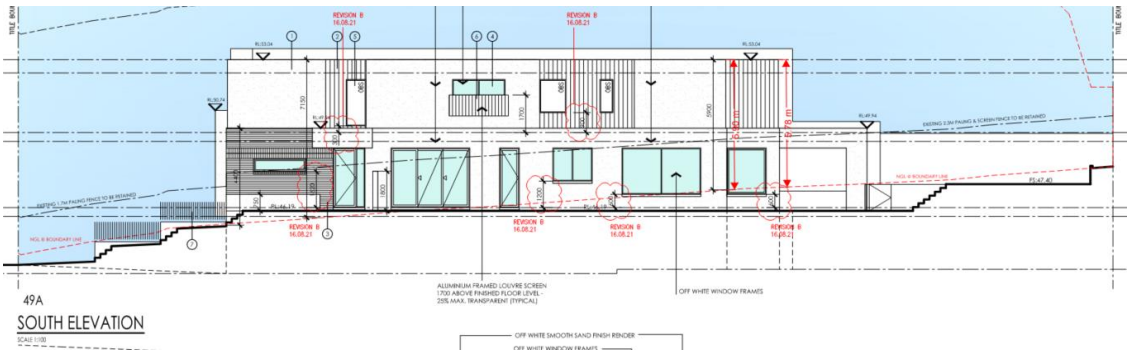
Elevation Plans:

It is proposed to modify the elevations as follows:

- Front façade design modified by deletion of curved features and parapets.
- Addition of new materials (brick and standing seam cladding) to all elevations
- Addition of balcony to No. 49A.
- Modification of location of windows and type of screening.
- Overall height of both dwellings lowered.


OFF WHITE SMOOTH SAND FINISH RENDER
OFF WHITE WINDOW FRAMES
TITLE BOUNDARY
REVISION B 16.08.21
49
WEST ELEVATION
49A
EAST ELEVATION


REVISION B 16.08.21
OFF WHITE WINDOW FRAMES
ALUMINIUM FRAMED LOUVRE SCREEN
49
NORTH ELEVATION


REVISION B 16.08.21
ALUMINIUM FRAMED LOUVRE SCREEN
OFF WHITE WINDOW FRAMES
49A
SOUTH ELEVATION

Amend Permit Conditions

The changes would result in the following alterations to the existing permit conditions:

- Reword Condition 1 preamble to reference current plans.
- Remove Conditions 1 a) i, iv, b), c), d), e), f), g), h), i), - as these conditions relate to the previous permit and have been satisfied as part of this application
- Deletion of Condition 1 a) ii - proposed to be deleted as part of this application
- Retention of Condition 1 a) iii - discussed below (Planners Assessment)
- Modification of Condition 1 j) to reference the "Amended" Landscape Plan
- Addition of Conditions 1 j) to 1 z) - amenity, landscaping, overlooking and storage conditions discussed in report
- Modification of Condition 3 (Landscape Plan) to reference current plans and add additional landscaping requirements.
- Addition of Condition 11 (Tree Management Plan)
- Addition of Conditions 12-14 (Tree Protection)
- Re-numbering of Permit Expiry Condition to 15

THE SITE

Appendix B - Locality Plan

Site Location	The subject site is located on the eastern side of 49 Peate Avenue
Width of Frontage	20.12 metres
Maximum Depth of Site	49.99 metres
Total Site Area	1006m^2
Easements	The subject site is not encumbered by any easements.
Fall of the Land	The site has a steep fall from the north-east to south to the south-west of approximately 4.86 metres.
Existing Front Fence Details	A 0.9 metre high brick retaining wall is located along the frontage of the site

- The subject site is currently developed with a single storey brick dwelling with a pitched tiled roof.
- The existing dwelling is setback a minimum of 13 metres from Peate Avenue.
- Vehicle access is via a crossover adjacent to the southern boundary of the site.
- The subject site contains two trees which would require a Tree Local Law Permit for removal. It is noted these trees have been approved for removal under planning (original application) but not under Tree Local Law at this stage.

Above: Subject Site (straight in front)

Above: Subject Site (from southern end)

THE SURROUNDING AREA

The subject site is located within an established residential area. Development in the area is characterised by a range of single and multi-unit dwellings. No particular building style predominates and roof forms are varied. Building materials commonly include timber, face brick and render.

Precinct 63 encompasses a large portion of Glen Iris and part of Ashburton. This precinct stretches from Toorak Road to the north through to Gardiners Creek to the south. Linear parklands extend around and through the precinct, enhancing the area's sense of spaciousness and greenery.

This precinct is dominated by single storey, interwar dwellings interspersed with newer 2 storey dwellings. Multi-unit villas are an increasing present in the precinct, most of which present as single dwellings to the street. There are also many estates throughout the precinct subject to single dwelling covenants. While terracotta roof tiles are commonly used, building materials vary between brick, rendered brick and cladding.

Front fences are mostly low to medium in height and front setbacks range from 5m to 9m. Dwellings are generally detached with side setbacks of 1m to 3m which allow for vehicle access along the side of lots. Lot frontages are relatively consistent, generally at around 15 metres to 20 metres in width. Street widths are often narrow with street trees of varying ages. Most dwellings in the precinct retain large rear gardens which contribute to the precinct's spacious, open character.

Above - No. 51 Peate Avenue (south of subject site)

Above - No. 47 Peate Avenue (north of subject site)

Above - No. 53 Peate Avenue (two sites south of subject site)

Above - No. 35 and 35a Peate Avenue (unit development in the street)

Above - No. 26 and 26a Peate Avenue

Above: No. 34 and 34a Peate Avenue

Above: No. 32, 30 and 30A Peate Avenue (across the road from subject site)

Above: No. 28 Peate Avenue (across the road from subject site)

RESTRICTIVE COVENANT/AGREEMENTS

No covenant or restriction has been registered on Title for this property.

ABORIGINAL CULTURAL HERITAGE

Is the site within an area of Aboriginal cultural heritage sensitivity?	No

NOTICE OF AMENDMENT

Pursuant to Section 52 of *the Planning & Environment Act* 1987, the amended application was advertised by:-

- Sending notices to the owners and occupiers of adjoining land; and
- Placing sign on the land for a period of 14 days.

OBJECTIONS RECEIVED?

14 objections have been received to the proposal. The grounds of objection are summarised as follows:-

- Neighbourhood Character
- Heritage Overlay impacts
- Drainage and cumulative impact of multiple approvals
- Basements
- Construction/excavation impacts
- Landscaping
- Loss of views
- Infrastructure
- Overshadowing
- Overdevelopment and dwelling density
- Traffic and congestion

INTERNAL REFERRALS

The application was referred to the following:-

Arborist

The application was referred to Council's Arborist, who provided the following comments:

Tree 1 - *is a street tree.*

- *Two new cross-overs, driveways, boundary fencing and internal fencing are proposed to be constructed within the TPZ.*
- *These works have been previously approved in PP19/0706.*
- *The works represent a major encroachment (≥35%) and the existing planning permit does not contain conditions to protect the tree.*

- *There is an existing brick boundary fence, concrete driveway and cross-over within the TPZ.*

All other site trees have been previously endorsed for removal.

a) *Two trees are protected by the Tree Protection Local Law. These trees have been identified in a previous arborist report as Tree 9 and 13*

Trees in the neighbouring properties north and south of the subject property have been approved for removal in conjunction with planning permits for each property.

Please include the following conditions:

Amended plans required

1. Plans modified to show:

a) *The Tree Protection Zone and Structural Root Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property drawn on all site and floor plans;*
b) *Notation on all site and floor plans that the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property is to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;*
c) *Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;*
d) *The siting of any necessary stormwater detention pit, underground services and pits, and/or rainwater harvesting tank to be located outside any area set*

aside for deep-soil planting and outside the Tree Protection Zone of any trees to be retained/protected.

e) Notation on all site and floor plans that all excavations within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist.

f) Permanent fencing within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property constructed on pier foundations with any required plinths constructed above existing grade.

g) Notation on all site and floor plans that no strip footing is permitted within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property.

h) A 50 sqm deep soil garden area within the front set-back of either dwelling to accommodate a canopy tree.

i) A 50 sqm deep soil garden area in the secluded private open space of 49a Peate Avenue Glen Iris to accommodate a canopy tree.

Landscape plan

a) A survey (including botanical names) of all existing trees to be retained and of those to be removed. The intended status of the trees shown on the landscape plan must be consistent with that depicted on the development layout plan;

b) One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 13 metres and canopy spread of 7 metres) in the front setback of the property (either at No. 49 or No. 49A);

c) One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) in the north-eastern secluded private open space of 49 Peate Avenue Glen Iris;

d) One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 13 metres and canopy spread of 7 metres) in the south-eastern secluded private open space of 49a Peate Avenue Glen Iris.

e) Each canopy tree must be provided a minimum of 50sqm of deep soil, with the available soil area clearly shown on the landscape plan;

f) Each small tree must be provided a minimum of 30sqm of deep soil, with the available soil area clearly shown on the landscape plan;

g) All trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use;

h) All canopy trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist;

i) All canopy trees must be planted more than 2 metres away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
j) All small trees must be planted more than 1 metre away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
k) All trees in rear setbacks adequately setback from common boundaries to avoid mature canopy overhang of neighbouring spaces.

Tree Management Plan

2. Concurrent with the submission of amended plans required by Condition 1 of this Permit and prior to any demolition or site works, a Tree Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Tree Management Plan must be prepared by a minimum AQF Level 5 qualified and experienced Arborist in relation to the management and maintenance of Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property. The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to ensure that all retained trees remain healthy and viable during construction:

a) A Tree Protection Plan drawn to scale that shows:
i. Tree Protection Zones and Structural Root Zones of all trees to be retained;
ii. All tree protection fenced off areas and areas where ground protection systems will be used;
iii. The type of foundations (illustration or notation) within each Tree Protection Zone;
iv. Any services to be located within the Tree Protection Zone and a notation to state that all services will either be located outside of the Tree Protection Zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the project arborist; and
v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the Tree Protection Zone.
b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the project arborist; and details of how any permeable surfaces within the Tree Protection Zone of retained trees will be constructed;
c) Specification that a suitable time must be arranged with Council's Arborist (Environmental Sustainability and Open Spaces), who must be present to supervise any root excavation greater than 5 cm in diameter within the Tree

Protection Zone of Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property;

d) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;

e) All remedial pruning works that are required to be performed on trees during demolition and 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. Note: Only Council or Authorised Council Contractors can prune Trees Nos. 1. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.

f) The recommendations contained in the approved Tree Management Plan must be implemented to the satisfaction of the Responsible Authority and any changes to the endorsed Tree Management Plan will require written authorisation from the Responsible Authority.

Contractors to be advised of trees to be retained and protected

3. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and protected as detailed in the endorsed Tree Management Plan and are advised of any obligations in relation to the protection of those trees.

Regulation of activities in Tree Protection Area

4. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area as detailed in the endorsed Tree Management Plan without the prior written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.

Documentation and Certification by Project Arborist

5. a) Prior to the commencement of any site works, including demolition and excavation, the Responsible Authority must be provided with evidence that a project arborist has been engaged as part of the ongoing consultant team to oversee the design and construction, and to ensure the development does not have a detrimental impact on the ongoing health and stability of the trees to be retained. The project arborist must hold suitable qualifications and experience to the satisfaction of the Responsible Authority. Evidence of the appointment of the project arborist must be submitted to the satisfaction of the Responsible Authority (quoting the Planning Permit number and site address, emailed to Boroondara@boroondara.vic.gov.au) not less than seven (7) days before the commencement of works on site.

Officer Comment

Council's Arborist is supportive of the proposed amendment.

The comments provided note the proposed amendment will not significantly impact neighbouring trees any more that what has been previously been approved, however there is some additional planting requirements and a Tree Management Plan required for the Street Tree.

Council's Arborist has recommended permit conditions relating to the proposed landscaping, which are consistent with the Landscape Plan in the previously approved planning permit. An amended landscape plan will be required in Conditions 1 and 3 with additional requirements (as per recommendation from Council's Arborists). In addition to the requirements from Council's Arborists previously mentioned, the following conditions are recommended:

Additional Recommended Conditions:

Condition 1

j) Deletion of the two canopy trees directly to the east of the swimming pools.

This condition is recommended due to concerns from the neighbouring dwelling to the east that there will be overshadowing of their private open space areas due to the proposed four canopy trees. By limiting the number of canopy trees to only 2 within the rear setbacks, this issue can be mitigated and will also allow for adequate space for the remaining two trees to grow.

Landscape Plan (Condition 3)

e) One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) to the north of the alfresco in the rear secluded private open space of 49 Peate Avenue Glen Iris;

f) One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) to the south of the alfresco in the rear secluded private open space of 49A Peate Avenue Glen Iris.

This condition is recommended in accordance with the Concept Plan submitted by the applicant (advertised) that shows the inclusion of two trees in this location.

Traffic & Transport Department - Traffic Engineers

Officer Comment

A referral response was provided as part of the original application, noting that the proposed development of two dwellings would be comfortably accommodated along Peate Avenue, and that the layout of the basement complied with the requirements of Clause 52.06. As the number of dwellings has not increased, and the car parking spaces provided have not reduced, a re-referral to Traffic is not required.

Drainage

As with all properties being subdivided, an onsite detention system would be required for this site. This would reduce the rate of storm water runoff to predevelopment levels. This is done by temporarily storing storm water on site and releasing it slowly over time.

Any water intercepted by the basement will need to be reused in internal for toilet flushing so this water will not be going to the kerb and channel.

Swimming pools are connected to sewerage and not storm water so it would have no effect on the stormwater system.

Officer Comment

Council's Drainage Engineer does not have any concerns with the proposed development, subject to drainage requirements as part of the subdivision process.

Infrastructure

The following comments were provided by Council's Infrastructure Department as part of the original application (PP19/0706) in relation to the two crossovers.

☒ *The application is supported.*

OVERALL COMMENTS:

#49: New 3m wide concrete crossover

- *Minimum 600mm clearance from the Telstra pit*

#49A: New 3m wide concrete crossover

- *Relocate stormwater pipe outlet clear*
- *Minimum 2m clearance from the street tree at all points*
- *Minimum 5.5m of kerb separation between the radials of the two crossovers to maintain one on-street parking space*
- *Remove the existing crossover and reinstate all street assets*

Officer Comment

It is note there are no changes proposed to the location or size of the crossovers as part of this application, and as such does not require a new referral as part of this Section 72 Amendment.

EXTERNAL REFERRALS

The application was not required to be referred externally.

GOVERNANCE ISSUES

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

The officers responsible for this report have no direct or indirect interests requiring disclosure.

CONSIDERATIONS

In assessing this application, consideration has been given to the following:-

- The objectives of planning in Victoria as detailed in Section 4 of the *Planning & Environment Act* 1987;
- Section 60 of the *Planning & Environment Act* 1987;
- The relevant provisions and decision guidelines of the Boroondara Planning Scheme including the decision guidelines of Clause 65; and
- Any objections received.

This proposal does not raise any significant adverse social or economic impacts. General social and economic impacts are addressed by the planning policy assessment below.

PLANNING POLICY FRAMEWORK

The following State policies are relevant to the assessment of the current application:

- Clause 11 - Settlement
- Clause 15 - Built Environment & Heritage
- Clause 16 – Housing

Clause 11 - Settlement

Clause 11 broadly seeks to *'facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community, and commercial infrastructure and services'.*

Relevant settlement strategies of Clause 11.01-1S include:

- *'Encourage a form and density of settlements that supports sustainable transport to reduce greenhouse gas emissions.*
- *Limit urban sprawl and direct growth into existing settlements.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.*
- *Ensure retail, office-based employment, community facilities and services are concentrated in central locations.'*

Clause 15 - Built Environment and Heritage

Clause 15 broadly seeks to *'ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form, and cultural context'* and *'promote excellence in the built environment'.*

Specific strategies contained within Clause 15 relevantly include:

- *'Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape, and climate.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads*
- *Promote good urban design along and abutting transport corridors.*
- *Ensure development responds and contributes to the strategic and cultural context of its location.*

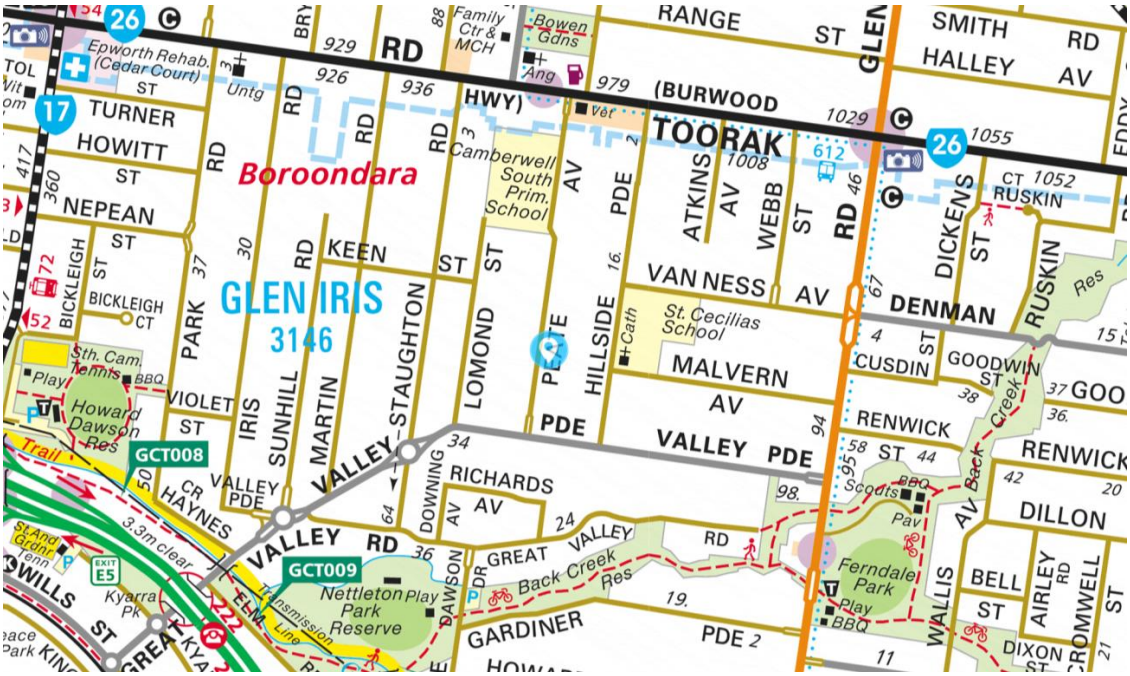
- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place.*
- *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place.'*

Clause 16 - Housing

Of relevance to this application, Clause 16.01 Residential Development includes the following strategies:

- *Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.*
- *Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*
- *Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.*

The subject site has convenient access to the following community facilities:



The proposal is considered to be generally consistent with the broad urban consolidation, energy efficiency and medium density housing objectives outlined in the relevant Clauses of the State Planning Policy Framework. Furthermore, the proposal is considered to respect the character of the surrounding area and contributes appropriately to the streetscape and public realm.

LOCAL PLANNING POLICY FRAMEWORK

Clause 21.04 - Built Environment and Heritage

Clause 21.04 outlines the municipalities key objectives relating to urban design, neighbourhood character, and sustainability. These include:

- *'To achieve high quality urban design and built form outcomes.*
- *To ensure that the City retains its distinct neighbourhood character identity.*
- *To encourage environmentally sustainable design and development'.*

Matters pertaining to urban design and neighbourhood character are discussed in conjunction with local policy and Clause 55 within this report.

Clause 21.05 - Housing

Council has established a clear vision to facilitate a diverse range of housing in line with housing demand while ensuring the preferred character of established residential areas is achieved and residential amenity is maintained.

The Housing Framework is summarised below and is shown on Map 1 of this clause. The framework seeks a balanced approach to manage residential development within Boroondara.

Objective 1

To facilitate residential development in accordance with Boroondara's Housing Framework.

Strategies

1.1 Implement the Housing Framework in Table 1 in Boroondara.

Support minimal change and protection of preferred neighbourhood character.	Traditional suburban areas with a dominance of single detached and semidetached dwellings	**Neighbourhood Residential Zone - Schedule 3**

Objective 2

To provide a diverse range of housing types while protecting preferred neighbourhood character and adjoining residential amenity.

Strategies

2.1 Require new development to respect and respond to the preferred neighbourhood character in the General Residential Zone and Neighbourhood Residential Zone.
2.2 Facilitate development that provides a genuine mix of dwelling types and sizes including 1, 2 and 3+ bedroom dwellings.
2.3 Require high quality design and internal amenity for residents.
2.4 Facilitate the provision of accessible and adaptable housing in Boroondara.

Planner's Comments:

The above objectives and strategies are further considered in the Neighbourhood Character Policy and ResCode (Clause 55) sections of this assessment.

Clause 22.05 - Neighbourhood Character Policy

22.05-4 Neighbourhood Residential Zone Schedule 3

Preferred character objectives

- *To enhance the consistency and character of streetscapes.*
- *To maintain a spacious backyard character and leafy garden setting of dwellings, where this is an identified preferred character of the precinct.*

Policy

It is policy to:

- *Ensure development respects the prevailing scale of buildings in the precinct.*
- *Ensure development is set back from the front, side and rear boundaries, consistent with the preferred character of the precinct.*
- *Ensure second dwellings and additions to existing dwellings are sited to retain an area of open space to the rear of the dwelling that is capable of accommodating canopy trees.*
- *Avoid attached dwellings set one behind the other that provide no visual separation between built forms.*
- *Ensure that upper storeys of dwellings at the rear of lots are recessive and have a reduced footprint to the ground floor.*

The following table contains an assessment against the design objectives and responses contained within the relevant Neighbourhood Character Precinct:

Vegetation Objective	
• *To maintain and enhance the landscaped setting of dwellings.*	
Design Response	**Assessment**
Ensure front gardens incorporate soft landscaping that complements the streetscape.	✓ **Complies**
Ensure the retention of large trees.	✓ **Complies**
Officer discussion:	
The amended application does not seek to remove any further vegetation on the site. It is noted there are two large trees proposed to be removed, which have been approved as part of the previous application. The front garden area of the dwellings have been modified through the re-alignment of driveways resulting in additional hard paving in the front setback. This reduces opportunities for some soft landscaping. This will be discussed further below in "Planners Assessment", where each of the amendments are discussed.	

Siting Objective

- *To maintain and enhance the existing consistent streetscape rhythm and sense of spaciousness.*
- *To maintain the existing spacious backyard character.*

Design Response	Assessment
Ensure buildings are setback no less than the average distance of the front setback of the adjoining properties on either side or 9m, whichever is less.	✓ **Complies**
Ensure buildings are sufficiently setback from rear boundaries to maintain the open, backyard character of the immediate area where this exists.	✓ **Complies**
Provide a secluded private open space area with a minimum of 4m to enable the planting and retention of large trees.	✓ **Complies**
Ensure new development on a corner site is adequately setback to provide a transition between the adjoining buildings.	**N/A**
Ensure buildings are setback from both side boundaries and reflect the prevailing streetscape.	✓ **Complies**

Officer discussion:

The amendment proposal show an increased setback from the front boundary and provides a minimum 10.7 metre front setback for No. 49 to the front wall of the lounge. The windows protrude forward a maximum 0.9 metres, resulting in a general setback to the windows of 9.9 metres, exceeding the requirements of the objective. For No. 49A, the front setback will be 9.5 metes, which also complies with the objective.

The dwellings are setback from the side boundaries approximately 2.4 metres, which successfully reflects the prevailing streetscape and provides meaningful separation between neighbouring dwellings.

The dwellings are setback a minimum 14.3 metres from the rear boundaries which maintains the open backyard character of the immediate area.

The rear private open space areas of each dwelling provides a minimum 10 metre dimension to each dwelling, allowing for the planting of large trees within the backyards.

Building Height & Form Objective

- *To maintain the existing one and two storey scale and pitched roof character of the*

precinct.
- *To ensure buildings do not dominate the streetscape or disrupt the existing streetscape rhythm.*

Design Response	Assessment
Ensure buildings are composed of facades that are no more than two storeys high to the street.	✓ **Complies**
Ensure upper level additions to historic dwellings are sufficiently setback to appear as a recessive element.	**N/A**
Ensure attached side by side development is designed to read as one dwelling within the streetscape.	**× Non-compliance**

Officer discussion:

The amendments proposed do not change the previous proposal in terms of appearing as more than two stories to the street. Due to the slope of the site, the two basements will be visible from the streetscape. This is not different to the previous proposal, which also had visibility of the basement entries from the streetscape. It is noted that due to the proposed reduction in levels of the basement garage, the visibility of the garage has been slightly reduced (further excavated into the ground).

To ensure that the dwelling is not dug into the ground excessively, and the rear private open space areas have a reasonable amount of amenity, this projection of the basement above natural ground level of approximately 400mm is considered necessary.

When compared to the previously approved development, the amended façade allows for a more cohesive built form, which helps to ensure the side by side development is read as one dwelling within the streetscape.

Building Materials & Design Details Objective
- *To ensure building materials and façade articulation integrates within the streetscape.*
- *To minimise period reproduction design.*

Design Response	Assessment
Use building materials that integrate with the streetscape character.	✓ **Complies**
Ensure use of contemporary design in preference to period reproduction styles.	✓ **Complies**
Break buildings into separate elements and use eaves, overhangs and other design details to articulate the facade.	✓ **Complies**

Officer discussion:

The amended façade of the dwellings uses materials such as off-white smooth sand

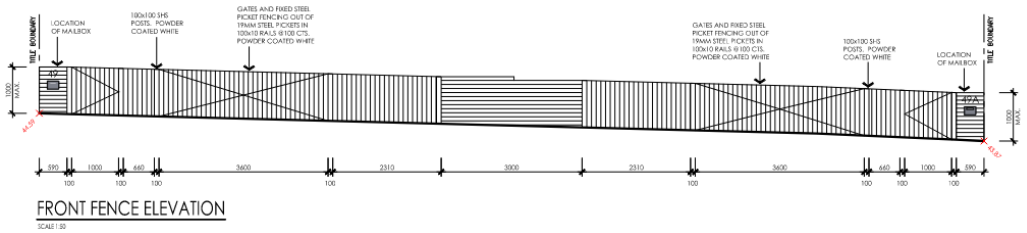
finish render, and face brick to integrate with the streetscape character. It is noted that Condition 1 a) i. of the previous permit required the inclusion of a high-quality brick or tile to break up the presentation of the render. This has been provided acceptably on the elevations through the introduction of face brick (Daniel Robertson - London Black), and Standing Seam metal cladding in matt black.

The modified façade design of the dwellings are contemporary, and not a period reproduction style.

The amended façade design includes articulated features such as an overhang at ground floor, variation of materials and setbacks to break the building into separate elements. The approved permit included Condition 1 d) to require the large windows of the front façade to be broken into smaller forms. The amended design shows this acceptably, with the windows broken up on the façade of the dwellings.

Front Boundary Treatment Objective	
• *To maintain the predominant low to medium front fence heights.* • *To maintain views of front gardens.*	
Design Response	**Assessment**
Ensure front fences are no more than 1.5m or the average fence height of the four properties on either side (whichever is less).	✓ **Complies**
Front fences along declared main roads (RD1Z) may be up to 2m in height where this is consistent with the prevailing fence height on the neighbouring properties.	**N/A**
Officer discussion:	
Condition 1 g) of the approved permit required for the front fence to be no more than 1 metre high, and to step down with the fall of the land. The proposed amended front fence complies with this condition, and is a maximum 1	

metre high. The gates and fences are proposed to be steel picket fencing and an appropriate addition to the street.



Above: Front fence and gates

Car Parking Structures Objective	
• *To minimise the loss of front gardens and the dominance of car parking structures.* • *To ensure basement garages do not increase the visual bulk of buildings.*	
Design Response	**Assessment**
Ensure car parking structures, including entrances to basements, are setback at least 1m behind the dwelling facade and are designed to minimise their prominence.	✓ **Complies**
Ensure basements project no more than 0.5m above natural ground level, unless the finished floor level of abutting properties is greater than 0.5m.	✓ **Complies**
Where possible, locate the entry to basement garages to the side or rear of dwellings so they are not visible from the street.	✓ **Complies**
Officer discussion:	
The car parking structure (basement) has been setback 1 metre behind the dwelling façade, in accordance with Condition1 c) of the approved permit. The basement does not project more than 0.5 metres above natural ground level, with a maximum projection of approximately 0.35 metres.	

Planner's Comment

The amended proposal is considered to be generally consistent with the expected style and typology of development given its Neighbourhood Residential Zone 3 zoning, and key design objectives within the Neighbourhood Character Precinct.

