

## 3.2 65 Kooyongkoot Road, Hawthorn - Two Dwellings on a Lot

### 65 Kooyongkoot Road, Hawthorn – Two Dwellings on a Lot

**Application no.:** PP22/0002  
**Responsible director:** Scott Walker, Director Urban Living  
**Authorised by:** David Cowan, Manager Planning and Placemaking  
**Report officer:** Amaya De Silva, Senior Statutory Planner

### Report abstract

#### Proposal

The proposal seeks to construct two (2) dwellings on a lot.

#### Issues

The following are key issues in respect of this application:

- Neighbourhood Character (Appendix E)
- Compliance with ResCode (Appendix F)
- Objections received (Attachment 1)

The applicant has lodged a review at the Victorian Civil and Administrative Tribunal on the basis that a decision has not been made within the statutory timeframe despite being aware that the matter had been assessed and was pending a decision. Although an application for review has been lodged, Council must still determine the matter and form a view on whether the proposal is supported or not. The position reached will then be presented at VCAT for a determination. All objectors will have the right to be a party to the VCAT Hearing.

#### Officer's response

Overall, the proposal achieves a high level of compliance with the requirements of the Neighbourhood Residential Zone and Clause 55 (ResCode) of the Boroondara Planning Scheme.

The proposal is consistent with the objectives outlined in Clause 15.01-5L (Neighbourhood Character) of the Boroondara Planning Scheme, and the objectives detailed in the Neighbourhood Character Precinct Statement applicable to this site.

The building height, setbacks and window treatment ensure off-site amenity impacts, such as overshadowing, overlooking and visual bulk are minimised. While architecturally contemporary in style, the design and materials are respectful and reflective of the neighbourhood character along Kooyongkoot Road and surrounding streets.

Details of the proposal, discussion of objections, and assessment against relevant planning controls and policies are contained in the Attached Detailed Report (Attachment 1).

## Officers' recommendation

1. That Urban Planning Delegated Committee resolve to support Planning Permit Application No. PP22/0002 for the construction of two (2) dwellings on a lot at 65 Kooyongkoot Road, Hawthorn and act in accordance with the provisions of Section 84(1) of the Planning & Environment Act 1987 (an application may be determined after an appeal has been lodged but the Responsible Authority must not issue the decision).
2. That the Victorian Civil and Administrative Appeals Tribunal be advised in accordance with Section 84(3) of the Planning & Environment Act that the application has been considered by the Urban Planning Delegated Committee where it was resolved to support the application and confirm that if a decision had been made a Notice of Decision to Grant a Planning Permit would have been issued 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 (unlocked PDF). When the plans are endorsed they will then form part of the permit. The plans must be substantially in accordance with the Section 57A plans submitted on 30 June 2022 but modified to show:
  - a. The masonry portion of the front fence directly opposite the porch and entry area of Dwelling 2 to be revised and shown as metal infill to match the pedestrian gates;
  - b. The central dividing fence between the two dwellings at the front of the site reduced in height to a maximum 1.8 metres;
  - c. The masonry portion of the front fence to the south of the driveway to be revised and shown as metal infill to match the pedestrian and vehicular gates;
  - d. The southern setback of the sauna and adjacent bathroom associated with Dwelling 1 increased to 2.5 metres;
  - e. Details of all external privacy screening indicated on the plans and elevations (including a cross-section at a scale of 1:50 if required), demonstrating compliance with Standard B22 of Clause 55.04-6;
  - f. The air-conditioning units relocated to the basement;
  - g. The total size (m3) of storage provided within the basement for each dwelling;
  - h. The rear section of the single width double garage associated with Garage 1 increased to a minimum 3.5 metres, or a design measure to demonstrate the vehicle door opening will not be impeded by this section of the garage.
  - i. The common accessway increased to 3.6 metres wall-to-wall in accordance with AS/NZS2890.1-2004.
  - j. The Tree Protection Zone and Structural Root Zone of Tree Nos. S1, A3 and A5 (as identified in the Arborist Report submitted with the application prepared by Treespace Solutions (dated 17/12/2021) drawn on all site and floor plans;
  - k. Notation on all site and floor plans that Tree Nos. S1, S2, A3 and A5 are to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;
  - l. Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;

- m. 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.
- n. Notation on all site and floor plans that all excavations within the Tree Protection Zone of Tree S1 and S2 must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist.
- o. Permanent fencing within the Tree Protection Zone of Tree S1 and S2 constructed on pier foundations with any required plinths constructed above existing grade.
- p. A notation on all plans that indicates no soil level changes within the calculated TPZ of Tree S1 and S2 (excluding built form only)
- q. A schedule of construction materials, external finishes and colours (including swatch samples) included on the elevation plans;
- r. Any changes required to the Sustainable Design Assessment;
- s. A Landscape Plan in accordance with condition 3 of this permit; and
- t. A Tree Management Plan in accordance with condition 6 of this permit.

### **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 (unlocked PDF). When endorsed, the plan will form part of the permit.
  - a. The landscape plan must show:
  - b. 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;
  - c. All hard surfaces proposed within the Tree Protection Zone of Tree No. S1 and S2 (as identified in the Arborist Report submitted with the application Treespace Solutions (dated 17/12/2021) must be constructed of permeable materials; be constructed above current grade; and be constructed on foundations that maintain appropriate permeability for each tree, to the satisfaction of the Responsible Authority;
  - d. Detailed construction specifications for all permeable surfaces that include cross-section diagrams;
  - e. One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 12 metres and canopy spread of 7 metres) in the front setback of dwelling 2;
  - f. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 8 metres and canopy spread of 5 metres) in the front setback of dwelling 1;
  - g. One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum height of 7 metres and canopy spread of 5 metres) in the secluded private open space of dwelling 1;
  - h. Each canopy tree must be provided a minimum of 49sqm of deep soil, with the available soil area clearly shown on the landscape plan;

- i. Each small tree must be provided a minimum of 12sqm of deep soil, with the available soil area clearly shown on the landscape plan;
- j. All trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use;
- k. All canopy trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist;
- l. All canopy trees must be planted more than 2 metres away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
- m. All small trees must be planted more than 1 metre away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
- n. All trees in side and 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.

**Tree management plan**

- 6. 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 Tree Nos. S1, S2, A3 and A5 (as identified in the Arborist Report submitted with the application prepared by Treespace Solutions (dated 17/12/2021) 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. Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;
  - d. 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 provide a detailed photographic diagram specifying what pruning will occur. Note: Only Council or Authorised Council Contractors can prune Trees Nos. XX. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.
  - e. 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**

- 7. 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**

- 8. 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**

- 9.
  - 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](mailto:Boroondara@boroondara.vic.gov.au)) not less than seven (7) days before the commencement of works on site.
  - b) Prior to the commencement of any site works, including demolition and excavation, a timetable for the supervision and certification of tree management activities which is to the satisfaction of the Responsible Authority must be prepared by the project arborist and submitted to the Responsible Authority for approval. A signed and dated copy of each stage of the supervision timetable certified by the project arborist (quoting the Planning Permit number and site address, emailed to [Boroondara@boroondara.vic.gov.au](mailto:Boroondara@boroondara.vic.gov.au)) must be submitted to the Responsible Authority not more than seven (7) days following the completion of each stage.

**Drainage**

10. The site must be drained to the satisfaction of relevant building surveyor.
11. The owner must make an arrangement with Council for the provision of drainage and the acceptance of surface and stormwater from the subject land directly or indirectly into Council's drainage system and a final inspection shall be carried out to determine the completion of drainage in accordance with the approved plans, to the satisfaction of the Responsible Authority.
12. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.

**Permit to expire:**

13. 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.



## STATUTORY PLANNING DELEGATE REPORT

### Construction of two (2) dwellings on a lot and construction of a front fence exceeding 1.5 metres

<b>Application Number</b>	PP22/0002
<b>Date Application Received</b>	05/01/2022
<b>Planning Officer</b>	Amaya De Silva
<b>Delegate</b>	Jon Harper / David Cowan
<b>Applicant</b>	Kris Te Lintelo
<b>Property Address</b>	65 Kooyongkoot Road, Hawthorn
<b>Proposal</b>	Construction of two (2) dwellings on a lot and construction of a front fence exceeding 1.5 metres
<b>Zoning</b>	Neighbourhood Residential Zone (NRZ3)
<b>Overlays</b>	Nil
<b>Particular Provisions</b>	Clause 52.06 (Car Parking) Clause 53.18 'Stormwater Management in Urban Development' Clause 55 (ResCode)
<b>Permit Triggers</b>	Clause 32.09-6 (NRZ) of the Boroondara Planning Scheme, a permit is required to construct two or more dwellings on a lot.  Clause 32.09-6 (NRZ) of the Boroondara Planning Scheme, a permit is required to construct a fence exceeding 1.5 metres.
<b>Section 55 Referrals</b>	N/A
<b>Aboriginal Cultural Heritage</b>	No
<b>Covenant</b>	No
<b>Potential Overland Flow?</b>	No
<b>Advertised?</b>	Public notice of the application was given on 24 March 2022 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.
<b>Number of Objections Received</b>	12
<b>Ward</b>	Riversdale
<b>Plans Assessed in this Report</b>	Plans amended and submitted on 30 June 2022

<b>Recommendation</b>	<ol style="list-style-type: none"> <li>1. That Council resolve to support Planning Permit No. PP22/0002 for the construction of two (2) dwellings on a lot and construction of a front fence exceeding 1.5 metres at 65 Kooyongkoot Road, Hawthorn and act in accordance with the provisions of Section 84(1) of the Planning &amp; Environment Act 1987 (an application may be determined after an appeal has been lodged but the Responsible Authority must not issue the decision).</li> <li>2. That the Victorian Civil and Administrative Appeals Tribunal be advised in accordance with Section 84(3) that the application has been considered by Council where it was resolved to approve the application subject to conditions.</li> </ol>
<b>VCAT</b>	A hearing has been listed for 16-17 February 2023

## PROPOSAL

Details of the proposal are summarised as follows:

- Construction of two side by side attached double storey dwellings.
- Basement comprising of a minimum two car spaces for each dwelling accessed through a single driveway.
- The existing crossover is proposed to be utilised.
- The front fence is proposed to be a render, brick and metal infill fence ranging between 1.4m and 1.8 metres in height.
- Materials proposed include face brick, render, lightweight cladding and metal cladding.



*Above: Artistic render of proposed development*



## THE SITE

The site is currently accommodated with a single storey brick dwelling, with a pitched tiled roof. The driveway is wide, with a crossover adjacent to the southern end of the western boundary of the site. The site is devoid of significant vegetation or large canopy trees. The existing fence is a low (0.9m high) picket fence.

<b>Width of Frontage</b>	20m
<b>Maximum Depth of Site</b>	45m
<b>Total Site Area</b>	1040m <sup>2</sup>
<b>Easements</b>	The subject site is not encumbered by any easements.
<b>Fall of the Land</b>	The site has a moderate fall from the north to the south of approximately 1.25 metres.



*Above - Subject site*



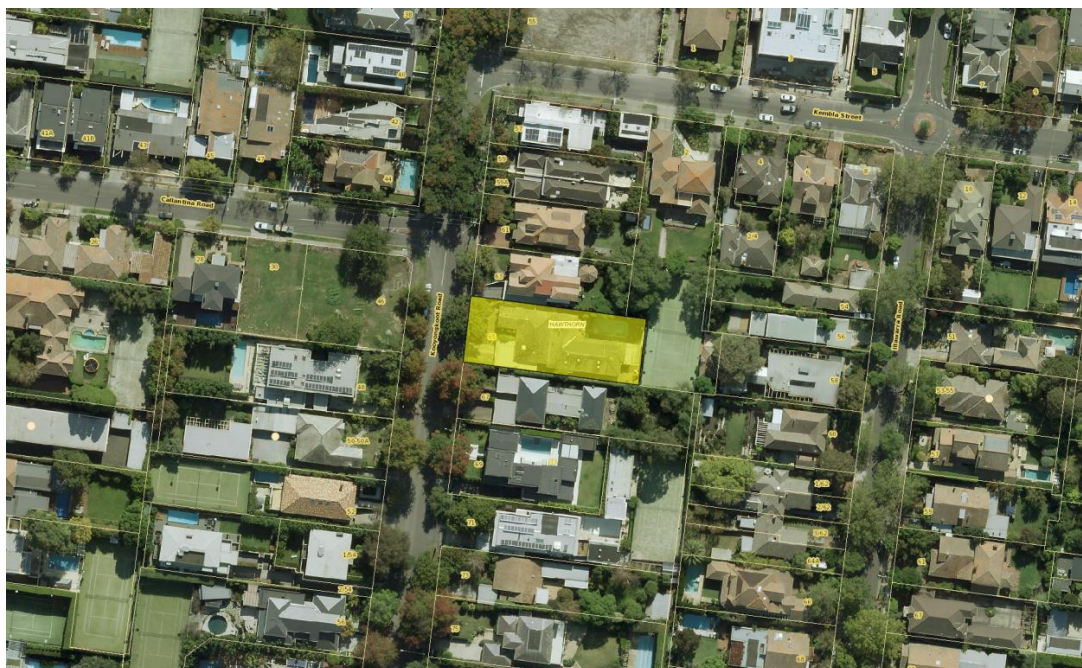
*Above - Subject site*

## THE SURROUNDING AREA

*Precinct 51 stretches on sloping topography from the southern-most tip of Power Street to Auburn Road, Hawthorn, and then south towards the Yarra River and Gardiners Creek. Part of the precinct is within the Glenferrie Hill heritage overlay area (HO149) which contains a number of Victorian and early Federation villas as well as various interwar dwellings and apartment buildings. The west side of the precinct adjoins Scotch College to the south.*

*The precinct contains a mix of buildings from the Victorian era to now, including detached bungalows, contemporary town houses and a small number of 2 and 3 storey apartment buildings from various eras. A number of large, contemporary 2 and 3 storey dwellings are located on Fairview Street which take advantage of the views across the Yarra River. Most buildings are built from brick or masonry, generally with pitched roofs, however many contemporary dwellings and post war apartment buildings have flat roofs.*

*While dwellings are generally detached, they are often large and set close to each other, often extending to the boundary on one side. Lots are generally 10 to 20m wide with front setbacks of 5 to 9m which allow for well vegetated front gardens. These gardens, along with the tall street trees, grassy nature strips and the mature vegetation in most rear gardens creates an established, leafy character. Front fences vary in height, however medium to high fences are common.*



*Above - Aerial image of the subject site and surrounding area*





*Above - No. 61 and 63 Kooyongkoot Road*



*Above - No. 67 Kooyongkoot Road*





*Above - No. 69 Kooyongkoot Road*



*Above - No. 71 Kooyongkoot Road*





*Above - No. 79 Kooyongkoot Road*



*Above - No. 81 and 83 Kooyongkoot Road*





*Above - No. 89 and 91 Kooyongkoot Road*



*Above - No. 40 Kooyongkoot Road*





*Above - No. 42 Kooyongkoot Road*



*Above - No. 38 Kooyongkoot Road*

## AMENDMENTS TO THE PROPOSAL

An amendment to a planning application was lodged with Council after notification. The proposed changes are as follows:

Date Received	Amendments	Amendment Type
30 June 2022	<ul style="list-style-type: none"> <li>Increased setbacks (reduction in size of dwelling)</li> <li>Screening added to windows</li> <li>Reduced heights to parapets and walls</li> <li>Reduction of size of basement</li> <li>Revision of materials</li> <li>Relocation of air-conditioning units</li> <li>Changes to the front fence (materials and reduction in height)</li> <li>Changes to landscaping</li> </ul>	S57A
It was considered that the proposed changes did not warrant formal re-notification. Nevertheless, the Section 57A plans were sent to the objectors on 17 August 2022.		

## REFERRALS

The application was referred to the following, please refer to Appendix A for a copy of the referral comments.

### Internal Referrals

Arborist	Supported, subject to landscaping and tree protection conditions
Drainage	Supported, subject to standard conditions
Infrastructure	Supported, no conditions
Traffic	Supported, subject to conditions in relation to garage dimensions and accessway width dimensions
Parks	Supported, subject to tree protection conditions
ESD	Supported, no conditions

## 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;
- 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.

## PLANNER'S ASSESSMENT

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

- Clause 11 - Settlement
- Clause 12.01-1L - Protection of Biodiversity - Boroondara
- Clause 15 - Built Environment
  - Clause 15.01-1S - Urban Design
  - Clause 15.01-1L-01 Urban Design and Built Form Outcomes
  - Clause 15.01-2S - Building Design
  - Clause 15.01-5S - Neighbourhood Character
  - Clause 15.01-5L - Neighbourhood Character
- Clause 15.02 - Sustainable Development
  - Clause 15.02S - Energy and resources Efficiency
  - Clause 15.02L - Energy and resources Efficiency - Boroondara
- Clause 16 - Housing
  - Clause 16.01-1S - Housing Supply
  - Clause 16.01-1R - Housing Supply - Metropolitan Melbourne
  - Clause 16.01-1L - Housing Supply - Boroondara
  - Clause 16.01-2S - Housing Affordability
- Clause 18 - Transport
  - Clause 18.01-3S - Sustainable and Safe Transport
  - Clause 18.01-3L - Sustainable Personal Transport - Boroondara
  - Clause 18.02-4L-02 Car parking - Boroondara
- Clause 19.03-3S - Integrated Water Management
- Clause 19.03-3L - Integrated Water Management

### Policy Context (Housing Framework):

The subject site is located within an established residential area and is well located in relation to jobs, services and public transport. Its location is appropriate for residential

growth pursuant to Clause 16.01-1S and Clause 16.01-1L (Housing Supply), which seeks to ensure new housing is provided within established urban areas.

It is located within the Neighbourhood Residential Zone 3, which has been applied to 'Traditional suburban areas with a dominance of single detached and semidetached dwellings'. The proposal complies with the mandatory requirements relating to building height and garden area of the zone, please refer to Appendix B for additional details.

The objective of the NRZ3 at Clause 32.09 is to maintain the detached, one to two storey scale and spacious, suburban character of the area, protect and enhance the area's 'leafy' feel and the garden setting of dwellings and maintain the fine grain rhythm of streetscapes and to enhance the landscape character of the area. The NRZ3 is shown within the Boroondara's Housing Framework to support minimal change and protection of preferred neighbourhood character.

The proposal is consistent with anticipated scale of change within the area. Further, as discussed in the subsequent section of this report, the proposal has responded positively to the existing and preferred character of the area.

#### **Mandatory Zoning Requirements**

The proposal complies with the following mandatory requirements within the NRZ3.

#### **NRZ**

<b>Minimum Garden Area Requirement</b>			
<b>Lot size</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Assessment</b>
Above 650m <sup>2</sup>	35% (364m <sup>2</sup> )	469.47m <sup>2</sup> (45%)	✓ Complies

#### **Clause 32.09-9 Maximum Building Height**

<b>Mandatory Maximum Building Height (NRZ1, NRZ3)</b>			
	<b>Requirement</b>	<b>Proposed</b>	<b>Assessment</b>
Building height requirement	9m	8.3m	✓ Complies
Maximum number of storeys	2	2	✓ Complies

#### **Neighbourhood Character**

Clause 15.01-5S and Clause 15.01-5L (Neighbourhood Character) seeks to ensure development respects the existing neighbourhood character and contributes positively to a preferred neighbourhood character of an area. Clause 15.01-5L (Neighbourhood Character) includes the following neighbourhood character strategies for the NRZ3 (as relevant):

- *Set development back from front, side and rear boundaries to maintain a sense of separation between buildings.*
- *Encourage development to retain space for canopy trees in front and rear gardens.*



- *Provide private open space for each dwelling at ground level.*
- *Articulate development to reduce visual bulk impacts on adjoining properties.*
- *Design multi-dwelling developments to read as a single detached dwelling from the street.*
- *Avoid continuous building mass for the length of a property by providing upper level separation between dwellings and varying surface alignment and materials within continuous wall planes.*
- *Discourage apartment style developments, unless they are part of the character of the immediate area.*

Council's Neighbourhood Character Precinct Statements (City of Boroondara, 2013) are included as a reference document in the policy. The site is located within Neighbourhood Character Precinct 51 which is described as an area with a variety of building styles and eras, predominantly 2 storey dwellings with some 3 storey dwellings clustered around Fairview Street, moderate to generous lot frontages, medium to high front fences, front setbacks between 5-9m, and gardens are well vegetated and with a leafy green character.

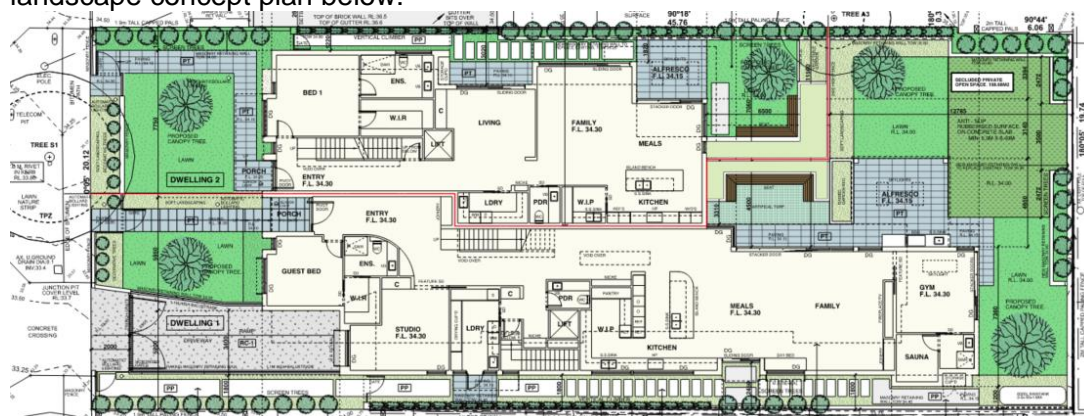
The Neighbourhood Character Precinct Statement seeks to encourage new developments and additions respect the predominant building scale and forms of the streetscape.