ZONING & OVERLAYS

Appendix C - Zoning Map

Neighbourhood Residential Zone (NRZ3)

The purpose of the Neighbourhood Residential Zone is as follows:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*

Section 1.0 of the Schedule 3 to the Neighbourhood Residential Zone contains the following Neighbourhood Character Objectives:

- *To maintain the detached, one to two storey scale and spacious, suburban character of the area.*
- *To protect and enhance the area's 'leafy' feel and the garden setting of dwellings.*
- *To maintain the fine grain rhythm of streetscapes and to enhance the landscape character of the area.*

Planner's Comments:

The proposal is considered to be consistent with the purpose of the zone and Neighbourhood Character Objectives.

Clause 32.09-4 Minimum Garden Area Requirement

Minimum Garden Area Requirement			
Lot size	**Requirement**	**Proposed**	**Assessment**
Above 650m2	35% (352.1m2)	488.916 (48.6%)	✓ Complies

Clause 32.09-9 Maximum Building Height

Mandatory Maximum Building Height			
	Requirement	**Proposed**	**Assessment**
Building height requirement	10m	7.5m	✓ Complies
Maximum number of storeys	2	2	✓ Complies

PLANNER'S ASSESSMENT

The proposal for this Section 72, includes the following.

- Deletion of Condition 1. a) ii)
- Re-design of dwellings including changes to setbacks, windows and façade including:
  - Re-arrangement of driveway alignment
  - Garage levels lowered, basements modified
  - Front setback Dwelling 1 increased
  - Side setbacks modified
  - Rear setbacks increased to 14.6 metres and 15.2 metres
  - Front façade design changed, addition of balcony, updated materials
  - Addition of pools

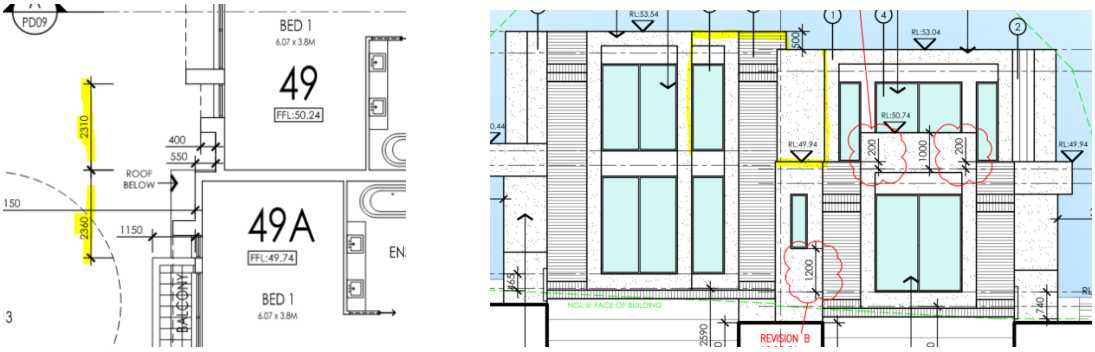
Assessment of each of these changes below.

Deletion of Condition 1. a) ii)

Condition 1 a) ii. states:

The central recess in the front façade between Dwelling 1 (49) and Dwelling 2 (49a) increased to a minimum of 2 metres at ground and first-floor (measured from the eastern edge of the Dwelling 1 Bed 1 shroud);

As part of this application, the permit applicant seeks to delete this condition, as the façade design has changed and alternate visual interest has been provided. In particular, a recess has been provided by increasing the distance between the shroud/balcony, rather than providing a deep recess of 2 metres.



Above: Plan (left) and Elevation (right) showing recessed areas of the dwellings

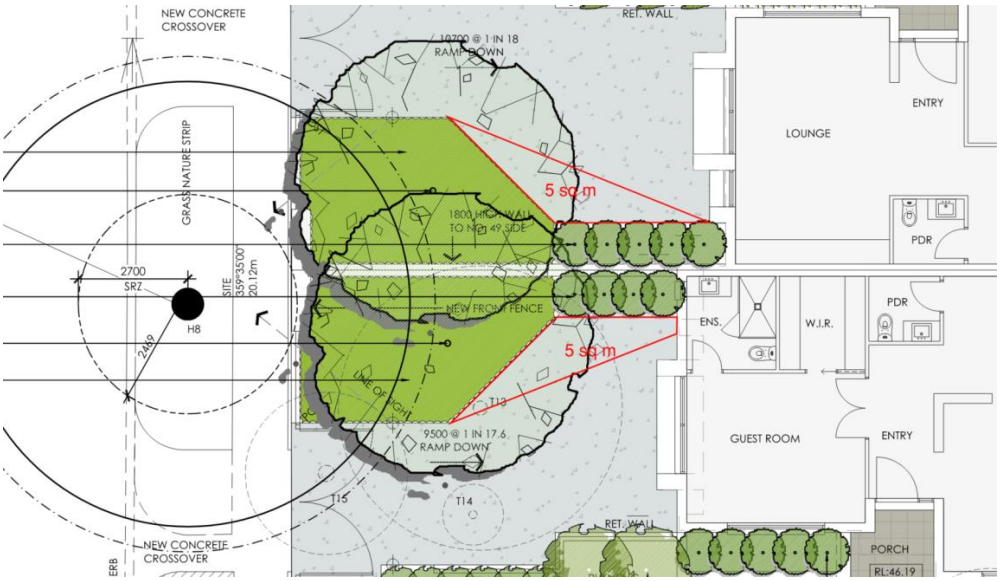
The visual interest provided by the materials on the front façade, as well as the increased separation between the shrouds and the addition of the balcony separates

the built form adequately on the dwellings, reducing perceived visual bulk to the street. As such, the deletion of the condition is recommended to be supported.

Re-arrangement of driveway alignment, modify driveway landscaping

It is proposed to re-align the driveway of each dwelling, and introduce additional hard paving within the front setback. This results in lost opportunities for soft landscaping on within the front setback of the dwellings and reduced areas for the vegetation within the front setback to grow.

A condition is recommended for the development to provide an additional 5 square metres of soft landscaping to each dwelling, to the southern portion of the driveway associated with No. 49 and to the northern portion of the driveway associated with No. 49A. An example is below:



Above: Example of location of additional 5m2 of soft landscaping (Recommended Condition)

It is also noted that the driveway has been modified by removing the Mondo Grass on the two accessways. The previously advertised landscape plan showed:

Above: Previously advertised landscape plan (PP19/0706)

As the previously approved Mondo grass provided an improved outlook from the street, reducing the appearance of the hard surfacing within the front setback, and softening the appearance of the basements, a condition is recommended to reinstate the Mondo Grass along the accessways of each dwelling. The Mondo grass should be located either in the centre or sides of the accessways to provide meaningful softening of the hard surfacing.

Recommended Condition:

l) Additional 5m2 of soft landscaping to be provided to southern portion of the driveway of No. 49, and an additional 5m2 of soft landscaping to be provided to north portion of the driveway of No. 49A.

m) Mondo Grass to be inserted into the accessways of each dwelling to the satisfaction of the Responsible Authority.

Garage levels lowered, basement footprint modified

- Reduce rear setback of the basement by 3.96m (No. 49A) and 4.53m (No. 49)

It is proposed to reduce the rear setback of the basement, increasing the size of the footprint by adding additional car parking spaces. The additional basement footprint is

not visible from the streetscape, and will not result in any additional amenity impacts. Rather, it helps to ensure all cars owned by the residences of the dwellings are kept off the street, to improve traffic along Peate Avenue. The additional size of the basement is an acceptable outcome, considering the minimal amenity impact caused.

- Increase side setbacks of the basement by 2.4m (each dwelling)

While the rear setback has been reduced, the side setbacks have been increased by 2.4 metres at the basement level. This will not be visible from the streetscape, however it will ensure there are improved landscaping opportunities along the sides of the two dwellings. The additional setbacks to the sides also results in less retaining walls being required along the sides for the basement directly adjacent to neighbouring dwellings. Therefore, the increased setbacks to the sides of the basement is an acceptable outcome.

- Front setback of basement of both dwellings increased

In accordance with Condition 1 c) of the approved permit, the front setback of the basement of each dwelling has been increased by a minimum 1 metre, resulting in a front setback of 10.7 metres from the front boundary for No. 49 and 10.5 metres for No. 49A. This is an improved result for the development, with vehicle accommodation appearing to be further setback from the street, and adhering to the objectives of the Neighbourhood Character Precinct Statement.

- Reduction in levels of the basement by 0.19 metres for both dwellings.

The amended design proposes to reduce the levels of the basement for each dwelling. For No. 49, the level of the basement is lowering from 44.04 to 43.85 and for No. 49 the level of the basement is lowering from 43.54 to 43.35. The total reduction is approximately 0.19 metres to each dwelling. The change to the levels does not impact access requirements of the basement ramp which has a minimum 1:18 gradient, however will require additional excavation for the length of the basement. Nevertheless, the additional 0.19 metres is not considered an excessive amount of excavation, and the lowering of the basements will help to reduce visibility of the basement entries from the streetscape. On balance, the lowering of the basements will improve the appearance of vehicle accommodation to the streetscape, without compromising the basement ramp access requirements of the Planning Scheme.

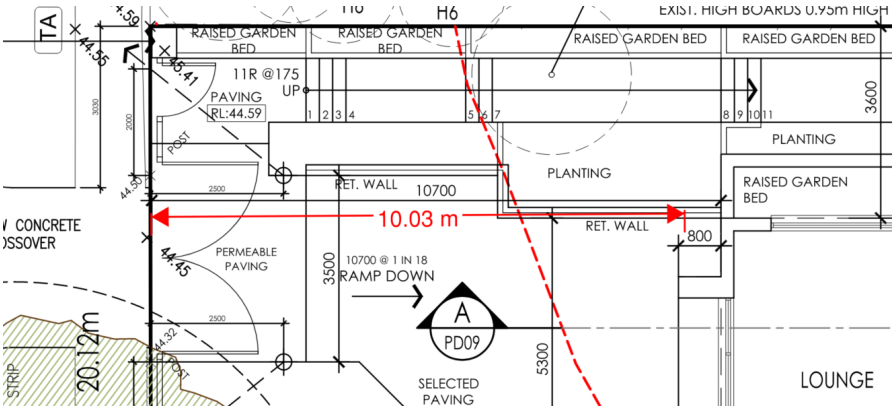
Front setback of Dwelling 1 increased

Condition 1 a) iii. of the permit required *the front setback of No. 49 (guest bedroom) to be increased by 1 metre to the windows, and 500mm to the wall.*

It is noted that the front room of the No. 49 is now the Lounge, and not the "guest bedroom". The front setback of this wall has been setback a minimum 10.7 metres from the front boundary of the site, which is an additional 600mm. This is an improved result for the development, allowing for additional landscaping within the front setback, and reducing the bulk of the dwellings to the streetscape. This will partially comply with the requirements of the condition.

It is noted however that the first part of the condition has not been met as a setback of only 9.93 metres has been provided, rather than the required 10.029 metres. A setback of 10.029 metres needs to be provided to the window of the Lounge (previously guest room) in accordance with Condition 1 a) iii. of the previously approved permit.

This condition is therefore recommended to be retained on the permit to ensure compliance with the requirements of the previous approval. This will result in a slightly reduced size of window for the Lounge, with an additional setback of 99mm. It is unlikely that the reduction of the size of the window will have any impacts to the internal amenity of the dwelling.



Above: Required setback from Condition 1 a) iii of the approved permit

Condition 1 a) iv of the permit required the front setback of No. 49A Bedroom 1 to be increased by 1 metre. The amended design shows a new balcony in this location, and the front setback of Bedroom 1 increased an additional 1 metre. This satisfies the condition and exceeds the requirements of ResCode, which requires a minimum 9 metre setback from the street.

Recommended Conditions:

a) Retain Condition 1 a) iii which reads: The front setback of the Dwelling 1 (49) guest room increased by 1 metre to the windows and 0.5 metre to the wall.

Side setbacks increased to a minimum 2.4 metres

It is proposed to increase the side setbacks of each dwelling from 2 metres to 2.4 metres at ground floor and first floor. This additional 0.4 metres to each side setback allows for meaningful separation between the dwellings on the subject site and neighbouring dwellings. The additional setbacks allows for planting of shrubs along the side setback to soften the development.

The increased side setbacks will reduce the amenity impacts to neighbouring dwellings, improve the appearance of the dwellings from the streetscape, helping to strengthen the "appear as a single dwelling" built form of the development.

It is also proposed as part of the amended design to increase the setbacks to Bedroom 3 of both dwellings, with a setback of 6.23 metres. This allows for improved separation between the proposed dwellings and dwellings on the neighbouring sites, resulting in better amenity for surrounding residents. This is a 2.6 metre increased setback and provides a better transition to neighbouring private open space areas.

The additional side setbacks will help to protect the amenity of neighbouring dwellings without compromising the internal amenity of the dwellings.

Reduction in side setbacks (maximum 0.5m)

There are some walls which are proposed to be "squared" off, which will result in some reduced setbacks. This is evident at Bedroom 1, Bedroom 2 for No. 49 and Bedroom 1 of No. 49A. At the most, the reduction in setback will only be 0.5 metres, and this is offset by the wall itself being setback further than the previously approved plans. It is noted the proposed amended setbacks results in a design that is fully compliant with the requirements of ResCode (subject to conditions for North-facing windows discussed below).

There is also a reduced setback associated with the WIR of Bedroom 1 of both dwellings, where there is reduced setback when compared to the previously approved development of 0.5 metres. This occurs for a length of 2.25 metres and is considered a minor alteration to the whole development, particularly considering the increased setbacks proposed for the remainder of the upper floor.

On balance, the "push and pull" of the side setbacks results in an improved design of the dwelling which does not significantly impact the amenity of neighbouring dwellings

by ensuring compliance with ResCode (subject to a North-facing window condition). The amended proposal to change the setbacks is therefore acceptable.

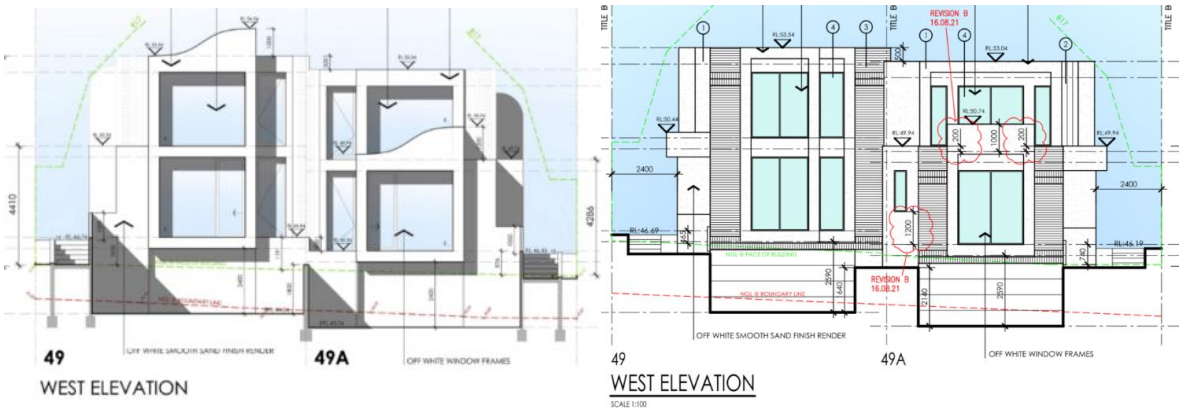
Rear setbacks increased to 14.6 metres and 15.2 metres

The amended design of the building footprint includes an increase to the rear setbacks by 5.29m (No. 49A) and 4.72m (No. 49). This increase in setbacks result in 14.6 metre setback for No. 49 and 15.23 metres for No. 49A. Condition 1 e) of the permit required the ground floor eastern wall of each dwelling setback a minimum 12 metres. The proposed setbacks far exceed this requirement, allowing for open backyard character to each dwelling, and providing ample landscaping opportunities within the rear setbacks. The additional setbacks to the rear improves the appearance of the dwelling from neighbouring dwellings to the north, south and east by reducing visual bulk and mass to these properties. The additional setbacks do not compromise the internal amenity of the dwellings.

On balance, the additional rear setbacks are an improvement to the dwellings and will improve the amenity of both the residents of the subject site, and also neighbouring dwellings.

Front façade design changed, addition of balcony, updated materials

- Façade design changed



Above: Previously Advertised Plans (left) and Plans from the Current Application (right)

The amended design of the development includes the deletion of the curved parapet for No. 49 to comply with the requirements of Condition 1 b). On the sides of the dwellings, which are partially visible from the street, the curved walls have also been removed.

The changes in design of the front façade also includes changes to the window proportions in accordance with Condition 1 d) of the previously approved permit. Furthermore, the façade has been altered by reducing the height of the buildings, and lowering the levels of the garages, as previously discussed. On balance, the changes to the façade improve the appearance of the dwellings to the streetscape and result in a more cohesive design.

- Addition of a balcony on the front façade of No. 49A

The amended proposal includes the addition of a balcony to No. 49A, incorporated into the front façade of the dwelling. The balcony helps to ensure the dwellings do not mimic each other. The balcony also allows for articulation of the façade, and provides visual interest to the streetscape. The addition of the balconies also provides passive surveillance of the street, without creating undue bulk to the streetscape. The new balcony is an acceptable addition to the development and will replace a similar curved structure approved under the previous permit.

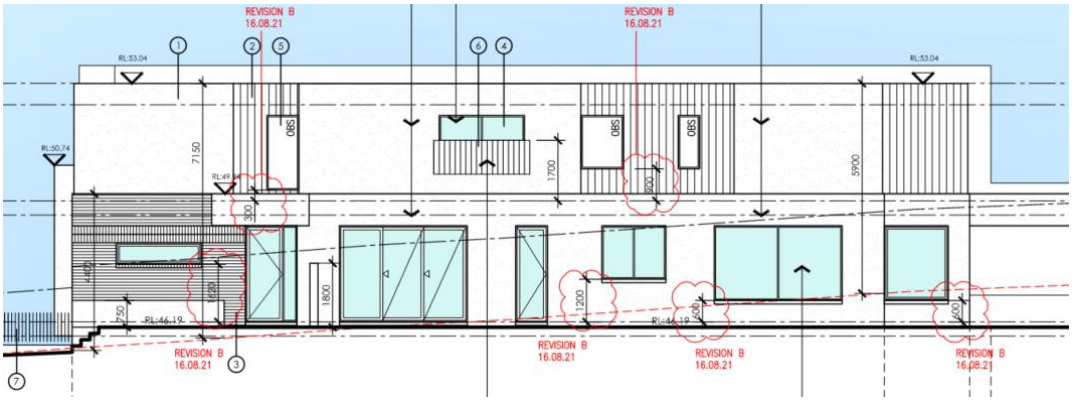
- Update of materials

The previous materials provided consisted of only:

This resulted in a bland outlook to the street and to neighbouring dwellings with limited articulation.

As such, Condition 1 a) i. of the approved permit required additional external finish introduced to the façade to provide visual interest. It noted the finish must be a high-quality brick or tile. The proposed amended design proposes face brick “Daniel Robertson” in London Black. This is considered an acceptable “high-quality” material which will reflect the brick dwellings along Peate Avenue.

It is also proposed to introduce a standing seam metal cladding in Matt Black, to the front and side elevations of the dwelling.

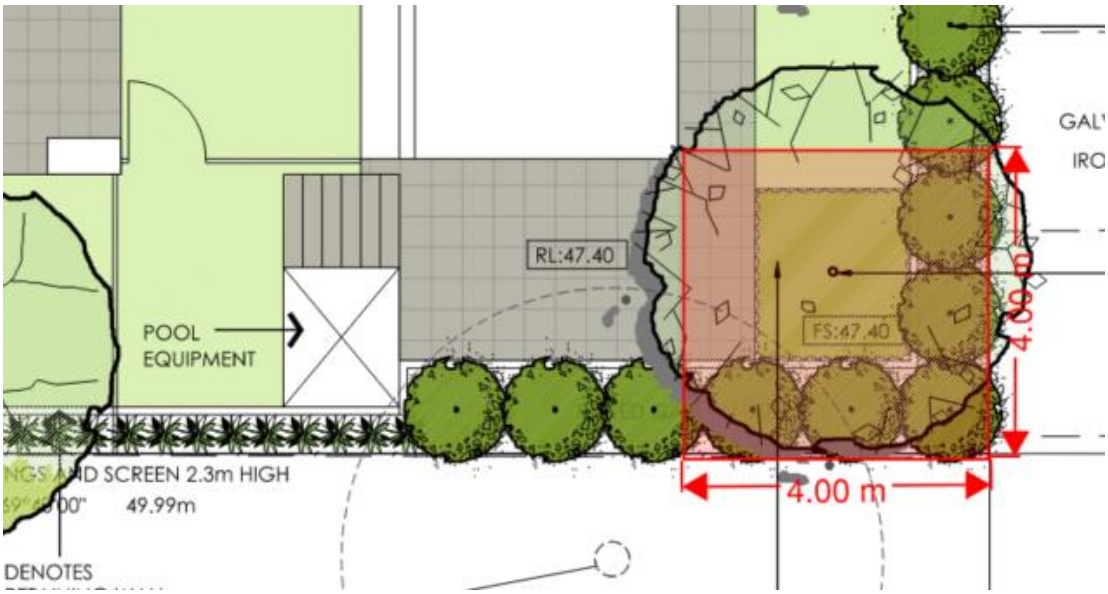


Above: Side elevations incorporating metal cladding and brick

This will help to provide articulation to the side elevations, which previously were only a single colour render. The standing seam cladding breaks up the visual mass of the building well. On balance, the additional materials will improve the appearance of the dwellings to the streetscape and to neighbouring dwellings when compared to the previous development.

Addition of pools

The addition of the pools within the rear setbacks of the dwellings are proposed, with space available within the backyard areas due to the additional setbacks provided for the built form. The size and location of the pools are acceptable, however there is a large amount of hard paving proposed surrounding the pools. This restricts the growth of the canopy trees within the rear setback, and reduces soft landscaping opportunities on the sites. A condition is recommended to reduce the extent of paving to allow for a minimum 4m x 4m area for each tree at the north-eastern (No. 49) and south-eastern (No. 49A) corners.



Above: Example of 4 metre x 4 metre area to be provided for each canopy tree

Recommended Conditions:

n) Reduction in the extent of paving (and if required, size of pools) to allow for a minimum 4 metres x 4 metres for each canopy tree at the north-eastern (No. 49) and south-eastern (No. 49A) corners.

Compliance with Condition 1 requirements of previous permit

The amended proposal includes a design that complies with the requirements of most of the conditions of the approved permit. Several of these conditions have been discussed above.

Condition	Compliance
Condition 1 a) i The application of an additional external finish to the façade. The finish must be a high-quality brick or tile and integrate with the streetscape to the satisfaction of the Responsible Authority;	An additional material has been added to the front façade of the development. This is a Daniel Robertson Brick, which satisfies this condition acceptably.
ii. The central recess in the front façade between Dwelling 1 (49) and Dwelling 2 (49a) increased to a minimum of 2 metres at ground and first-floor (measured from the eastern edge of the Dwelling 1 Bed 1 shroud);	This condition is proposed to be deleted as part of this application. Discussed above.
iii. The front setback of the Dwelling 1 (49) guest room increased by 1m to the windows and 500m to the wall;	This condition has not been met, as discussed above. It is recommended that this condition is retained on any permit issued to ensure compliance.
iv. The front setback of the Dwelling 2 (49a) Bed 1 increase by 1 metre;	The front setback of Dwelling 2 (No. 49A) for Bedroom 1 (at first floor) has been increased by 1 metre. This is discussed above.
b. The curved parapet at the top of the Dwelling 1 (49) front façade deleted;	The curved parapet has been deleted, which satisfies this condition acceptably.
c. The basement entries to be setback a minimum of 1 mere behind the front wall of each dwelling;	The basement entries have been setback 1 metre behind the front wall of each dwelling. This satisfies the condition acceptably.

d. The extent and visibility of glazing on the western (front) façade reduced through breaking up of window forms or the application of screening to the satisfaction of the Responsible Authority;	The front façade has been modified (as discussed above), which shows the windows on the front façade broken up further, to reduce the extent and visibility of glazing on the front facades of the dwellings.
e. The ground floor eastern wall of each dwelling setback a minimum of 12 metres from the eastern property boundary without reducing any southern or northern side setbacks;	The ground floors of each dwelling has been setback a minimum 14 metres from the eastern boundary, which will exceed the requirements of the condition.
f. The rear terrace verandah of each dwelling setback a minimum of 10.5 metres from the eastern property boundary without reducing any southern or northern side setbacks;	The rear terraces of each dwelling have been setback a minimum 10.6 metres from the eastern boundary, which complies with the requirements of the condition acceptably.
g. The front fence, pedestrian and vehicle gates to be no more than one metre high and to step down with the fall of the land;	An elevation of the front fence has been provided which shows the front fence, pedestrian and vehicle gates a maximum 1 metre in height and stepped down with the fall of the land. This complies with the requirements of the condition.
h. An apex to each basement entrance, 150mm higher than the control pit;	The section diagrams have a notation which indicates an apex will be provided to each basement entrance 150mm higher than the control pit.
i. A schedule of construction materials, external finishes and colours (including swatch samples); and	A schedule of construction materials have been provided on the side of the elevation and section pages of the submitted plans. This satisfies the requirements of the condition acceptably.
j. A Landscape Plan in accordance with condition 3 of this permit.	This condition is to be amended as part of this application, due to additional requirements by Council's Arborists.

Clause 55 - Two or More Dwellings

Clause 55.02 - Neighbourhood Character & Infrastructure

Clause 55.02-1 (B1) Neighbourhood Character	
Objective	**Assessment**
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.	✓
To ensure that development responds to the features of the site and the surrounding area.	✓

Planner's Comments:

A detailed assessment of the proposal against the existing and preferred neighbourhood character has been undertaken in the policy section of this report. This assessment demonstrated that the proposal will generally respect the existing character of the nearby area and wider precinct, whilst generally providing an appropriate contribution to the preferred character of the area, subject to the previously recommended conditions.

Clause 55.02-2 (B2) Residential Policy	
Objective	**Assessment**
To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	✓
To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.	✓

Clause 55.02-3 (B3) Dwelling Diversity	
Objective	**Assessment**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	✓

Clause 55.02-4 (B4) Infrastructure	
Objective	**Assessment**
To ensure development is provided with appropriate utility services and infrastructure.	✓
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	✓

Clause 55.02-5 (B5) Integration With The Street	
Objective	**Assessment**
To integrate the layout of development with the street.	✓

Clause 55.03 - Site Layout and Building Massing

Clause 55.03-1 (B6) Street Setback	
Objective	**Assessment**
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	✓

Table B1 Street Setback		
Development context	**Minimum setback from front street**	**Minimum setback from a side street**
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	*The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.*	*Not applicable*

Dwelling 1					
	Proposed	**Required**	**Assessment**	**RDP Req.**	**Assessment**
Front	10.7m	**9**	✓	9	✓

Dwelling 2					
	Proposed	**Required**	**Assessment**	**RDP**	**Assessment**
Front	9.5m	**9**	✓	**9**	✓

Planner's Comments:

A detailed assessment of the street setbacks of the development has been undertaken in the policy section of this report. This assessment demonstrated that the street setbacks of the development will respect the existing character of the nearby area and wider precinct, whilst also making efficient use of the site.

Clause 55.03-2 (B7) Building Height	
Objective	**Assessment**
To ensure that the height of buildings respects the existing or preferred neighbourhood character.	✓

Neighbourhood Residential Zone - Schedule 3				
Proposed Max. Height	**Proposed Max. Storeys**	**Max. Height Allowed**	**Max. Storeys Allowed**	**Assessment**
7.5m	2	**10m**	**2**	✓

Clause 55.03-3 (B8) Site Coverage	
Objective	**Assessment**
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	✓

Proposed	Required	Assessment	RDP	Assessment
43%	**60%**	✓	**50%**	✓

Clause 55.03-4 (B9) Permeability	
Objective	**Assessment**
To reduce the impact of increased stormwater run-off on the drainage system.	✓
To facilitate on-site stormwater infiltration.	✓
To encourage stormwater management that maximises the retention and reuse of stormwater.	✓

Proposed	Required	Assessment	RDP	Assessment
33.7%	**20%**	✓	**35%**	✓ **(subject to conditions)**

Planners Comments:

It is noted that although the proposal does not meet the RDP requirement of 35%, the provision of 33.7 percent is a minor non-compliance. Several conditions discussed earlier, requiring additional area for canopy tree growth, the provision of an additional 10m2 of soft landscaping adjacent to the driveways, and Mondo grass incorporated into the accessways, will ensure a minimum 35% permeability is met.

Clause 55.03-5 (B10) Energy Efficiency	
Objective	**Assessment**
To achieve and protect energy efficient dwellings and residential buildings.	✓
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	✓

Clause 55.03-6 (B11) Open Space	
Objective	**Assessment**
To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	**N/A**

Clause 55.03-7 (B12) Safety	
Objective	**Assessment**
To ensure the layout of development provides for the safety and security of residents and property.	✓

Clause 55.03-8 (B13) Landscaping	
Objective	**Assessment**
To encourage development that respects the landscape character of the neighbourhood.	✓
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.	✓
To provide appropriate landscaping.	✓
To encourage the retention of mature vegetation on the site.	✓

Planner's Comments:

A detailed assessment against the landscaping provisions for the development has been undertaken in the Arborists Comments and policy sections of this report, which has demonstrated that the proposed landscaping opportunities will generally respect the existing and preferred landscape character of the area, subject to the previously discussed conditions.

Clause 55.03-9 (B14) Access	
Objective	**Assessment**
To ensure the number and design of vehicle crossovers respects the neighbourhood character.	✓
Standard	**Assessment**
The width of accessways or car spaces should not exceed: *a) 33 per cent of the street frontage, or* *b) if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.* *No more than one single-width crossover should be provided for each dwelling fronting a street.* *The location of crossovers should maximise the retention of on-street car parking spaces.* *The number of access points to a road in a Road Zone should be*	✓

minimised. *Developments must provide for access for service, emergency and delivery vehicles.*	

Clause 55.03-10 (B15) Parking Location	
Objective	**Assessment**
To provide convenient parking for resident and visitor vehicles.	✓
To protect residents from vehicular noise within developments.	✓
Standard	**Assessment**
Car parking facilities should: *c) Be reasonably close and convenient to dwellings and residential buildings.* *d) Be secure.* *e) Be well ventilated if enclosed.* *Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.*	✓

Clause 55.04 - Amenity Impacts

Clause 55.04-1 (B17) Side and Rear Setbacks	
Objective	**Assessment**
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	✓
Standard	
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries: • *At least the distance specified in a schedule to the zone, or* • *If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.* *Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.* *Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.*	**Refer to tables below**

Dwelling 1 (No. 49) - Ground Floor						
	Wall Height	**Setback**	**Setback Required**	**Assessment**	**RDP**	**Assessment**
North	3.8m 3.5m 2.4m	3.6m 2.4m 3.6m	**1.06** **1** **1**	✓	2.12 2 2	✓
East	2.24m	14.6m	**1**	✓	2	✓
South	**Party wall with No. 49A**					
West	**Front setback**					
Dwelling 1 (No. 49) - First Floor						
	Wall Height	**Setback**	**Setback Required**	**Assessment**	**RDP**	**Assessment**
North	7.1 6.8 6.6 6 5.8 5.5	3.6m 3m 2.4m 3m 2.4m 6.2m	**2.19** **1.96** **1.9** **1.72** **1.66** **1.57**	✓	N/A N/A N/A N/A N/A 3.14	✓
East	5.34m	14.6m	**1.52**	✓	3.04	✓
South	**Party wall with No. 49A**					
West	**Front setback**					

Dwelling 2 (No. 49A) - Ground Floor						
	Wall Height	**Setback**	**Setback Required**	**Assessment**	**RDP**	**Assessment**
North	**Party wall with No. 49**					
East	2.74m	15.2m	**1**	✓	2	✓
South	4.4m 4.1 2.7m	3.6m 2.4m 3.6m	**1.24** **1.15** **1**	✓	2 2 2	✓
West	**Front setback**					
Dwelling 2 (No. 49A) - First Floor						
	Wall Height	**Setback**	**Setback Required**	**Assessment**	**RDP**	**Assessment**
North	**Party wall with No. 49**					
East	5.84m	15.2m	**1.67**	✓		✓
South	7.5m 7.15m 7m 6.5m 6.2m 5.9m	3.6m 3m 2.4m 3m 2.4m 6.2m	**2.59** **2.24** **2.09** **1.87** **1.78** **1.69**	✓	N/A N/A N/A N/A 3.56 3.38	✗ ✓
West	**Front setback**					

Planner's Comments:

The amended design complies with all Side and Rear Setbacks as required by Rescode. The dwellings have been design to minimise the impact of the development to neighbouring habitable room windows, and secluded private open space. There is one non-compliance with the RDP requirement for the southern wall of No. 49A. This is primarily due to the slope of the land, and on balance the proposed design exceeds the RDP requirements for all other walls.

It is noted this wall did not comply with the RDP requirements as part of the previous application, with a similar wall height, but a lesser setback provided. Overall, the amended proposal is an improvement of the previously approved development on the subject sites in terms of Side and Rear setbacks and is acceptable.

Clause 55.04-2 (B18) Walls On Boundaries	
Objective	**Assessment**
To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	**N/A**
Standard	
A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary: • *For a length of more than the distance specified in a schedule to the zone; or* • *If no distance is specified in a schedule to the zone, for a length of more than:* ▪ *10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or* ▪ *Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,* *whichever is the greater.*	**N/A**
A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.	**N/A**

A building on a boundary includes a building set back up to 200mm from a boundary.	
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.	**N/A**

Planner's Comments:

No walls on boundaries proposed.

Clause 55.04-3 (B19) Daylight to Existing Windows	
Objective	**Assessment**
To allow adequate daylight into existing habitable room windows.	✓
Standard	
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.	**Refer to table below**
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. *Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.*	**Refer to table below**

Adjoining Window	3m² Light Court	Wall Height	Setback from Window	Required	Assessment
51 Peate Avenue	✓	Between 5.9m and 7m	4.3m	**2.95m to 3.5m**	✓

Clause 55.04-4 (B20) North Facing Windows	
Objective	**Assessment**
To allow adequate solar access to existing north-facing habitable	✓

room windows.	
Standard	
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.	**Refer to table below**

Standard B20 - North Facing Windows				
Adjoining Window	**Wall Height**	**Setback from Boundary**	**Required**	**Assessment**
51 Peate Avenue	5.9m 6.8m	3.0m 2.4m	**2.38m** **2.92m**	✖ **(addressed by condition)**

Planner's Comments:

The amended proposal does not comply with North Facing windows to one wall associated with the retreat of No. 49A. The wall requires a setback 2.92 metres at the highest point of the wall (6.8 metres) however only 2.4 metres has been provided. A condition is recommended to ensure the amended proposal maintains the amenity of neighbouring dwellings and allows for adequate light to the north-facing windows. It is noted that due to the slope of the site, the whole wall is not required to be setback, however to maintain internal and external amenity, a setback of 2.92 metres is recommended for the whole Retreat wall.

Recommended Conditions:

o) The setback of southern wall associated with the Retreat of No. 49A increased to a minimum 2.92 metres in accordance with ResCode.

Clause 55.04-5 (B21) Overshadowing Open Space	
Objective	**Assessment**
To ensure buildings do not significantly overshadow existing secluded private open space.	✓
Standard	
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five	✓

hours of sunlight between 9 am and 3 pm on 22 September. *If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.*	

Planner's Comments:

The proposed dwellings create less overshadowing than the approved development due to the increased setbacks at the side and rear. It is consider the dwellings have been dug into the site to ensure that there is minimal impacts on neighbouring dwellings and private open space with respect to overshadowing. It is noted there is some additional shadowing to the rear during the afternoon, however at 3pm the maximum additional overshadowing will be approximately 6m2. This results in a minimum 324m2 of unshadowed secluded private open space at any one time and complies with the condition.

Standard B21				
Address of adjoining property	**Size of SPOS**	**Shadow test**	**Amount of additional shadow**	**Assessment**
51 Peate Avenue	330m²	40m²	Maximum 6m2 at any time between 9am and 3pm.	✓

Clause 55.04-6 (B22) Overlooking	
Objective	**Assessment**
To limit views into existing secluded private open space and habitable room windows.	✓
Standard	
A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space or habitable room window of an existing dwelling (horizontal 9m rule and from a height of 1.7m above floor level). *A habitable room window, balcony, terrace, deck or patio with a direct view should be either:* • *Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.* • *Have sill heights of at least 1.7 metres above floor level.* • *Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.*	✓

• *Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.*	
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.	✓
Screens used to obscure a view should be: • *Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.* • *Permanent, fixed and durable.* • *Designed and coloured to blend in with the development.*	✓
This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	✓

Planner's Comments:

The amended design included a number of changes to locations and sizes of windows. The resultant design provides screening or obscure windows to all relevant habitable room windows. A minimum sill height of 1.7 metres is provided for all highlight windows, and all screening has been notated as being a minimum 1.7 metres above finished floor level, and a maximum 25% transparent.

Three window are to have obscure glazing on the southern elevation, however it is noted that there is no legend identifying "OBS". One window has been labelled as "5" which corresponds to the materials legend on the side of the page. A condition is recommended to clarify the obscure glazing to the each dwelling on a legend, or on the material schedule.

Recommended Conditions:

p) The windows labelled "OBS" on the northern and southern elevations, identified as being "obscure glazing", or labelled as "5" in accordance with the material schedule.

Clause 55.04-7 (B23) Internal Views	
Objective	**Assessment**
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	✓

Clause 55.04-8 (B24) Noise Impacts	
Objective	**Assessment**
To contain noise sources in developments that may affect existing dwellings.	✓
To protect residents from external noise.	✓

Clause 55.05 - On-Site Amenity and Facilities

Clause 55.05-1 (B25) Accessibility	
Objective	**Assessment**
To encourage the consideration of the needs of people with limited mobility in the design of developments.	✓

Clause 55.05-2 (B26) Dwelling Entry	
Objective	**Assessment**
To provide each dwelling or residential building with its own sense of identity.	✓

Clause 55.05-3 (B27) Daylight to New Windows	
Objective	**Assessment**
To allow adequate daylight into new habitable room windows.	✓

Clause 55.05-4 (B28) Private Open Space	
Objective	**Assessment**
To provide adequate private open space for the reasonable recreation and service needs of residents.	✓
Standard	
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. *If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:* • *An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or* • *A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or* • *A roof-top area of 10 square metres with a minimum width of 2*	**Refer to table below**

metres and convenient access from a living room. *The balcony requirements in Clause 55.05-4 do not apply to an apartment development.*	

Dwelling	Proposed SPOS	Proposed POS	Min. dimension	Required SPOS/POS		Assessment
No. 49	193m^2	248m^2	10m	**25m^2**	**40m^2**	✓
No. 49A	196m^2	251m^2	10m	**25m^2**	**40m^2**	✓

Clause 55.05-5 (B29) Solar Access to Open Space	
Objective	**Assessment**
To allow solar access into the secluded private open space of new dwellings and residential buildings.	✓
Standard	
The private open space should be located on the north side of the dwelling or residential building, if appropriate.	✓
The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.	**N/A**

Clause 55.05-6 (B30) Storage	
Objective	**Assessment**
To provide adequate storage facilities for each dwelling.	✓

Planner's Comments:

The alteration to the basement appears to have deleted the previously provided 6m3 of storage. A condition is recommended to be included on any permit issued to require 6m3 of storage to be detailed on the plans.

Recommended Conditions:

q) The provision of 6m3 of storage to be shown on the plans for each dwelling.

Clause 55.06 - Detailed Design

Clause 55.06-1 (B31) Design Detail	
Objective	**Assessment**
To encourage design detail that respects the existing or preferred neighbourhood character.	✓

Planner's Comments:

A detailed assessment of the proposed design detailing has been undertaken in the policy section of this report. This assessment demonstrated that the proposed design detailing will generally respect the existing character of the nearby area and wider precinct, whilst also generally providing an appropriate contribution to the preferred character of the area.

Clause 55.06-2 (B32) Front Fences	
Objective	**Assessment**
To encourage front fence design that respects the existing or preferred neighbourhood character.	✓

Planner's Comments:

A detailed assessment of the proposed front fencing has been undertaken in the policy section of this report, which has demonstrated that the front fence will respect the existing and preferred character of the neighbourhood.

Clause 55.06-3 (B33) Common Property	
Objective	**Assessment**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.	**N/A**
To avoid future management difficulties in areas of common ownership.	**N/A**

Clause 55.06-4 (B34) Site Services	
Objective	**Assessment**
To ensure that site services can be installed and easily maintained.	✓
To ensure that site facilities are accessible, adequate and attractive.	✓

Clause 55 (ResCode) & Residential Design Policy (RDP)

Pursuant to Clause 55 of the Boroondara Planning Scheme, a development must meet all of the objectives of this clause and should meet all of the standards of this clause. The amended Residential Design Policy (RDP) was adopted by Council on 12 December 2011. Given that the RDP is not included in the planning scheme, in practice, VCAT does not give the policy any statutory weight. The purpose of the policy is to assist planners in their discussions with applicants in achieving outcomes that are considered appropriate from a neighbourhood character or amenity point of view. It should be noted that each application needs to be assessed in respect to the particular

characteristics of its locality and that provisions contained within the RDP should be used as a guide where relevant.

Overall, the proposal generally complies with the provisions of the zone and/or Schedule, Clause 55 of the Boroondara Planning Scheme, Clause 52.06 and Council's Residential Design Policy (refer to "Assessment") above, subject to conditions previously discussed.

PARTICULAR PROVISIONS

Other relevant provisions include:

Clause 52.06 - Car Parking

Before:

- *A new use commences; or*
- *The floor area or site area of an existing use is increased; or*
- *An existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.*

The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- *On the land; or*
- *In accordance with a permit issued under Clause 52.06-3; or*
- *In accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.*

Table 1: Car Parking Requirement

Use	Rate Column A	Rate Column B	Car Parking Measure	Spaces Provided	Assessment
Dwelling	1	1	1 or 2 bedroom dwellings		**N/A**
	2	2	3 or more bedroom dwellings	Minimum 4 spaces	✓
	1	0	Visitors to every 5 dwellings for developments of 5 or more dwellings		**N/A**

Officer Comment

The amended proposal complies with the relevant parking rate in the Planning Scheme. No reduction in car parking is being sought. Each dwelling is provided with a minimum two car spaces each, in accordance with the Planning Scheme.

The basement provides the correct internal dimensions, with a minimum 5.5m x 6m per garage.

Clause 53.18 - Stormwater Management in Urban Development

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

Planners Comment:

The application provided a Water Sensitive Urban Design response which included:

- A site plan showing the location of proposed stormwater treatment measures and the location and area of impermeable surfaces that drain to each treatment measure.
- A written statement outlining how the application achieves current best practice performance objectives for stormwater quality as contained in the Urban Stormwater Best Practice Environmental Management Guidelines (1999).
- Provision of a water tank 7000L capacity per dwelling in litres and the tank is connected to toilet flushing and garden re-use.

This satisfies the requirements of Clause 53.18, however an updated Water Sensitive Urban Design Response is recommended to be submitted, in accordance with any changes from other conditions imposed.

Recommended Condition:

z) Any resultant changes to the Water Sensitive Urban Design Response in accordance with Condition 6.

OBJECTION RESPONSE

Those matters not already addressed in the foregoing report are discussed below:-

Number of Objections:	14

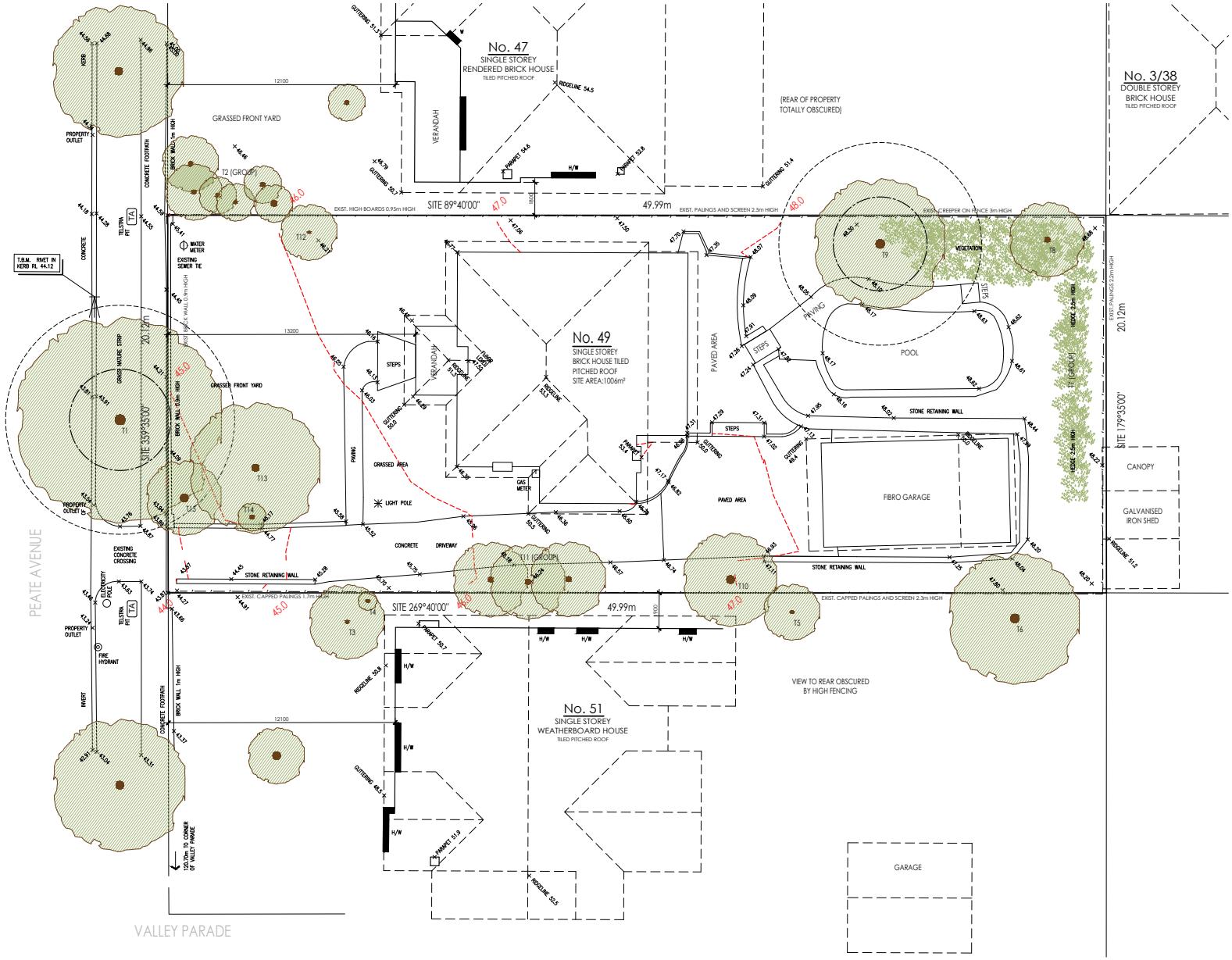
Summary of Objection	**Officer Comment**
New application required, rather than amended application	The amended proposal is not a transformation of the development as it still seeks to construct two side by side dwellings over a basement with a similar form and design of the approved development. Pursuant to the *Planning and Environment Act 1987* an applicant is able to apply for a Section 72 amendment to propose changes to their development of this nature.
Neighbourhood Character - 'Boxy and bulky' contemporary design, inconsistency with neighbourhood character	The proposed contemporary design is considered to be consistent with the contemporary design previously approved. The massing and scale of the development has not been significantly altered compared to the previously approved development. The proposal achieves full ResCode compliance in respect to site coverage, setbacks (subject to conditions), permeability, and open space provision. It is sufficiently setback from all boundaries in accordance with the relevant ResCode standards and is therefore considered to be acceptable. A detailed assessment of the neighbourhood character policy has been undertaken on pages 22-26 of this report.
Heritage Overlay	It is noted the site is not located within a Heritage Overlay. Council recently undertook the Glen Iris Gap study which determined that this area is not of heritage significance. Two properties within Peate Avenue have been considered individually significant.
Drainage and water run-off to surrounding properties	The site is not located in an area recognized in the planning scheme as being particularly susceptible to flooding. The application has been referred to Council's Drainage Officer to assess the likely impact of the proposal on drainage capacity in the area. They have no objection subject to the installation of an on-site storm water detention system, which will be considered as part of the subdivision process.

	A drainage plan will be required to be approved by Council prior to the issue of a Building Permit. This will include an assessment of adequacy of onsite drainage to suitably limit surface run-off.
Basement Garages	The basement was approved as part of the previous permit. Any changes to the basement are relatively minor, and the extension of the basement will not be visible from the streetscape. The additional car spaces ensures there are limited impacts to the on-street car parking capacity of Peate Avenue.
Loss of property value	The Victorian Civil and Administrative Tribunal and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best determined through an assessment of the amenity implications rather than any impacts upon property values. This report provides a detailed assessment of the amenity impact of this proposal.
Noise, Disturbance and Damage to Property during Construction	Potential damage to the adjoining property from construction is not a matter that can be considered through the planning process. It is a matter that would be need to be addressed by the relevant Building Surveyor through the issue of building notices and the taking out of insurance prior to the commencement of construction. Some noise and other off site impacts are inevitable when any construction occurs. The developer will be required to meet relevant Local Law and EPA regulations regarding construction practices to ensure these impacts are mitigated.
Landscaping	A Planning Permit condition is recommended to require the submission of an amended Landscape Plan showing the planting of canopy trees.
Loss of views	Whilst it is recognised that views may form part of residential amenity, there are no specific controls within the Boroondara Planning Scheme that protects residents' rights to a view. It is not considered that the extent of views lost or the significance of the view would warrant refusal or modification of the application.
Infrastructure	The capacity of services in the area is a matter for the relevant servicing authorities. The applicant will be required to ensure appropriate connections at the subdivision stage.

Overshadowing	An assessment regarding overshadowing impacts has been undertaken in the ResCode section of this report. It is noted the assessment of overshadowing is limited to between 9am and 3pm, measured on 22 September (equinox). Times outside of this are not considered.
Overdevelopment and Density	The proposal satisfies the requirements of ResCode in respect to site coverage, setbacks, permeability, car parking, and open space provision and therefore the proposal is not considered to be an over development of the site. Dwelling density in and of itself is not a relevant consideration in the assessment of this proposal, as it is not an adequate measure of the external impacts that may be caused by the built form or of the internal amenity within the development. The high level of internal amenity of the proposed dwellings and the limited off-site amenity impacts suggests that the application has not attempted to squeeze too many dwellings onto the land.
Increased traffic and lack of parking	The proposed development satisfies Clause 52.06 of the Boroondara Planning Scheme in respect to the provision of car parking. The development provides for appropriate on-site car parking relative to the number of bedrooms in the proposed dwellings. Council's Traffic and Transport Department have assessed the proposed development of two dwellings and has raised no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with one additional dwelling on the site can be readily accommodated in the surrounding street network. Existing parking problems in the area cannot be addressed through the current application, nor should the burden of relieving these existing problems be imposed on the developer of the subject land.
Misleading Information Submitted with the Application	Council officers have conducted inspections and carried out their own assessment of the proposal against the relevant matters set out in the Boroondara Planning Scheme. Officers are of the view that there is sufficient information available to allow an informed decision to be made in respect to the proposal.

RECOMMENDATION

It is recommended, that Council having considered all of the matters required under Section 60 of the *Planning & Environment Act 1987* and the Boroondara Planning Scheme decides to grant a **Notice of Decision to Amend a Planning Permit.**



TOWN PLANNING DRAWINGS

Issue	Date	Amendment	Prints	Date	For
A	02.07.21	TOWN PLANNING AMENDMENT-A.R.			

Drawing Title: EXISTING CONDITIONS PLAN.

Date: 2 JULY 2021
Scale: 1:100 @ A1
Designer: S.Q.
Drawn: N.G.
Checked: S.Q.

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DONCASTER EAST, VICTORIA, 3109.
(03) 9842 6650
info@archestraldesigns.com.au
ARCHESTRAL DESIGNS P/L
RBP NO: DP AD 15443 (STEPHEN J QUON)

Design Matters National

Project: PROPOSED 2 DWELLING DEVELOPMENT AT:
Address: 49 PEATE AVENUE, GLEN IRIS.
Client: BRADLEY PROPERTY GROUP

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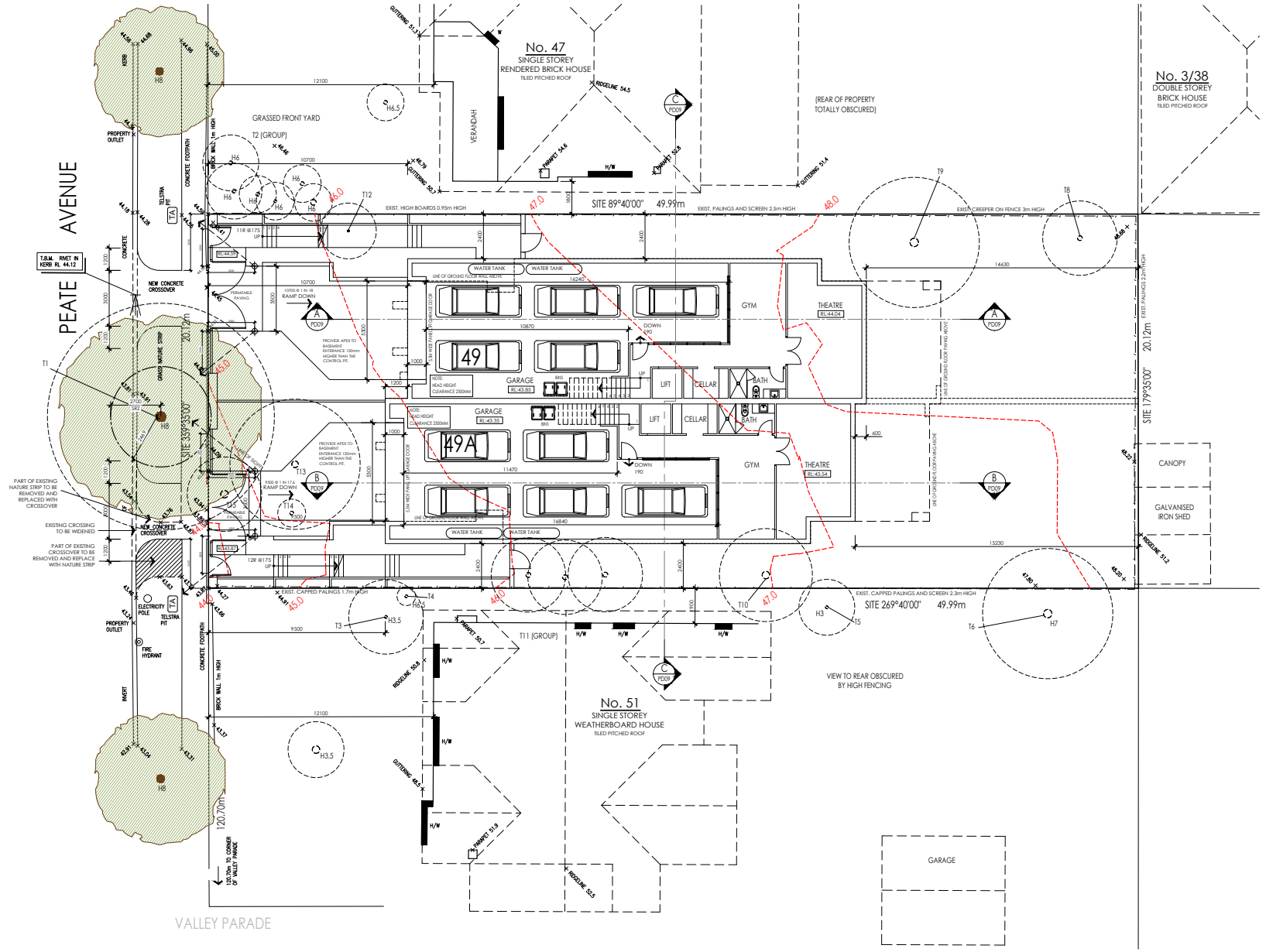
Drawing Number: PD02 of -
Job Number: 21-003
Issue: A



AREA SCHEDULE

DWELLING 49

BASEMENT	188.9 m²	20.3	SQUARES
GROUND FLOOR	181.1 m²	19.5	SQUARES
FIRST FLOOR	173.8 m²	18.7	SQUARES
TOTAL FLOOR AREA	543.9 m²	58.5	SQUARES
ALFRESCO	25.8 m²	2.8	SQUARES

DWELLING 49A

BASEMENT	193.8 m²	20.8	SQUARES
GROUND FLOOR	185.0 m²	19.9	SQUARES
FIRST FLOOR	173.6 m²	18.7	SQUARES
TOTAL FLOOR AREA	552.4 m²	59.4	SQUARES
ALFRESCO	25.8 m²	2.8	SQUARES

DEVELOPMENT SUMMARY

TOTAL AREA OF SITE: 1006.0 m2
TOTAL SITE COVERAGE: 434.8 m2 (43.2%)
TOTAL PERMEABLE AREA: 472.3 m2 (46.9%)
TOTAL GARDEN AREA: 481.8 m2 (47.9%)
NUMBER OF DWELLINGS: 2
NUMBER OF CAR SPACES: 10

PRIVATE OPEN SPACE

BUILDING 49: 248.1 m2
BUILDING 49A: 251.9 m2

SECLUDED PRIVATE OPEN SPACE

BUILDING 49: 193.6 m2
BUILDING 49A: 199.7 m2

SIDE AND REAR FENCING

EXISTING PALING FENCES TO BE RETAINED WHERE POSSIBLE OR REPLACED WHERE NECESSARY WITH NEW PALING FENCING TO EXACTLY MATCH EXISTING.