The below discussions are in relation to Clause 15.01-5L and the Neighbourhood Character Precinct Statement (NCPS). Tables assessing the development against each design response listed in the NCPS can be found in the appendix of this report.

## Vegetation

The proposal seeks to remove one tree on the property. It has been assessed by Council's Arborists, who has determined the tree has low amenity value, and therefore it is supported to be removed. A Tree Local Law permit would not be required for its removal. There are several shrubs that will be removed on site.

The proposal includes the planting of 5 new trees throughout the site as shown in the landscape concept plan below:



The Arborist has recommended a number of conditions, including the planting of a 12 metre high tree within the front setback of Dwelling 2, and a 8 metre high canopy tree in the front setback of Dwelling 1. At the rear, the Arborist has recommended the planting of a 7 metre high canopy tree in the backyard of Dwelling 1. These will be included as recommendations on the Notice of Decision.

### **Siting**

Council's Neighbourhood Character Precinct Statement seeks to maintain and enhance the existing streetscape rhythm. It seeks to 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. This is consistent with Standard B6 (Street Setback). The proposal includes a front setback of 9 metres for Dwelling 1 and 9.1 metres for Dwelling 2, which will comply with both the character precinct statement and ResCode.

The precinct statement also seeks to ensure buildings are setback from at least one side boundary in accordance with the prevailing streetscape spacing, and are sufficiently setback from rear boundaries to maintain the open backyard character of the immediate area. The proposal will be setback from both boundaries, with a setback of 1.8 metres to the south, and 1.2 metres to the north. The setbacks to the sides provide for sufficient separation between neighbouring dwellings, and provides a sense of spaciousness for vegetation growth and minimises the appearance of width of the development.

The proposal also provides secluded private open space with minimum dimensions of 6 metres for Dwelling 2, and between 5 metres to 11 metres for Dwelling 1 in accordance with the precinct statement. It is noted the setbacks from the rear for both dwellings match the extent of built form of the existing building on site.

### **Building Height and Form**

Neighbourhood Character Precinct Statement seeks to ensure attached side by side developments are designed to read as one dwelling within the streetscape. The proposal has been designed to appear as a single dwelling form to the streetscape through the use of asymmetry, a single basement driveway, and ample articulation to the front façade. The materials, front fencing and masking of dwelling entries also help to ensure the dwelling appears to read as one dwelling.

Further, Neighbourhood Character Precinct Statement *seeks to maintain the two-storey scale of the precinct, and ensuring the building does not disrupt the existing streetscape rhythm.*

It is noted the surrounding area is varied, with several dwellings in the street appearing as three storey to the street due to the slope of the sites. The proposed dwellings will not disrupt the streetscape rhythm as the surrounding built form has similar shapes and setbacks. The site photos above illustrate the types of houses within the street, and more examples include:





The dwellings within Kooyongkoot Road, and particularly along this portion of the Road are large, and are built boundary to boundary with basements - as illustrated above. Boxy designs and flat roofs of the dwellings also contribute to the neighbourhood character that is very evident along Kooyongkoot Road.



The above diagram shows the existing extent of built form of the subject site and neighbouring sites.

On balance, the proposed development will sit comfortably, and will maintain the existing scale of the streetscape when viewed from the street.

#### **Building Materials and Design Details**

Council's Neighbourhood Character Policy seeks *to ensure building materials and articulation complements and enhances the character of the streetscape*. The dwelling has been articulated through the use of setbacks, materials and design. The proposal includes materials such as face brickwork, render, lightweight panels and metal cladding. These materials will match the materials found on neighbouring dwellings which also comprise of brick, render and metal cladding.



*Above: Artistic Render of development showing the proposed materials*



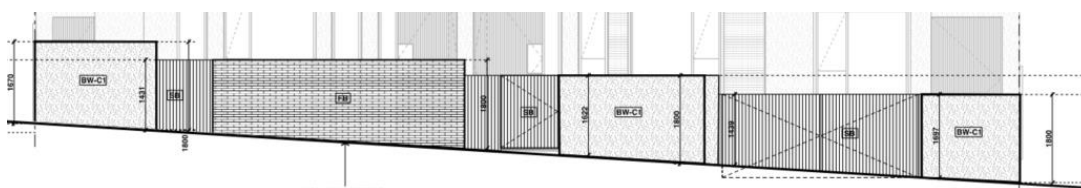
- [FB]** FACE BRICK - PGH BRICKS, LANG MURTEN RANGE - 'LARSON'.  
OFF WHITE MORTAR IN ALL CASES.
- [BW]** BRICK/BLOCKWORK TO SELECTION TO SUIT A RENDERED  
FINISH, AS SPECIFIED.
- [LW]** SELECTED LIGHTWEIGHT PANEL - 100MM THICK NOM. CLADDING  
FIXED TO BATTENS TO STUD FRAMED WALL - SELECTED  
COLOUR/RENDER FINISH AS SPECIFIED - REFER TO  
MANUFACTURERS SPECIFICATIONS FOR ALL REQUIREMENTS.
- [MC-1]** METAL CLADDING - FLAT PROFILE METAL CLADDING FIXED TO  
16mm MIN. STRUCTURAL PLYWOOD SUBSTRATE.  
DULUX 'MONUMENT' COLORBOND MATT FINISH.  
REFER TO MANUFACTURERS SPECIFICATIONS.
- [MR]** METAL ROOF - NON REFLECTIVE COLORBOND METAL DECK,  
KLIPOK 700 OR SIMILAR.  
DULUX 'SHALE GREY' COLORBOND MATT FINISH - ENSURE ALL  
ASSOCIATED BOX GUTTERS, FLASHINGS, CAPPINGS ETC. MATCH.
- [AW]** ALUMINIUM WINDOWS/DOORS - COMMERCIAL GRADE 'CAPRAL  
400' SERIES FRAMED GLAZING.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- [SB]** STEEL BALUSTRADE - STEEL FLAT BAR PROFILE WELD FIXED  
TO SUBFRAME. 50X6MM NOM. @50MM C/C MAX.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- [ML]** METAL LOUVRES - RECTANGULAR SECTION ALUMINIUM  
(75X35mm NOM.) HORIZONTAL BATTENS FIXED TO A GALVANISED  
STEEL SUBFRAME.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- [MB]** METAL BATTENS - SQUARE SECTION 20X20MM NOM. ALUMINIUM  
BATTENS FIXED TO M.S. FLAT/BACK PANEL.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- [MP]** METAL PLATE - MILD STEEL OR ALUMINIUM PLATE NOMINAL  
10MM M.S. FIXED BACK TO STRUCTURE  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.

Dwellings in the streetscape generally comprise of brick, weatherboard and render with a mix of flat and pitched roofs. The dwelling designs within the streetscape and surrounds are also mixed with both contemporary and traditional style dwellings. Refer to site photos above. The proposed dwellings will have a contemporary style, with a flat roof. This is consistent with neighbouring dwellings, and the development will integrate well in the streetscape.

Neighbourhood Character Precinct Statement seeks to *minimise period reproduction design*. The proposed development is a contemporary dwelling and is not a period reproduction design.

### Front Fence

Council's Neighbourhood Character Precinct Statement seeks to maintain views of front gardens. This is consistent with Standard B32 which seeks to ensure that front fence design respects existing or preferred neighbourhood character. It is noted that evidence has not been provided by the applicant in relation to the average fence height within the street.



It is noted the Precinct Statement seeks to maintain views of front gardens. For the proposal, the fence is comprised of three different materials, including brick render, face brick and metal gates. This provides sufficient articulation and visual interest to the streetscape. To allow for further views to the front garden however, a condition will be recommended to include metal infill (similar to that of the gates) directly opposite the porch and entry area of Dwelling 2. This is highlighted in yellow in the plan and render below:



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It is also noted that Council's Drainage Officer raised concerns with respect to potential overland flow issues due to the masonry wall to the south of the driveway that is part of the front fence.

The Officer has required: "the masonry wall south of the drive way will need to be at least 50% permeable to a depth of 150mm". A condition is therefore recommended to revise this portion of the fence to be metal infill to match the adjacent vehicular gate. This will also help to alleviate concerns of visibility and permeability of the fence as discussed above.

#### **Recommended Conditions:**

- The masonry portion of the front fence directly opposite the porch and entry area of Dwelling 2 to be revised and shown as metal infill to match the pedestrian gates;
- The central dividing fence between the two dwellings at the front of the site reduced in height to a maximum 1.8 metres;
- The masonry portion of the front fence to the south of the driveway to be revised and shown as metal infill to match the pedestrian and vehicular gates;

#### **Car Parking Structures**

Council's Neighbourhood Character Precinct Statement seeks to minimise the loss of front gardens and the dominance of car parking structures, and to ensure basement garages do not increase the visual bulk of buildings. The proposed basement is located on the southern side of the dwellings. The garage has been designed and excavated into the site to ensure there is minimal visibility from the streetscape. It is also noted the garage entry has been setback from the building façade to reduce dominance. The basement has been sited on the lower side of the site, and has been excavated to ensure it does not project more than 0.5 metres above natural ground level. The basement entry to the garage has been sited to the side of the dwelling, and although visible from the street will allow for landscaped front garden and does not increase the visual bulk of the dwellings.

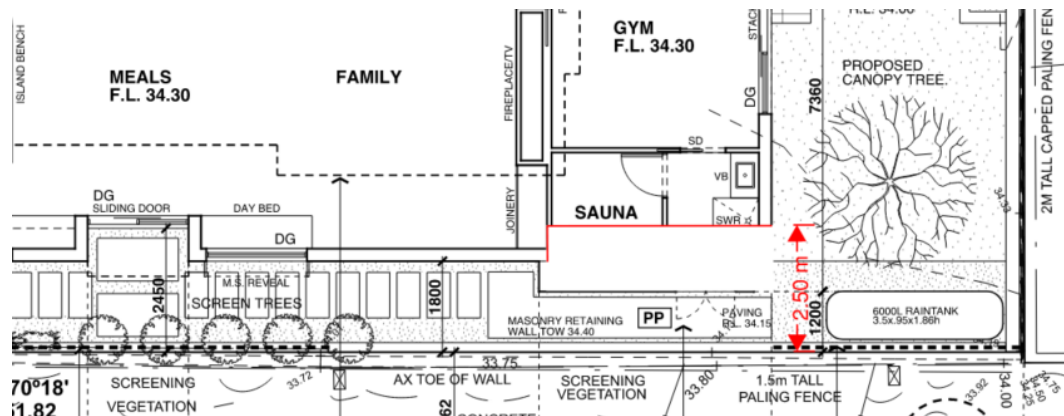
#### **Off-Site Amenity**

The proposed development complies with the numerical requirements of the Standards at Clause 55.04-3 (B19) Daylight to Existing Windows, Clause 55.04-4 (B20) North Facing Windows, Clause 55.04-5 (B21) Overshadowing Open Space and Clause 55.04-6 (B22) Overlooking.

#### **Side Setbacks**

Although the development will comply with the requirements of the off-site amenity clauses of Rescode, the ground floor of Dwelling 1 extends a long way towards the rear of the site, and has the potential to impact the amenity of the neighbour to the south, as this is directly adjacent to a paved entertaining area. To reduce bulk, a condition is recommended to increase the setback of the sauna and bathroom of the

gym to a minimum 2.5 metres to match the small atrium setback provided to the east of the kitchen. An example of this setback is shown below:



### Recommended Conditions:

- The southern setback of the sauna and adjacent bathroom associated with Dwelling 1 increased to 2.5 metres;

### **Overlooking**

With respect to Overlooking, the elevations have details included showing screening, with the floorplans indicating these screens as “privacy screens”. To ensure this is clearly compliant with Clause 55.04-6 (Overlooking), a condition is recommended to have a notation on each of the windows that the window will be screened in accordance with Clause 55.04-6.

### Recommended Conditions:

- Details of all external privacy screening indicated on the plans and elevations (including a cross-section at a scale of 1:50 if required), demonstrating compliance with Standard B22 of Clause 55.04-6;

### **Air Conditioning Units**

The neighbour to the north of the site has raised concerns about the location of the A/C units on the roof of the development. Discussions with the applicant have resulted in the applicant suggesting that a condition is added to any approval, to move the A/C units to the basement. As such, this will be recommended as condition of permit.

### Recommended Conditions:

- The air-conditioning units relocated to the basement;

**Tree Removal and Landscaping**

Clause 12.01-1L (Protection of biodiversity - Boroondara), seeks to retain significant trees and canopy trees.

The subject site does not have any vegetation worthy of retention, and protects neighbouring trees and the street tree acceptably. This is consistent with Neighbourhood Character Precinct Statement, which seeks to ensure the retention of large trees. The proposal does not seek to remove any significant vegetation and the extent of tree removal is supported by Council's Arborist, subject to replacement planting.

Clause 12.01-1L (Protection of biodiversity - Boroondara), seeks to provide sufficient space in front and rear gardens to accommodate large canopy trees and particularly supports the use of indigenous planning in development. It is policy to consider providing at least one canopy tree in backyard and front yard areas.

Neighbourhood Character Precinct Statement 51 seeks to maintain and enhance the landscaped setting of dwellings. It particular, it seeks to ensure front gardens incorporate soft landscaping that complements the streetscape. It discourages front gardens that are dominated by hard surfaces and the loss of large trees.

The proposal includes one canopy tree at the front of Dwelling 2 and one tree at the front of Dwelling 1. Council's Arborist suggest additional planting at the rear, and have supported the location of trees based on the concept plans submitted.

Council's Neighbourhood Character Policy seeks to provide for areas of secluded private open space area with a minimum dimension of 4m to enable the planting and retention of large trees. The planting of trees in backyards is further supported from a biodiversity perspective at Clause 12.01-1L (Protection of biodiversity - Boroondara).

Both dwellings are provided with an area of SPOS with northerly aspect, with a minimum dimension of 5m.

**On-site Amenity**

The proposal complies with Standards B25 to B30, providing dwelling entries that are appropriate, ample private open space, and orientating the private open space towards the northern side. Storage appears to comply however further clarification is required, discussed below.

**Private Open Space**

The proposed development complies with Clause 55.05-5 (B29) Solar Access to Open Space and Clause 55.05-4 (B28) Private Open Space.

**Internal Views**

The windows at the rear of the dwelling has been screened to ensure there is no overlooking to the neighbouring dwelling 2. As previously discussed, a condition is recommended to show the type of screening for each window clearly on the plans.

### Storage

The proposal provides storage within the basement for each dwelling. It is noted however that the total size of the storage has not been shown on the plans. A condition is recommended that the size of the storage for each dwelling to be detailed on the plans.

#### Recommended Conditions:

- The total size (m3) of storage provided within the basement for each dwelling;

### Car Parking and Traffic

The proposed development provides for 6 car parking spaces within the basement. This complies with Clause 52.06 (Car Parking) and no reduction in car parking is sought.

The application is supported by Council's Traffic and Transport Engineers, who have determined that the proposal will not unreasonably increase or impact on the traffic to Kooyongkoot Road. It is noted there are a couple of conditions required by the traffic engineers to ensure the proposal will comply with Clause 52.06-9 (Design Standards), as follows:

#### Recommended Conditions:

- The rear section of the single width double garage associated with Garage 1 increased to a minimum 3.5 metres, or a design measure to demonstrate the vehicle door opening will not be impeded by this section of the garage.
- The common accessway increased to 3.6 metres wall-to-wall in accordance with AS/NZS2890.1-2004.

### OBJECTION RESPONSE

Summary of Objection	Planner's Comments
Neighbourhood character	A detailed assessment regarding neighbourhood character has been undertaken in the Planning Assessment, under the heading 'Neighbourhood Character'.
Overdevelopment	The proposal satisfies the requirements of ResCode in respect to site coverage, setbacks, permeability, car parking, and open space provision and therefore the


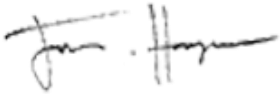


	<p>proposal is not considered to be an over development of the site.</p> <p>Dwelling density in and of itself is not a relevant consideration in the assessment of this proposal, as it is not an adequate measure of the external impacts that may be caused by the built form or of the internal amenity within 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.</p>
Visual bulk and inadequate setbacks.	A detailed assessment regarding visual mass and bulk impacts has been undertaken in the Planning Assessment under the heading 'Offsite Amenity Impacts' and in Appendix B.
Overshadowing	A detailed assessment regarding overshadowing impacts has been undertaken in in Appendix B.
Overlooking	A detailed assessment regarding overlooking impacts has been undertaken in the Planning Assessment under the heading 'Offsite Amenity Impacts' and in Appendix B. It is noted that all windows will comply with overlooking requirements, as per the Section 57A plans submitted on 30 June. A condition has also been recommended to ensure these screening details are clearly indicated on the plans.
Loss of trees	<p>Council's Arborist has assessed the trees to be removed and has no objection given their poor condition/or size being below the Tree Protection Local Law threshold.</p> <p>The balance of vegetation on the site contributes little to the overall neighbourhood character of the area.</p> <p>A condition on the planning permit will require a landscape plan to be submitted and endorsed as part of the planning permit to provide appropriate planting.</p>
Increased traffic	Council's Traffic and Transport Department has assessed the application and has raised no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement

	associated with 2 additional dwelling(s) on the site can be readily accommodated in the surrounding street network.
Damage to an adjoining property due to buildings and works within close proximity to the boundary.	Potential damage to adjoining properties is not a relevant planning consideration. This is a matter addressed during the assessment of a Building Permit application.
Pressure on 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 of the project.
Property values	The Victorian Civil and Administrative Tribunal 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.
Location of air conditioners	Pursuant to Clause 62.02 of the Boroondara Planning Scheme, a planning permit is not required for domestic services normal to a dwelling (where there is no heritage overlay). This includes air conditioners. As such, consideration of the location of the air conditioning units are not applicable for this application.

## RECOMMENDATION

1. That Council resolve to support Planning Permit No. PP22/0002 for the construction of two (2) dwellings on a lot at 65 Kooyongkoot Road, Hawthorn and act in accordance with the provisions of Section 84(1) of the Planning & Environment Act 1987 (an application may be determined after an appeal has been lodged but the Responsible Authority must not issue the decision).
2. That the Victorian Civil and Administrative Appeals Tribunal be advised in accordance with Section 84(3) that the application has been considered by Council where it was resolved to approve the application subject to conditions.