RETAINING WALLS

PROVIDE RED RETAINING WALLS TO BOTH SIDE AND REAR BOUNDARIES, FROM NATURAL GROUND LEVEL TO REDUCED GROUND LEVEL.

REFER TO LANDSCAPE PLAN FOR LANDSCAPE DETAILS

TREES TO BE REMOVED

T3

(NOTE TREES ON TITLE AT NO. 47 & 51 HAVE BEEN PROPOSED TO BE REMOVED IN PERMITTED PLANNING APPLICATIONS)

TREES TO BE RETAINED

T1

TREE 1
TPZ = 6100mm
TPZ AREA = 116m2
ENCROACHMENT = 40.6m2 = 35% OF TPZ ZONE

REFER TO DEVELOPMENT IMPACT ASSESSMENT PREPARED BY ARBOR SURVEY FOR THE SIGNIFICANCE OF IMPACT.

WATER SENSITIVE URBAN DESIGN

REFER TO THE WATER SENSITIVE URBAN DESIGN PLAN PREPARED BY SJF & ASSOCIATES.

TOWN PLANNING DRAWINGS

Issue	Date	Amendment	Prints	Date	For
A	02.07.21	TOWN PLANNING AMENDMENT-A.B.			

Drawing Title: BASEMENT PLAN
Date: 2 JULY 2021
Scale: 1:100 @ A1
Designer: S.Q.
Drawn: A.B.
Checked: S.Q.

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info@archestraldesigns.com.au
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Project: PROPOSED 2 DWELLING DEVELOPMENT AT:
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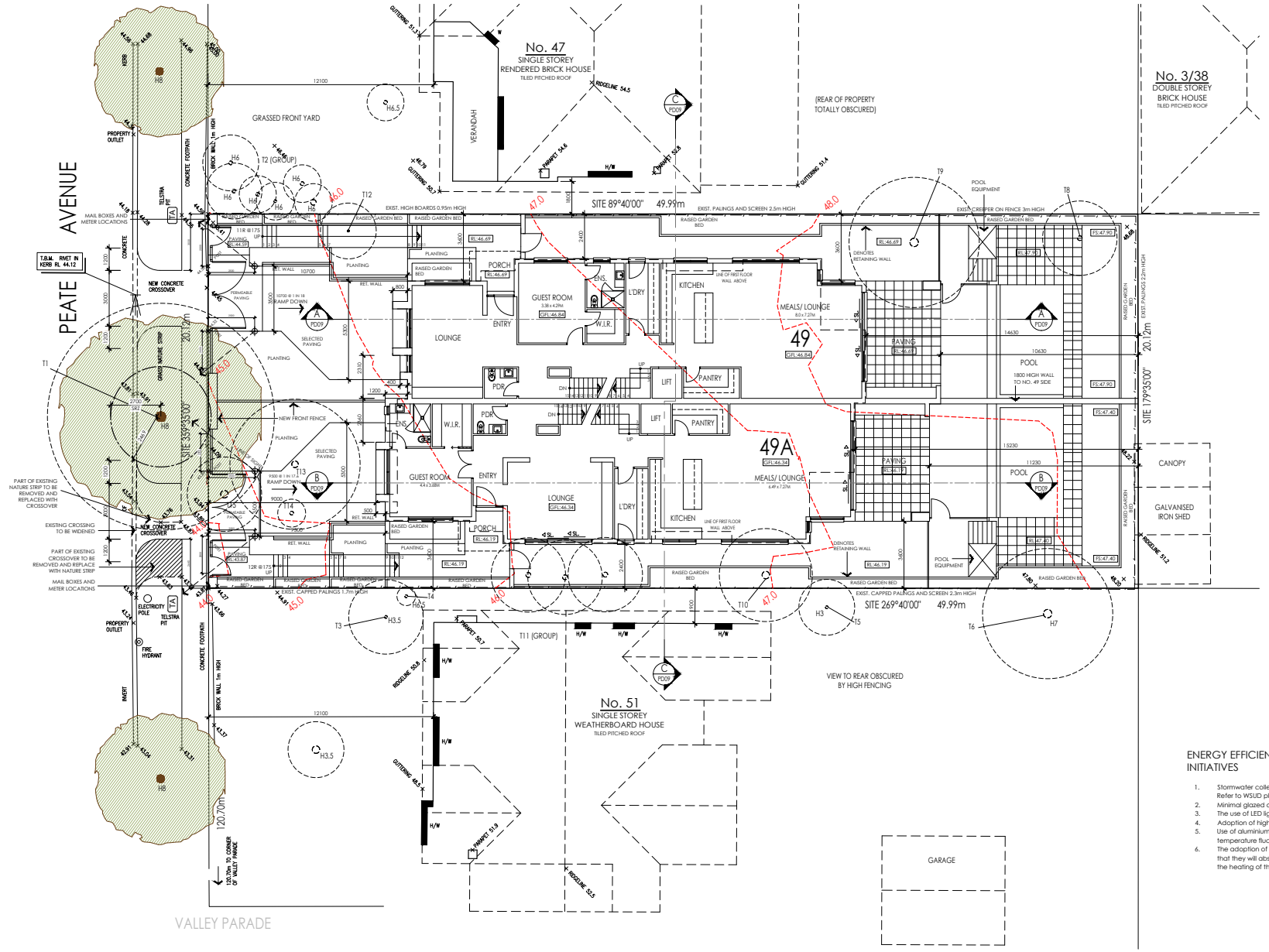
Job Number: 21-003
Issue: A



AREA SCHEDULE

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DEVELOPMENT SUMMARY

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NUMBER OF DWELLINGS:	2
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RETAINING WALLS

PROVIDE RED RETAINING WALLS TO BOTH SIDE AND REAR BOUNDARIES, FROM NATURAL GROUND LEVEL TO REDUCED GROUND LEVEL.

REFER TO LANDSCAPE PLAN FOR LANDSCAPE DETAILS

TREES TO BE REMOVED

(NOTE TREES ON TITLE AT NO. 47 & 51 HAVE BEEN PROPOSED TO BE REMOVED IN PERMITTED PLANNING APPLICATIONS)

TREES TO BE RETAINED

TREE 1
TPZ = 6100mm
TPZ AREA = 116m2
ENCROACHMENT = 40.6m2 = 35% OF TPZ ZONE

REFER TO DEVELOPMENT IMPACT ASSESSMENT PREPARED BY ARBOR SURVEY FOR THE SIGNIFICANCE OF IMPACT.

WATER SENSITIVE URBAN DESIGN

REFER TO THE WATER SENSITIVE URBAN DESIGN PLAN PREPARED BY SJF & ASSOCIATES.

ENERGY EFFICIENCY AND ENVIRONMENTALLY SUSTAINABLE INITIATIVES

1. Stormwater collection to be used for toilet flushing and garden irrigation. Refer to WSUD plan.
2. Minimal glazed openings facing south, to reduce heat loss.
3. The use of LED light fittings throughout.
4. Adoption of high performance insulation in ceilings, wall and under floors
5. Use of aluminium window frames, glazed with double glazing as required to minimise temperature fluctuation between outside and inside areas.
6. The adoption of hard floor surfaces in all living areas receiving east and north sun, such that they will absorb the sun's heat in winter during the day, and subsequently supplement the heating of the rooms at night.

TOWN PLANNING DRAWINGS

Issue	Date	Amendment	Prints	Date	For
A	02.07.21	TOWN PLANNING AMENDMENT-A.B.			

Drawing Title: GROUND FLOOR PLAN
Date: 2 JULY 2021
Scale: 1:100 @ A1
Designer: S.Q.
Drawn: A.B.
Checked: S.Q.

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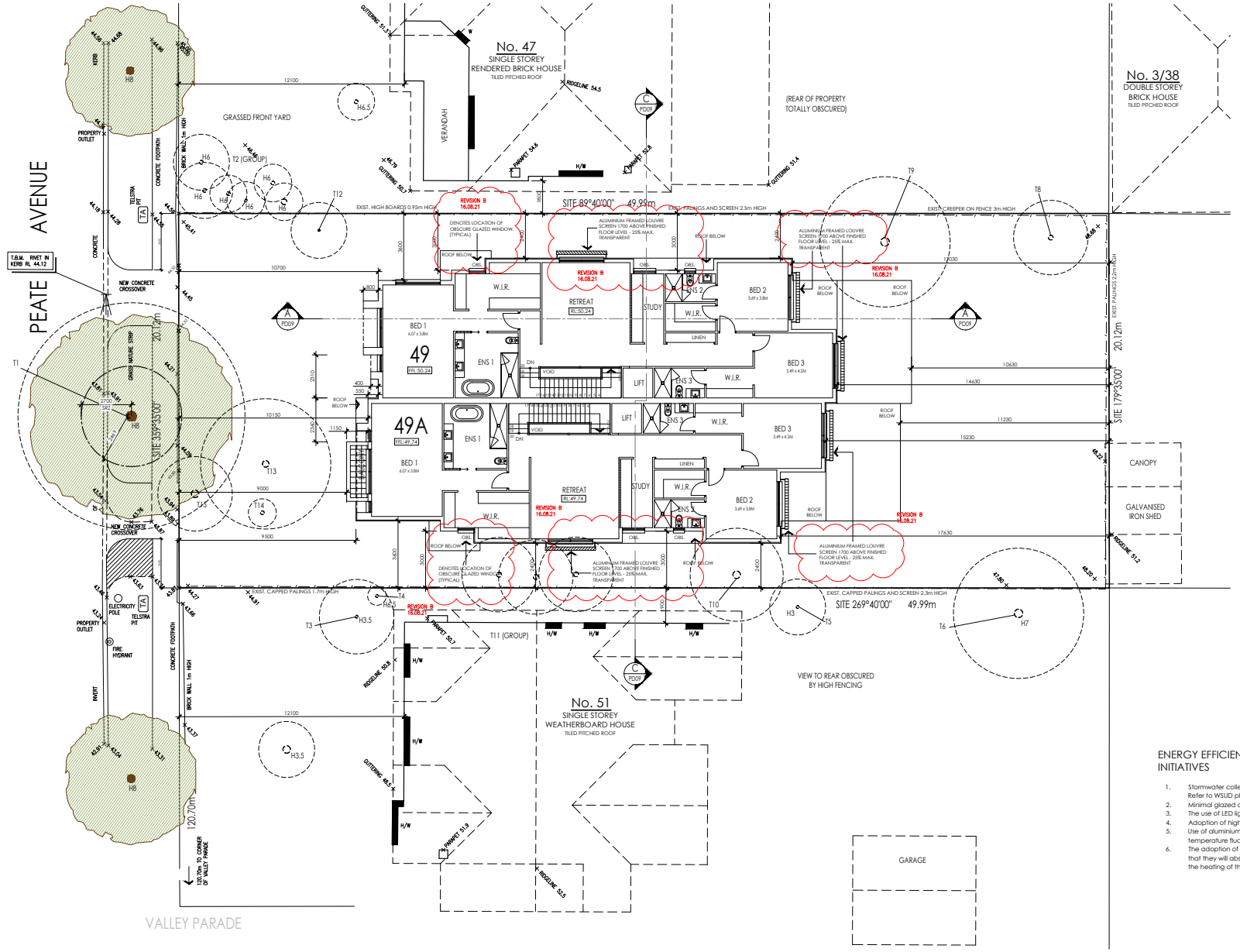
Job Number: 21-003
Issue: A



AREA SCHEDULE

DWELLING 49

BASEMENT	188.9 m²	20.3 SQUARES
GROUND FLOOR	181.1 m²	19.5 SQUARES
FIRST FLOOR	173.8 m²	18.7 SQUARES
TOTAL FLOOR AREA	543.9 m²	58.5 SQUARES
ALFRESCO	25.8 m²	2.8 SQUARES

DWELLING 49A

BASEMENT	193.8 m²	20.8 SQUARES
GROUND FLOOR	185.0 m²	19.9 SQUARES
FIRST FLOOR	173.6 m²	18.7 SQUARES
TOTAL FLOOR AREA	552.4 m²	59.4 SQUARES
ALFRESCO	25.8 m²	2.8 SQUARES

DEVELOPMENT SUMMARY

TOTAL AREA OF SITE: 1006.0 m2
TOTAL SITE COVERAGE: 434.8 m2 (43.2%)
TOTAL PERMEABLE AREA: 472.3 m2 (46.9%)
TOTAL GARDEN AREA: 481.8 m2 (47.9%)
NUMBER OF DWELLINGS: 2
NUMBER OF CAR SPACES: 10

PRIVATE OPEN SPACE

BUILDING 49: 248.1 m2
BUILDING 49A: 251.9 m2

SECLUDED PRIVATE OPEN SPACE

BUILDING 49: 193.6 m2
BUILDING 49A: 199.7 m2

SIDE AND REAR FENCING

EXISTING PALING FENCES TO BE RETAINED WHERE POSSIBLE OR REPLACED WHERE NECESSARY WITH NEW PALING FENCING TO EXACTLY MATCH EXISTING.

RETAINING WALLS

PROVIDE RED RETAINING WALLS TO BOTH SIDE AND REAR BOUNDARIES, FROM NATURAL GROUND LEVEL TO REDUCED GROUND LEVEL.

REFER TO LANDSCAPE PLAN FOR LANDSCAPE DETAILS

TREES TO BE REMOVED

T3

(NOTE TREES ON TITLE AT NO. 47 & 51 HAVE BEEN PROPOSED TO BE REMOVED IN PERMITTED PLANNING APPLICATIONS)

TREES TO BE RETAINED

T1

TREE 1
TPZ = 6100mm
TPZ AREA = 116m2
ENCROACHMENT = 40.6m2 = 35% OF TPZ ZONE

REFER TO DEVELOPMENT IMPACT ASSESSMENT PREPARED BY ARBOR SURVEY FOR THE SIGNIFICANCE OF IMPACT.

WATER SENSITIVE URBAN DESIGN

REFER TO THE WATER SENSITIVE URBAN DESIGN PLAN PREPARED BY SJF & ASSOCIATES.

ENERGY EFFICIENCY AND ENVIRONMENTALLY SUSTAINABLE INITIATIVES

1. Stormwater collection to be used for toilet flushing and garden irrigation. Refer to WSUD plan.
2. Minimal glazed openings facing south, to reduce heat loss.
3. The use of LED light fittings throughout.
4. Adoption of high performance insulation in ceilings, wall and under floors
5. Use of aluminium window frames, glazed with double glazing as required to minimise temperature fluctuation between outside and inside areas.
6. The adoption of hard floor surfaces in all living areas receiving east and north sun, such that they will absorb the sun's heat in winter during the day, and subsequently supplement the heating of the rooms at night.

TOWN PLANNING DRAWINGS

Issue	Date	Amendment	Prints	Date	For
A	02.07.21	TOWN PLANNING AMENDMENT-KJL			
B	16.08.21	FURTHER INFORMATION AMENDMENT-GS	PDF	16.08.21	COUNCIL SUBMISSION

Drawing Title: FIRST FLOOR PLAN
Date: 16 AUGUST 2021
Scale: 1:100 @ A1
Designer: S.Q.
Drawn: A.B.
Checked: S.Q.

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DONCASTER EAST, VICTORIA, 3109.
(03) 9842 6650
info@archestraldesigns.com.au
ARCHESTRAL DESIGNS P/L
RBP NO: DP AD 15443 (STEPHEN J QUON)

Design Matters National

Project: PROPOSED 2 DWELLING DEVELOPMENT AT:
Address: 49 PEATE AVENUE, GLEN IRIS.
Client: BRADLEY PROPERTY GROUP

Drawing Number: PD06 of -
Job Number: 21-003
Issue: B

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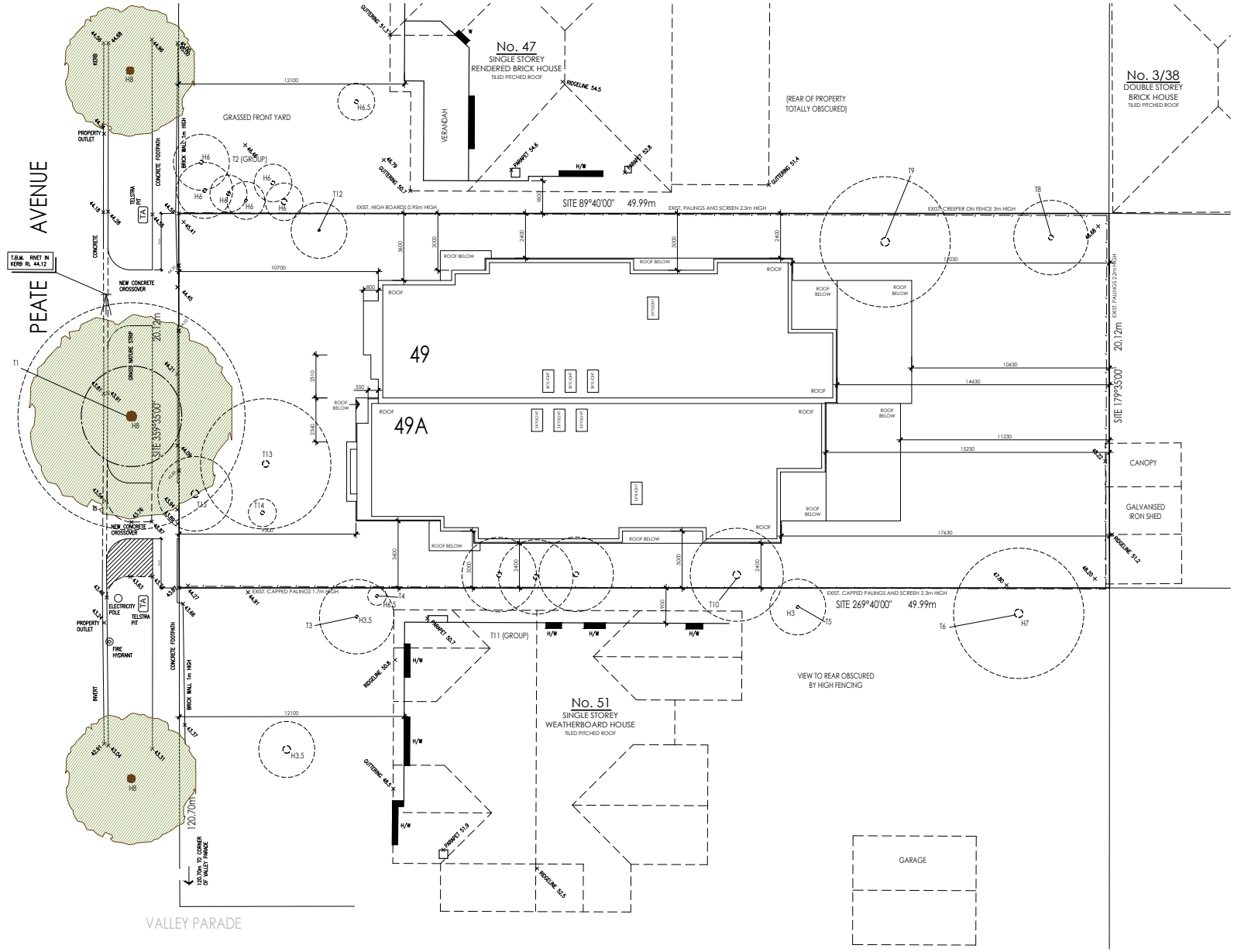
Received 17/8/2021



TOWN PLANNING DRAWINGS

Issue	Date	Amendment	Prints	Date	For
A	02.07.21	TOWN PLANNING AMENDMENT-A.B.			

Drawing Title: ROOF PLAN
Date: 2 JULY 2021
Scale: 1:100 @ A1
Designer: S.Q.
Drawn: A.B.
Checked: S.Q.

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DONCASTER EAST, VICTORIA, 3109.
(03) 9842 6650
info@archestraldesigns.com.au
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Drawing Number: PD07 of -
Job Number: 21-003
Issue: A

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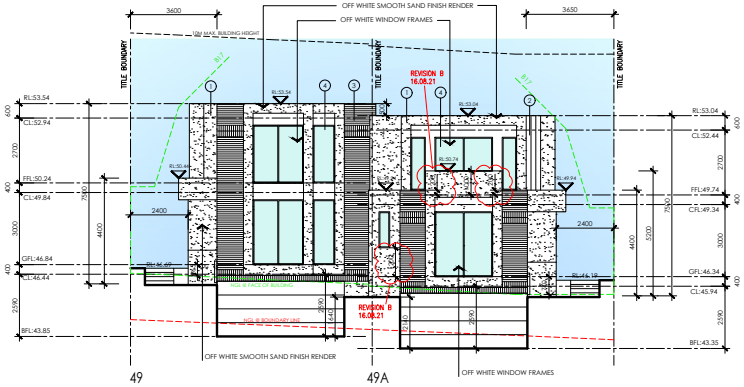
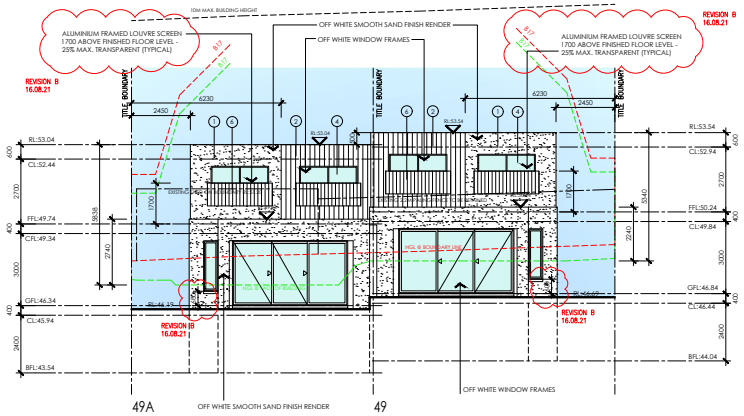


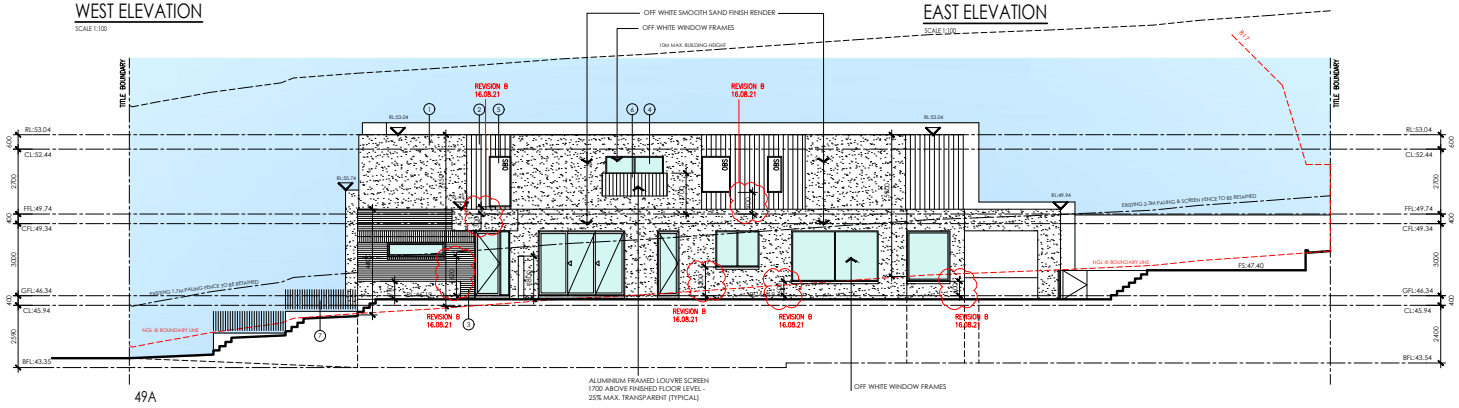
WEST ELEVATION

SCALE 1:100



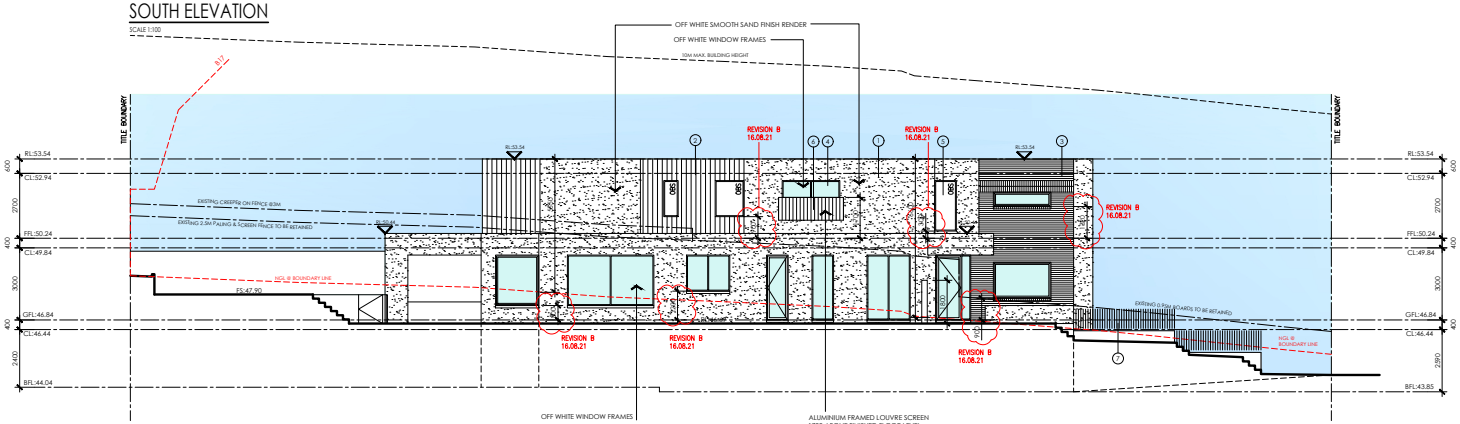
EAST ELEVATION

SCALE 1:100



SOUTH ELEVATION

SCALE 1:100



NORTH ELEVATION

SCALE 1:100

MATERIALS SCHEDULE

SPECIFIED COLOURS OR SIMILAR ALTERNATIVES ARE TO BE USED

METAL ROOF

1 RENDERED FINISH

Dulux VIW Natural White TM

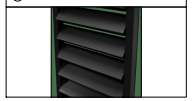
2 STANDING SEAM METAL CLADDING MATT BLACK

3 FACE BRICK DANIEL ROBERTSON – LONDON BLACK

4 WINDOWS – ALUMINIUM

5 OBSCURE GLAZING

6 MATT BLACK LOUVERED SCREEN



7 MATT BLACK METAL FENCING

TOWN PLANNING DRAWINGS

Issue	Date	Amendment	Prints	Date	For
A	02.07.21	TOWN PLANNING AMENDMENT-A.B.			
B	16.08.21	FURTHER INFORMATION AMENDMENT-G.S	PDF	16.08.21	COUNCIL SUBMISSION

Drawing Title: ELEVATIONS

Date: 16 AUGUST 2021

Scale: 1:100 @ A1

Designer: S.Q.

Drawn: A.B. Checked: S.Q.