AUTHORISATION	
	
<b>Planner: Amaya De Silva</b>	<b>Delegate: Jon Harper</b>
<b>Date:19/09/2022</b>	<b>Date:19/09/2022</b>

**APPENDIX A - UPDC DECISION PLANS (S57A AMENDED PLANS)**

Attached as separate document with this report

**APPENDIX B - LOCALITY PLAN**

Attached as separate document with this report

**APPENDIX C - UPDC ZONING REPORT**

Attached as separate document with this report

## APPENDIX D - REFERRAL COMMENTS

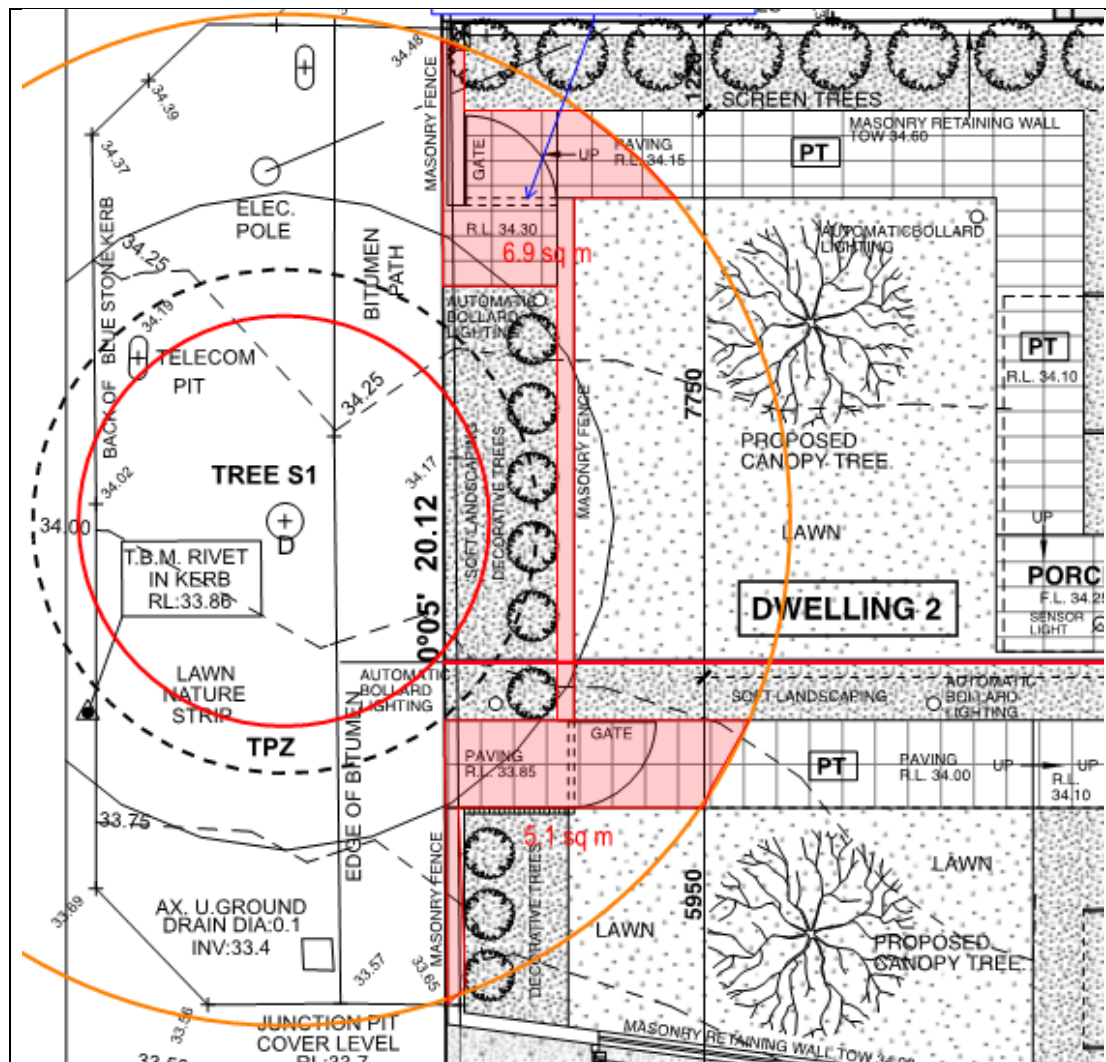
The application was referred to the following:

### ESD Officer

*Verbal comments were received by Council's ESD Officer, who confirmed the assessment of the Council Officer in relation to the submitted Sustainable Design Assessment. NO concerns were raised, and the report was supported.*

### Arborist

ARBORIST REFERRAL COMMENTS	
APPLICATION ADDRESS:	65 Kooyongkoot Road, Hawthorn
APPLICATION NUMBER:	PP22/0002
DESCRIPTION OF PROPOSAL:	Construction of two (2) dwellings on a lot
SITE VISITED	No
ARBORIST REPORT PREPARED BY:	Treespace Solutions (Matthew Nees)
ARBORIST REPORT DATE:	17/12/2021
REFERRAL OFFICER:	Shane Browne
REFERRAL DATE:	04/04/2022
<b>ARBORIST REFERRAL RECOMMENDATION SUMMARY:</b> The proposal is supported subject to minor changes (to be achieved through conditions)	
<b>SUMMARY COMMENTS:</b> The following issues are identified: <ol style="list-style-type: none"> <li>Although Tree S1 is unlikely to be impacted by the proposed works, ESOS may provide other conditions.</li> </ol>	
<b>DETAILED COMMENTS:</b> <b><u>Detailed Internal Arborist Comments:</u></b> <b>Tree S1 - Street tree</b> The proposed masonry wall and paving represent a TPZ encroachment of approximately 8% which is considered minor and unlikely to impact the tree. The foundations of the masonry wall must consist of root sensitive footing such as pier and beam to avoid a major encroachment of the TPZ area beyond the wall. The paving should be constructed at grade and of permeable materials. The remaining TPZ area outside of the wall and paving must maintain existing levels.	



Proposed encroachment of Tree S1

**Tree S2 - Street tree**

No encroachment of tree S2 is proposed and is therefore unlikely to be impacted.

**Tree A3 - Neighbouring tree**

This tree is located within the neighbouring property and is sited above natural ground level, therefore there will be no conflict with the root system or canopy.

**Tree 4 - Subject site tree**

This tree was assessed to have low amenity value due to its species, size, and location. The removal of this tree would be supported and does not require a local law permit.

**Tree A5 - Neighbouring tree**

This tree is located within the neighbouring property with only a minor encroachment into the subject site. This tree is unlikely to be impacted by the proposal.

**TREE PROTECTION  
LOCAL LAW PERMITS  
REQUIRED?**

No

**Tree Protection Local Law Permits Will Be Approved For (Tree Numbers):**

**Tree Protection Local Law Permits Will NOT Be Approved For (Tree Numbers):****Please include the following conditions:****Amended plans required****1. Plans modified to show:**

- a) The Tree Protection Zone and Structural Root Zone of Tree Nos. S1, A3 and A5 (as identified in the Arborist Report submitted with the application prepared by Treespace Solutions (dated 17/12/2021) drawn on all site and floor plans;
- b) Notation on all site and floor plans that Tree Nos. S1, A3 and A5 are 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 Tree S1 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 Tree S1 constructed on pier foundations with any required plinths constructed above existing grade.
- g) A notation on all plans that indicates no soil level changes within the calculated TPZ of Tree S1 (excluding built form only)

**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) All hard surfaces proposed within the Tree Protection Zone of Tree No. S1 (as identified in the Arborist Report submitted with the application Treespace Solutions (dated 17/12/2021) must be constructed of permeable materials; be constructed above current grade; and be constructed on foundations that maintain appropriate permeability for each tree, to the satisfaction of the Responsible Authority;
- c) Detailed construction specifications for all permeable surfaces that include cross-section diagrams;
- d) One (1) canopy tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 12 metres and canopy spread of 7 metres) in the front setback of dwelling 2;
- e) One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 8 metres and canopy spread of 5 metres) in the front setback of dwelling 1;

- f) One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum height of 7 metres and canopy spread of 5 metres) in the secluded private open space of dwelling 1;
- g) Each canopy tree must be provided a minimum of 49sqm of deep soil, with the available soil area clearly shown on the landscape plan;
- h) Each small tree must be provided a minimum of 12sqm 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 side and 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 Tree Nos. S1, A3 and A5 (as identified in the Arborist Report submitted with the application prepared by Treespace Solutions (dated 17/12/2021) 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) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;
- d) 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 provide a detailed photographic diagram specifying what pruning will occur. Note: Only Council or Authorised Council Contractors can prune Trees Nos. XX. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.
- e) 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.

**Tree Management Plan and Construction Management Plan**

- 3. If a Construction Management Plan is required as a condition of this permit it must be in accordance with the Tree Management Plan and Tree Protection Plan.

**Contractors to be advised of trees to be retained and protected**

- 4. 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**

- 5. 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**

- 6.
  - 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](mailto:Boroondara@boroondara.vic.gov.au)) not less than seven (7) days before the commencement of works on site.
  - b) Prior to the commencement of any site works, including demolition and excavation, a timetable for the supervision and certification of tree management activities which is to the satisfaction of the Responsible Authority must be prepared



by the project arborist and submitted to the Responsible Authority for approval. A signed and dated copy of each stage of the supervision timetable certified by the project arborist (quoting the Planning Permit number and site address, emailed to [Boroondara@boroondara.vic.gov.au](mailto:Boroondara@boroondara.vic.gov.au)) must be submitted to the Responsible Authority not more than seven (7) days following the completion of each stage.

### Environment, Sustainability & Open Space Department

SUMMARY	Supported with conditions
<p><b><u>Assessment:</u></b></p> <p>The proposal can be supported in relation to the street trees, trees 1 and 2. Please see conditions below.</p>	
<p><b><u>Please include the following conditions:</u></b></p> <p><b>Amended plans required</b></p> <p>7. Plans modified to show:</p> <ul style="list-style-type: none"> <li>h) The Tree Protection Zone and Structural Root Zone of Tree Nos. 1 and 2 (as identified in the Arborist Report submitted with the application prepared by TREESPACE SOLUTIONS (dated 17 December 2021) drawn on all site and floor plans;</li> <li>i) Notation on all site and floor plans that Tree Nos. 1 and 2 are to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;</li> <li>j) Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;</li> <li>k) 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.</li> <li>l) Notation on all site and floor plans that all excavations within the Tree Protection Zone of Tree 1 and 2 must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist.</li> <li>m) Permanent fencing within the Tree Protection Zone of Tree 1 constructed on pier foundations with any required plinths constructed above existing grade.</li> <li>n) Notation on all site and floor plans that no strip footing is permitted within the Tree Protection Zone of Tree 1 and 2.</li> </ul> <p><b>Landscape plan</b></p> <ul style="list-style-type: none"> <li>b) All hard surfaces proposed within the Tree Protection Zone of Tree Nos. 1 and 2 (as identified in the Arborist Report submitted with the application TREESPACE SOLUTIONS (dated 17 December 2021) must be constructed of permeable materials; be constructed above current grade; and be</li> </ul>	

- constructed on foundations that maintain appropriate permeability for each tree, to the satisfaction of the Responsible Authority;
- c) Detailed construction specifications for all permeable surfaces that include cross-section diagrams;

### **Tree Management Plan**

8. 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 Tree Nos. 1 and 2 (as identified in the Arborist Report submitted with the application prepared by TREESPACE SOLUTIONS (dated 17 December 2021). 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:
    - vi. Tree Protection Zones and Structural Root Zones of all trees to be retained;
    - vii. All tree protection fenced off areas and areas where ground protection systems will be used;
    - viii. The type of foundations (illustration or notation) within each Tree Protection Zone;
    - ix. 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
    - x. 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) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;
  - d) 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 and 2. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.*

- e) 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.

#### **Tree Management Plan and Construction Management Plan**

9. If a Construction Management Plan is required as a condition of this permit it must be in accordance with the Tree Management Plan and Tree Protection Plan.

#### **Contractors to be advised of trees to be retained and protected**

10. 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**

11. 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**

12. 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](mailto:Boroondara@boroondara.vic.gov.au)) not less than seven (7) days before the commencement of works on site.

#### **Traffic Officer**

I refer to the proposed two-dwelling residential development at 65 Kooyongkoot Road, Hawthorn (PP22/0002).

The following assessment, has reviewed the submitted plans and associated supporting documentation prepared by Viola Architecture, dated February 2022. I provide the following advice regarding the proposed on-site parking provision and the proposed car park layout only.

- The proposed two-dwelling residential development results in a statutory parking requirement of four spaces as per Clause 52.06 of the Boroondara Planning Scheme. There is proposed a total of six on-site parking spaces,

with a double garage and single width double garage, for a total provision of four parking spaces for Dwelling 1. Two on-site parking spaces are provided in a double garage for Dwelling 2. All garages are located in a basement car park with a shared common area for access and manoeuvrability. Access to the basement is via a common ramped accessway to Kooyongkoot Road. The proposed on-site parking provision exceeds the statutory parking requirement and is considered acceptable.

- Vehicles may enter the basement car park in a forwards direction from the accessway and then exit the individual garages in a reverse direction and manoeuvre internally and egress the site in a forwards direction to Kooyongkoot Road, which is considered acceptable.
- The proposed double garages maintain minimum dimensions of 5.5m wide x 6m long in accordance with the requirements of Clause 52.06, and are acceptable.
- The proposed single width double garage achieves dimensions of 11.2m long x 4.1m wide for the majority of the proposed garage. There is a rear section which narrows to 3.2m. This should be increased to a minimum of 3.5m or demonstrate that vehicle door opening is not impeded by the design of this garage section.
- A minimum height clearance of 2.1m is provided on the entry and within all garages, in accordance with the requirements of Clause 52.06.
- The double garage doors both achieve a minimum width of 5m, which exceeds the requirement in accordance with AS/NZS2890.1-2004.
- The single width double garage door achieves a minimum width of 3.2m, which exceeds the requirement in accordance with AS/NZS2890.1-2004.
- Access aisles within the common basement area abutting the garages achieve a minimum aisle width of 6.4m, which is acceptable.
- Checks with manual turning templates indicate that vehicles may enter the single width double garage and the double garages in a forwards direction. Egress from the site from all garages may be achieved in a forwards direction to Kooyongkoot Road. However, it is noted that there may be the requirement for multiple reverse and/or turning manoeuvres within the common area to achieve this forwards egress from some parking spaces. Residents would likely become familiar with these types of access movements and would be aware of these access arrangements. On this basis it is considered acceptable.
- The common accessway servicing the dwellings varies in width, however maintains a minimum carriageway width of 3.4m. This should be increased to 3.6m wall-to-wall as per AS/NZS2890.1-2004.
- The proposed common accessway grades are designed in accordance with Clause 52.06.
- A pedestrian sight triangle is provided on both sides of the proposed accessway. It is reiterated that fences or obstructions within the pedestrian sight triangles must be restricted to a height of 900mm or made to be 50% permeable to maintain visibility to pedestrians.
- Any proposed crossover modifications must be approved and constructed to the satisfaction of the responsible authority.



<b>Infrastructure</b>
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ASSET MANAGEMENT REFERRAL COMMENTS	
APPLICATION ADDRESS:	65 Kooyongkoot Road, Hawthorn
APPLICATION NUMBER:	PP22/0002
DESCRIPTION OF PROPOSAL:	Construction of two (2) dwellings on a lot
COMMENTS BY: David Schofield-Barclay	DATED: 3/05/2022

EXISTING CONDITIONS AND PROPOSAL			
	YES	NO	N/A
Is the proposed crossover 2 metres or greater away from the base of a street tree?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT:			
Is the proposed crossover 1 metre or greater away from any power pole?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT:			
There are no street assets that will require relocation due to the proposed crossover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT: there is a junction pit within 1m of the crossover this is existing condition so can remain			
Is there an existing redundant crossover(s) which will require removal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENT:			
Is the crossover width(s) acceptable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT:			
Is the distance of the crossover from an intersection/traffic lights or school crossing acceptable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENT:			
Is the separation between the proposed crossovers acceptable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENT:			
Is the separation between the crossover and the crossover of the adjoining properties acceptable? (ie space for 1 car at 5.5 metres, or 2 cars at 11 metres).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>COMMENTS</b>
<input checked="" type="checkbox"/> The application is supported. <input type="checkbox"/> The application is not supported.
<b>OVERALL COMMENTS:</b> As the cross over is not changing no comment are required

<b>STANDARD CONDITIONS REQUIRED FOR PLANNING PERMIT</b>
<input type="checkbox"/> The width of the proposed crossover servicing _____ to be increased/decreased to _____ metres in width.
<input type="checkbox"/> Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.
<input type="checkbox"/> 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.
<input type="checkbox"/> Other:
<b><u>Comment:</u></b>

<b>STANDARD NOTES REQUIRED FOR PLANNING PERMIT</b>
<input type="checkbox"/> Prior to the commencement of any works on the site, the owner / developer must submit any new vehicular crossover or modification or alteration to an existing crossover proposal for assessment and approval by the Responsible Authority (Engineering and Traffic Department).
<input checked="" type="checkbox"/> An Asset Protection Permit is required prior to the commencement of site works in accordance with Council's Local Law 1E.
<input checked="" type="checkbox"/> Prior consent from Council and any and all public authorities is required to be obtained for alteration or reinstatement of assets or services affected as a result of the development.
<input checked="" type="checkbox"/> The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.
<input type="checkbox"/> The applicant is required to obtain prior written consent from Council and any and all Public Authorities for alteration or reinstatement of (street) assets or services affected as a result of the development. Full compliance with any and all conditions is required. The applicant must provide copies of said written approvals / agreements to Council's Asset Management Department. All costs are to be borne by the developer.
<b><u>Comment:</u></b>

<b>Drainage Officer</b>
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FLOODING		
	YES	NO
Is the property designated as subject to flooding by an SBO, LSIO or Urban Floodway zone?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the property considered as subject to flooding according to the City of Boroondara's overland flow layer in WEAVE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are modifications to the proposed development/sub-division required to mitigate flooding or overland flow risks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Comments: the masonry wall south of the drive way will need to be at least 50% permeable to a depth of 150mm</b>		

DRAINAGE		
	YES	NO
Legal Point of Discharge:		
<b>Description: south west corner of the property</b>		
Approved Connection Point:		
<b>Description: direct connection to the Council drain</b>		
Is the FFL of habitable areas 300 mm above the overflow level of the point of discharge?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the FFL of non-habitable areas 150 mm above the overflow level of the point of discharge	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is onsite detention required? (provide details below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are outfall drainage works required? (provide details below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Comments:</b>		

BASEMENT OF SUB-SURFACE DRAINAGE		
	YES	NO
Do the proposed works include a basement or any other structure that will result in the collection and discharge of ground water?	<input type="checkbox"/>	<input type="checkbox"/>
If <b>YES</b> , Is (or will) the property connects to a sealed drainage system (ie: discharge from the site will not exit to kerb and channel.)	<input type="checkbox"/>	<input type="checkbox"/>
Are outfall drainage works required to address sub-surface drainage issues	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comments:</b>		

<b>EASEMENTS</b>		
	<b>YES</b>	<b>NO</b>
Are any drainage easements on the property title?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are there any implied easements associated with Council Assets on the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Description of easements (designated, shared, private or implied):</b>		

<b>BUILD OVER EASEMENTS</b>		
	<b>YES</b>	<b>NO</b>
Are any works proposed on any easement on the site (designated and implied)	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed works impact on any Council Assets	<input type="checkbox"/>	<input type="checkbox"/>
Do the proposed works provide at least 1 m clearance from existing or proposed Council Assets?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Description of works proposed over easement(s):</b>		
Are the proposed works over the easement likely to be approved by Council:	<input type="checkbox"/>	<input type="checkbox"/>
<b>If NO, describe possible modifications to the proposed works in order to obtain approval:</b>		

<b>COMMENTS</b>
<input checked="" type="checkbox"/> The application is supported.
<input type="checkbox"/> The application is not supported.
<b>OVERALL COMMENTS:</b>

<b>STANDARD CONDITIONS REQUIRED FOR PLANNING PERMIT</b>
<input checked="" type="checkbox"/> The site must be drained to the satisfaction of the relevant building surveyor.
<input checked="" type="checkbox"/> The owner must make an arrangement with Council for the provision of drainage and the acceptance of surface and stormwater from the subject land directly or indirectly into Council's drainage system and a final inspection shall be carried out to determine the completion of drainage in accordance with the approved plans, to the satisfaction of the Responsible Authority.
<input checked="" type="checkbox"/> No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.
<input type="checkbox"/> Planting of trees within drainage easements/adjacent to Council drains being limited to species with shallow root system (shrubs) which will not prejudice or damage the stormwater drain.



- ☐ The location of third party or utility assets within the development site must be verified by field survey and clearly shown on all development plans.

**Comment:**

**STANDARD NOTES REQUIRED FOR PLANNING PERMIT**

- ☒ Prior to the commencement of any works on the site, the owner/developer must submit drainage plans for assessment and approval by the Responsible Authority (Asset Management).
- ☒ Stormwater drainage plans must include the location of any existing or proposed trees within the vicinity of drainage works and document how any potential conflicts between trees and drains will be addressed during and after construction.
- ☒ Stormwater drainage runoff shall be collected in a complete and effective system of drains and connected to the Approved Point of Stormwater Discharge.
- ☒ Prior consent from Council and any and all public authorities is required to be obtained for alteration or reinstatement of assets or services affected as a result of the development.
- ☐ No groundwater or anything other than Stormwater is to be discharged into an open discharge system. (Kerb & channel, made surface of a right of way or similar surface drainage system)
- ☒ A Control pit is to be located in an appropriate location and a suitable path is to be designed for stormwater which surcharges from the pit once the design storm has been exceeded.
- ☒ The proposed development is to provide adequate clearance for overland flow through the property.
- ☒ Stormwater drains are to be connected to a legal point of discharge approved by Council. Drainage Connections within a road reserve, right-of-way, parkland, within an easement or to a Health Act drain must be to Council's standards.
- ☒ Discharge to the approved point of discharge will be allowed subject to the flow being limited to a rate equivalent to 0.35 coefficient of runoff for 1 in 5 year rainfall event. Any additional discharge is to be temporary detained on site with a minimum storage volume for 1 in 10 year rainfall event, via an approved stormwater detention system designed to Council specifications.
- ☐ An outfall drain is to be constructed to the nominated Council pit in accordance with the approved point of discharge.
- ☐ There may be private services within a private/common services within private/shared easement of the development and therefore prior written consent is required from the relevant parties.
- ☐ The proposed crossover will impact private or Council drainage assets. Therefore Council's Asset Management Department should be contacted prior to the construction of any works on the site.