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(03) 9842 6650
info@archestraldesigns.com.au
ARCHESTRAL DESIGNS P/L
RBP NO: DP AD 15443 (STEPHEN J QUON)

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Project: PROPOSED 2 DWELLING DEVELOPMENT AT:

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Client: BRADLEY PROPERTY GROUP

Drawing Number: PD08 of -

Job Number: 21-003 Issue: B

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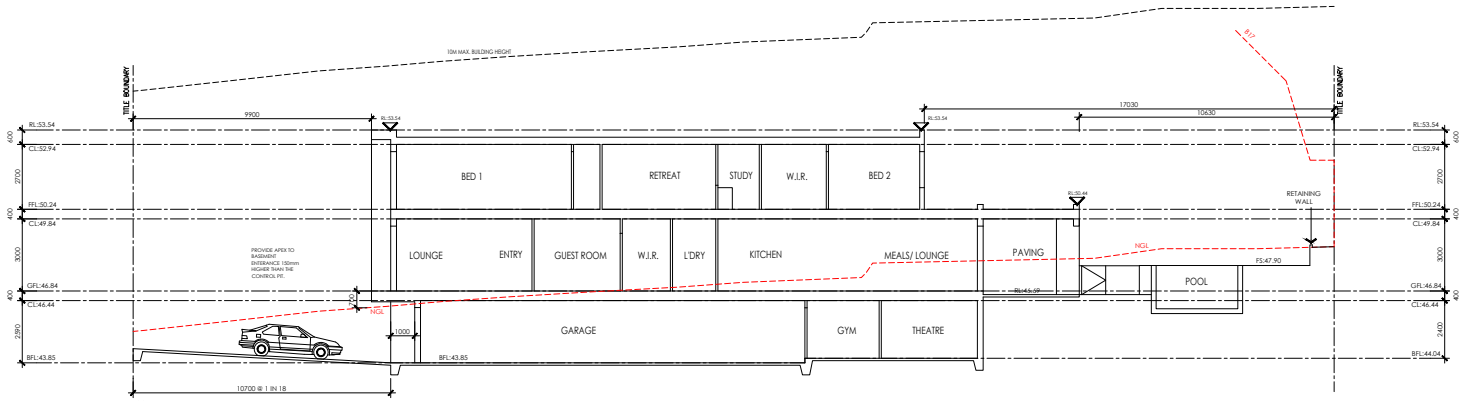
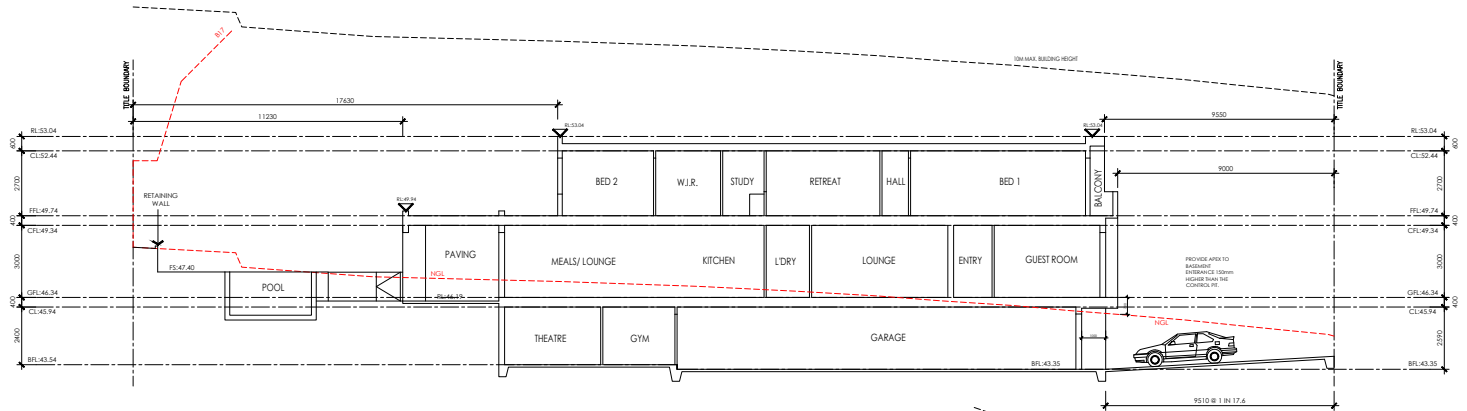


49

SECTION A-A SCALE 1:100 @ A1

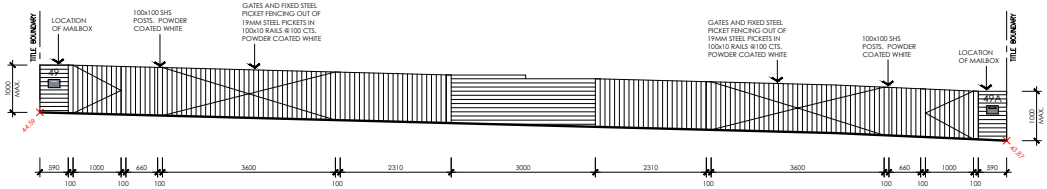
THROUGH BASEMENT & HOUSE 49



SECTION B-B SCALE 1:100 @A1

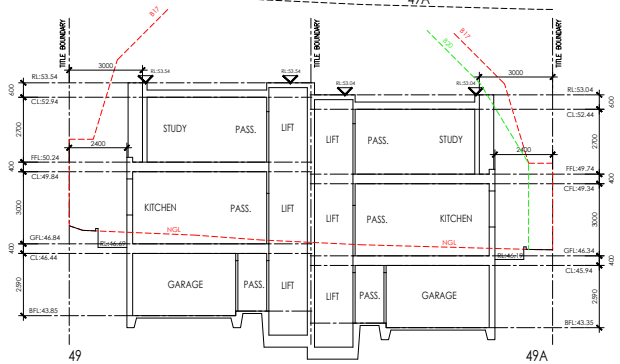
THROUGH BASEMENT & HOUSE 49A

49A



FRONT FENCE ELEVATION

SCALE 1:50



49 49A

WEST ELEVATION SCALE 1:100 @A1

SCALE 1:100

MATERIALS SCHEDULE

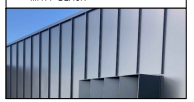
SPECIFIED COLOURS OR SIMILAR ALTERNATIVES ARE TO BE USED

METAL ROOF

1 RENDERED FINISH

Dulux LRV Natural White TM

2 STANDING SEAM METAL CLADDING MATT BLACK



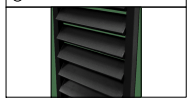
3 FACE BRICK DANIEL ROBERTSON – LONDON BLACK

4 WINDOWS – ALUMINIUM

NIGHT SKY®

5 OBSCURE GLAZING

6 MATT BLACK LOUVERED SCREEN



7 MATT BLACK METAL FENCING

TOWN PLANNING DRAWINGS

Issue	Date	Amendment	Prints	Date	For
A	02.07.21	TOWN PLANNING AMENDMENT-A.B.			

Drawing Title: SECTION A-A, B-B, C-C/ FRONT FENCE ELEVATION

Date: 2 JULY 2021

Scale: 1:100 & 1:50 @ A1

Designer: S.Q.

Drawn: A.B. Checked: S.Q.

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info@archestraldesigns.com.au
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Project: PROPOSED 2 DWELLING DEVELOPMENT AT:

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Client: BRADLEY PROPERTY GROUP

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Drawing Number: PD09 of -

Job Number: 21-003

Issue: A

Received
- 2/7/2021

Specifications

Subgrade preparation
Site preparation to be carried out in accordance with best horticultural practice and under suitable conditions. Disturbance to indigenous soil structure is to be minimised. The use of machinery that may damage soil structure or profile is not acceptable. Sub-grade to all lawn and planted areas is to be cultivated to a minimum depth of 150mm and shaped to achieve drainage falls prior to topsoiling. Subgrade to be tested prior to preparation and conditioning to determine ph, salinity and gypsum requirement. Any gypsum required is to be distributed at the manufacturers recommended rate and cultivated into the sub-grade at a minimum depth of 150mm . Proposed topping areas to be graded / drained to prevent water discharge into neighbouring properties

Weed control
Remove and dispose of environmental weeds off site prior to subgrade preparation, topsoiling and planting works.

Soil Preparation
Topsoil is to be spread in maximum 150mm layers, lightly compacted by use of a 250 - 200kg roller, or by thoroughly walking until it accords with finished kerb levels or to within 75mm below edging levels to accommodate mulch. Imported
topsoil for garden beds is to be medium texture general purpose garden soil and lightly compacted to minimum 300mm depth to garden beds. Soil is to comply with s.a.a. 2223-1978, and as follows:

- free from perennial weeds and their roots, bulbs and rhizomes
- free from building rubble and any other matter deleterious to plant growth
- ph to be 6.0 - 7.0
- texture to be light to medium friable loam
- free from silt material

Imported topsoil for lawn rejuvenation / establishment shall have the above characteristics, but shall be a free draining sandy loam lightly compacted to minimum 100mm depth

Mulch
The specified mulch for garden beds is to be an aged organic material with 60 - 80 percent of its volume being wood chips particles in a size range of 25 - 50 mm maximum. Mulch is to be spread at a consolidated depth of 75mm

Planting Procedure
If soil to planting hole is dry - fill with water and allow to drain completely. Tree roots are to be teased outwards if matted or circling occurs prior to backfilling. Place tree in centre of hole on firm soil to prevent sinking, ensuring top of the rootball is flush with the surrounding soil surface and the trunk is vertical. Backfill material is to be in a loose, friable state, with no bricks, rocks or foreign material - if sufficient material is not available form the original hole to backfill, a similar soil type must be sourced and used. Soil material must be firmly backfilled in layers to prevent large air pockets from occurring, then thoroughly watered in. Trees to be staked with two 2250mm x 70mm hardwood stakes driven firmly into the ground - stakes must not be placed through the rootball area. Trees are to be secured to each stake with a strong, soft and flexible material, tight enough to support the tree in windy conditions - yet loose enough to stimulate development of a good supportive root system. Tree tie material must not injure tree bark or restrict trunk growth for a minimum period of three years. Slow release fertiliser (3/6 month formulation) such as 'Osmocote' is to be applied to the top of the rootball area away from the trunk / stem to manufacturers specifications and watered in immediately. All trees to be mulched to a diameter of 1200mm wide and to a depth of 100mm but must not be in contact with the tree trunk. Mulch is to be an aged organic material with 60 - 80 percent of its volume being wood chip particles in a size range of 25 - 50mm maximum. Mulch is to be spread at a consolidated depth of 75mm. The planting hole surface is to be shaped to minimise waterlogging/excessive water retention but retain the mulch material neatly. The site must be left in a clean and safe condition.

Plant Establishment Period
The landscape is to be maintained by applying best horticultural practice to promote healthy plant performance for a 13 week establishment period following the approval of Practical Completion by the responsible authority including (but not limited to) the following tasks - Pruning as necessary to maintain plants in a healthy and structurally sound manner, pest and diseases - vegetation to be pest and disease free, mulching, staking and tying - 75mm mulch depth to be maintained around tree bases throughout maintenance period, watering - as often as necessary to ensure healthy and vigorous growth in accordance with current local watering regulations, weeding - maintained in a weed free state over the entire mulch area by spraying or mechanical mean, fertilising - 3/6 x monthly slow release fertiliser in accordance with manufacturers recommended application rates, replacement of deceased, stolen or vandalised plants beyond repair or regrowth with the same species as specified in the plant schedule within the assigned maintenance period.

Irrigation
An in-ground automatic or manual drip (or spray where practical) irrigation system to be installed to all garden areas (and planter boxes if applicable) to be operated in accordance with current local watering regulations.

Timber Edging
Timber edging to be 75mm x 25mm treated pine secured to 300mm long treated pine stakes at nom. min 1000mm spacings with galvanised screws and installed to all junctions between garden beds, lawn and topping / pebble areas.

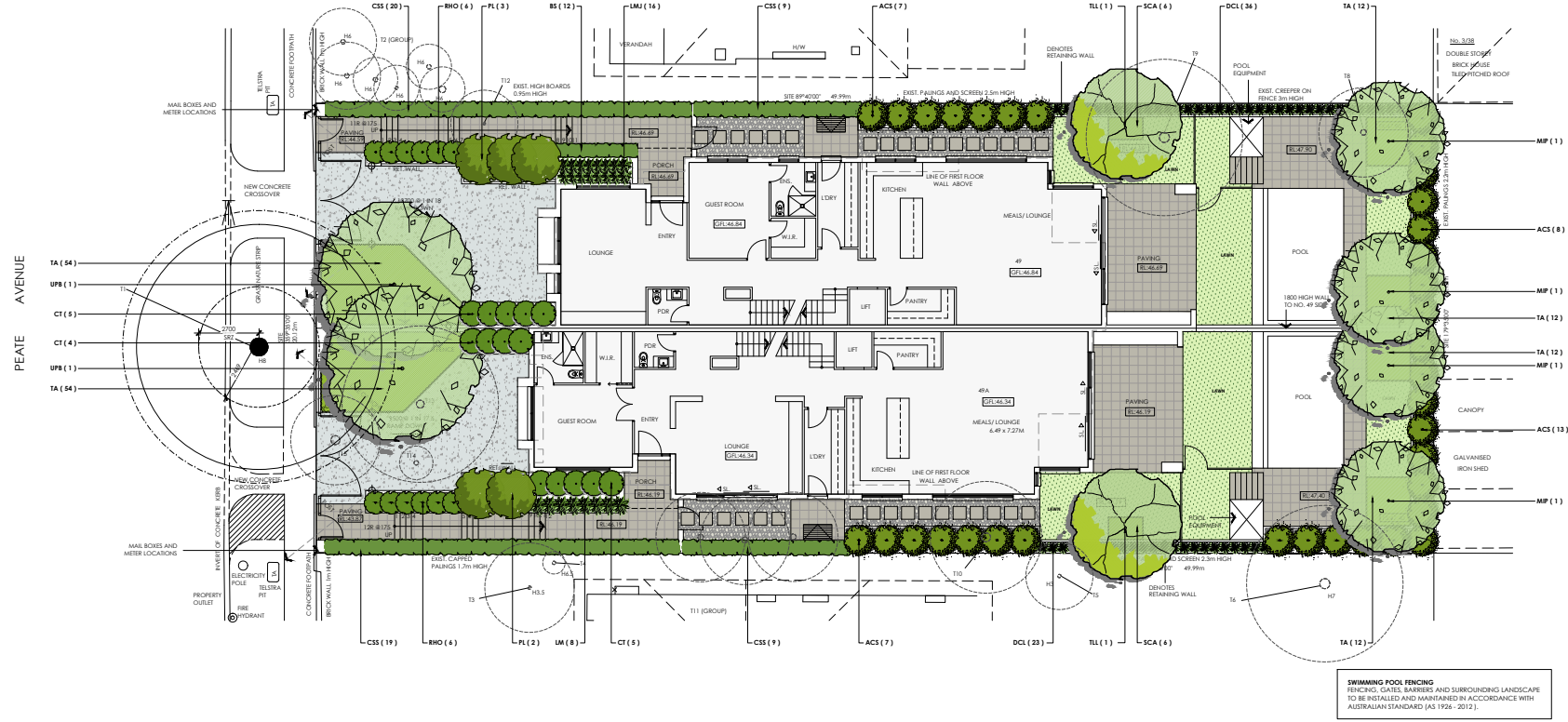
Drainage
Landscape and / or building contractor(s) are responsible for civil and hydraulic computations for landscape building works including, but not limited to surface and sub surface drainage for all landscape areas prior to commencement of works

General
It is the responsibility of the consulting engineer to specify building construction methods (for all existing and proposed built constructions on and off site) that are able to withstand disturbance from proposed trees and planting - whether directly from the tree/plant, or as a result of changes to the soil profile (i.e. soil movement as a result of changes in moisture levels). It is recommended that root control barriers be installed for any proposed trees located within 5metres of any proposed or existing (including neighbouring) building lines, retaining walls, rain gardens and any built constructions.

Plants - Quality of Trees and Shrubs
Trees and shrubs shall be healthy nursery stock free from insects, diseases and weeds. The specified plant heights, and pot sizes are minimums. If plant material is unavailable in these sizes, larger stock must be used. Plant substitution is not acceptable unless confirmed by the responsible authority in writing. The contractor is to supply and install semi mature trees which meet the following criteria: Have a minimum planted height to sizes as indicated in the plant schedule, have a minimum trunk calliper of 50mm at ground level, be undamaged and free of diseases and insect pests, not be root bound or have circling or girdling roots but have roots grown to the edge of - the container, should bear a single straight trunk, strong branching pattern, and full canopy, show healthy, vigorous growth.

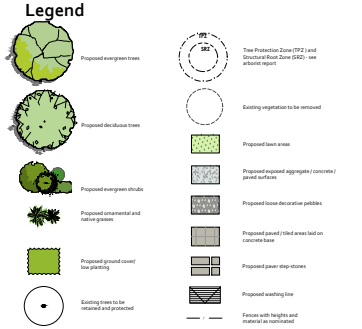
Protection of Existing Trees
All existing vegetation shown on the endorsed plan (subject site and neighbouring properties) to be retained must be suitably marked before any development (including demolition) commences on the land and that vegetation must not be removed, destroyed or lopped without the written consent of the responsible authority. Before the commencement of works (including demolition) start, tree protection barriers must be erected around trees (subject site and neighbouring properties) to form a defined tree protection zone during demolition and construction in accordance with tree protection measures as per AS 4970-2009 (*Tree protection in development sites*) and to the satisfaction of the responsible authority.

Any pruning that is required must be carried out by a trained and competent arborist with a thorough knowledge of tree physiology and pruning methods to carry out pruning to the Australian standard - AS 4373-2007 (*Pruning of amenity trees*). All tree protection practices must be adhered to in accordance with the arboricultural report and to the satisfaction of the responsible authority.

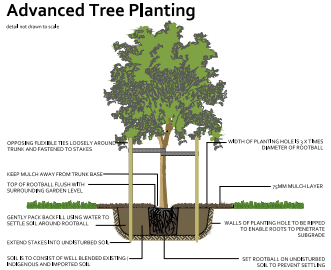


SWIMMING POOL FENCING
FENCING, GATES, BARRIERS AND SURROUNDING LANDSCAPE TO BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH AUSTRALIAN STANDARD (AS 1926 - 2012).

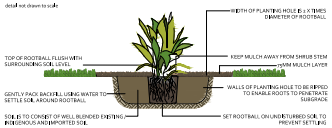
Legend



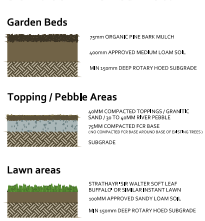
Advanced Tree Planting



Shrub Planting



Surface Finishes Detail



Proposed Planting Schedule

Code	Botanical Name	Common Name	Supply Size	Mature HxW(m)	Qty
TREES					
MP	*Malus ioensis 'Plena'*	Bechtel Crab Apple	200ltr pot / min 3.0m high	8 x 5	4
TLL	*Tristaniopsis laurina 'Luscious'*	Luscious Water Gum	200ltr pot / min 2.5m high	8 x 5	2
UPB	*Ulmus parvifolia 'Burnley Select'*	Chinese Elm	200ltr pot / min 3.0m high	12 x 7	2
				TOTAL	8
LARGE SHRUBS					
ACS	*Acmena smithii 'Cherry Surprise'*	Lilly Pilly	400mm pot	3 x 1.5	35
CSS	*Camellia sasanqua 'Setsugekka'*	Sasanqua Camellia	200mm pot	4 x 2	57
PL	*Prunus lusitanica*	Portuguese Laurel	45ltr/min 1.8m high	4 x 2.5	5
MEDIUM SHRUBS					
BS	*Buxus sempervirens*	English Box	200mm pot	1 x 1	12
CT	*Choisya ternata*	Mexican Orange Blossom	200mm pot	1.2 x 1.2	14
RHO	*Rhapidolepis indica 'Oriental Pearl'*	Indian Hawthorn	200mm pot	.90 x 1	12
GROUND COVERS & LOW SHRUBS					
SCA	*Scaevola albida 'Mauve Clusters'*	Fan Flower	140mm pot	.20 x 1.5	12
TA	*Trachelospermum asiaticum*	Asiatic Jasmine	140mm pot	.20 x 1.5	136
TUSSOCKS / GRASSES / EVERGREEN PERENNIALS					
DCL	*Dianella caerula 'Little Jess'*	Little Jess Flax Lily	140mm pot	.45 x .45	59
LM	*Liriope muscari*	Liriope	200mm pot	.75 x .75	8
LMJ	*Liriope muscari 'Just Right'*	Liriope	200mm pot	.50 x .50	16

JUSTIN HUTCHISON
landscape design
horticultural consultants

NOT FOR CONSTRUCTION. DO NOT SCALE FROM PLAN. THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORK

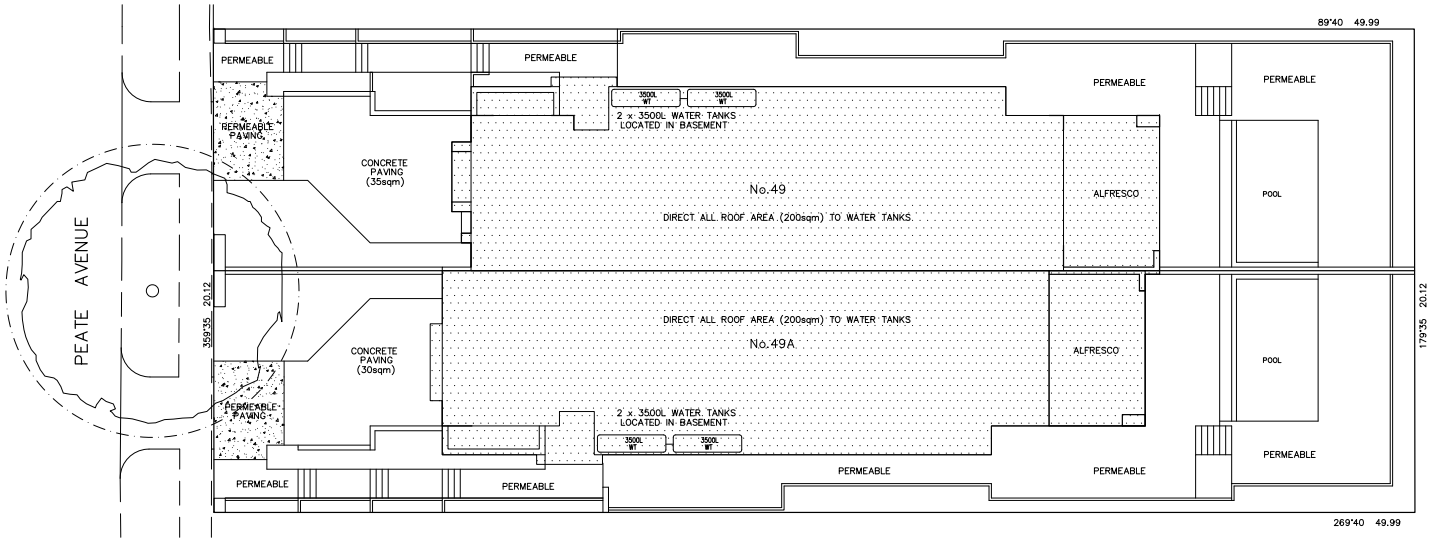
JUSTIN HUTCHISON PTY LTD
Landscape Design | Horticultural Consultants
84 Hotham Street Preston Vic 3072
P 03 8609 1780
E jhld@justinhutchison.com.au
W justinhutchison.com.au

DATE 24 06 21 PROJECT # 3379
SCALE 1 : 100 REVISION # A
DRAWN BY J.H - D.AppSc (Hort) Burnley / Melb

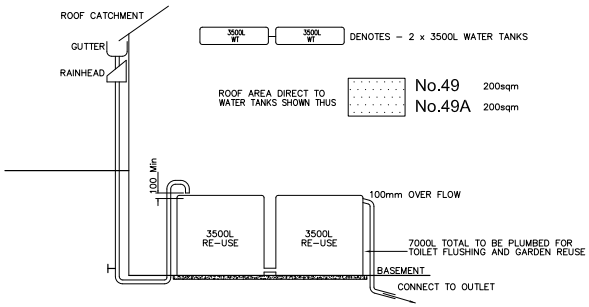
CLIENT
D. BRADLEY

DRAWING TITLE
LANDSCAPE CONCEPT PLAN

PROJECT
PROPOSED DUAL OCCUPANCY DEVELOPMENT
49 PEATE AVENUE GLEN IRIS



This proposed layout achieves current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (1999). See the STORM report right.



STORMWATER DRAINAGE DETAILS FOR
CHARGED SYSTEM TO 2 X 3500L RAINWATER TANKS
NOT TO SCALE

Melbourne Water STORM Rating Report

TransactionID: 1174202
Municipality: BOROONDARA
Rainfall Station: BOROONDARA
Address: 49 Peate Avenue
Glen Iris
VIC 3146
Assessor: SJF & ASSOCIATES
Development Type: Residential - Multiunit
Allotment Site (m2): 1,006.00
STORM Rating %: 100

Description	Impervious Area (m2)	Treatment Type	Treatment Area/Volume (m2 or L)	Occupants / Number Of Bedrooms	Treatment %	Tank Water Supply Reliability (%)
Unit 1 Roof to WT	215.00	Rainwater Tank	7,000.00	4	115.60	98.50
Unit 2 Roof to WT	215.00	Rainwater Tank	7,000.00	4	115.60	98.50
Paving	65.00	None	0.00	0	0.00	0.00

Date Generated: 17-Jun-2021 Program Version: 1.0.0

LEGEND: GAS MAIN —G— | WATER MAIN —W— | POWER CABLE —E— | FIRE PLUG ● F.P. | FIRE HYDRANT ● F.H. | VALVE —SV— | POWER POLE O | LIGHT | TELSTRA PIT | TELSTRA CABLE —T— | EXISTING K & C | PROPOSED K & C | EXISTING DRAIN —D— | EXISTING DRAIN PIT | PROPOSED DRAIN | PROPOSED DRAIN PIT | EXISTING SEWER —S— | SEWER PIT (S)

REVISIONS

No.	DATE	DESCRIPTION	APP'D

SJF & Associates
Consulting Surveyors & Civil Engineers
STEVE JURY
Building Practitioner EC-1392
PO Box 190
Boronia, VIC. 3155
Mob: 0419 000 543
sjury.sjf@gmail.com

CLIENT: BRADLEY PROPERTY GROUP
Coords: N/A SCALE AT A1 1: 100
Levels: AHD
Designed by SJF Checked by
Drawn by SJF Approved by

TWO UNIT DEVELOPMENT AT
49 PEATE AVENUE, GLEN IRIS
WATER QUALITY PLAN (STORM)

PROJECT NO. 21074
DATE : JUNE 21
SHEET 1 OF 1
PLAN No: 21074 REV

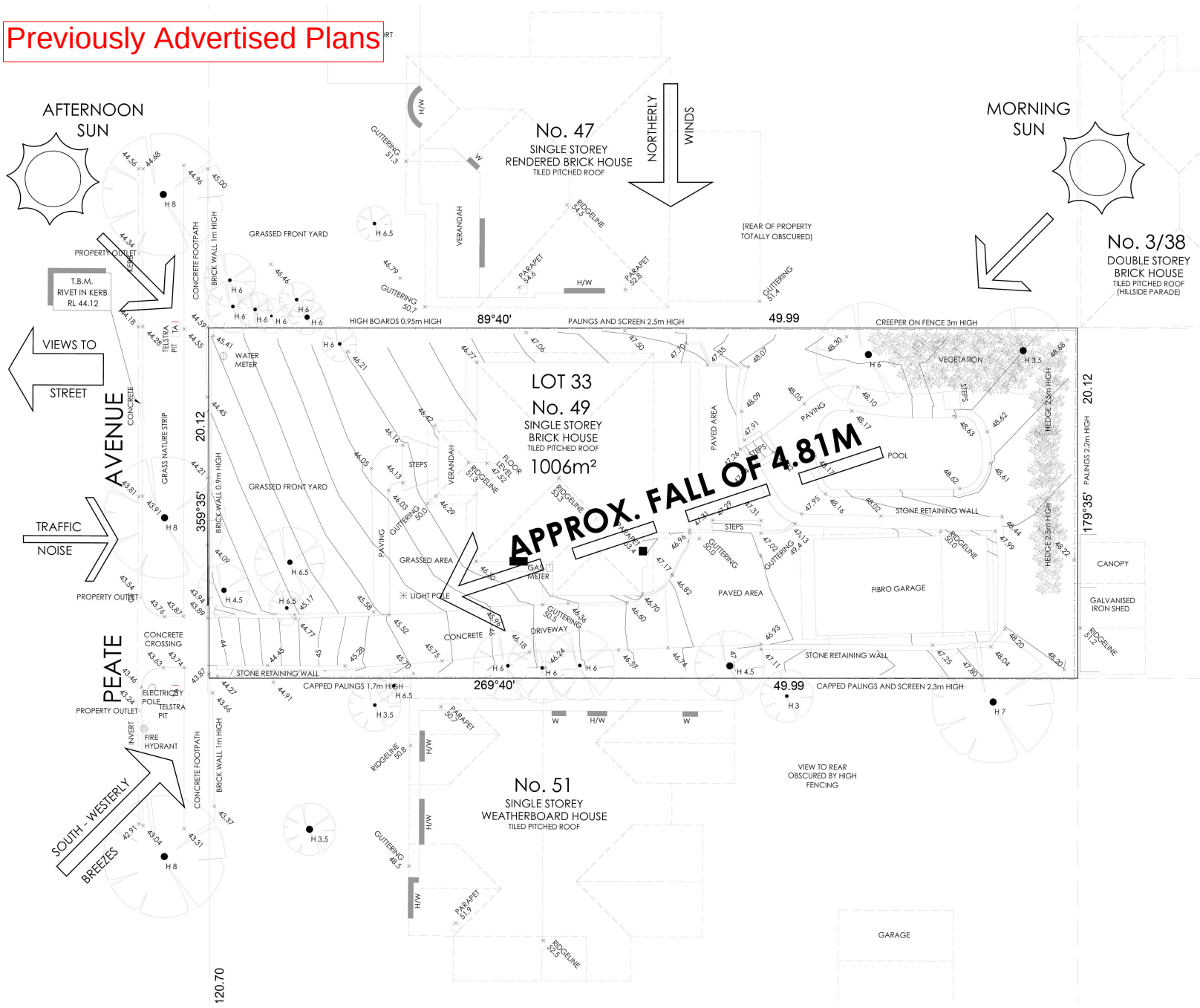
Previously Advertised Plans

Previously Advertised Plans

A7431170

NOTICE INFORMATION
Date of Notice: ~~2 December 2019~~

Previously Advertised Plans



NOTES

No.	DATE	AMENDMENT

PROPOSED DEVELOPMENT

49 PEATE AVENUE,
GLEN IRIS

SITE ANALYSIS PLAN

PLANNING DRAWINGS

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NICHOLAS DAY ARCHITECTS
PO Box 786 South Yarra 3141
Telephone: (03) 9820 3888
Email: nicholasday@nicholasday.com.au
ACN 096 104 808

SCALE	1:100 @ A1
DATE	OCT 2018
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DRAWING No.	PD 02

A7431170

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Date of Notice: 2 December 2019

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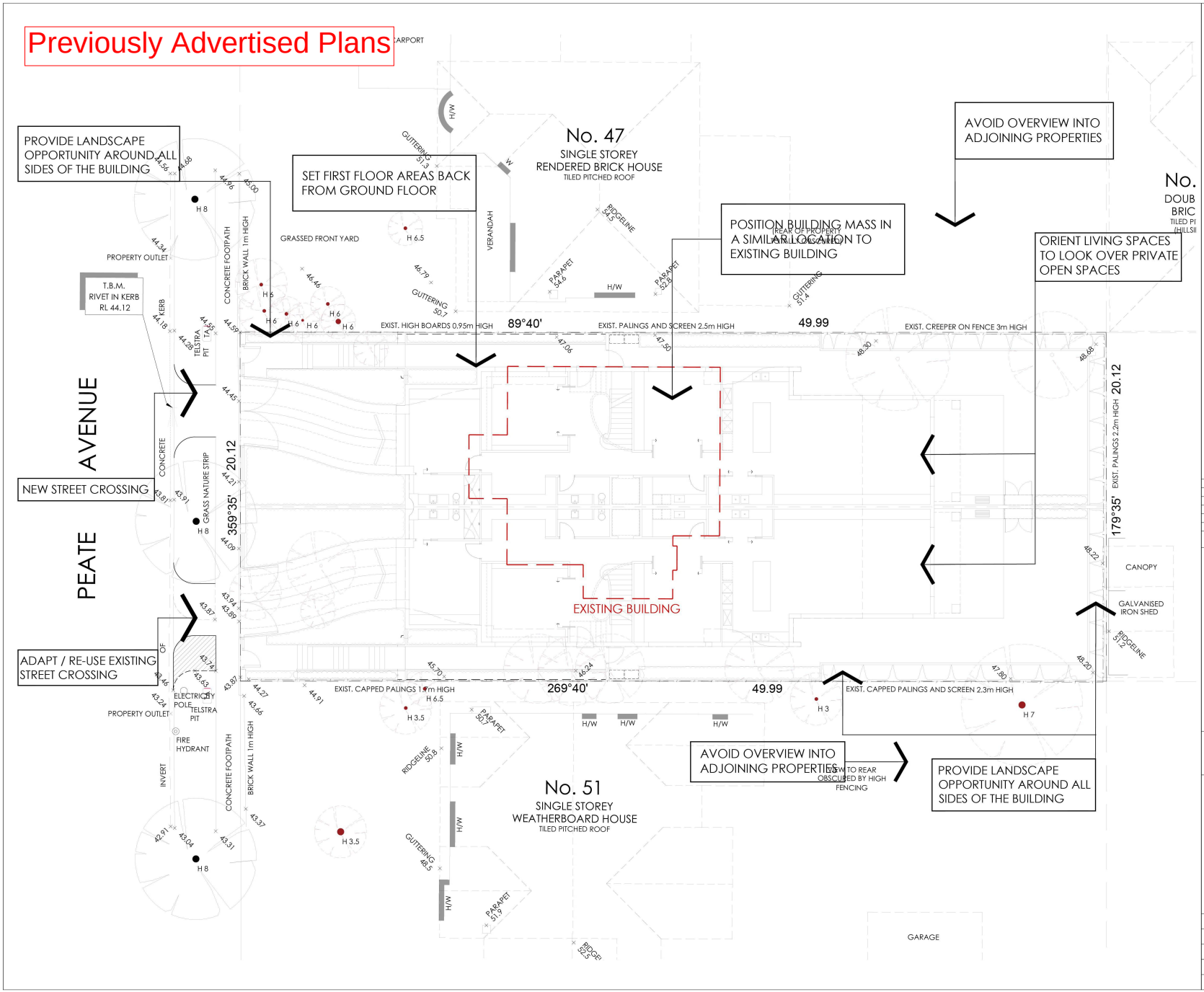

NOTES

TREES TO BE REMOVED

(NOTE TREES ON TITLE AT No. 47 & 51 HAVE BEEN PROPOSED TO BE REMOVED IN PERMITTED PLANNING APPLICATIONS)

TREES TO BE RETAINED

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED DEVELOPMENT

49 PEATE AVENUE,
GLEN IRIS

DESIGN RESPONSE PLAN

PLANNING DRAWINGS

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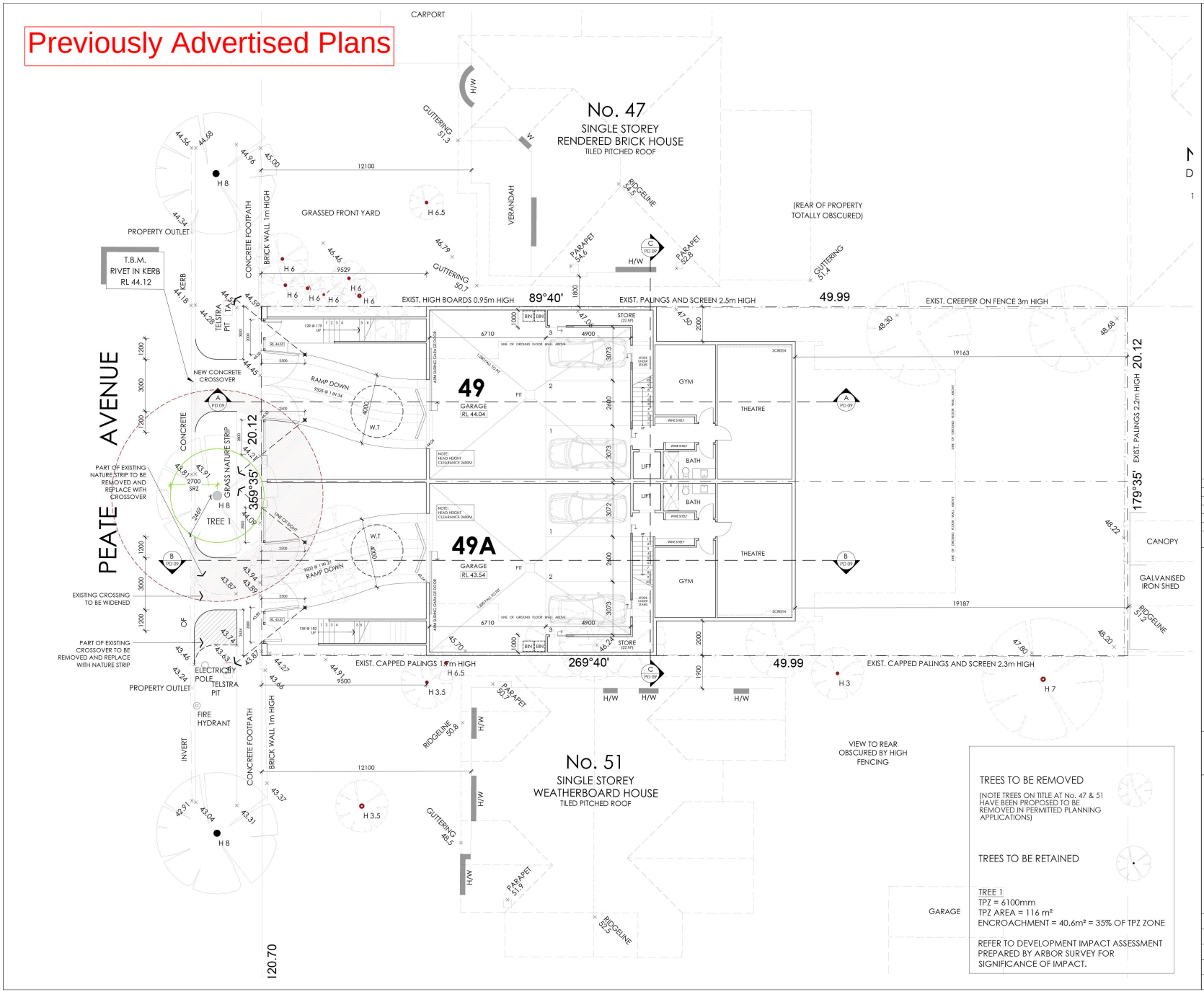
DRAWING No.	PD 03A

A7431170

NOTICE INFORMATION
Date of Notice: 2 December 2019

Previously Advertised Plans



TREES TO BE REMOVED

(NOTE TREES ON TITLE AT No. 47 & 51 HAVE BEEN PROPOSED TO BE REMOVED IN PERMITTED PLANNING APPLICATIONS)

TREES TO BE RETAINED

TREE 1
TPZ = 6100mm
TPZ AREA = 116 m²
ENCROACHMENT = 40.6m² = 35% OF TPZ ZONE

REFER TO DEVELOPMENT IMPACT ASSESSMENT PREPARED BY ARBOR SURVEY FOR SIGNIFICANCE OF IMPACT.

NOTES

SITE AREA:	1006.00m²
BASEMENT:	399.46m²
SITE COVERAGE:	39.40%
HOUSE 49 STORAGE:	22m³
HOUSE 49A STORAGE:	22m³

W.T 7,000 LITRE WATER COLLECTION TANK UNDER DRIVEWAY

WATER TANK TO COLLECT STORMWATER FROM ALL NON TRAFFICABLE AREAS, TO BE USED CAR WASHING AND FLUSHING OF ALL TOILETS.

TESLA POWERWALL BATTERIES IN EACH HOUSE STORING SOLAR GENERATED ELECTRICITY.

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED DEVELOPEMENT

49 PEATE AVENUE,
GLEN IRIS

BASEMENT PLAN

PLANNING DRAWINGS

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A7431170

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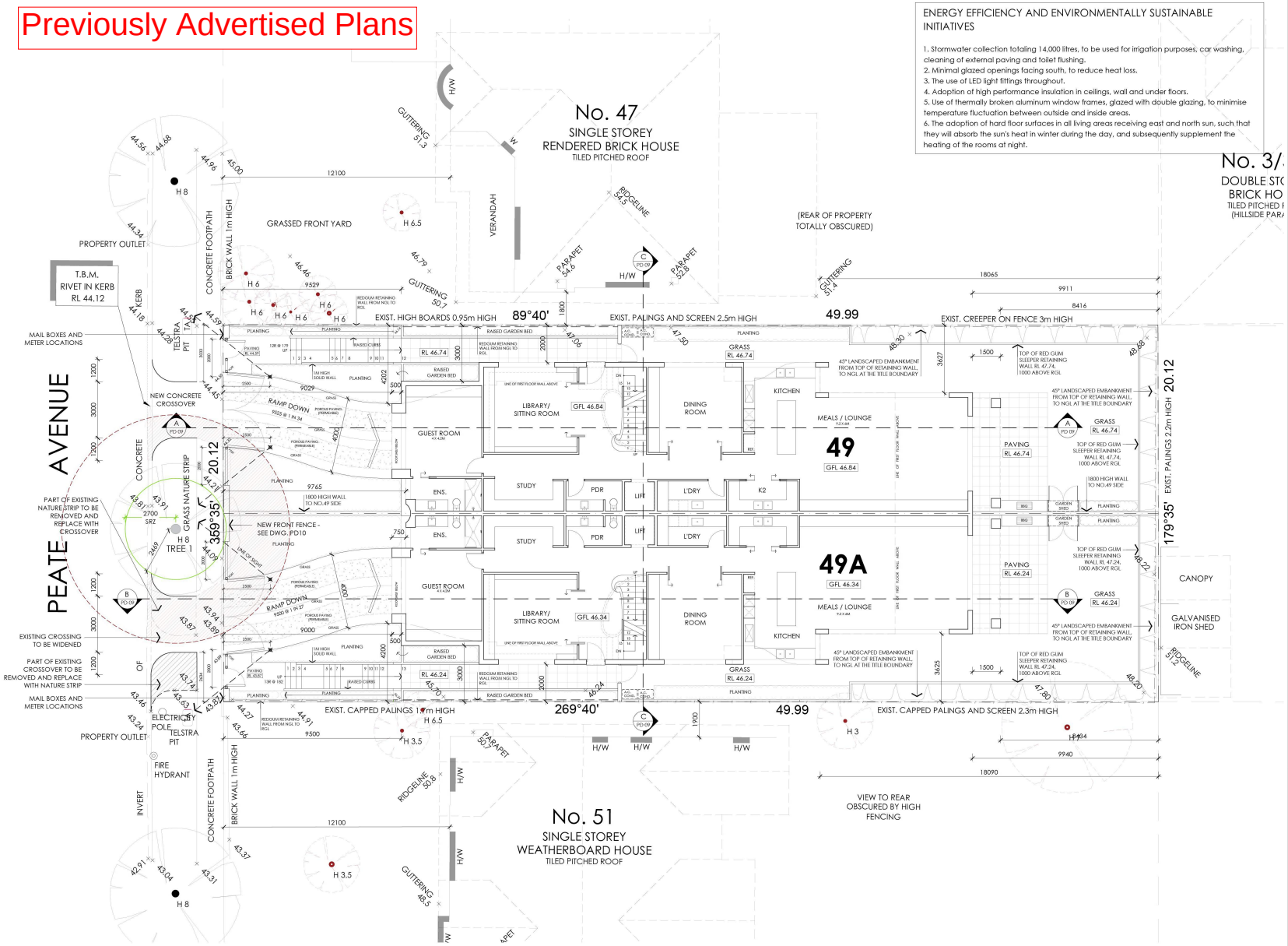
Date of Notice: 2 December 2019

Previously Advertised Plans



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ENERGY EFFICIENCY AND ENVIRONMENTALLY SUSTAINABLE INITIATIVES

1. Stormwater collection totaling 14,000 litres, to be used for irrigation purposes, car washing, cleaning of external paving and toilet flushing.
2. Minimal glazed openings facing south, to reduce heat loss.
3. The use of LED light fittings throughout.
4. Adoption of high performance insulation in ceilings, wall and under floors.
5. Use of thermally broken aluminum window frames, glazed with double glazing, to minimise temperature fluctuation between outside and inside areas.
6. The adoption of hard floor surfaces in all living areas receiving east and north sun, such that they will absorb the sun's heat in winter during the day, and subsequently supplement the heating of the rooms at night.

NOTES

DEVELOPMENT SUMMARY

TOTAL AREA OF SITE:	1006.00m²
TOTAL SITE COVERAGE:	461.90m² (45.91%)
TOTAL PERMEABLE AREA:	458.18m² (45.54%)
TOTAL GARDEN AREA:	397.33m² (39.49%)
NUMBER OF DWELLINGS:	2
NUMBER OF CAR SPACES:	6

PRIVATE OPEN SPACE

BUILDING 49:	105.10m²
BUILDING 49A:	105.77m²

SECLUDED PRIVATE OPEN SPACE

BUILDING 49:	126.71m²
BUILDING 49A:	126.93m²

SIDE AND REAR FENCING

EXISTING PALING FENCES TO BE RETAINED WHERE POSSIBLE OR REPLACED WHERE NECESSARY WITH NEW PALING FENCING TO EXACTLY MATCH EXISTING.

RETAINING WALLS

PROVIDE RED GUM SLEEPER RETAINING WALLS TO BOTH SIDE AND REAR BOUNDARIES, FROM NATURAL GROUND LEVEL TO REDUCED GROUND LEVEL.

A.C. DENOTES AIR CONDITIONING CONDENSERS

REFER TO LANDSCAPE PLAN FOR LANDSCAPING DETAILS

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED NEW HOUSES

49 PEATE AVENUE, GLEN IRIS

GROUND FLOOR PLAN

PLANNING DRAWINGS

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Telephone: (03) 9820 3888
Email: nicholasday@nicholasday.com.au
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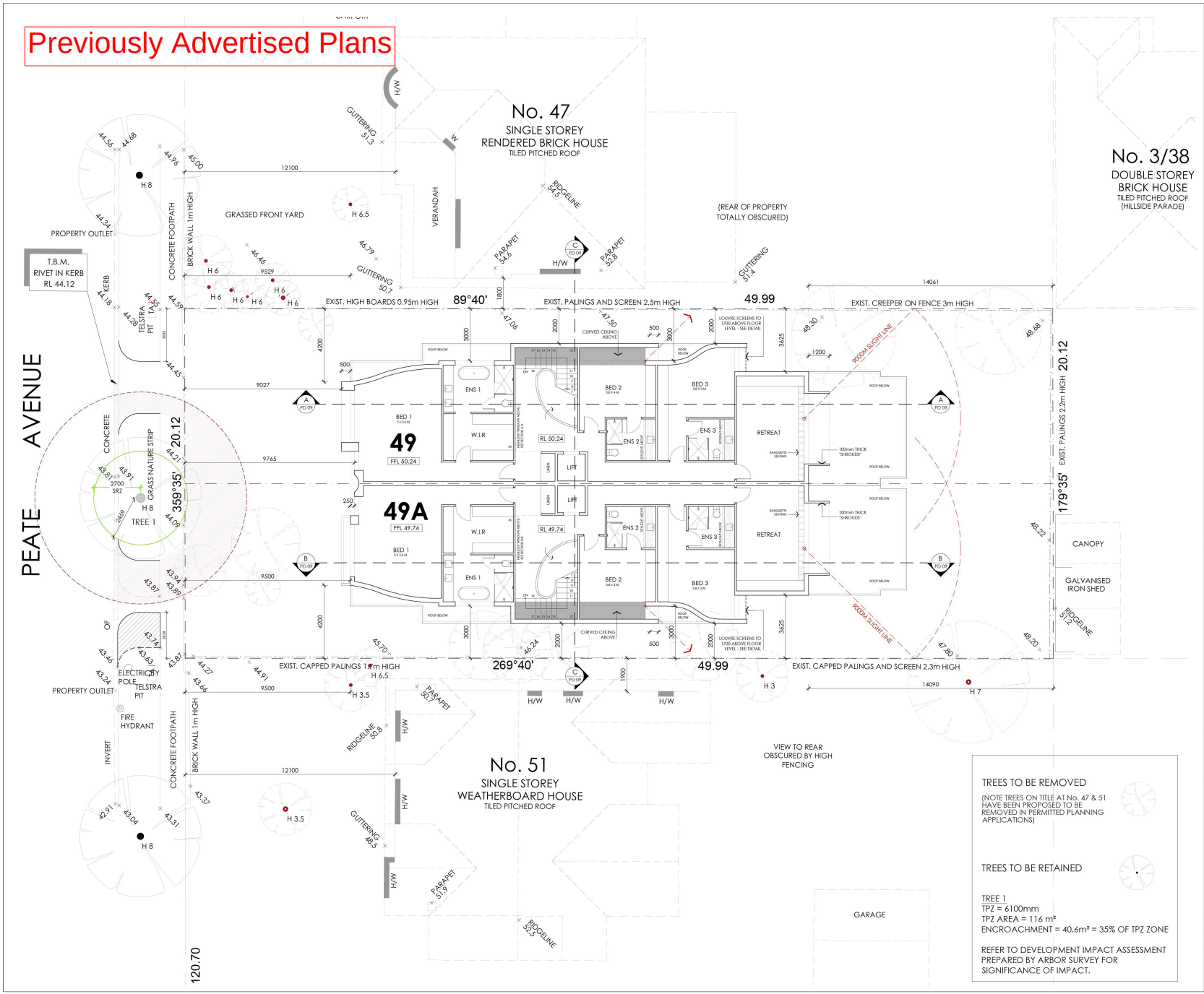

TREES TO BE REMOVED

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TREES TO BE RETAINED

TREE 1
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TPZ AREA = 116 m²
ENCROACHMENT = 40.6m² = 35% OF TPZ ZONE

REFER TO DEVELOPMENT IMPACT ASSESSMENT PREPARED BY ARBOR SURVEY FOR SIGNIFICANCE OF IMPACT.

NOTES

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED DEVELOPMENT

49 PEATE AVENUE,
GLEN IRIS

FIRST FLOOR PLAN

PLANNING DRAWINGS

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DRAWING No.	PD 06

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Date of Notice: 2 December 2019

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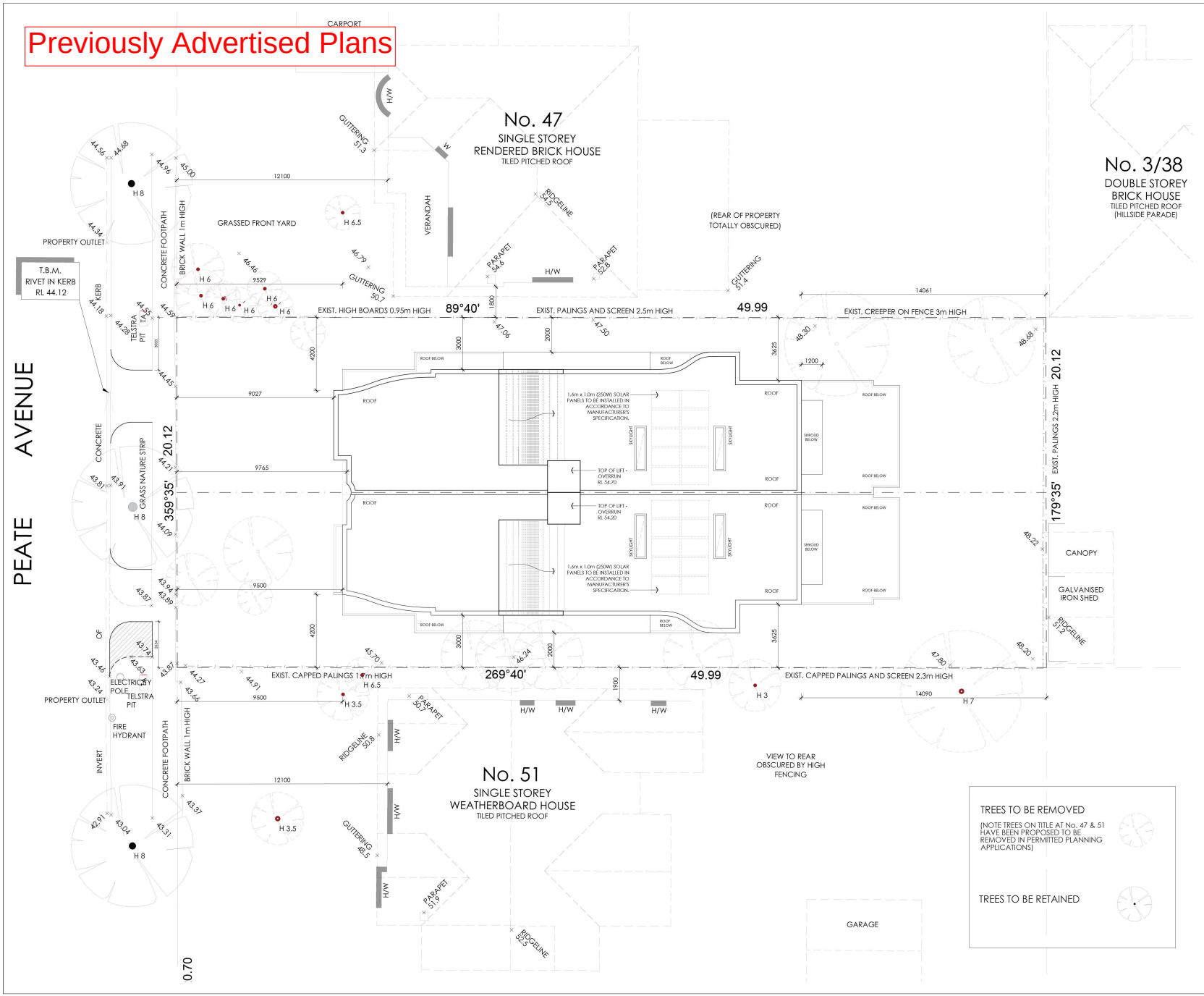

NOTES

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED DEVELOPMENT

49 PEATE AVENUE,
GLEN IRIS

ROOF PLAN

PLANNING DRAWINGS

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DATE	OCT 2018
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DRAWING No.	PD 07

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Date of Notice: 2 December 2019

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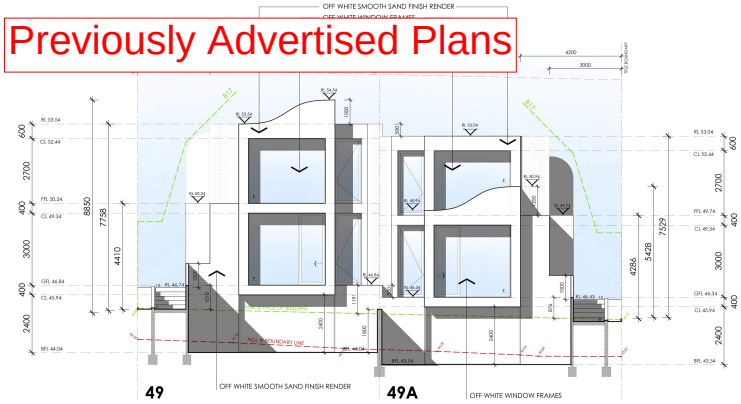
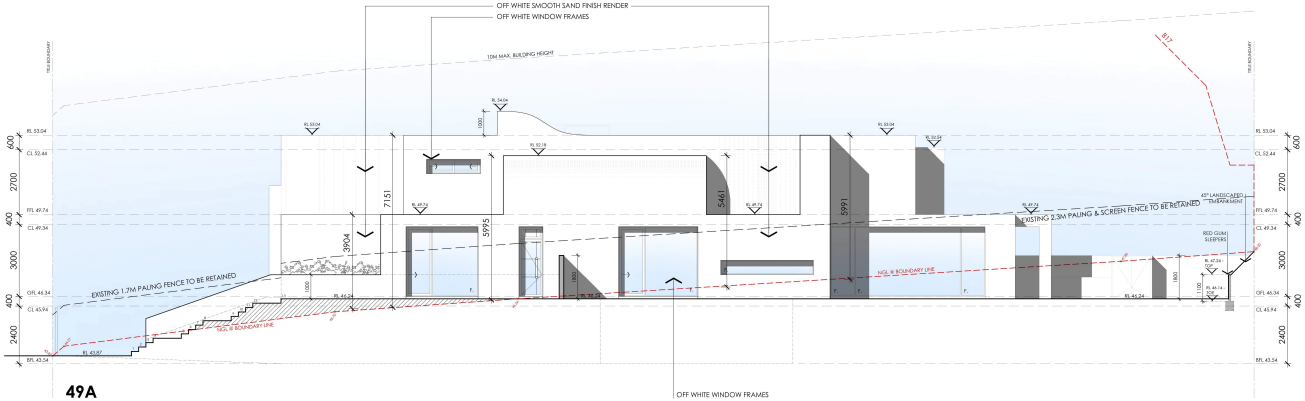
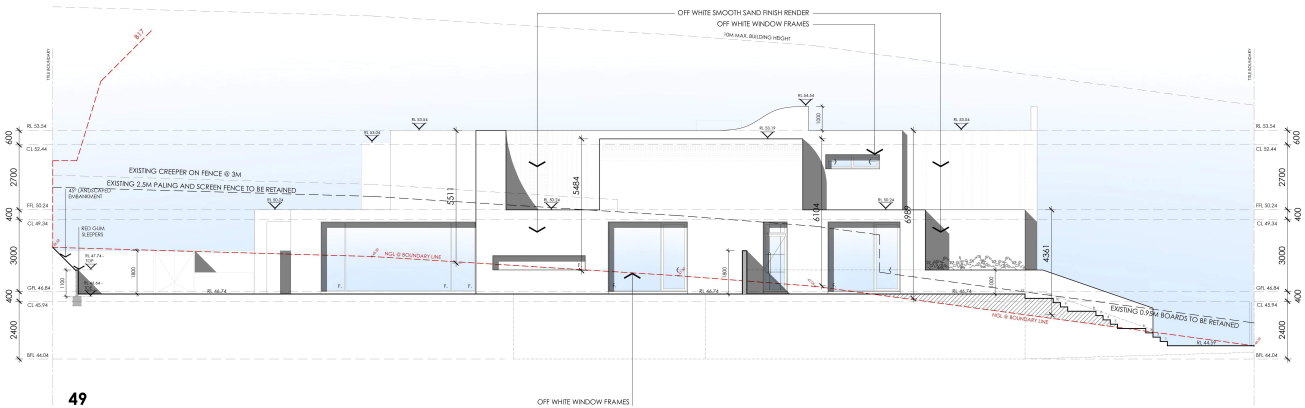