**Works over easement**

- ☐ Prior to the issue of a building permit, the owner must obtain the consents of all relevant authorities for any buildings or works, including any paving, fences, land filling/excavation and landscaping, over any easement or underground services

under the control of a public authority including sewers, drains, pipes, wires or cables.
<input type="checkbox"/> The owner must accept all reinstatement costs in carrying out repairs to any buildings, works or landscaping over the easements should such buildings, works or landscaping be disturbed by any works undertaken by Council in the future.
<b><u>Comment:</u></b>

<b>SUMMARY</b>
<input checked="" type="checkbox"/> The application is supported. <input type="checkbox"/> The application is not supported.
<b><u>Comment:</u></b> the masonry wall south of the drive way will need to be at least 50% permeable to a depth of 150mm

## APPENDIX E - PLANNING POLICIES

### Clause 15.01-5L - Neighbourhood character - Boroondara

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

<b>Vegetation Objective</b>	
<ul style="list-style-type: none"> <li><i>To maintain and enhance the well landscaped setting of dwellings.</i></li> </ul>	
<b>Design Response</b>	<b>Assessment</b>
Ensure front gardens incorporate soft landscaping that complements the streetscape.	✓ <b>Complies</b>
Ensure the retention of large trees.	✓ <b>Complies</b>
<b>Siting Objective</b>	
<ul style="list-style-type: none"> <li><i>To maintain and enhance the existing streetscape rhythm.</i></li> <li><i>To maintain the existing backyard character and enhance the area's leafy feel.</i></li> </ul>	
<b>Design Response</b>	<b>Assessment</b>
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.	✓ <b>Complies</b>
Ensure buildings in the heritage overlay are setback in line with or behind the facade of adjoining heritage buildings in accordance with Council's Heritage Policy.	N/A
Ensure buildings are setback from at least one side boundary in accordance with the prevailing streetscape spacing.	✓ <b>Complies</b>
Ensure buildings are sufficiently setback from rear boundaries to maintain the open, backyard character of the immediate area where this exists.	✓ <b>Complies</b>
Provide a secluded private open space area with a minimum dimension of 4m to enable the planting and retention of large trees.	✓ <b>Complies</b>
Ensure new development on a corner site is adequately setback to provide a transition between the adjoining buildings.	N/A
<b>Building Height &amp; Form Objective</b>	
<ul style="list-style-type: none"> <li><i>To maintain the predominately two storey scale of the precinct.</i></li> <li><i>To ensure buildings do not disrupt the existing streetscape rhythm.</i></li> <li><i>To ensure buildings adjoining the Yarra River parklands integrate with the river's treed environment and maintain the natural setting of the corridor.</i></li> </ul>	
<b>Design Response</b>	<b>Assessment</b>
Ensure buildings are composed of facades that are no more than two storeys high to the street, other than in streetscapes where 3 storey facades predominate, such as on Fairview Street.	✓ <b>Complies</b>

Ensure buildings on lots adjoining the Yarra River are designed to sit comfortably within the surrounding tree canopy.	N/A
Ensure attached side by side developments are designed to read as one dwelling within the streetscape.	✓ <b>Complies</b>
Ensure development maintains the existing scale of the streetscape when viewed from the street, in streets with a 3 storey character.	✓ <b>Complies</b>

<b>Building Materials &amp; Design Details Objective</b>	
<ul style="list-style-type: none"> <li><i>To ensure building materials and articulation complements and enhances the character of the streetscape.</i></li> <li><i>To minimise period reproduction design.</i></li> </ul>	
<b>Design Response</b>	<b>Assessment</b>
Ensure new dwellings and visible additions complement the historic buildings in the precinct.	N/A
Ensure rooflines of new buildings, extensions and additions in the Heritage Overlay incorporate sloping roofs with greater than 10 degrees roof slope and reflect the existing character of surrounding dwellings.	✓ <b>Complies</b>
Break buildings into separate elements and use eaves, overhangs and other design details to articulate the facade.	✓ <b>Complies</b>
Use muted colours and building materials for building elements visible from the Yarra River parklands.	N/A

<b>Front Boundary Treatment Objective</b>	
<ul style="list-style-type: none"> <li><i>To maintain views of front gardens.</i></li> <li><i>To ensure fences in front of heritage properties are appropriate.</i></li> </ul>	
<b>Design Response</b>	<b>Assessment</b>
Ensure the retention of original front fences where heritage overlays apply.	N/A
Ensure front fences are no more than 1.5m or the average fence height in the street (whichever is less).	✗ <b>Non-compliance</b>
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

<b>Car Parking Structures Objective</b>	
<ul style="list-style-type: none"> <li><i>To minimise the loss of front gardens and the dominance of car parking structures.</i></li> <li><i>To ensure basement garages do not increase the visual bulk of buildings.</i></li> </ul>	
<b>Design Response</b>	<b>Assessment</b>
Ensure car parking structures are located to the rear of dwellings where rear access is available.	N/A
Ensure car parking structures, including entrances to basements, are setback at least 1m behind the dwelling facade and are designed to minimise their prominence.	✓ <b>Complies</b>



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.	✓ <b>Complies</b>
Where possible, locate the entry to basement garages to the side or rear of dwellings so they are not visible from the street.	✓ <b>Complies</b>

### Particular Provisions

### Clause 52.06 - Car Parking

#### Clause 52.06-2 (Provision of Car Parking Spaces)

Table 1: Car Parking Requirement					
Use	Rate (Column A)	Rate (Column B)	Car Parking Measure	Proposed Car Spaces	Assessment
Dwelling	1	1	1 or 2 bedroom dwellings		N/A
	2	2	3 or more bedroom dwellings	Minimum 2 car spaces per dwelling	✓
	1	0	Visitors to every 5 dwellings for developments of 5 or more dwellings		N/A

#### Clause 52.06-9 (Design Standards)

Design Standard 1 - Accessways	
Standard	Assessment
<i>Accessways must:</i>	
• Be at least 3 metres wide	✓
• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.	✓
• Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	N/A
• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.	✓
• If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.	N/A

<ul style="list-style-type: none"> <li>Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.</li> </ul>	✓
<ul style="list-style-type: none"> <li>If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>If entry to the car space is from a road, the width of the accessway may include the road.</li> </ul>	N/A

<b>Design Standard 2 - Car Parking Spaces</b>	
<b>Standard</b>	<b>Assessment</b>
Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.	✓
<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1 of Design Standard 2 of Clause 52.06-9, other than:</p> <ul style="list-style-type: none"> <li>A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.</li> <li>A structure, which may project into the space if it is at least 2.1 metres above the space.</li> </ul>	✓
Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.	✗ (conditioned to comply)
Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space	✓
Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover	✓
Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.	✓

<b>Design Standard 3 - Gradients</b>	
<b>Standard</b>	<b>Assessment</b>
Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and	✓

vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage.	
<b><i>This does not apply to accessways serving three dwellings or less.</i></b>	
<i>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</i>	<b>Refer to table below</b>
<i>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</i>	✓
<i>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</i>	✓

<b>Table 3: Ramp Gradients</b>				
<b>Type of car park</b>	<b>Ramp length</b>	<b>Maximum grade</b>	<b>Proposed grade</b>	<b>Assessment</b>
Public Car Park	20.0m or less	1:5 (20%)		N/A
	20.0m or more	1:6 (16.7%)		N/A
Private or Residential Car Park	20.0m or less	1:4 (25%)	1:5.3	✓
	20.0m or more	1:5 (20%)		N/A

<b>Design Standard 4 - Mechanical Parking</b>	
<b>Standard</b>	<b>Assessment</b>
<i>Mechanical parking may be used to meet the car parking requirement provided:</i>	N/A
<i>At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.</i>	N/A
<i>Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.</i>	N/A
<i>The design and operation is to the satisfaction of the responsible authority.</i>	N/A

<b>Design Standard 5 - Urban Design</b>	
<b>Standard</b>	<b>Assessment</b>
<i>Ground level car parking, garage doors and accessways must not visually dominate public space.</i>	✓
<i>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</i>	✓

<i>Design of car parks must take into account their use as entry points to the site.</i>	✓
<i>Design of new internal streets in developments must maximise on street parking opportunities.</i>	✓

<b>Design Standard 6 - Safety</b>	
<b>Standard</b>	<b>Assessment</b>
<i>Car parking must be well lit and clearly signed.</i>	✓
<i>The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.</i>	✓
<i>Pedestrian access to car parking areas from the street must be convenient.</i>	✓
<i>Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.</i>	✓

<b>Design Standard 7 - Landscaping</b>	
<b>Standard</b>	<b>Assessment</b>
<i>The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.</i>	✓
<i>Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.</i>	✓
<i>Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.</i>	✓

### **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.*

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 water tanks of 5000L and 6000L capacity and the tank is connected to the toilets and laundry.

This satisfies the requirements of Clause 53.18.



**ESD**

The application was assessed by Council Officers with respect to the submitted Sustainable Design Assessment.

Verbal comments were also received by Council's ESD Officer which confirmed the submitted documents were acceptable.

**APPENDIX F - RESCODE ASSESSMENT****Clause 55.02 - Neighbourhood Character & Infrastructure**

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

<b>Clause 55.02-2 (B2) Residential Policy</b>	
<b>Objective</b>	<b>Assessment</b>
<i>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.</i>	✓
<i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</i>	✓

<b>Clause 55.02-3 (B3) Dwelling Diversity</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</i>	N/A

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

<b>Clause 55.02-5 (B5) Integration With The Street</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To integrate the layout of development with the street.</i>	✓

**Clause 55.03 - Site Layout and Building Massing**

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

Table B1 Street Setback		
Development context	Minimum setback from front street	Minimum setback from a side street
<i>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</i>	<i>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.</i>	<i>Not applicable</i>

Dwelling 1			
	Proposed	Required	Assessment
Front	9m	9m	✓

Dwelling 2			
	Proposed	Required	Assessment
Front	9.1m	9	✓

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

Neighbourhood Residential Zone - Schedule 3				
Proposed Max. Height	Proposed Max. Storeys	Max. Height Allowed	Max. Storeys Allowed	Assessment
8.3m	2	9m	2	✓

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

Proposed	Required	Assessment
44%	60%	✓

Clause 55.03-4 (B9) Permeability	
Objective	Assessment
<i>To reduce the impact of increased stormwater run-off on the drainage system.</i>	✓
<i>To facilitate on-site stormwater infiltration.</i>	✓

<i>To encourage stormwater management that maximises the retention and reuse of stormwater.</i>	✓
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Proposed	Required	Assessment
36%	20%	✓

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

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

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

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

Clause 55.03-9 (B14) Access	
Objective	Assessment
<i>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</i>	✓
Standard	Assessment
<p><i>The width of accessways or car spaces should not exceed:</i></p> <ul style="list-style-type: none"> <li><i>33 per cent of the street frontage, or</i></li> <li><i>if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</i></li> </ul> <p><i>No more than one single-width crossover should be provided for each dwelling fronting a street.</i></p> <p><i>The location of crossovers should maximise the retention of on-street car parking spaces.</i></p> <p><i>The number of access points to a road in a Road Zone should be minimised.</i></p>	✓

<i>Developments must provide for access for service, emergency and delivery vehicles.</i>	
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<b>Clause 55.03-10 (B15) Parking Location</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide convenient parking for resident and visitor vehicles.</i>	✓
<i>To protect residents from vehicular noise within developments.</i>	✓
<b>Standard</b>	<b>Assessment</b>
<p><i>Car parking facilities should:</i></p> <ul style="list-style-type: none"> <li><i>• Be reasonably close and convenient to dwellings and residential buildings.</i></li> <li><i>• Be secure.</i></li> <li><i>• Be well ventilated if enclosed.</i></li> </ul> <p><i>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.</i></p>	✓

#### **Clause 55.04 - Amenity Impacts**

<b>Clause 55.04-1 (B17) Side and Rear Setbacks</b>	
<b>Objective</b>	<b>Assessment</b>
<i>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.</i>	✓
<b>Standard</b>	
<p><i>A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</i></p> <ul style="list-style-type: none"> <li><i>• At least the distance specified in a schedule to the zone, or</i></li> <li><i>• 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.</i></li> </ul> <p><i>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.</i></p> <p><i>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.</i></p>	Refer to tables below



Dwelling 1 - Ground Floor				
	Wall Height	Setback	Setback Required	Assessment
East	4.1m	5m	1.15	✓
South	4.2m	1.8m	1.18	✓
	3.7m	1.2m	1.03	
Dwelling 1 - First Floor				
	Wall Height	Setback	Setback Required	Assessment
East	6.8m	9.1m	1.96m	✓
	6.8m	8.75m	1.96m	
South	7.1m	3.5m	2.19	✓
	7.1m	4.1m	2.19	
	7.1m	3.5m	2.19	
	7m	4.1m	2.09	
	7m	3.5m	2.09	

Dwelling 2 - Ground Floor				
	Wall Height	Setback	Setback Required	Assessment
North	3.7m	1.22m	1.03	✓
	3.4m	3.0m	1m	
	3.2m	1.82m	1m	
	2.9m	3.4m	1m	
East	2.9m	23m	1m	✓
	1.8m	19.3m	1m	
Dwelling 2 - First Floor				
	Wall Height	Setback	Setback Required	Assessment
North	7.1m	2.2m	2.19m	✓
	6.7m	3.0m	1.93m	
	6.5m	5.77m	1.87m	
East	6.5m	19.3m	1.87m	✓

Clause 55.04-2 (B18) Walls On Boundaries	
Objective	Assessment
<i>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.</i>	N/A
Standard	
<p><i>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:</i></p> <ul style="list-style-type: none"> <li><i>For a length of more than the distance specified in a schedule to the zone; or</i></li> <li><i>If no distance is specified in a schedule to the zone, for a length of more than:</i></li> </ul>	N/A

<ul style="list-style-type: none"> <li>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>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,</li> </ul> <p>whichever is the greater.</p>	
<p>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.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p>	N/A
<p>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.</p>	N/A

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.	Refer to table below
Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.	

Adjoining Window	3m <sup>2</sup> Light Court	Wall Height	Setback from Window	Required	Assessment
67 Kooyongkoot Road	✓	GF: 4.2m FF: 7.1m	3.7m 5.4m	2.1m 3.55m	✓
63 Kooyongkoot Road	✓	GF: 3.4m FF: 6.7m	4.4m 5.6m	1.7m 3.35m	✓

<b>Clause 55.04-4 (B20) North Facing Windows</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To allow adequate solar access to existing north-facing habitable room windows.</i>	✓
<b>Standard</b>	
<i>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.</i>	<b>Refer to table below</b>

<b>Standard B20 - North Facing Windows</b>				
<b>Adjoining Window</b>	<b>Wall Height</b>	<b>Setback from Boundary</b>	<b>Required</b>	<b>Assessment</b>
67 Kooyongkoot Road	GF: 4.2m FF: 7.1m	GF: 1.8m FF: 3.5m	<b>1.36m 3.1m</b>	✓

<b>Clause 55.04-5 (B21) Overshadowing Open Space</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure buildings do not significantly overshadow existing secluded private open space.</i>	✓
<b>Standard</b>	
<i>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.</i>	✓
<i>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.</i>	

<b>Standard B21</b>				
<b>Address of adjoining property</b>	<b>Size of SPOS</b>	<b>Shadow test</b>	<b>Amount of additional shadow</b>	<b>Assessment</b>
67 Kooyongkoot Road	454sqm	40sqm or not be further reduced	Additional 2m2 between 12pm and 3pm	✓

<b>Clause 55.04-6 (B22) Overlooking</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To limit views into existing secluded private open space and habitable room windows.</i>	✓

<b>Standard</b>	
<p><i>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).</i></p> <p><i>A habitable room window, balcony, terrace, deck or patio with a direct view should be either:</i></p> <ul style="list-style-type: none"> <li><i>Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</i></li> <li><i>Have sill heights of at least 1.7 metres above floor level.</i></li> <li><i>Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</i></li> <li><i>Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</i></li> </ul>	✓
<p><i>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.</i></p>	✓
<p><i>Screens used to obscure a view should be:</i></p> <ul style="list-style-type: none"> <li><i>Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</i></li> <li><i>Permanent, fixed and durable.</i></li> <li><i>Designed and coloured to blend in with the development.</i></li> </ul>	✓
<p><i>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.</i></p>	✓

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

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

### **Clause 55.05 - On-Site Amenity and Facilities**

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



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

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

<b>Clause 55.05-4 (B28) Private Open Space</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i>	✓
<b>Standard</b>	
<p>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:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>• A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	Refer to table below

<b>Dwelling</b>	<b>Proposed SPOS</b>	<b>Proposed POS</b>	<b>Min. dimension</b>	<b>Required SPOS/POS</b>		<b>Assessment</b>
Dwelling 1	216m <sup>2</sup>	271m <sup>2</sup>	6.5m	25m <sup>2</sup>	40m <sup>2</sup>	✓
Dwelling 2	58m <sup>2</sup>	92m <sup>2</sup>	5m to 11m	25m <sup>2</sup>	40m <sup>2</sup>	✓

<b>Clause 55.05-5 (B29) Solar Access to Open Space</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To allow solar access into the secluded private open space of new dwellings and residential buildings.</i>	✓
<b>Standard</b>	
<i>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</i>	✓
<i>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.</i>	Refer to table below

<b>Clause 55.05-6 (B30) Storage</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide adequate storage facilities for each dwelling.</i>	✓

### **Clause 55.06 - Detailed Design**

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

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

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

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







# PROPOSED DEVELOPMENT

## 65 KOORYONGKOOT ROAD, HAWTHORN 3122

TOWN PLANNING:

DRAWING LIST

FACADE FINISHES:

- FB

FACE BRICK - PGH BRICKS, LANG MURTEN RANGE - 'LARSON'.  
OFF WHITE MORTAR IN ALL CASES.
- BW

BRICK/BLOCKWORK TO SELECTION TO SUIT A RENDERED  
FINISH, AS SPECIFIED.
- LW

SELECTED LIGHTWEIGHT PANEL - 100MM THICK NOM. CLADDING  
FIXED TO BATTENS TO STUD FRAMED WALL - SELECTED  
COLOUR/RENDER FINISH AS SPECIFIED - REFER TO  
MANUFACTURERS SPECIFICATIONS FOR ALL REQUIREMENTS.
- MC-1

METAL CLADDING - FLAT PROFILE METAL CLADDING FIXED TO  
16mm MIN. STRUCTURAL PLYWOOD SUBSTRATE.  
DULUX 'MONUMENT' COLORBOND MATT FINISH.  
REFER TO MANUFACTURERS SPECIFICATIONS.
- MR

METAL ROOF - NON REFLECTIVE COLORBOND METAL DECK,  
KLIPLOK 700 OR SIMILAR.  
DULUX 'SHALE GREY' COLORBOND MATT FINISH - ENSURE ALL  
ASSOCIATED BOX GUTTERS, FLASHINGS, CAPPINGS ETC. MATCH.
- AW

ALUMINIUM WINDOWS/DOORS - COMMERCIAL GRADE 'CAPRAL  
400' SERIES FRAMED GLAZING.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- SB

STEEL BALUSTRADE - STEEL FLAT BAR PROFILE WELD FIXED  
TO SUBFRAME. 50X6MM NOM. @50MM C/C MAX.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- ML

METAL LOUVRES - RECTANGULAR SECTION ALUMINIUM  
(75X35mm NOM.) HORIZONTAL BATTENS FIXED TO A GALVANISED  
STEEL SUBFRAME.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- MB

METAL BATTENS - SQUARE SECTION 20X20MM NOM. ALUMINIUM  
BATTENS FIXED TO M.S. FLAT/BACK PANEL.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.
- MP

METAL PLATE - MILD STEEL OR ALUMINIUM PLATE NOMINAL  
10MM M.S. FIXED BACK TO STRUCTURE.  
DULUX 'MONUMENT' POWDERCOAT MATT FINISH.

RENDER COLOURS:

CONFIRM ALL COLOURS, FINISHES & PROFILES WITH THE  
OWNER PRIOR TO THE COMMENCEMENT OF ANY WORKS.

- C1

10MM STEEL TROWEL APPLIED RENDER FINISH.  
SELECTED CONCRETE GREY COLOUR.  
QUIKCOTE VELVET FINISH OR SIMILAR.  
ALLOW 2 COATS CLEAR PENETRATING SEALER.
- C2

10MM STEEL TROWEL ACRYLIC CEMENT RENDER FINISH.  
DULUX 'MONUMENT' COLOUR.

FLOOR FINISHES:

- PT

PAVING TILES - LARGE FORMAT BLUESTONE PAVING/TILING ON  
REINFORCED CONCRETE SUBSTRATE & SCREED BASE.  
CLEAR SEALER FINISH.
- RC

REINFORCED CONCRETE SLAB NATURAL COLOUR FINISH.  
ALLOW TO SAW-CUT JOINTS AS REQUIRED.  
CONFIRM FINAL SPECIFICATION WITH THE OWNER.  
ALLOW 2 COATS OF APPROVED WATER BASED SEALER.
- RC-1

EXPOSED AGGREGATE FINISH TO REINFORCED CONCRETE  
SLAB WITH BLACK BASE COLOUR ADDITIVE - ALLOW TO SAWCUT  
JOINTS AS REQUIRED.  
ALLOW 2 COATS OF APPROVED WATER BASED SEALER.
- PP

PERMEABLE CONCRETE SYSTEM DRIVEWAY & PATHS.  
WATERPAVE DRIVECON - BLUESTONE COLOUR.  
OR SIMILAR APPROVED PRODUCT.

AREA ANALYSIS:

TOTAL SITE AREA:	1040.00 SQ. M
TOTAL BUILDING COVERAGE: total building footprint.	465.21 SQ. M (44.73%)
TOTAL SITE COVER: total building/covered areas including cantilevers	534.0 SQ. M (51.34%)
TOTAL SITE PERMEABILITY:	380.26 SQ. M (36.56%)

GARDEN AREA:	469.47 SQ. M (45.14%)
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DWELLING 1	DWELLING 2
<b>LOWER GROUND FLOOR:</b> - floor area: 92.16 SQ. M - garage area: (including store) 111.17 SQ. M - common driveway at lower level (covered) area: 158.87 SQ. M	<b>LOWER GROUND FLOOR:</b> - floor area: 39.96 SQ. M - garage area: 46.76 SQ. M - common driveway at lower level (covered) area: 158.87 SQ. M
<b>GROUND FLOOR:</b> - floor area: 283.24 SQ. M	<b>GROUND FLOOR:</b> - floor area: 177.67 SQ. M
<b>FIRST FLOOR:</b> - floor area: 217.10 SQ. M (including void)	<b>FIRST FLOOR:</b> - floor area: 153.87 SQ. M (including void)
<b>TOTAL FLOOR AREA:</b> - lower ground + ground + first floor areas only: (not including garage/porch/alfresco area.) 592.50 SQ. M (63.77 SQS)	<b>TOTAL FLOOR AREA:</b> - lower ground + ground + first floor areas only: (not including garage/porch/alfresco area.) 371.50 SQ. M (40.00 SQS)
<b>PRIVATE OPEN SPACE:</b> - rear secluded private open space (paving/lawn, etc). 3.0m min. dimension. 216.67 SQ. M - total private open space. 271.67 SQ. M	<b>PRIVATE OPEN SPACE:</b> - rear secluded private open space (paving/lawn, etc). 3.0m min. dimension. 58.72 SQ. M - total private open space. 92.72 SQ. M

A0.00	GENERAL NOTES
A1.01	EXISTING SITE CONTEXT PLAN
A1.02	EXISTING SITE PLAN
A2.01	PROPOSED SITE CONTEXT PLAN
A2.02	PROPOSED SITE PLAN
A2.03	PROPOSED DESIGN RESPONSE PLAN
A2.04	PROPOSED LOWER GROUND FLOOR PLAN
A2.05	PROPOSED GROUND FLOOR PLAN
A2.06	PROPOSED FIRST ROOF PLAN
A2.07	PROPOSED ROOF PLAN
A2.08	RESCODE SETBACK ANALYSIS PLAN
A2.09	SITE COVER ANALYSIS PLAN
A2.10	PERMEABILITY ANALYSIS PLAN
A2.11	GARDEN AREA ANALYSIS PLAN
A2.12	LANDSCAPE CONCEPT PLAN

A3.01	PROPOSED ELEVATIONS
A3.02	PROPOSED ELEVATIONS
A3.03	PROPOSED ELEVATIONS
A3.04	PROPOSED STREETSCAPE
A3.05	INTERNAL FENCE ELEVATIONS
A3.06	INTERNAL FENCE ELEVATIONS
A3.07	RAMP SECTIONS
A3.08	RAMP SECTIONS

A4.01-A4.07	SHADOW DIAGRAMS
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A5.01	PROPOSED SITE PLAN OVERLAY DIAGRAM
A5.02	PROPOSED DIVISIONS BETWEEN DWELLINGS

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BUILDING APPROVAL ONLY - THE SELECTED CONTRACTOR IS  
RESPONSIBLE FOR THE PRODUCTION OF THEIR OWN SHOP  
DRAWINGS IF REQUIRED FOR CONSTRUCTION PURPOSES.

THE OWNER SHALL ENSURE THAT ALL WORKS ARE  
SUPERVISED AND CARRIED OUT BY AN APPROPRIATE AND  
QUALIFIED PROFESSIONAL TO ENSURE THAT ALL WORKS ARE  
CARRIED OUT AS DOCUMENTED AND IN ACCORDANCE WITH  
ALL RELEVANT CODES.

ALL ITEMS REQUIRED FOR COMPLETION OF THE BUILDING,  
WHILST NOT NECESSARILY BEING MENTIONED OR DESCRIBED  
IN DETAIL HEREIN, BUT NECESSARY OR INCIDENTAL FOR THE  
COMPLETION OF THE BUILDING, SHALL BE INCORPORATED AND  
SHALL CONFORM TO GOOD BUILDING TRADE PRACTICES,  
MANUFACTURERS' WRITTEN RECOMMENDATIONS WHERE  
APPLICABLE AND TO THE ARCHITECTS SATISFACTION.

MATERIALS AND EQUIPMENT USED IN THE BUILDING WORKS  
SHALL BE OF AUSTRALIAN MANUFACTURE UNLESS OTHERWISE  
SPECIFIED.

ALL WORKS SHALL COMPLY WITH RELEVANT LOCAL HEALTH  
AND COUNCIL REQUIREMENTS, LOCAL BUILDING REGULATIONS  
AND RELEVANT A.S CODES.

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HAWTHORN 3122.**

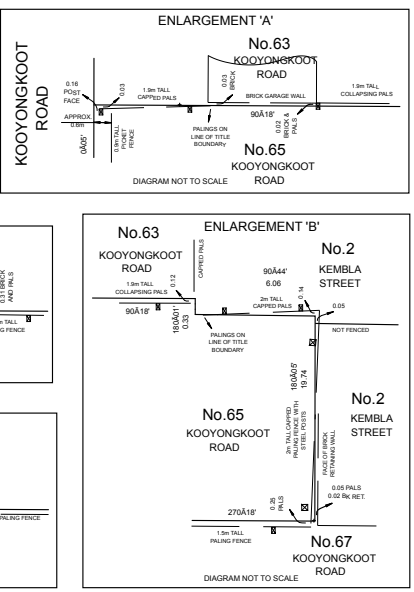
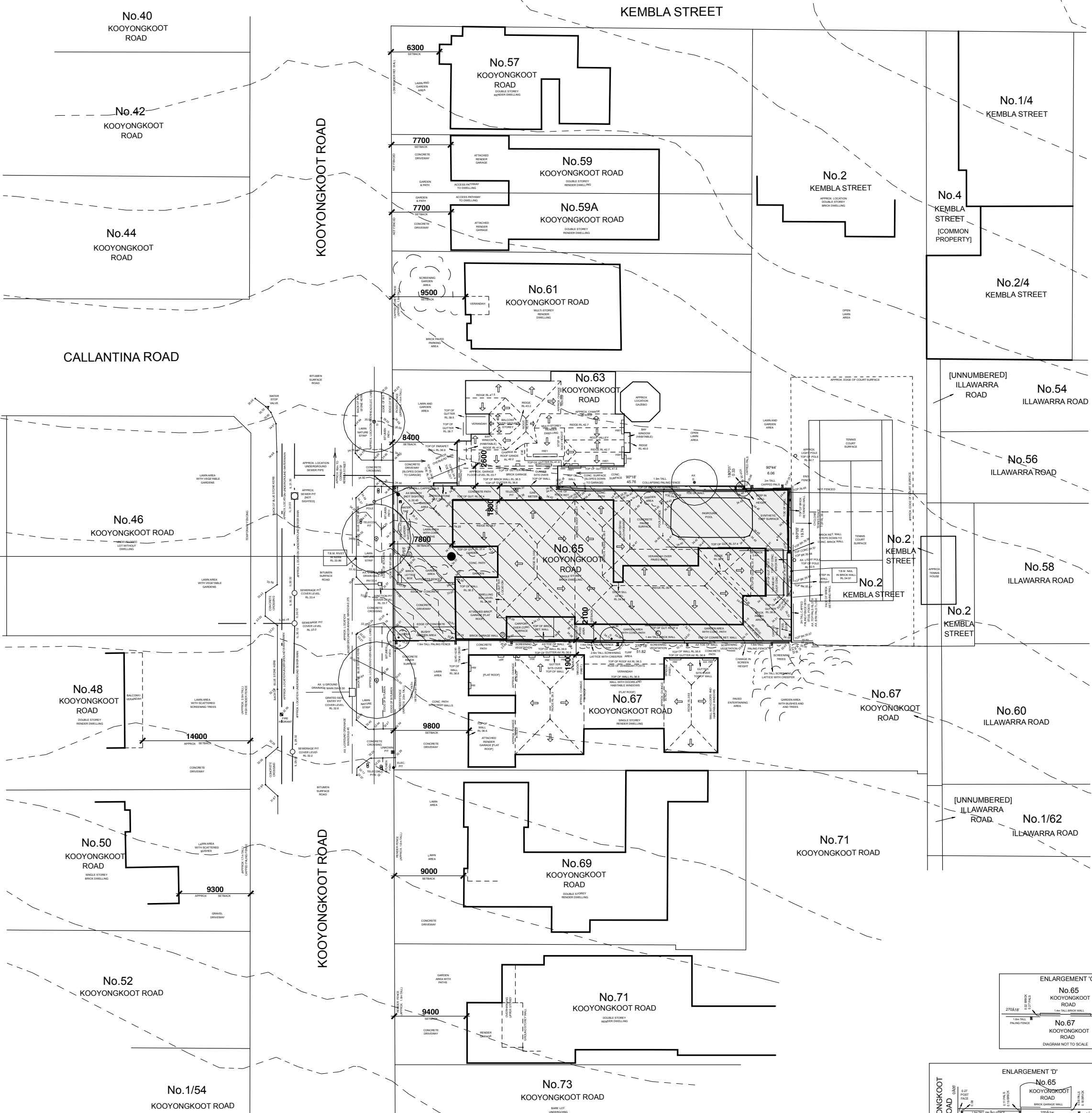
Scales:	Drawn: JR-16
Date: JUNE 2022	Rev: C



**A0.00**



NO 65  
SUBJECT SITE



EXISTING SITE CONTEXT PLAN  
REFER TO ACCOMPANYING LAND SURVEYOR'S DRAWING(S) FOR LARGER SCALE, DETAILED INFORMATION ETC.

1:400

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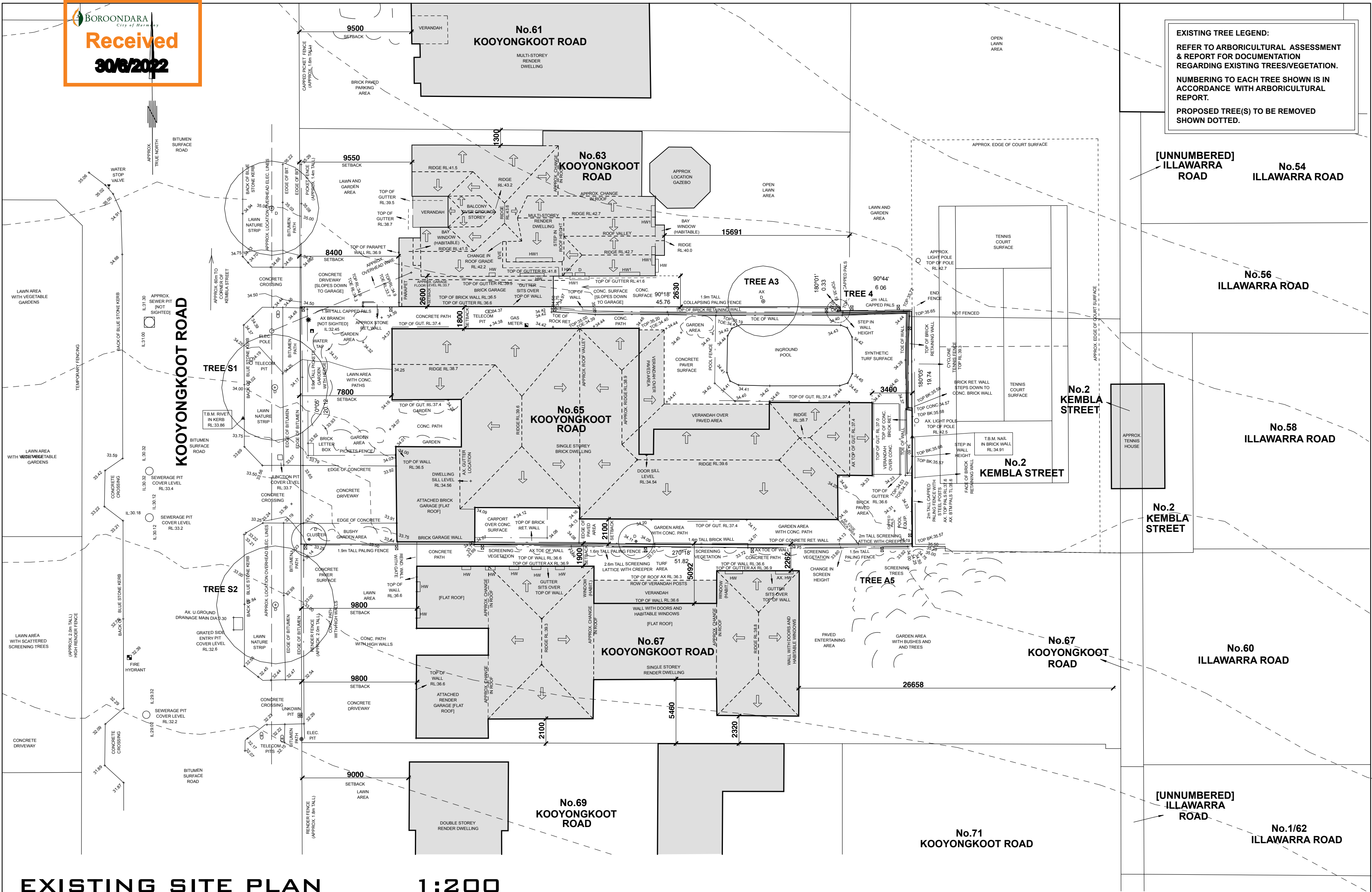
Project: PROPOSED DEVELOPMENT  
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HAWTHORN 3122.

Scales: 1:400	Drawn: JR-16
Date: JUNE 2022	Rev: C



A1.01





**EXISTING SITE PLAN 1:200**  
REFER TO ACCOMPANYING LAND SURVEYOR'S DRAWING(S) FOR LARGER SCALE, DETAILED INFORMATION ETC.  
REFER TO ACCOMPANYING ARBORIST REPORT.

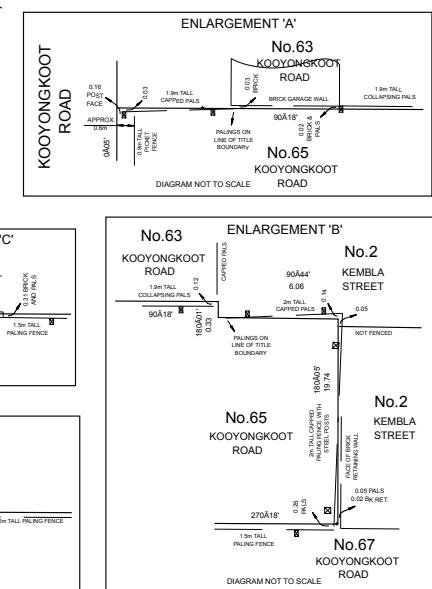
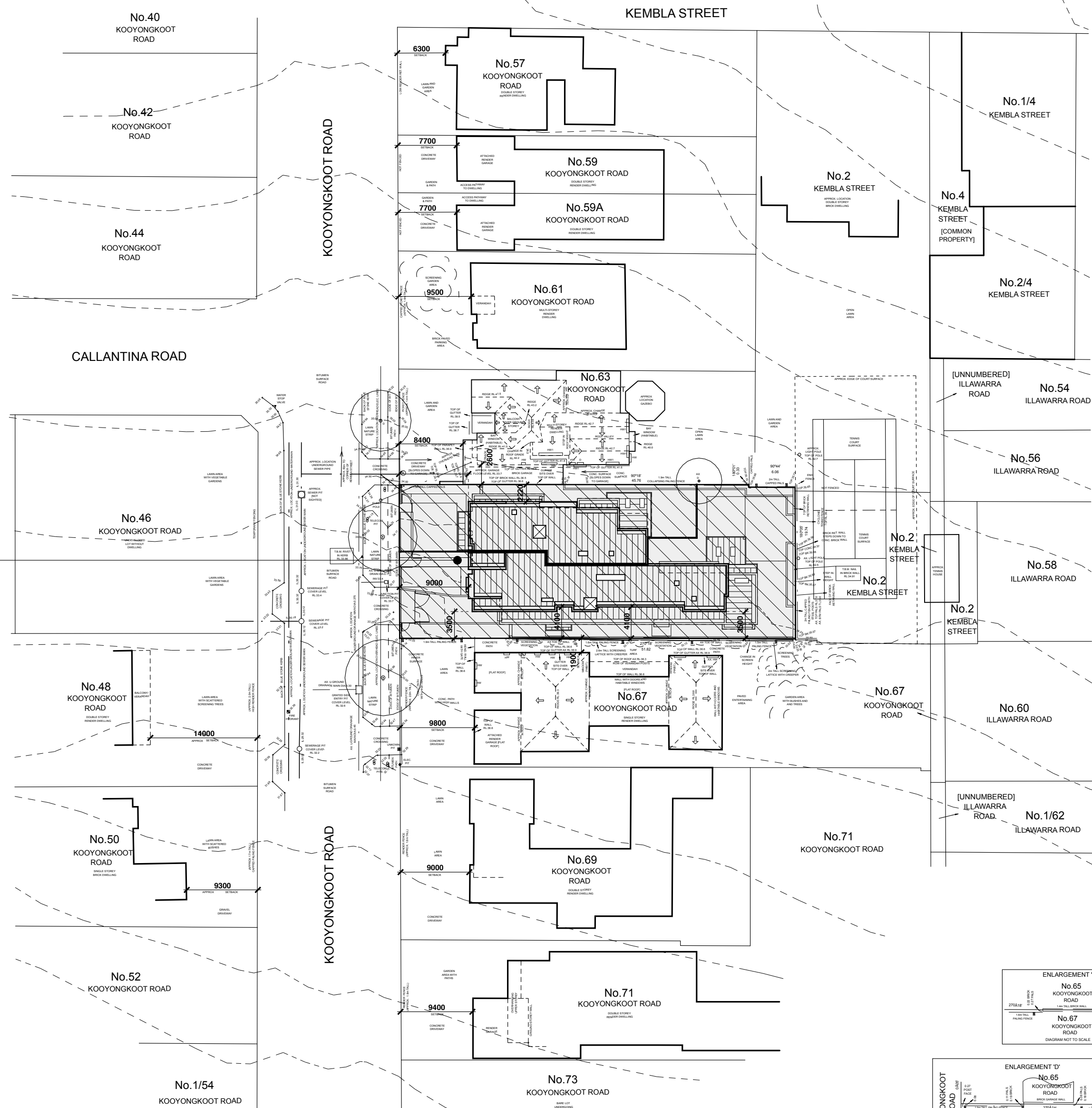
Date	Issue	Rev
21.12.21	TOWN PLANNING	A
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Scales: 1:200	Drawn: JR-16
Date: JUNE 2022	Rev: C

**A1.02**



1:400

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17.02.22	TOWN PLANNING	B
03.06.22	TOWN PLANNING	C

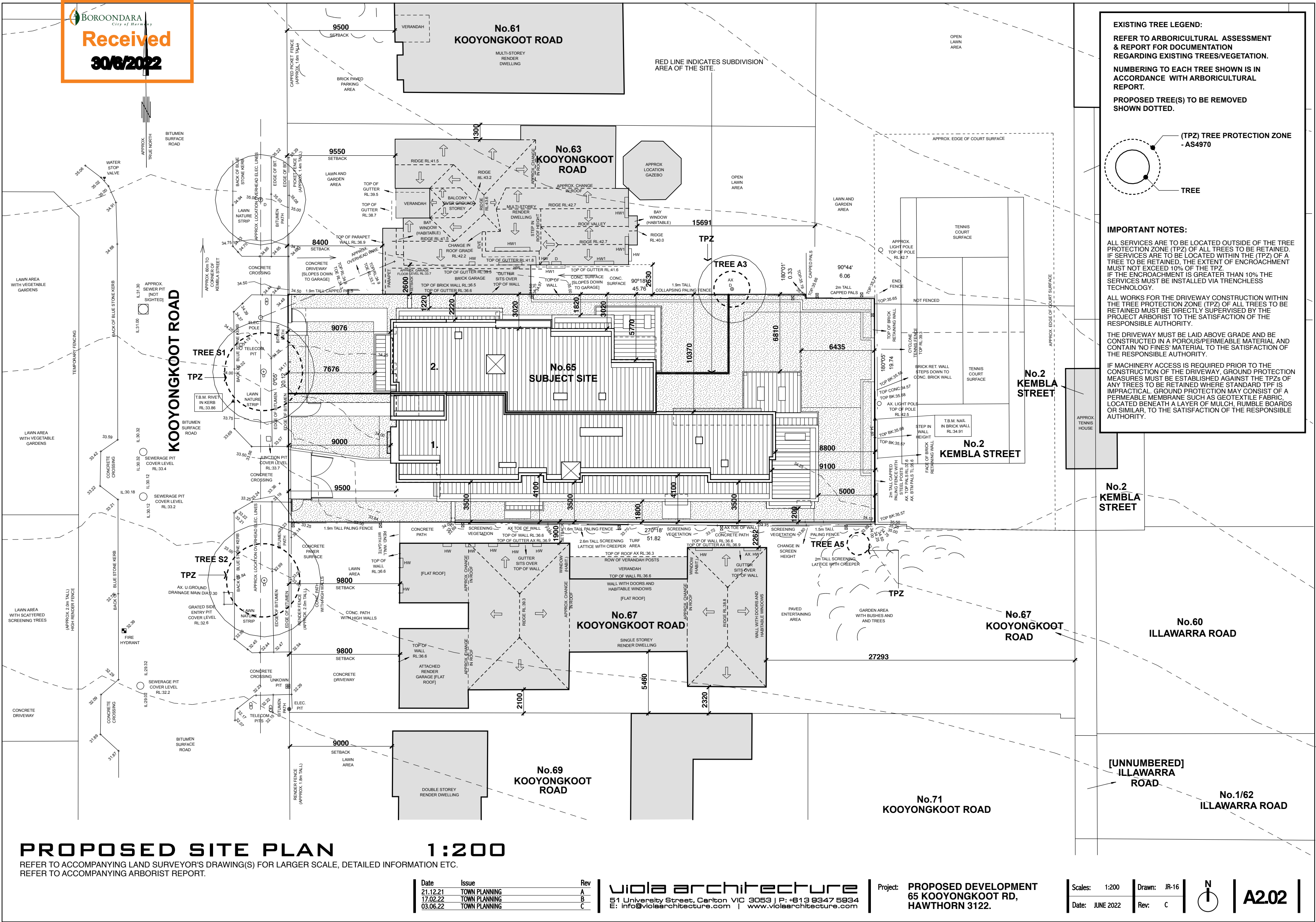
Project: **PROPOSED DEVELOPMENT  
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Scales: 1:400	Drawn: JR-16
Date: JUNE 2022	Rev: C



## A2.01





PROPOSED SITE PLAN 1:200

REFER TO ACCOMPANYING LAND SURVEYOR'S DRAWING(S) FOR LARGER SCALE, DETAILED INFORMATION ETC.  
REFER TO ACCOMPANYING ARBORIST REPORT.