WEST ELEVATION

EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

NOTES

FINISHES SCHEDULE

EXTERNAL WALLS:
PAINTED, SMOOTH SAND RENDER FINISH.
COLOUR: DULUX "FEATHER SOFT"

WINDOW FRAMES, LOUVRE SCREEN:
POWDER COATED ALUMINUM.
COLOUR: DULUX "SURFMIST"

OPENABLE WINDOWS/DOORS:

F. FIXED | SLIDING | SIDE HUNG

No.	DATE	AMENDMENT

PROPOSED DEVELOPMENT

49 PEATE AVENUE,
GLEN IRIS

ELEVATIONS

PLANNING DRAWINGS

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DRAWING No.	PD 08

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NOTICE INFORMATION
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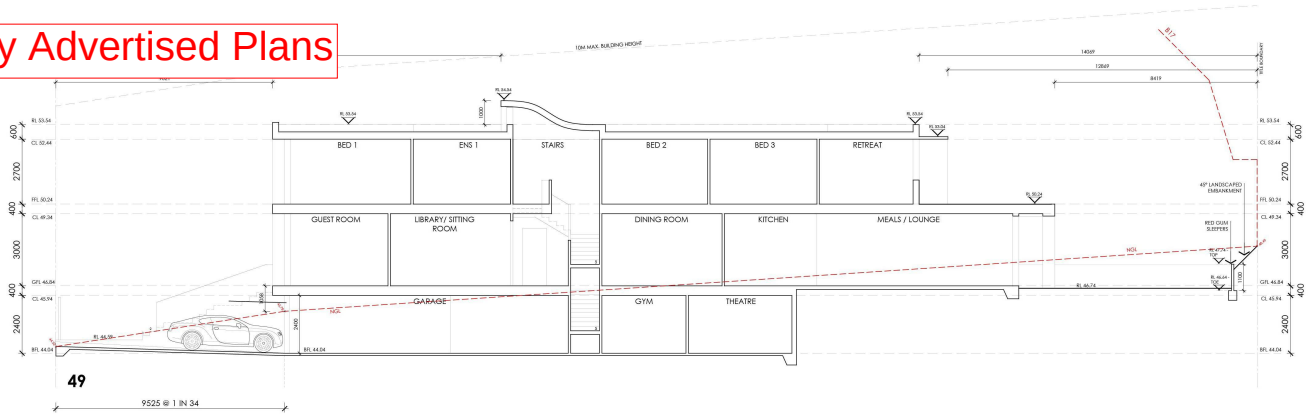
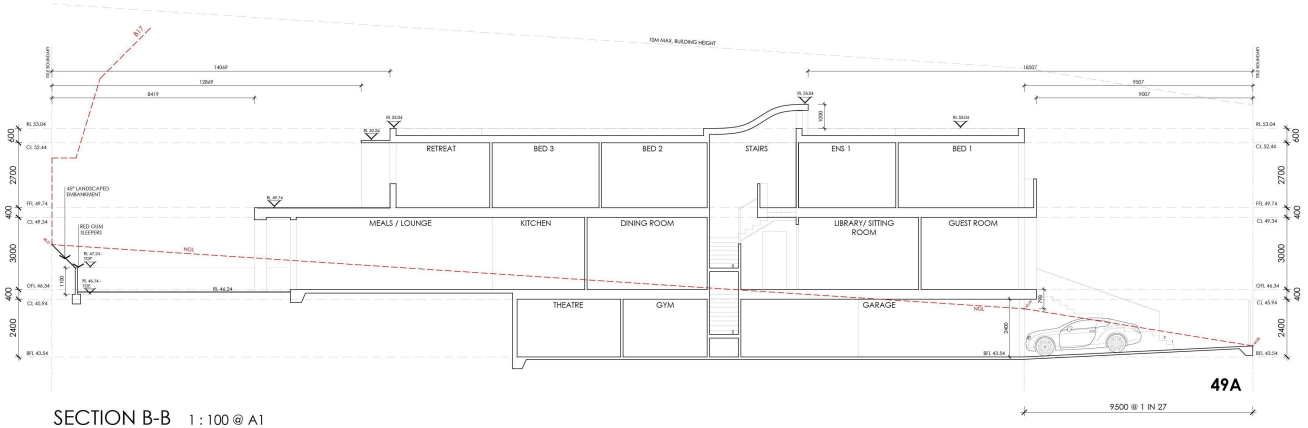
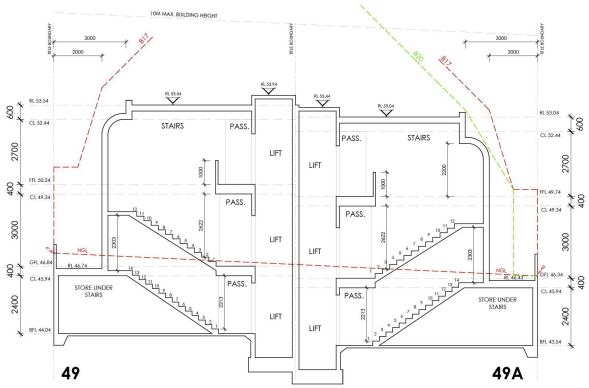


SECTION A-A 1 : 100 @ A1
THROUGH BASEMENT & HOUSE 49

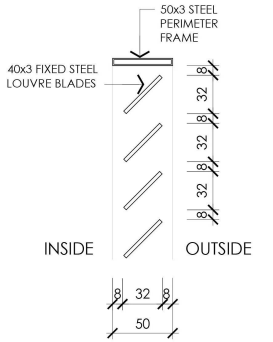


SECTION B-B 1 : 100 @ A1
THROUGH BASEMENT & HOUSE 49A



SECTION C-C 1 : 100 @ A1

NOTES



LOUVRE SCREEN DETAIL
1:2 @ A1

No.	DATE	AMENDMENT

PROPOSED DEVELOPMENT

49 PEATE AVENUE,
GLEN IRIS

SECTION A-A, B-B, C-C +
PRIVACY SCREEN DETAIL

PLANNING DRAWINGS

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Date of Notice: 2 December 2019

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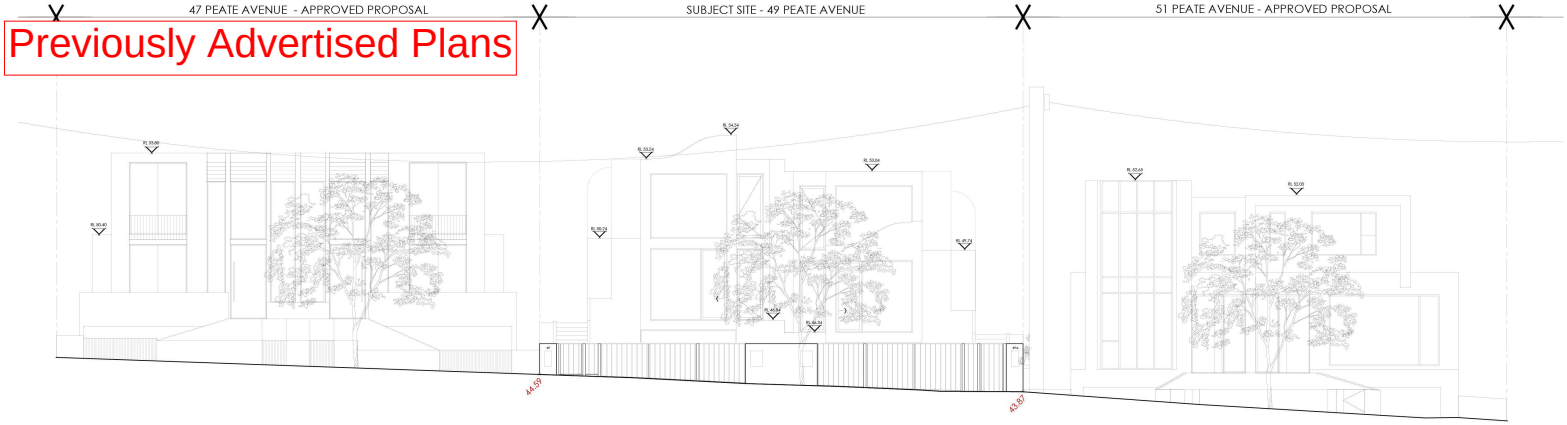
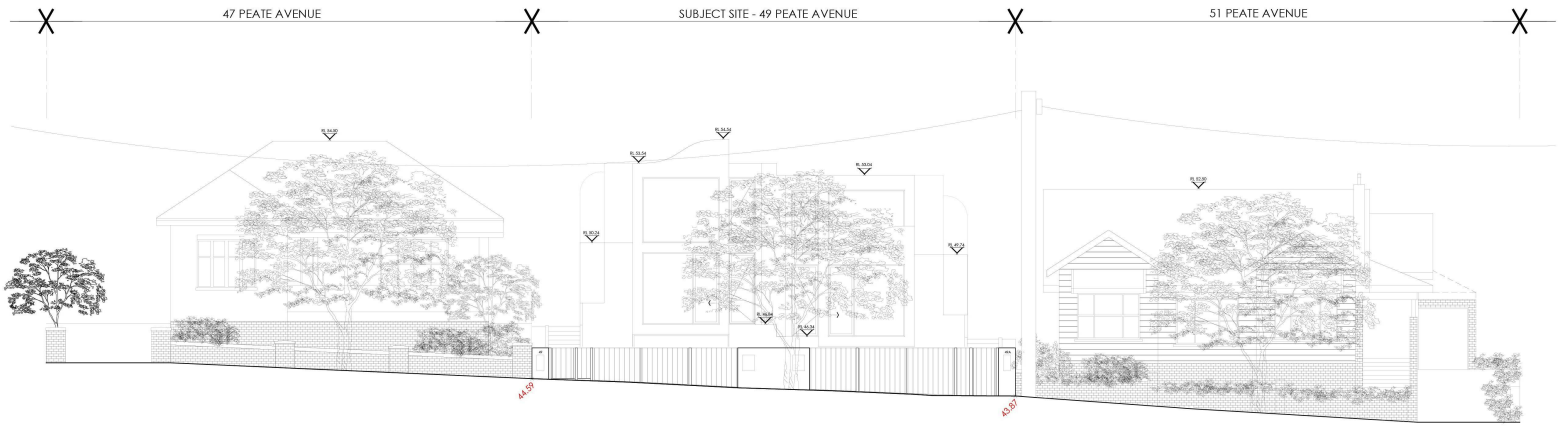
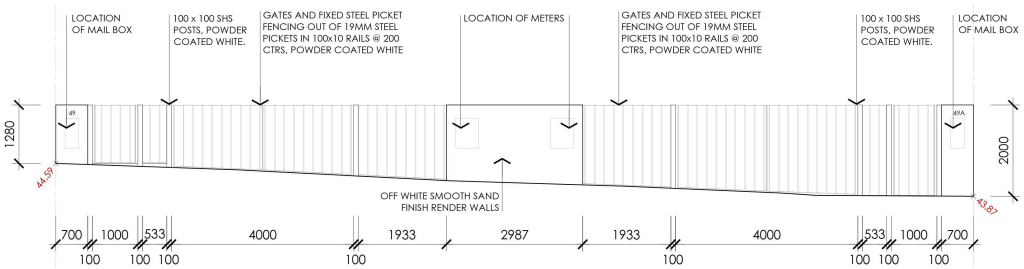


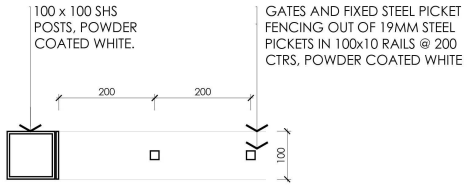
PERMITTED STREETSCAPE ELEVATION FACING PEATE AVENUE
1 : 100 @ A1



EXISTING STREETSCAPE ELEVATION FACING PEATE AVENUE
1 : 100 @ A1



FRONT FENCE ELEVATION
1:50 @ A1



DETAIL 01
1:5 @ A1

NOTES

FINISHES SCHEDULE

EXTERNAL WALLS:
PAINTED, SMOOTH SAND RENDER FINISH.
COLOUR: DULUX "FEATHER SOFT"

FENCE PICKETS:
100x100 SHS STEEL & STEEL PICKETS POWDER COATED.
COLOUR: DULUX "SURFMIST"

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED DEVELOPMENT

49 PEATE AVENUE,
GLEN IRIS

STREETSCAPE ELEVATION + FRONT FENCE

PLANNING DRAWINGS

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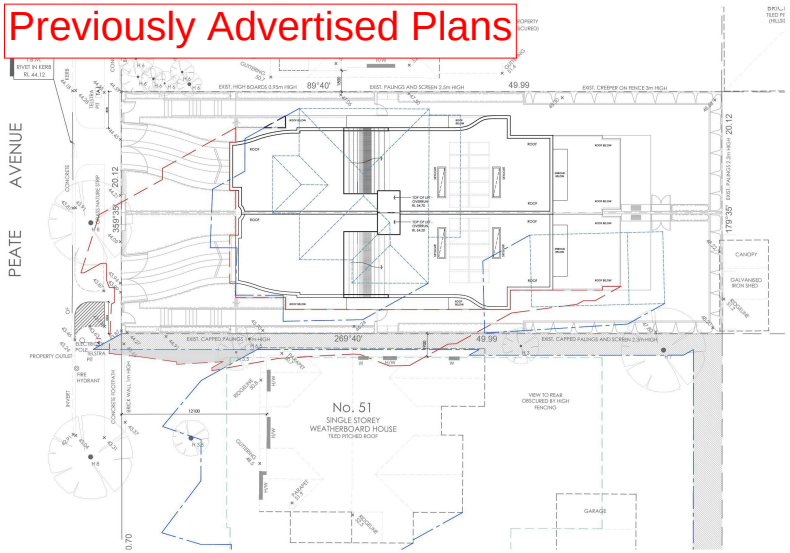
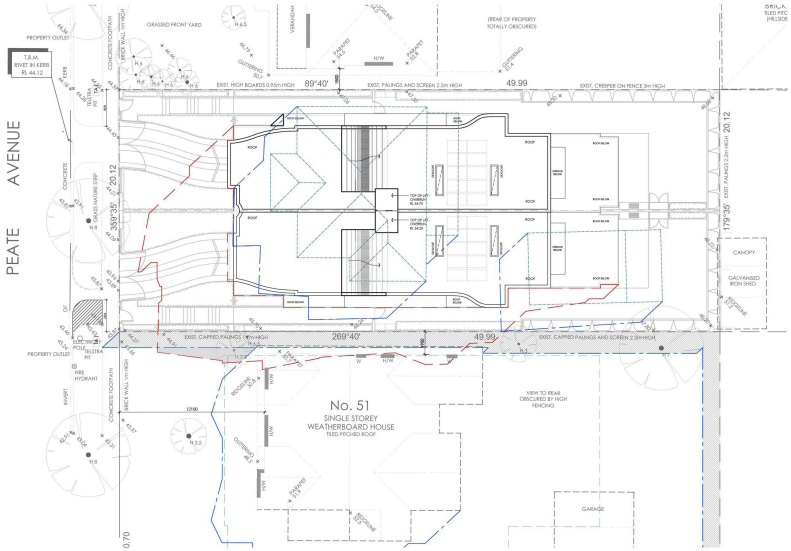
NOTICE INFORMATION
Date of Notice: ~~2 December 2019~~

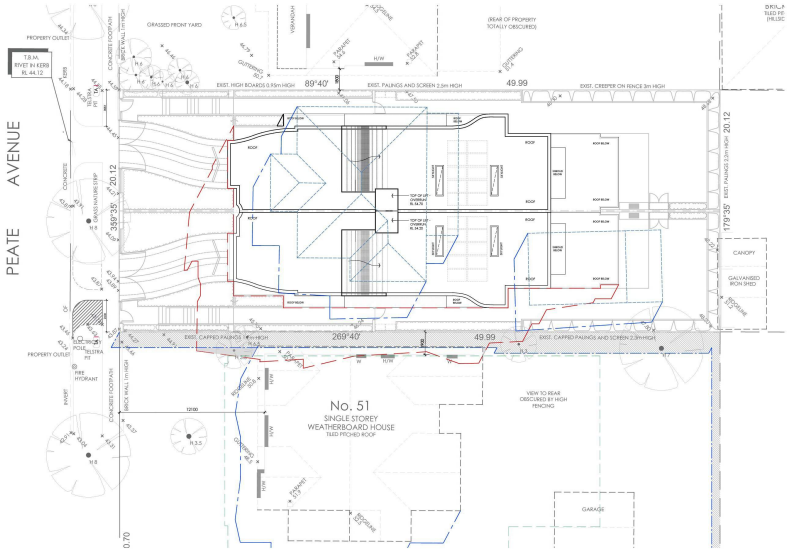
Previously Advertised Plans



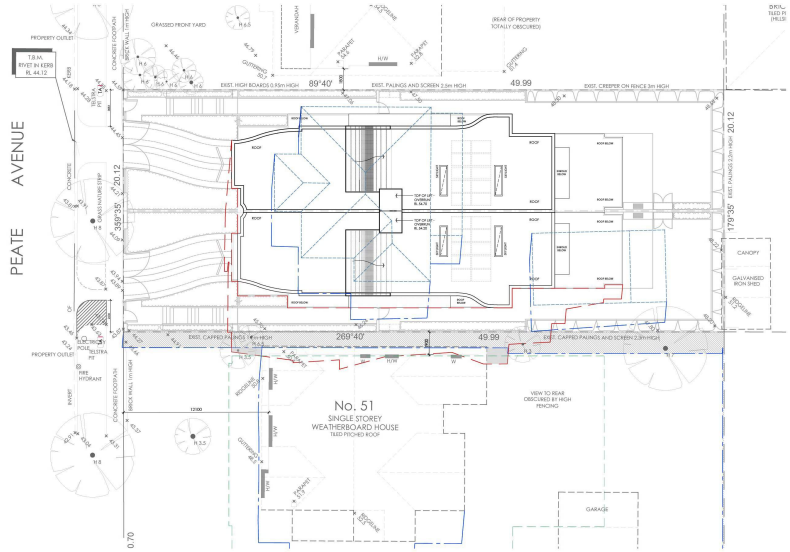
SHADOW CAST ON SEPT. 22nd AT 9AM



SHADOW CAST ON SEPT. 22nd AT 10AM



SHADOW CAST ON SEPT. 22nd AT 11AM



SHADOW CAST ON SEPT. 22nd AT 12PM

NOTES

EXISTING SHADING

ADDITIONAL SHADING TO ADJOINING PROPERTIES FROM PROPOSED BUILDING

SHADOW OUTLINE OF PROPOSED BUILDINGS

EXISTING BUILDINGS SHADOW OUTLINE

EXISTING BUILDING FOOTPRINT

PROPOSED BUILDING FOOTPRINT OF No.51 PEATE AVENUE

MINIMAL ADDITIONAL OVERSHADOWING TO SPOS. NO ADDITIONAL SHADOWING TO SPOS OF ADJOINING PERMITTED PROPOSALS.

DIAGRAMS INDICATE SHADOWS CAST ON TO ADJOINING PROPERTIES, OVER AND ABOVE SHADOWS CAST BY EXISTING BUILDINGS AND FENCES

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED NEW HOUSES

49 PEATE AVENUE, GLEN IRIS

SHADOW DIAGRAMS

PLANNING DRAWINGS

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NICHOLAS DAY ARCHITECTS

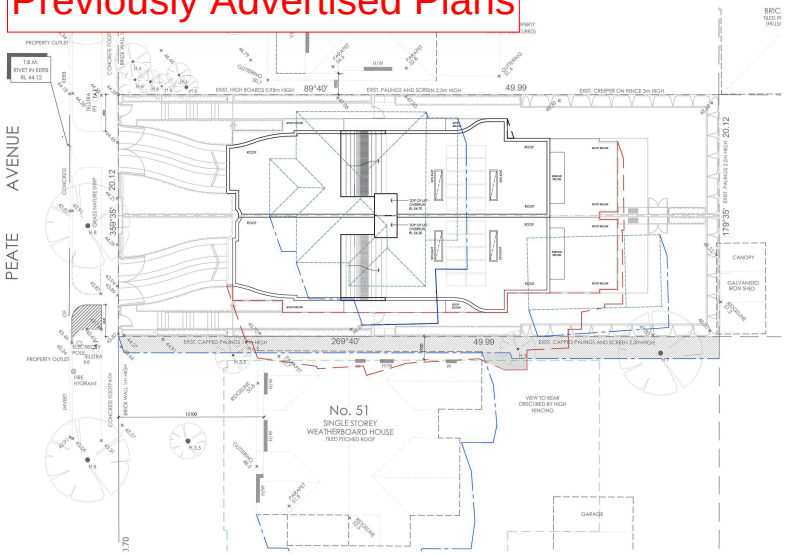
PO Box 786 South Yarra 3141
Telephone: (03) 9820 3888
Email: nicholasday@nicholasday.com.au
ACN 096 104 808

SCALE	1:200 @ A1
DATE	OCT 2018
DRAWN	KB
CHECKED	ND
DRAWING No.	PD 11A

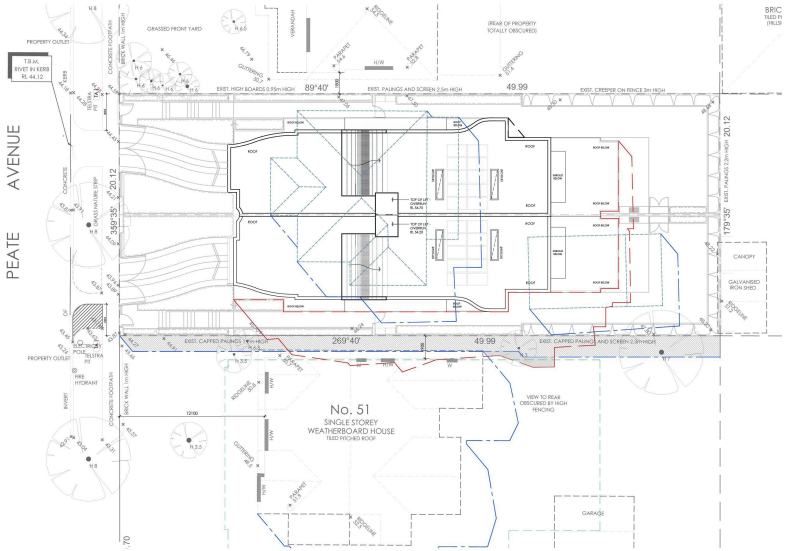
A7431170

NOTICE INFORMATION
Date of Notice: 2 December 2019

Previously Advertised Plans



SHADOW CAST ON SEPT. 22nd AT 1PM



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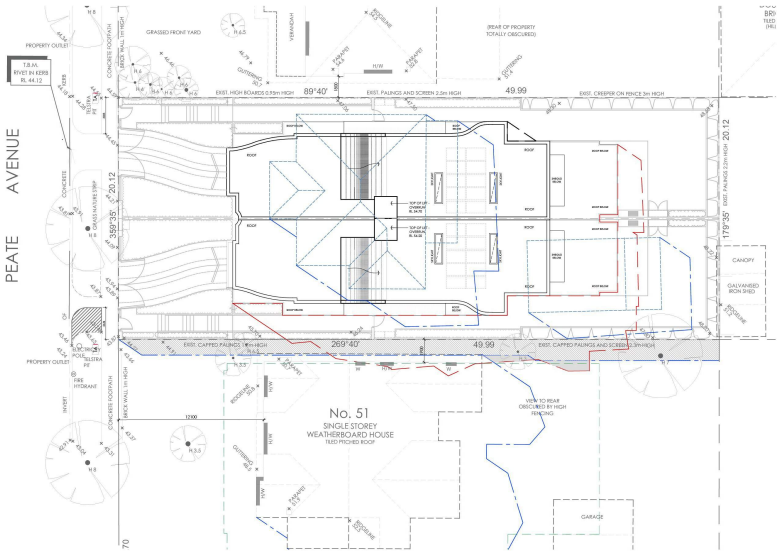

SHADOW CAST ON SEPT. 22nd AT 3PM

NOTES

- EXISTING SHADING
- ADDITIONAL SHADING TO ADJOINING PROPERTIES FROM PROPOSED BUILDING
- SHADOW OUTLINE OF PROPOSED BUILDINGS
- EXISTING BUILDINGS SHADOW OUTLINE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT OF No.51 PEATE AVENUE

MINIMAL ADDITIONAL OVERSHADOWING TO SPOS. NO ADDITIONAL SHADOWING TO SPOS OF ADJOINING PERMITTED PROPOSALS.

DIAGRAMS INDICATE SHADOWS CAST ON TO ADJOINING PROPERTIES, OVER AND ABOVE SHADOWS CAST BY EXISTING BUILDINGS AND FENCES

No.	DATE	AMENDMENT
A	7/10/2019	RFI RESPONSE

PROPOSED NEW HOUSES

49 PEATE AVENUE, GLEN IRIS

SHADOW DIAGRAMS (PT.2) EXISTING DWELLINGS

PLANNING DRAWINGS

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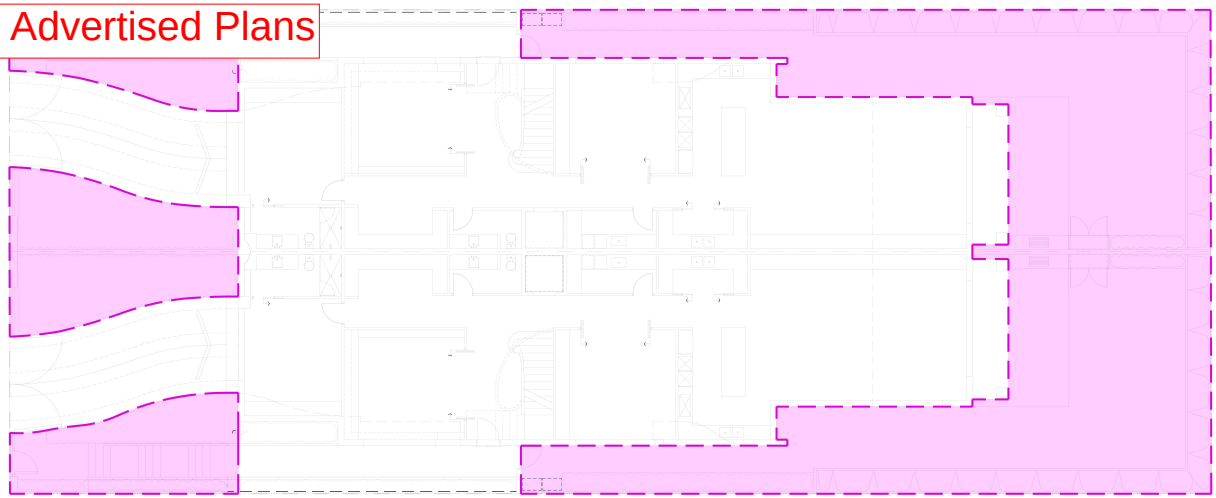
PO Box 786 South Yarra 3141
Telephone: (03) 9820 3888
Email: nicholasday@nicholasday.com.au
ACN 096 104 808

SCALE	1:200 @ A1
DATE	OCT 2018
DRAWN	KB
CHECKED	ND
DRAWING No.	PD 12A

A7431170

NOTICE INFORMATION
Date of Notice: 2 December 2019

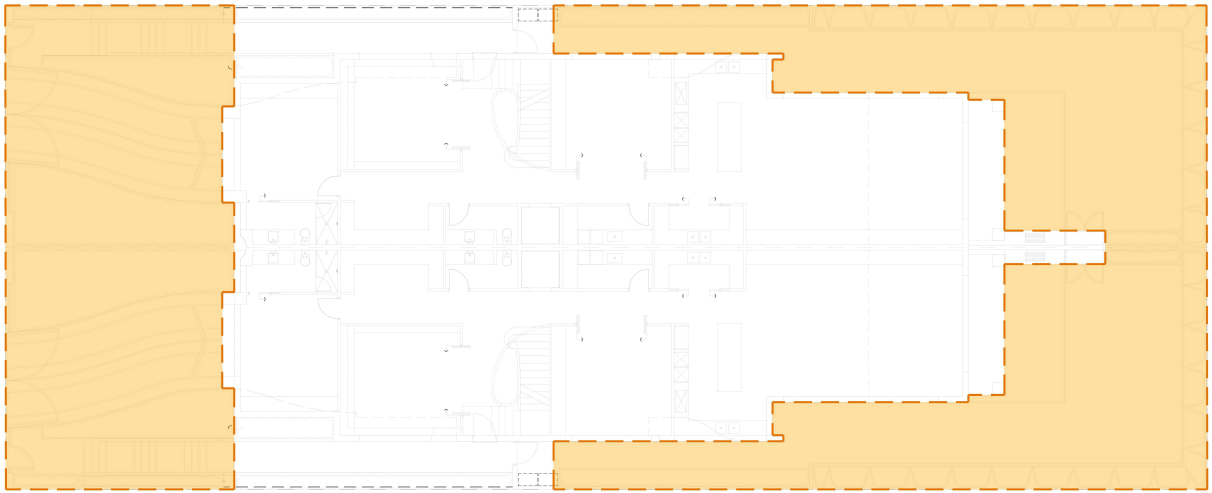
Previously Advertised Plans



GARDEN AREA

HATCHED AREA INDICATES GARDEN AREA

397.33m² (39.49%)



PERMEABLE AREA

HATCHED AREA INDICATES PERMEABLE AREA

458.18m² (45.54%)

NOTES

No.	DATE	AMENDMENT

PROPOSED NEW HOUSES

49 PEATE AVENUE, GLEN IRIS

GARDEN AREA + PERMEABLE AREA

PLANNING DRAWINGS

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NICHOLAS DAY ARCHITECTS

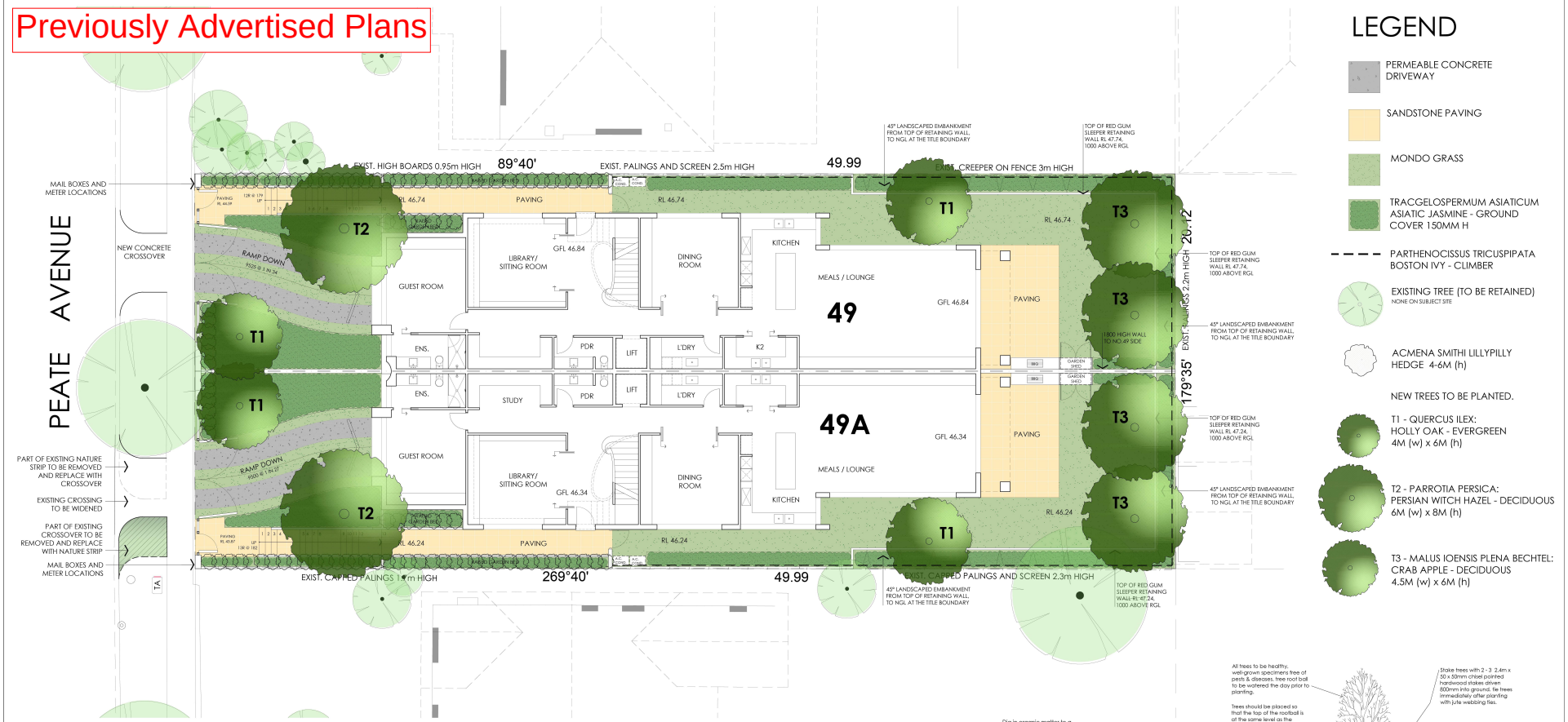
PO Box 786 South Yarra 3141
Telephone: (03) 9820 3888
Email: nicholasday@nicholasday.com.au
ACN 096 104 808

SCALE	1:100 @ A1
DATE	OCT 2018
DRAWN	KB
CHECKED	ND
DRAWING No.	PD 13

A7431170

NOTICE INFORMATION
Date of Notice: 2 December 2019

Previously Advertised Plans

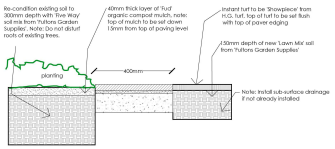


LEGEND

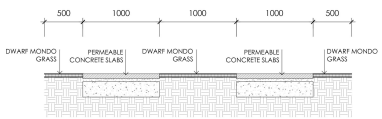
- PERMEABLE CONCRETE DRIVEWAY
- SANDSTONE PAVING
- MONDO GRASS
- TRACGELOSPERMUM ASIATICUM ASIATIC JASMINE - GROUND COVER 150MM H
- PARTHENOCISSUS TRICUSPIPATA BOSTON IVY - CLIMBER
- EXISTING TREE (TO BE RETAINED) NONE ON SUBJECT SITE
- ACMENA SMITHI LILLYPILLY HEDGE 4-6M (h)

NEW TREES TO BE PLANTED.

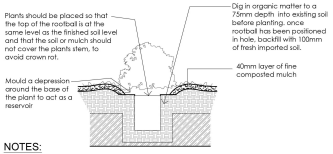
- T1 - QUERCUS ILEX: HOLLY OAK - EVERGREEN 4M (w) x 6M (h)
- T2 - PARROTIA PERSICA: PERSIAN WITCH HAZEL - DECIDUOUS 6M (w) x 8M (h)
- T3 - MALUS IOENSIS PLENA BECHTEL: CRAB APPLE - DECIDUOUS 4.5M (w) x 6M (h)



LAWN PAVER EDGING DETAIL
(NOT TO SCALE)



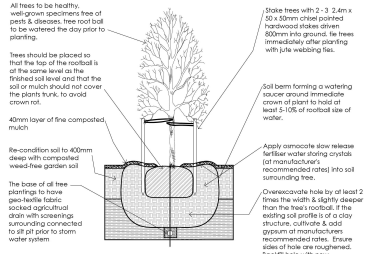
DRIVEWAY DETAIL
(NOT TO SCALE)



NOTES:

1. eradicate weeds by spraying with glyphosate or removing by hand.
2. water soil thoroughly for 2 days before planting.
3. loosely break up soil with a fork and combine with a 75mm depth of organic matter.
4. dig a hole twice the width and one and a half the depth of the pot size.
5. fill the hole with water before planting and allow to drain thoroughly.
6. place the plant in the hole & backfill with fresh topsoil.
7. spread with a 40mm layer of fine composted mulch and water deeply after planting.
8. If planting is taller than 1m, support plant with 750mm long x 25 x 25 hardwood stake tied with jute webbing ties.
9. garden beds to be well drained with geo-fabric socked agricultural drains with screenings surrounding, connected to silt pit prior to stormwater systems.

SHURB PLANTING DETAIL
(NOT TO SCALE)



NOTES:
Garden bed to be well drained with drainage as per drawing. Before planting, thoroughly water trees to be transplanted. After planting water is to be concentrated with drippers placed directly on top of rootball. For period of 6 weeks after planting it is essential moisture levels of rootball are regularly checked to ensure rootball does not dry out.

TREE PLANTING DETAIL
(NOT TO SCALE)

REV.	DATE.	DESCRIPTION.

NOTES

PROPOSED NEW HOUSES - 49 PEATE AVENUE, GLEN IRIS

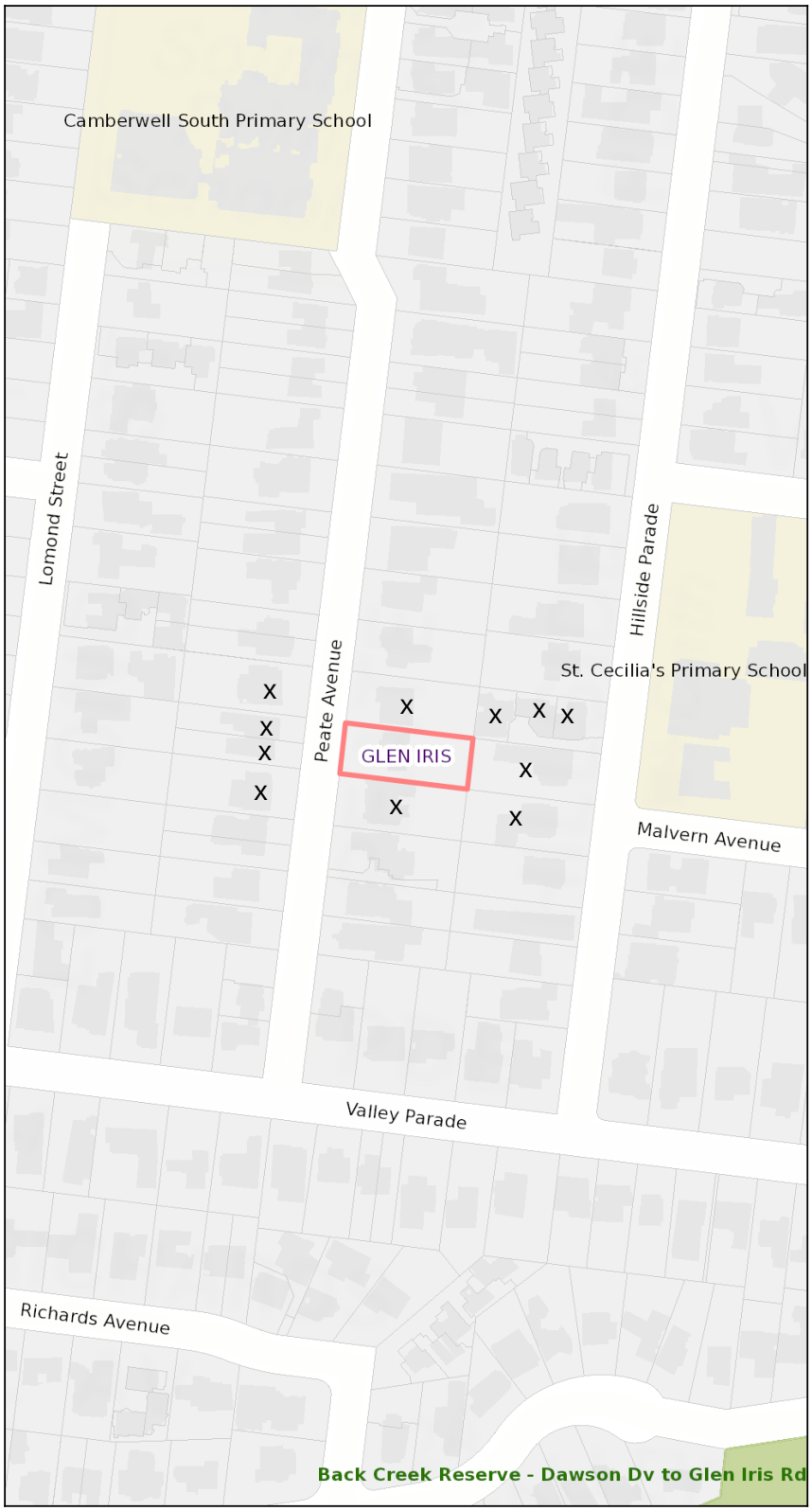
LANDSCAPE PLAN

PLANNING DRAWINGS

DATE: 20-03-2019
SCALE: 1:100
DRAWING No: 01A

NORTH

Location of Subject Site, Notified Properties



49 Peate Avenue GLEN IRIS

Proposed Application

× Properties Notified

Suburbs

Property

Railway Stations

Railway Line

Building Footprints

Recreation Areas

Hospitals

Education

1:2,500

Metres 50 100 150

Vicmap

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BOROONDARA City of Harmony

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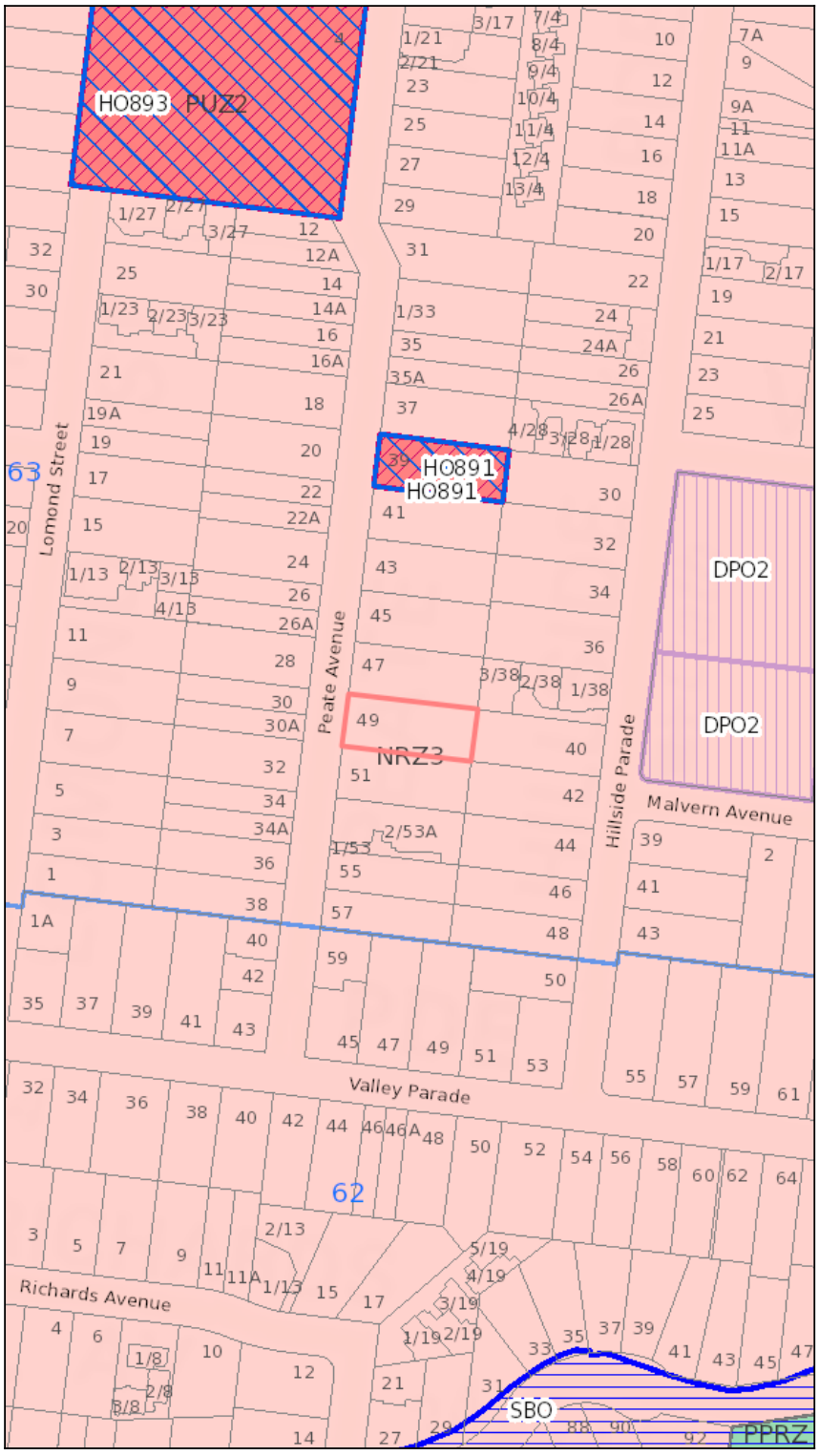
Map produced: 11 October 2021, 16:27:4

Zoning Map



49 Peate Avenue, GLEN IRIS

Planning Scheme Zones

CA	Commonwealth Land
CDZ	Comprehensive Development
C1Z	Commercial 1
C2Z	Commercial 2
GRZ	General Residential
MUZ	Mixed Use
NRZ	Neighbourhood Residential
PCRZ	Public Conservation & Resource
PDZ	Priority Development
PPRZ	Public Park & Recreation

Public Use Zones

PUZ1	Service & Utility
PUZ2	Education
PUZ3	Health & Community
PUZ4	Transport
PUZ5	Cemetry / Crematorium
PUZ6	Local Government
PUZ7	Other Public Use
RDZ1	Road - Category 1
RGZ	Residential Growth
SUZ	Special Use
UFZ	Urban Floodway

1:2,500

Metres 50 100

Vicmap

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Map Produced: 11 October, 2021 16:38:19

Officers' recommendation

{recommendation-start-do-not-remove}
That the Urban Planning Special Committee resolve that a Notice of Decision to Grant a Planning Permit No. PP19/0706.01 for the construction of two (2) dwellings in accordance with the endorsed plans at 49 Peate Avenue, Glen Iris be issued under the Boroondara Planning Scheme subject to the following conditions:

Amended plans required

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and electronic copies provided. When the plans are endorsed they will then form part of the permit. The plans must be substantially in accordance with plans PD02, PD04-PD09, prepared by Archestral, Landscape Plan prepared by Justin Hutchison and Water Quality Plan (STORM) prepared by SJF Associates, advertised 31 August 2021, on but modified to show:

    a. The following changes in accordance with the discussion plans submitted 21 February 2020, prepared by Nicholas Day Architects;

        i. ~~The application of an additional external finish to the façade. The finish must be a high-quality brick or tile and integrate with the streetscape to the satisfaction of the Responsible Authority;~~
        ii. ~~The central recess in the front façade between Dwelling 1 (49) and Dwelling 2 (49a) increased to a minimum of 2 metres at ground and first floor (measured from the eastern edge of the Dwelling 1 Bed 1 shroud);~~
        iii. The front setback of the Dwelling 1 (49) guest room increased by 1 metre to the windows and 0.5 metre to the wall;
        iv. ~~The front setback of the Dwelling 2 (49a) Bed 1 increase by 1 metre;~~

    b. ~~The curved parapet at the top of the Dwelling 1 (49) front façade deleted;~~
    c. ~~The basement entries to be setback a minimum of 1 mere behind the front wall of each dwelling;~~
    d. ~~The extent and visibility of glazing on the western (front) façade reduced through breaking up of window forms or the application of screening to the satisfaction of the Responsible Authority;~~
    e. ~~The ground floor eastern wall of each dwelling setback a minimum of 12 metres from the eastern property boundary without reducing any southern or northern side setbacks;~~
    f. ~~The rear terrace verandah of each dwelling setback a minimum of 10.5 metres from the eastern property boundary without reducing any southern or northern side setbacks;~~
    g. ~~The front fence, pedestrian and vehicle gates to be no more than one metre high and to step down with the fall of the land;~~
    h. ~~An apex to each basement entrance, 150mm higher than the control pit;~~
    i. ~~A schedule of construction materials, external finishes and colours (including swatch samples); and~~

j. An Amended Landscape Plan in accordance with Condition 3 of this permit.
k. Deletion of the two canopy trees directly to the east of the swimming pools.
l. Additional 5m2 of soft landscaping to be provided to southern portion of the driveway of No. 49, and an additional 5m2 of soft landscaping to be provided to north portion of the driveway of No. 49A.
m. Mondo Grass to be inserted into the accessways of each dwelling to the satisfaction of the Responsible Authority.
n. Reduction in the extent of paving (and if required, size of pools) to allow for a minimum 4 metres x 4 metres for each canopy tree at the north-eastern (No. 49) and south-eastern (No. 49A) corners.
o. The setback of southern wall associated with the Retreat of No. 49A increased to a minimum 2.92 metres in accordance with ResCode.
p. The windows labelled “OBS” on the northern and southern elevations, identified as being “obscure glazing”, or labelled as “5” in accordance with the material schedule.
q. The provision of 6m3 of storage to be shown on the plans for each dwelling.
r. The Tree Protection Zone and Structural Root Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property drawn on all site and floor plans;
s. Notation on all site and floor plans that the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property is to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;
t. Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;
u. The siting of any necessary stormwater detention pit, underground services and pits, and/or rainwater harvesting tank to be located outside any area set aside for deep-soil planting and outside the Tree Protection Zone of any trees to be retained/protected.
v. Notation on all site and floor plans that all excavations within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist.
w. Permanent fencing within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property constructed on pier foundations with any required plinths constructed above existing grade.
x. Notation on all site and floor plans that no strip footing is permitted within the Tree Protection Zone of the Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property.
y. Tree Management Plan in accordance with Condition 11; and
z. Any resultant changes to the Water Sensitive Urban Design Response in accordance with Condition 6.

Layout not to be altered

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

Landscape plan

3. A landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plan must be drawn to scale with dimensions and electronic copies provided. When endorsed, the plan will form part of the permit. The landscape plan must be generally in accordance with the advertised landscape concept plan prepared by Justin Hutchison dated 24 June 2021 but modified to show:

    a. A survey (including botanical names) of all existing trees to be retained and of those to be removed. The intended status of the trees shown on the landscape plan must be consistent with that depicted on the development layout plan;
    b. One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 13 metres and canopy spread of 7 metres) in the front setback of the property (either at No. 49 or No. 49A);
    c. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) in the north-eastern secluded private open space of 49 Peate Avenue Glen Iris;
    d. One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 13 metres and canopy spread of 7 metres) in the south-eastern secluded private open space of 49a Peate Avenue Glen Iris.
    e. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) to the north of the alfresco in the rear secluded private open space of 49 Peate Avenue Glen Iris;
    f. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 7 metres and canopy spread of 5 metres) to the south of the alfresco in the rear secluded private open space of 49A Peate Avenue Glen Iris.
    g. Each canopy tree must be provided a minimum of 50sqm of deep soil, with the available soil area clearly shown on the landscape plan;
    h. Each small tree must be provided a minimum of 30sqm of deep soil, with the available soil area clearly shown on the landscape plan;
    i. All trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use;
    j. All canopy trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist;
    k. All canopy trees must be planted more than 2 metres away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
    l. All small trees must be planted more than 1 metre away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
    m. All trees in rear setbacks adequately setback from common boundaries to avoid mature canopy overhang of neighbouring spaces.

Completion of landscaping works

4. Landscaping as shown on the endorsed landscape plan/s must be carried out and completed to the satisfaction of the Responsible Authority prior to the occupation of the development.

Landscaping maintenance

5. All landscaping works shown on the endorsed landscape plan/s must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.

Water Sensitive Urban Design

6. Concurrent with the endorsement of plans, the applicant must provide a Water Sensitive Urban Design Response addressing the Application Requirements of Clause 53.18 'Stormwater Management in Urban Development' to the satisfaction of the Responsible Authority. The response must include:

    a. A site plan showing the location of proposed stormwater treatment measures and the location and area (square metres) of impermeable surfaces that drain to each treatment measure.
    b. A written statement outlining how the application achieves current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (1999). Please note that for the modelling requirement you can use the following free program to demonstrate best practice, which is equivalent to a score of 100% or more: http://storm.melbournewater.com.au
    c. If any water tank is proposed, the plans must indicate the tank's capacity in litres and what the tank is connected to (e.g. toilets).

Drainage

7. The site must be drained to the satisfaction of the Responsible Authority.

Vehicle crossovers

8. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.

Removal of redundant vehicle crossovers

9. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.

Boundary walls

10. The external faces of walls on or facing boundaries must be cleaned and finished to an acceptable standard to the satisfaction of the Responsible Authority.

Tree Management Plan

11. Concurrent with the submission of amended plans required by Condition 1 of this Permit and prior to any demolition or site works, a Tree Management Plan

to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Tree Management Plan must be prepared by a minimum AQF Level 5 qualified and experienced Arborist in relation to the management and maintenance of Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property. The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to ensure that all retained trees remain healthy and viable during construction:

a. A Tree Protection Plan drawn to scale that shows:
    i. Tree Protection Zones and Structural Root Zones of all trees to be retained;
    ii. All tree protection fenced off areas and areas where ground protection systems will be used;
    iii. The type of foundations (illustration or notation) within each Tree Protection Zone;
    iv. Any services to be located within the Tree Protection Zone and a notation to state that all services will either be located outside of the Tree Protection Zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the project arborist; and
    v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the Tree Protection Zone.
b. Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the project arborist; and details of how any permeable surfaces within the Tree Protection Zone of retained trees will be constructed;
c. Specification that a suitable time must be arranged with Council's Arborist (Environmental Sustainability and Open Spaces), who must be present to supervise any root excavation greater than 5 cm in diameter within the Tree Protection Zone of Lagunaria patersonia (Norfolk Island Hibiscus) within the road reserve in front of the property;
d. Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;
e. All remedial pruning works that are required to be performed on trees during demolition and 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. Note: Only Council or Authorised Council Contractors can prune Trees Nos. 1. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.

f. The recommendations contained in the approved Tree Management Plan must be implemented to the satisfaction of the Responsible Authority and any changes to the endorsed Tree Management Plan will require written authorisation from the Responsible Authority.

Contractors to be advised of trees to be retained and protected

12. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and protected as detailed in the endorsed Tree Management Plan and are advised of any obligations in relation to the protection of those trees.

Regulation of activities in Tree Protection Area

13. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area as detailed in the endorsed Tree Management Plan without the prior written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.

Documentation and Certification by Project Arborist

14. a) Prior to the commencement of any site works, including demolition and excavation, the Responsible Authority must be provided with evidence that a project arborist has been engaged as part of the ongoing consultant team to oversee the design and construction, and to ensure the development does not have a detrimental impact on the ongoing health and stability of the trees to be retained. The project arborist must hold suitable qualifications and experience to the satisfaction of the Responsible Authority. Evidence of the appointment of the project arborist must be submitted to the satisfaction of the Responsible Authority (quoting the Planning Permit number and site address, emailed to Boroondara@boroondara.vic.gov.au) not less than seven (7) days before the commencement of works on site.

Permit to expire:

15. This permit will expire if:
    a) The development does not start within two (2) years of the issue date of this permit; or
    b) The development is not completed within four (4) years of the issue date of this permit.

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

    (i) within six (6) months afterwards if the development has not commenced; or
    (ii) within twelve (12) months afterwards if the development has not been completed.

    Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.