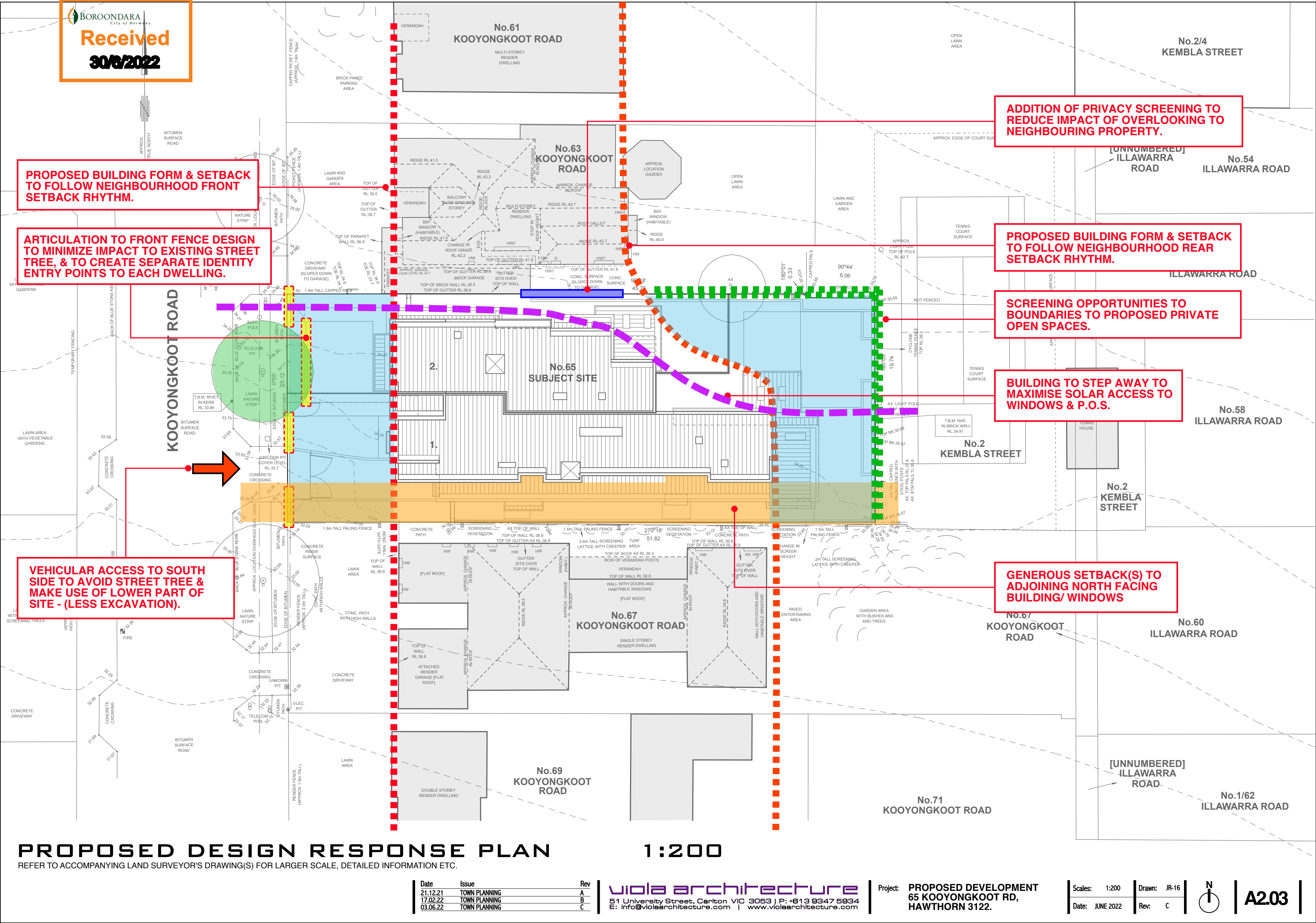
Date	Issue	Rev
21.12.21	TOWN PLANNING	A
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Date: JUNE 2022  
Drawn: JR-16  
Rev: C

N  
A202



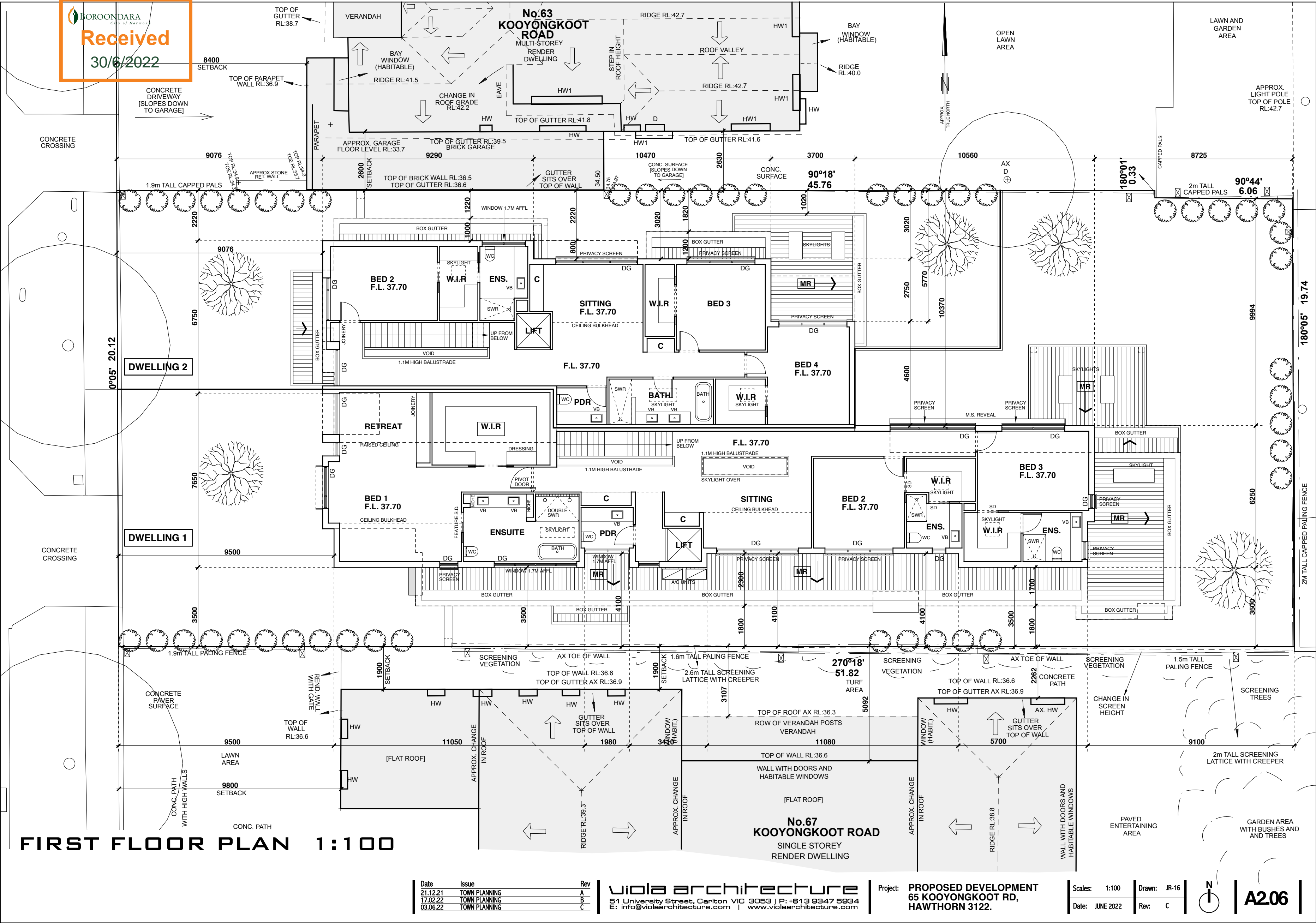


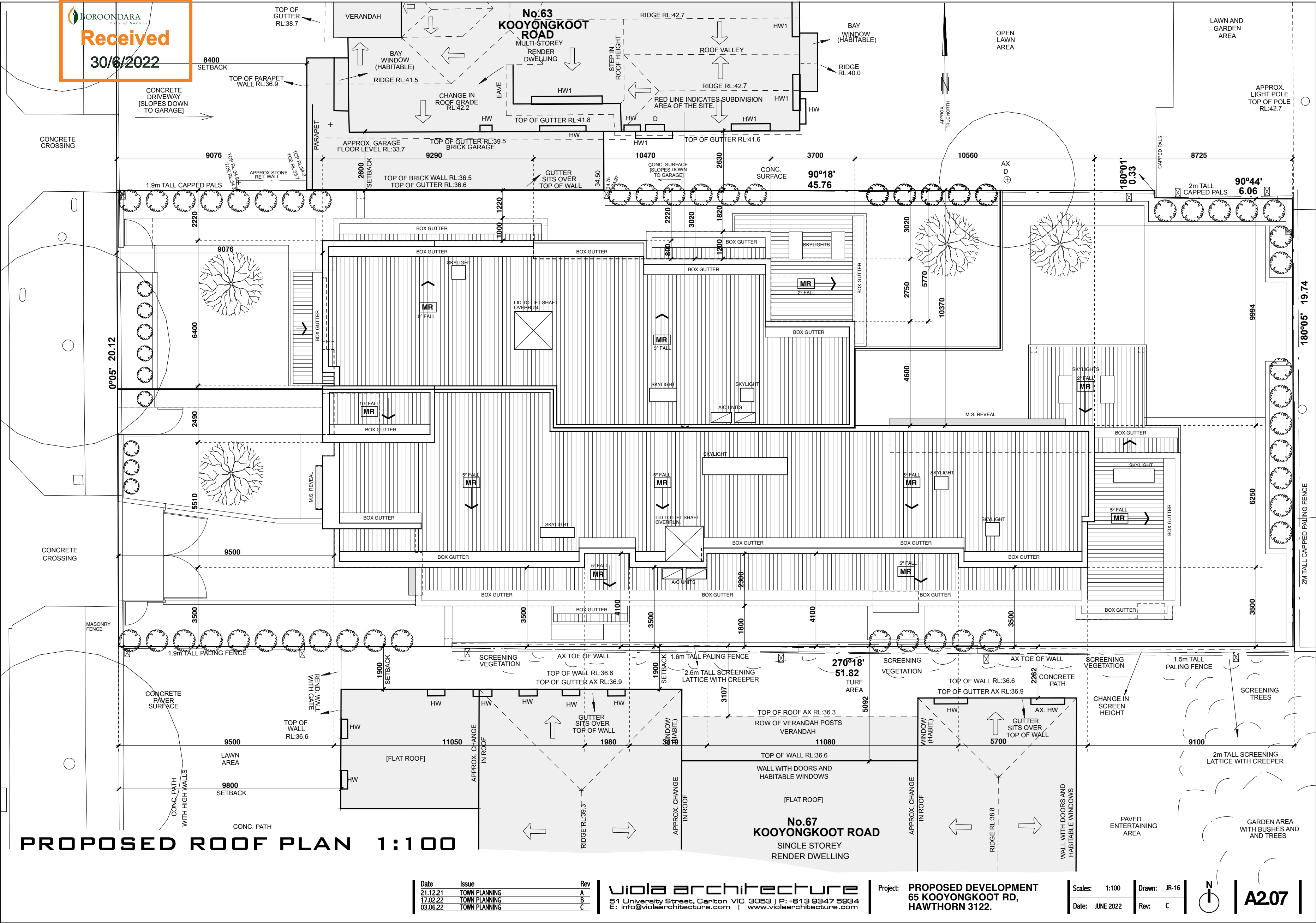








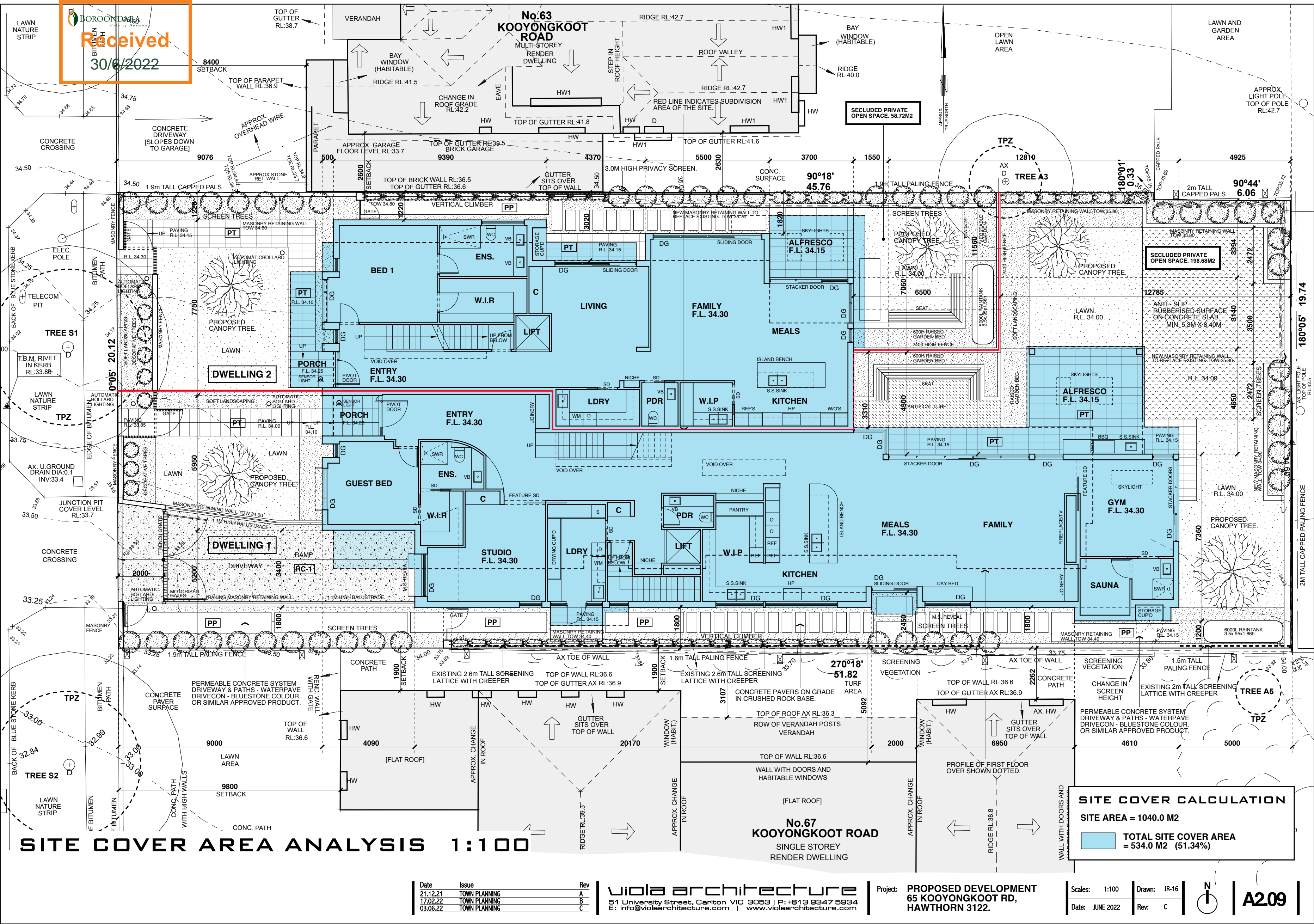








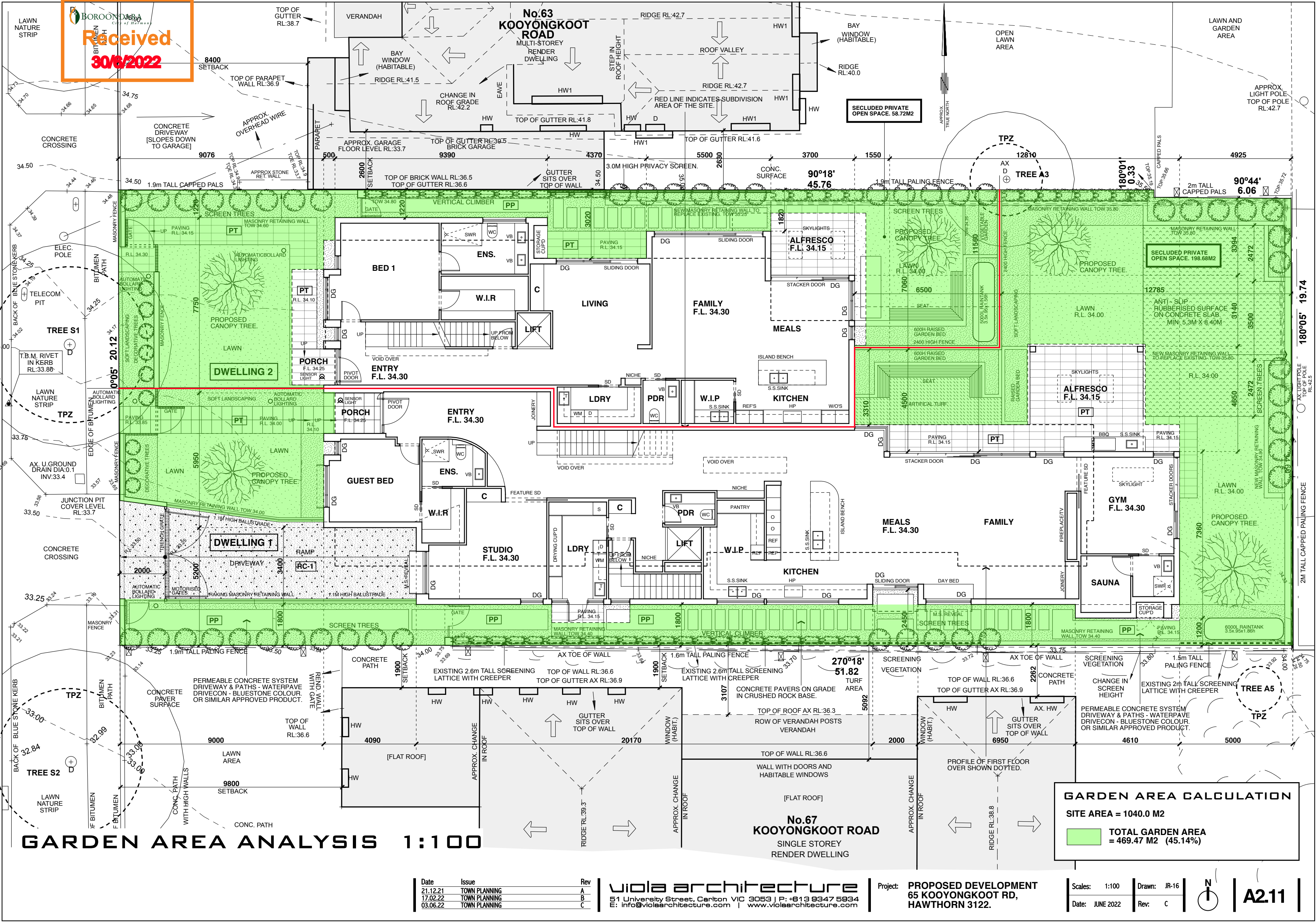




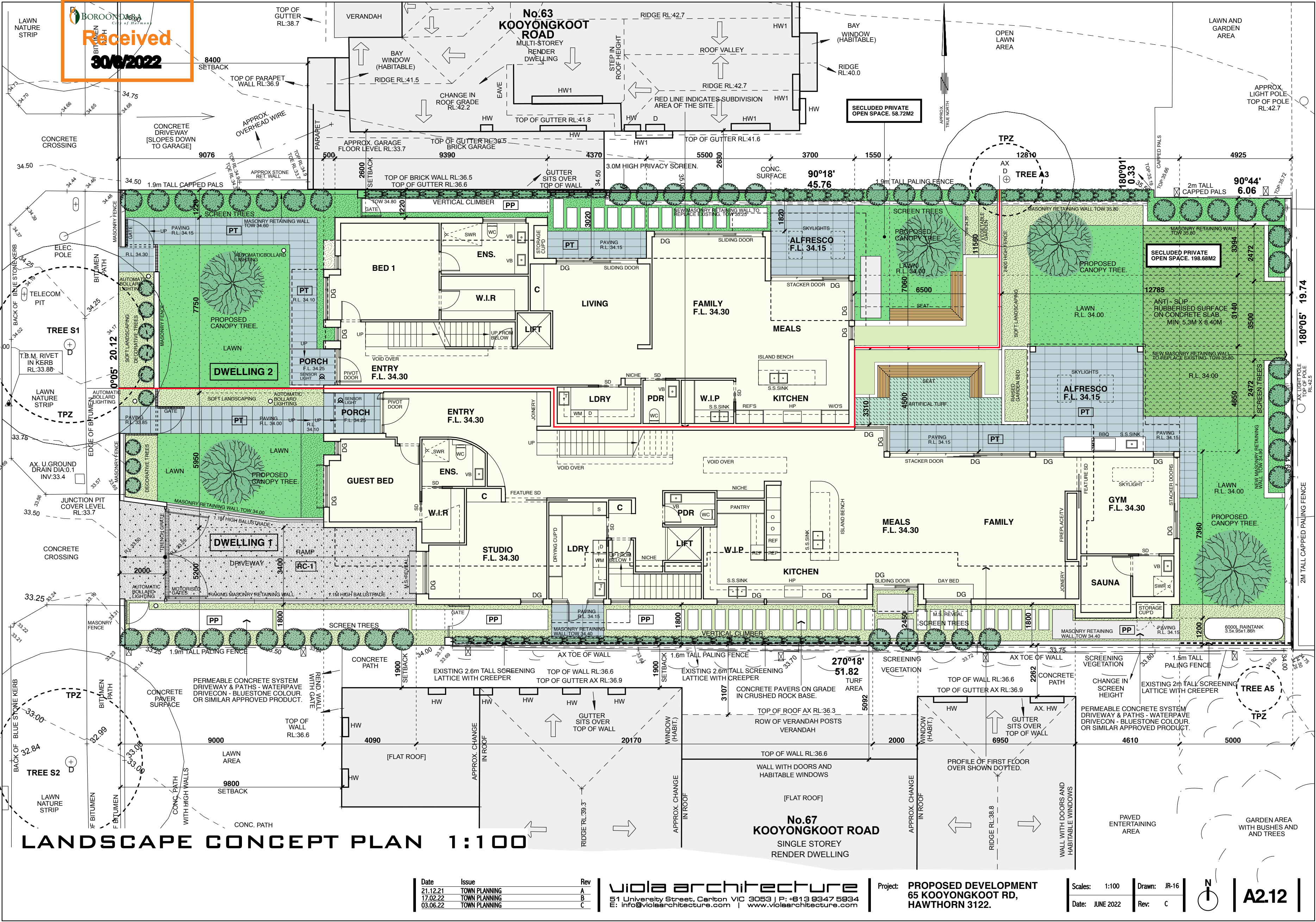




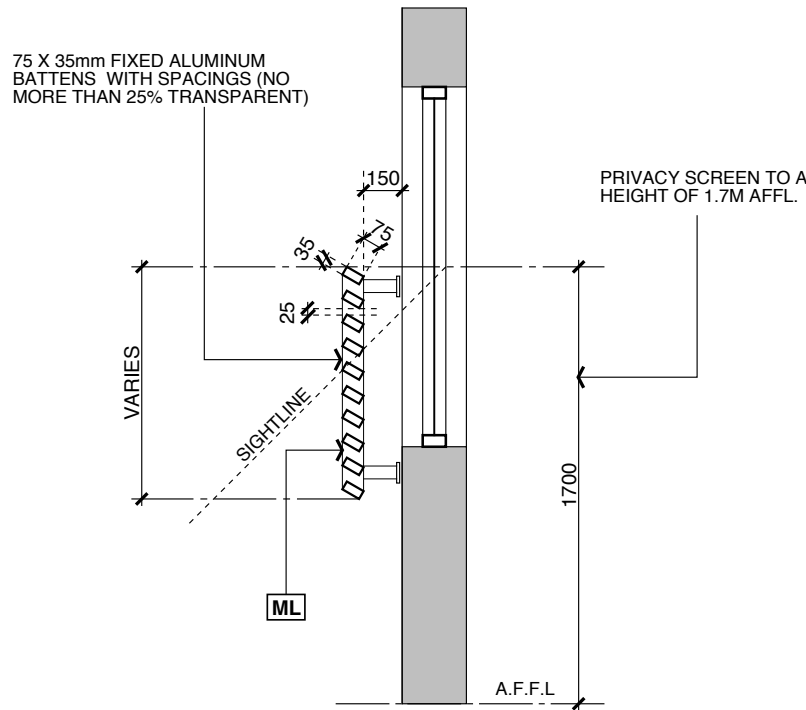
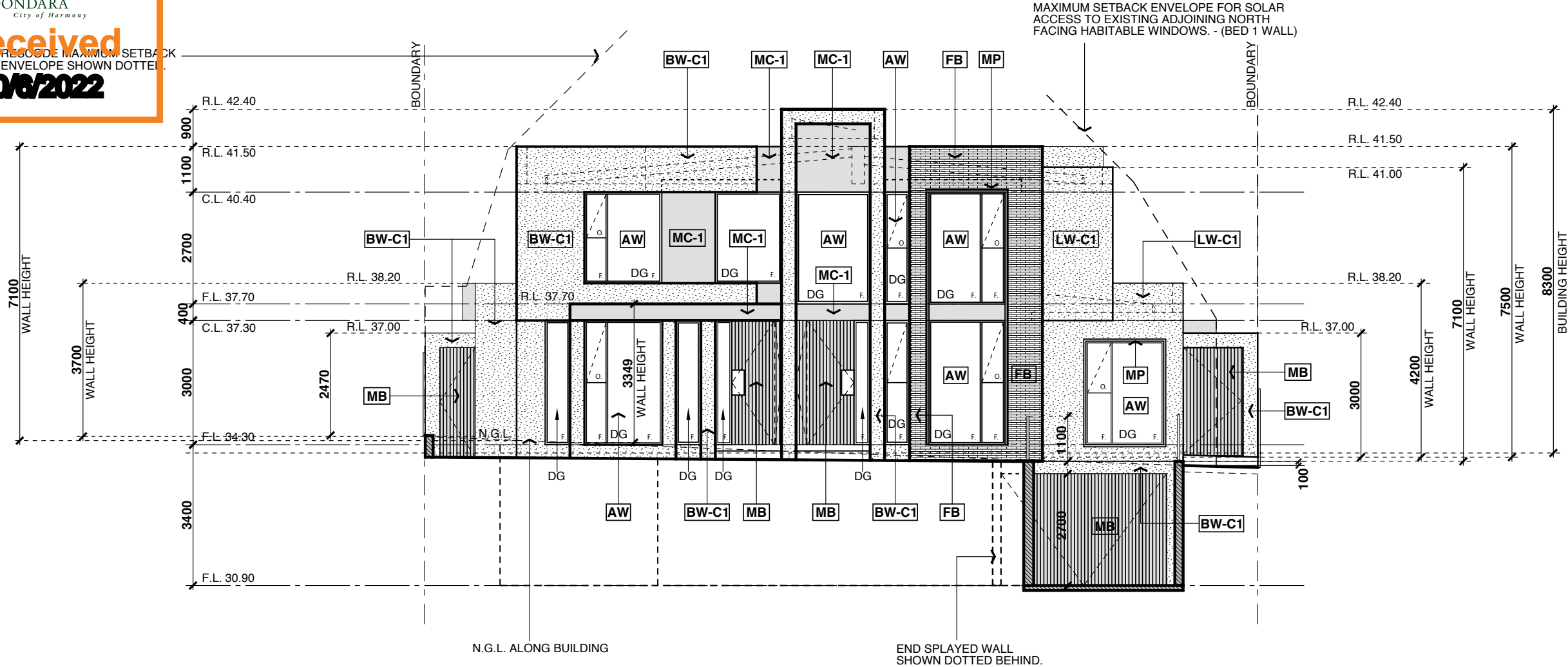






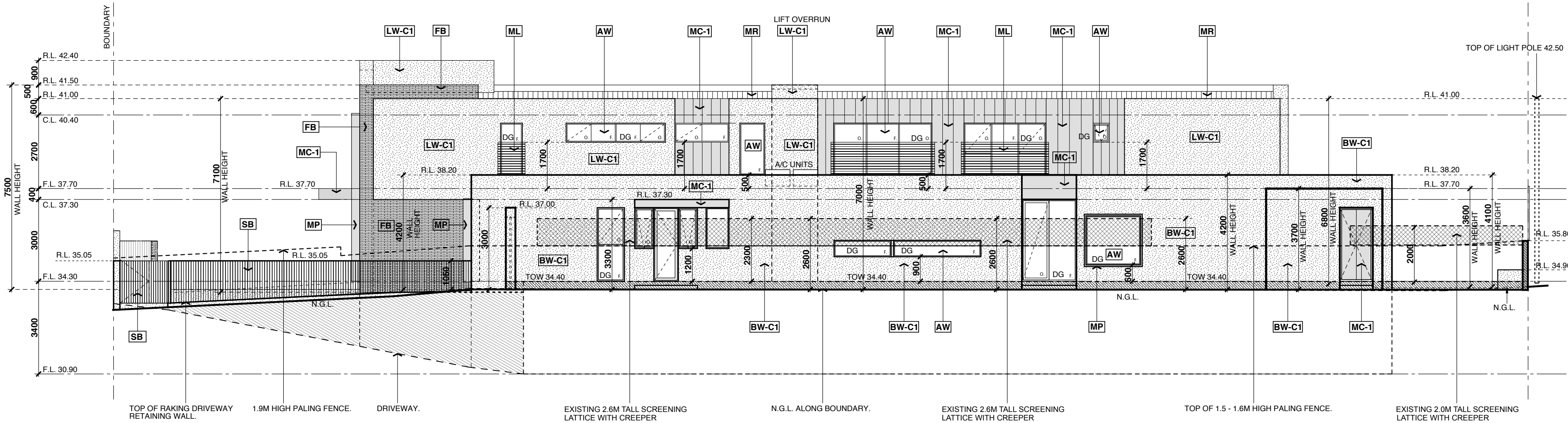






PRIVACY SCREEN DETAIL 1:25

2. WEST ELEVATION 1:100



1. SOUTH ELEVATION 1:100

Date	Issue	Rev
21.12.21	TOWN PLANNING	A
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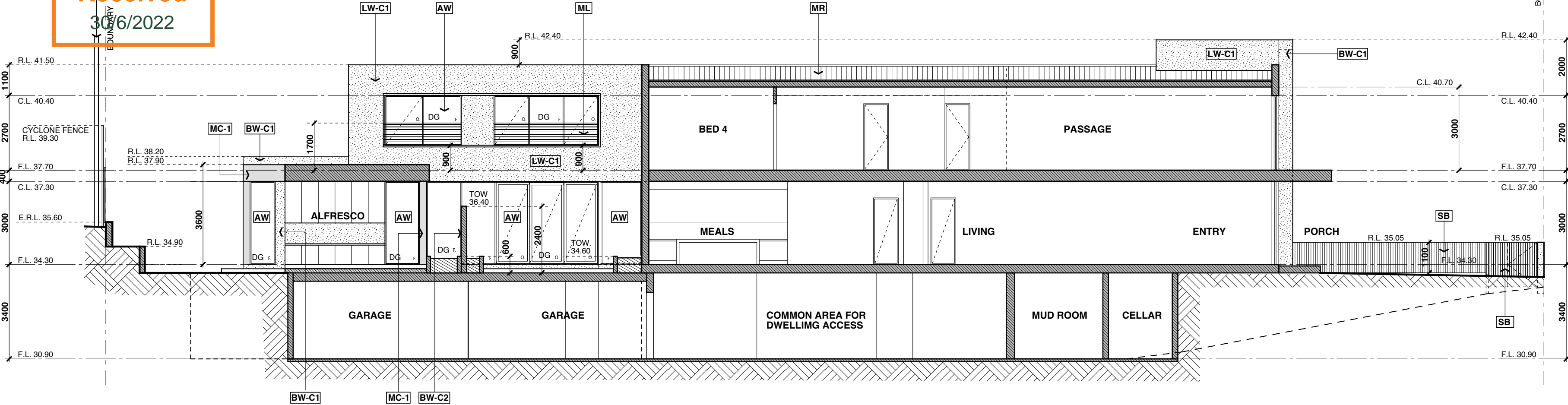
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Drawn: JR-16  
Rev: C

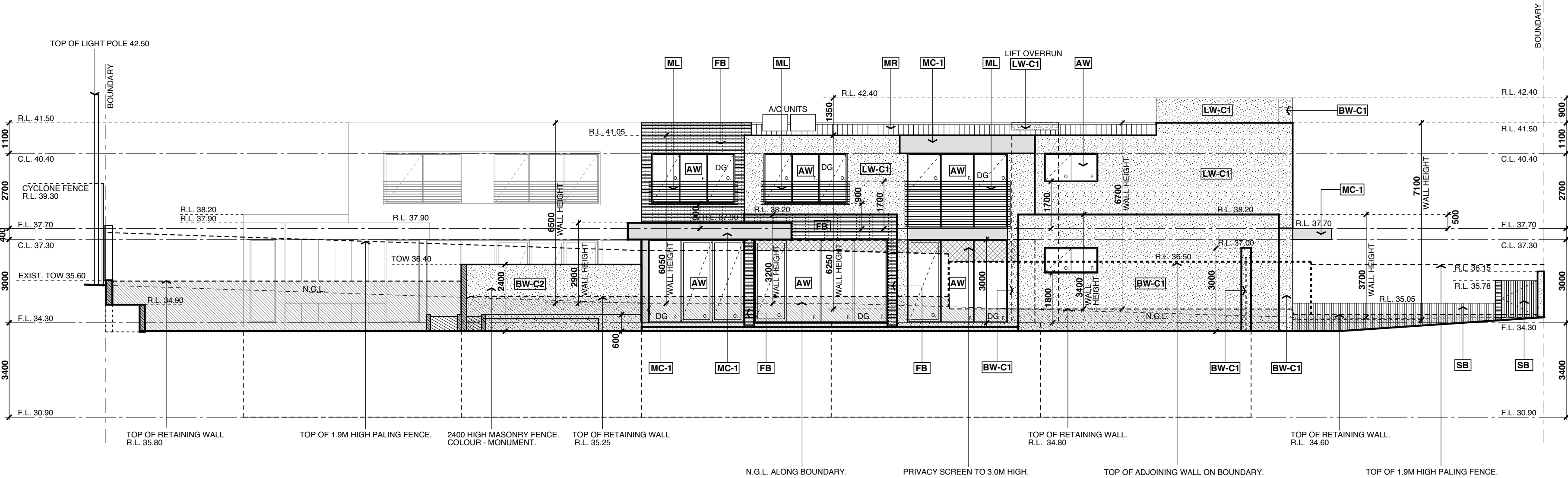


**A3.01**



2. NORTH ELEVATION - CROSS SECTION 1:100

DWELLING 1 - SCHEMATIC DESIGN SECTION ONLY



1. NORTH ELEVATION 1:100

DWELLING 2

Date	Issue	Rev
21.12.21	TOWN PLANNING	A
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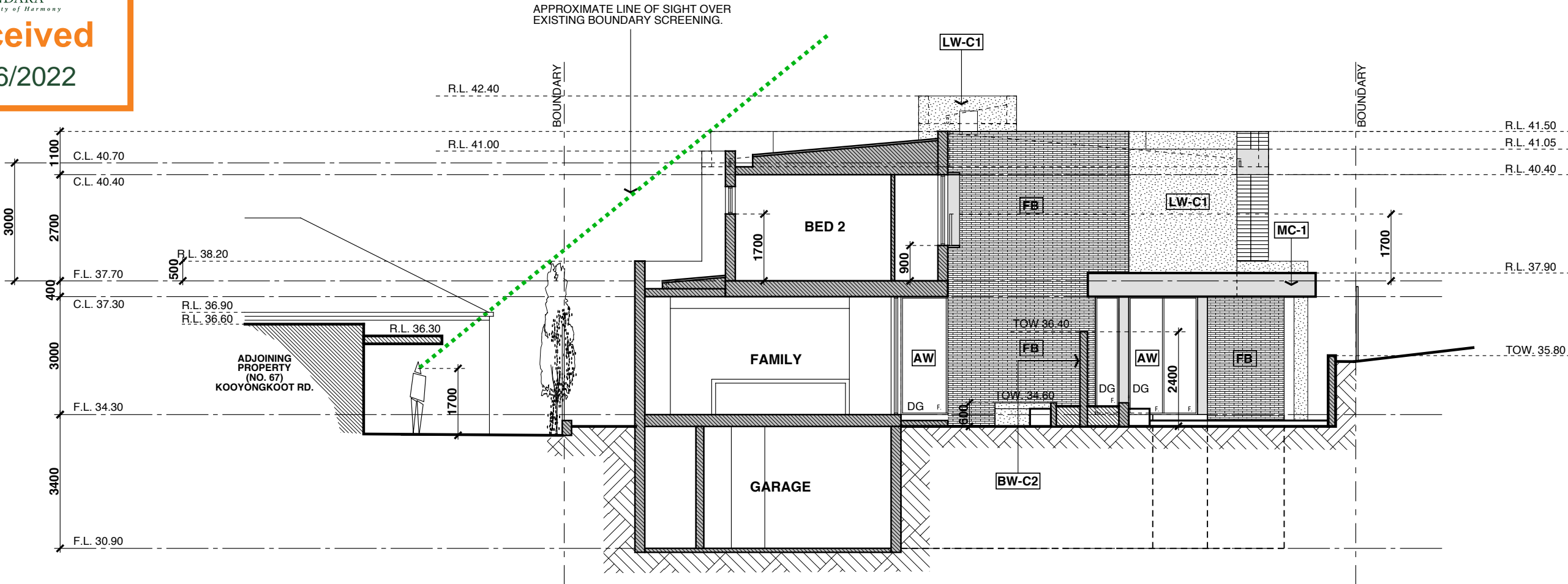
Project: **PROPOSED DEVELOPMENT  
65 KOORYONGKOOT RD,  
HAWTHORN 3122.**

Scales: 1:100  
Date: JUNE 2022  
Drawn: JR-16  
Rev: C



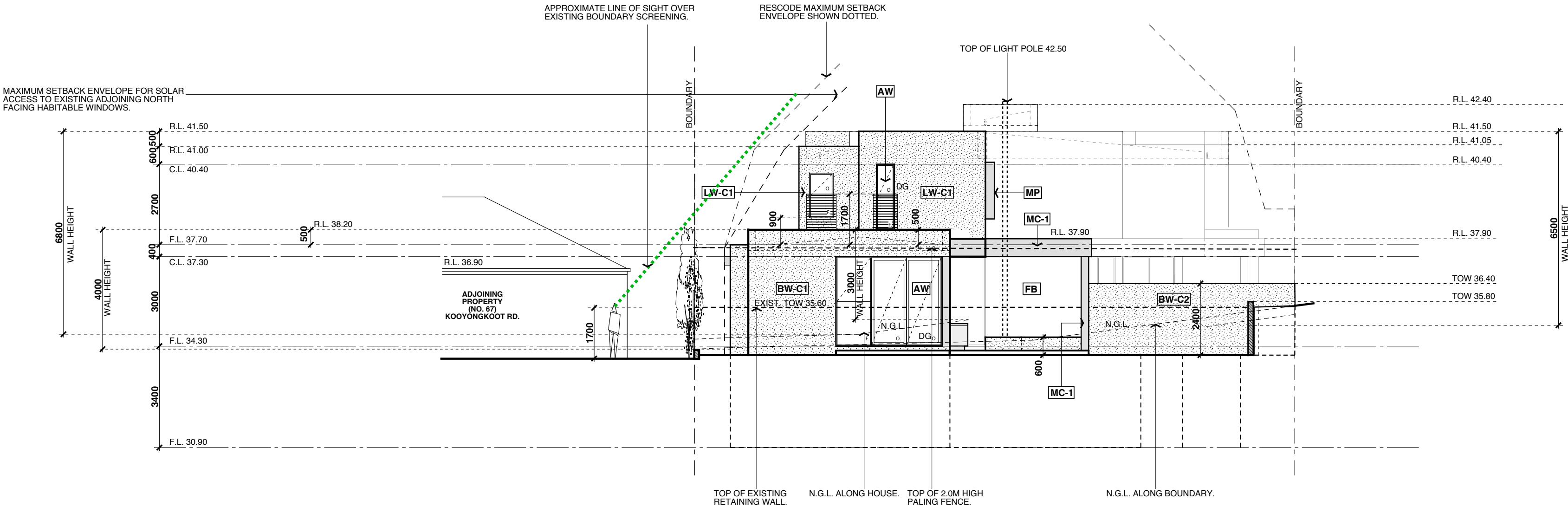
**A3.02**





2. EAST ELEVATION - CROSS SECTION 1:100

DWELLING 2 - SCHEMATIC DESIGN SECTION ONLY.



1. EAST ELEVATION 1:100

DWELLING 1

Date	Issue	Rev
21.12.21	TOWN PLANNING	A
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Project: **PROPOSED DEVELOPMENT  
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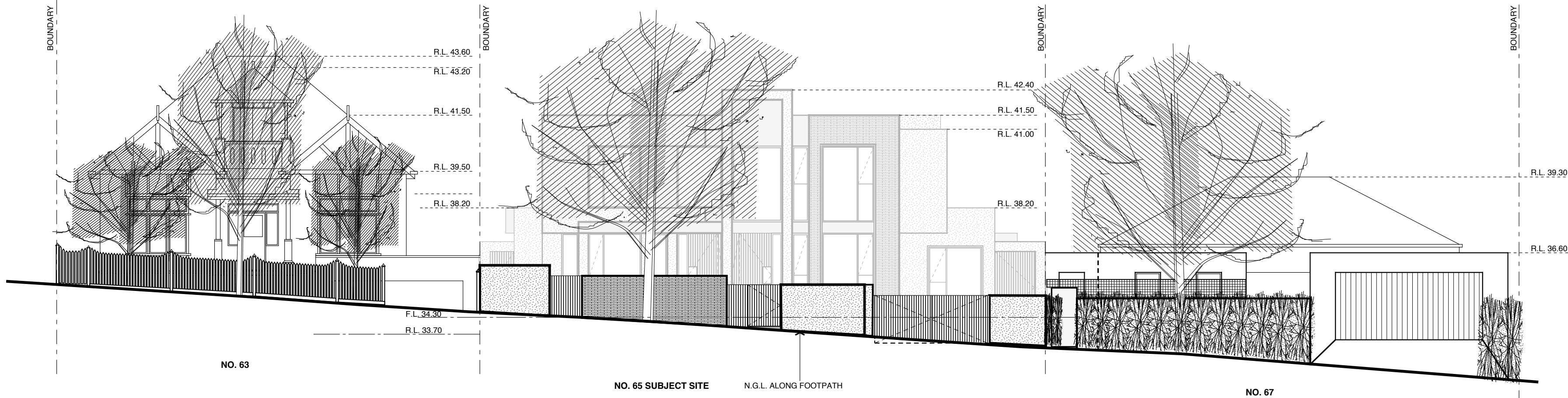
Scales: 1:100  
Date: JUNE 2022  
Drawn: JR-16  
Rev: C



**A3.03**



2. WEST ELEVATION 1:50  
KOOYONGKOOT ROAD STREET VIEW.



1. WEST ELEVATION 1:100  
KOOYONGKOOT ROAD STREETSCAPE ELEVATION.

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21.12.21	TOWN PLANNING	A
17.02.22	TOWN PLANNING	B
03.06.22	TOWN PLANNING	C

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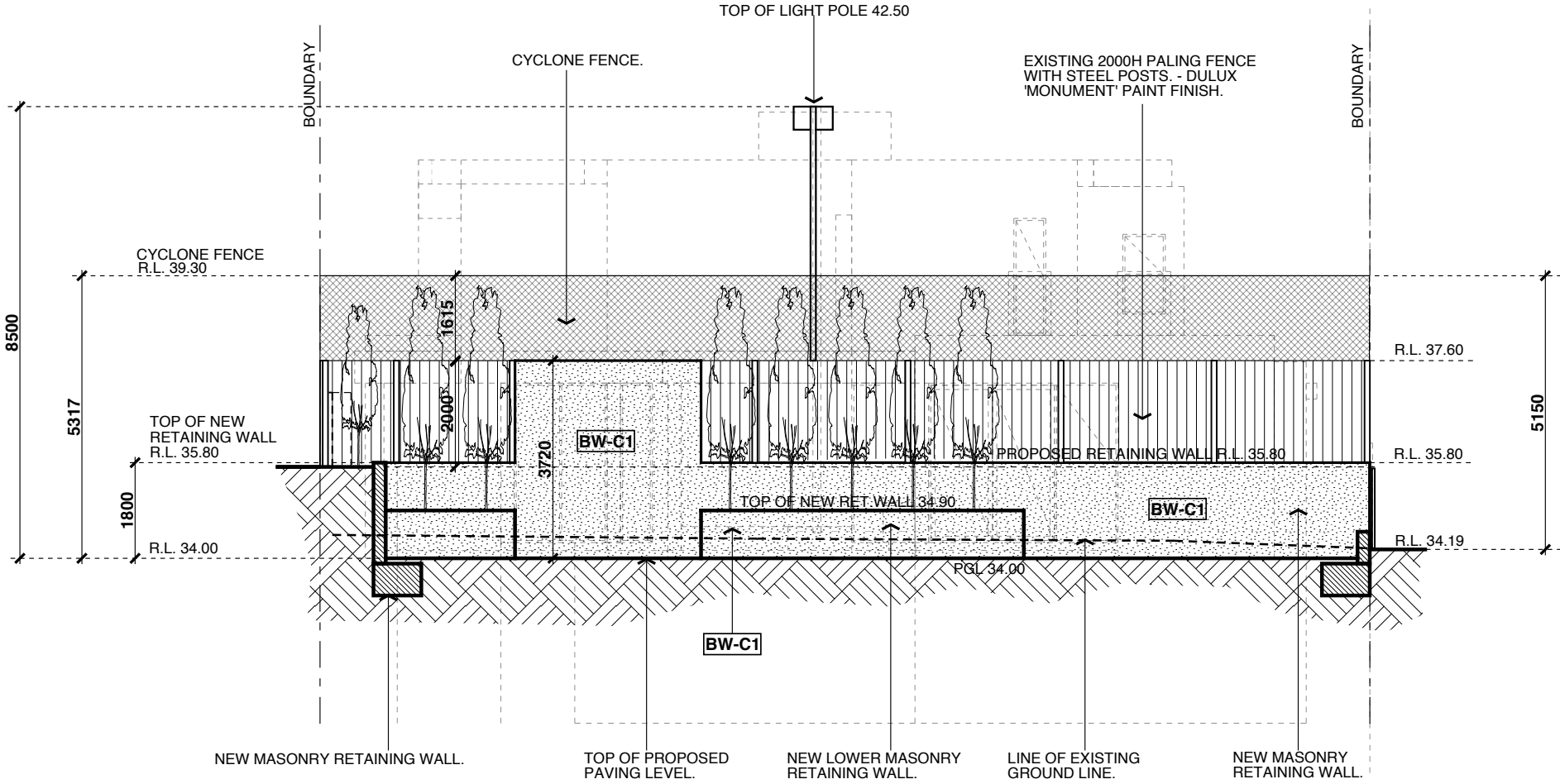
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Date: JUNE 2022  
Drawn: JR-16  
Rev: C



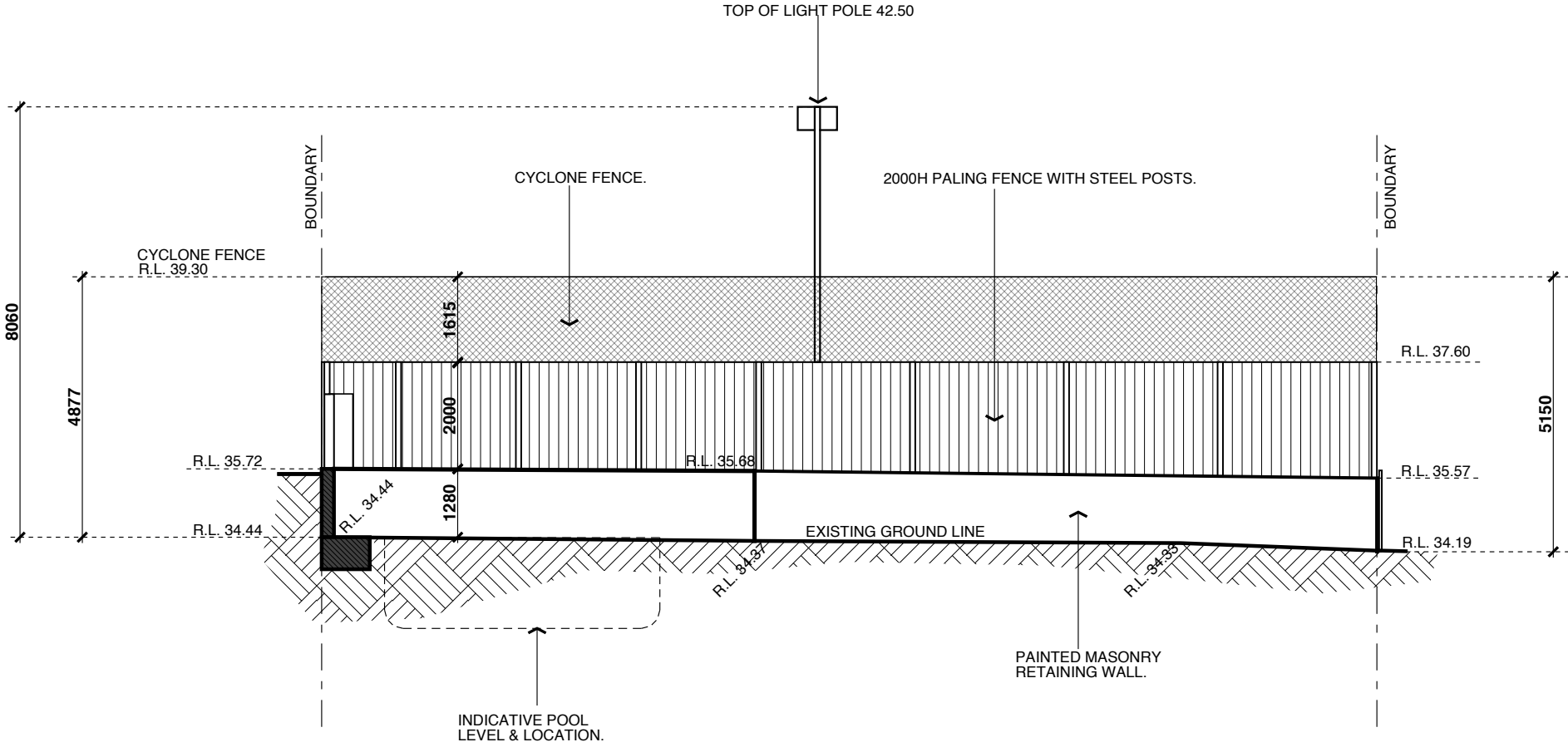
**A3.04**







PROPOSED INTERNAL FENCE ELEVATION 1:100  
EASTERN WALL INTERNAL ELEVATION



EXISTING INTERNAL FENCE ELEVATION 1:100  
EASTERN WALL INTERNAL ELEVATION

Date	Issue	Rev
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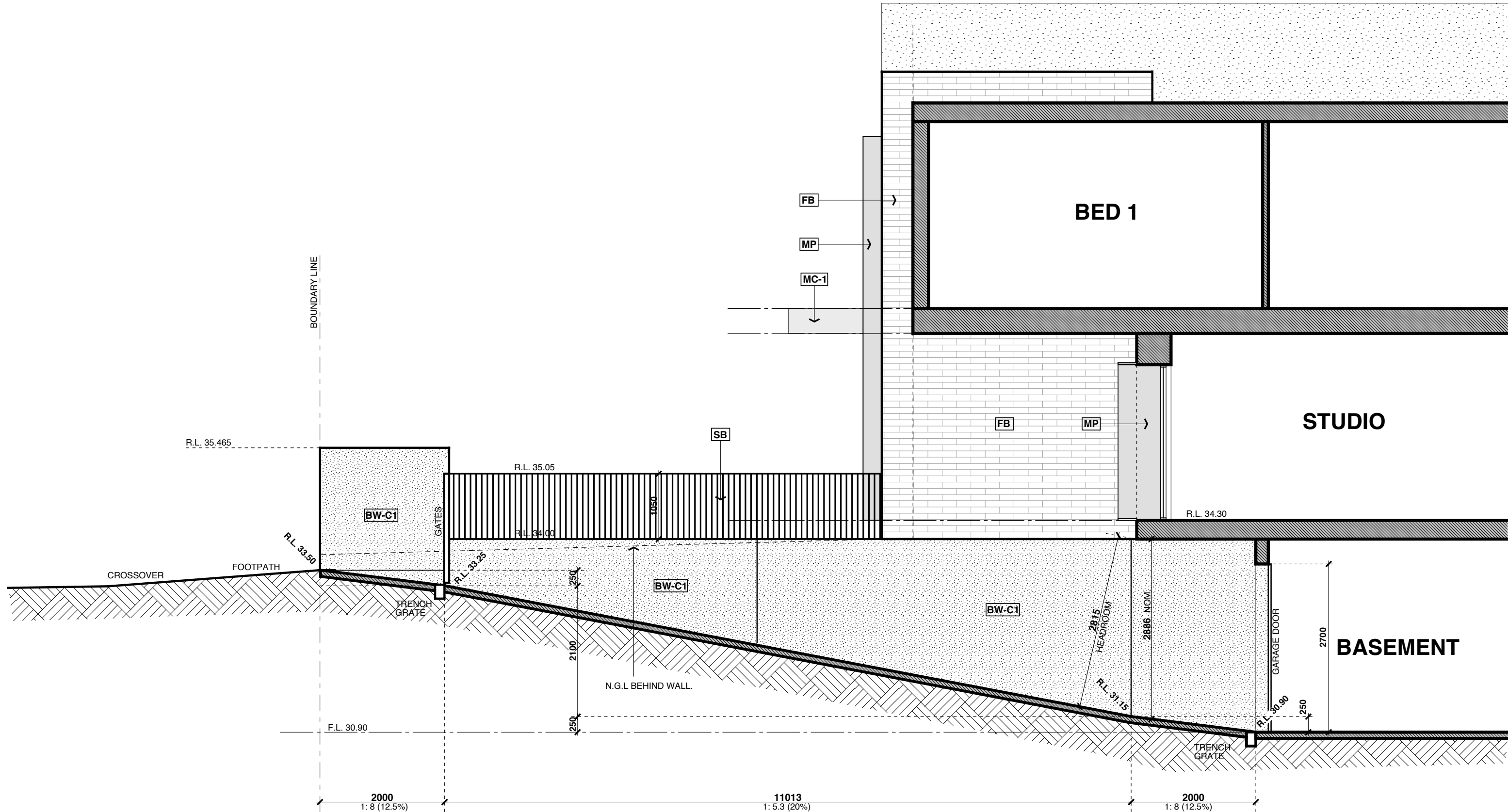
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**A3.06**



**DRIVEWAY RAMP DETAIL/SECTION** **1:50**  
NORTH WALL ELEVATION - SCHEMATIC DESIGN SECTION ONLY.

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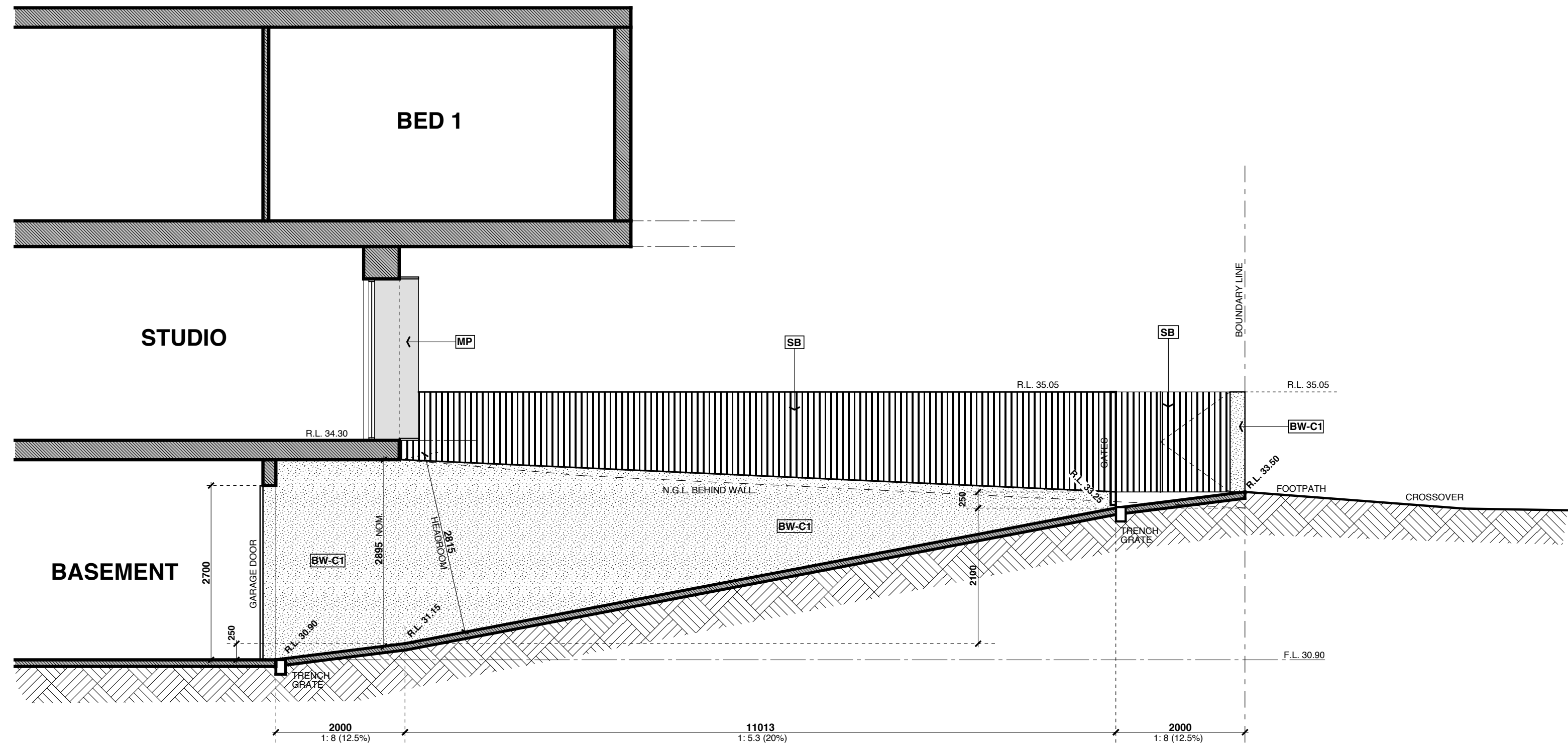
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Date: JUNE 2022	Rev: C



**A3.07**



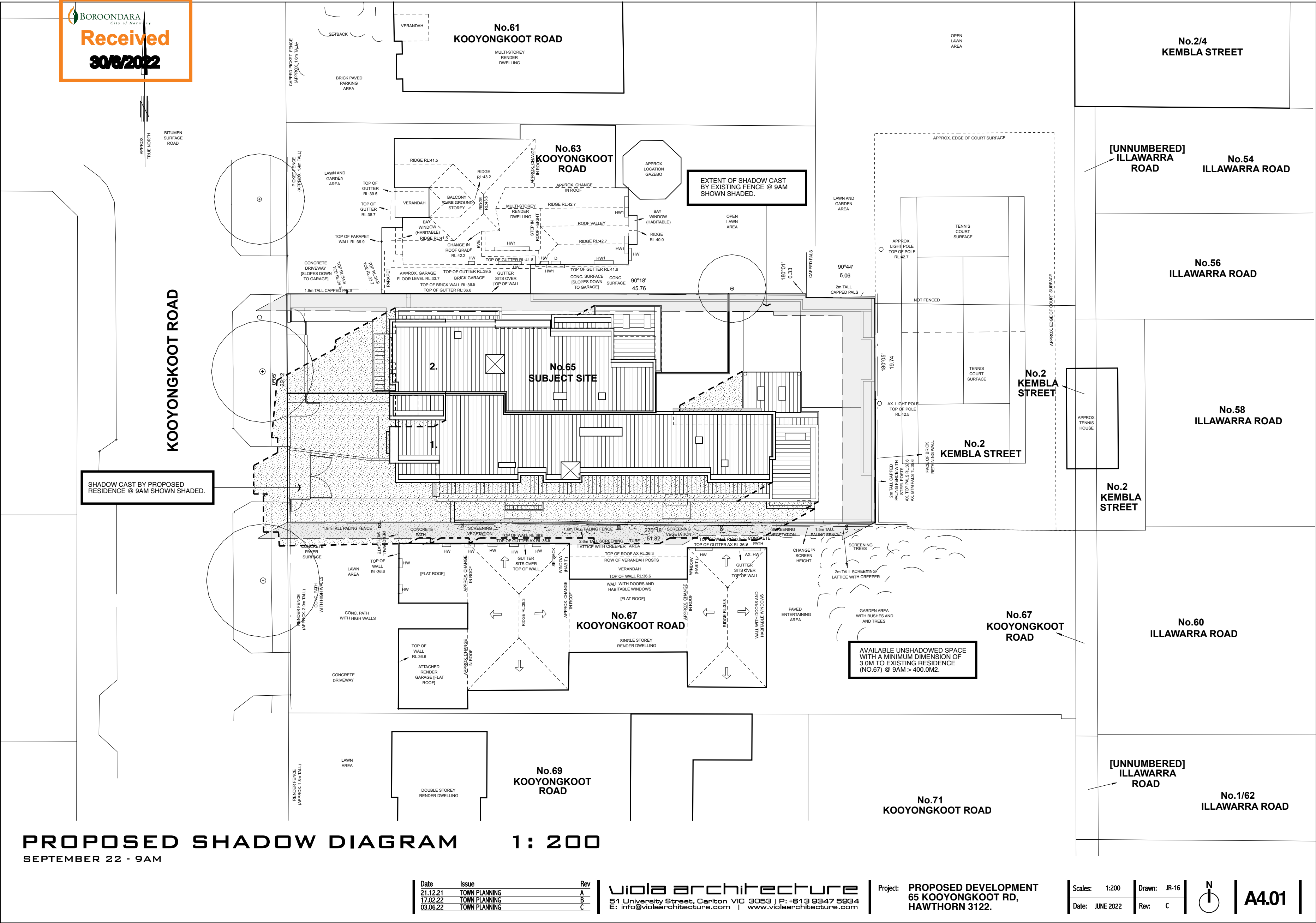


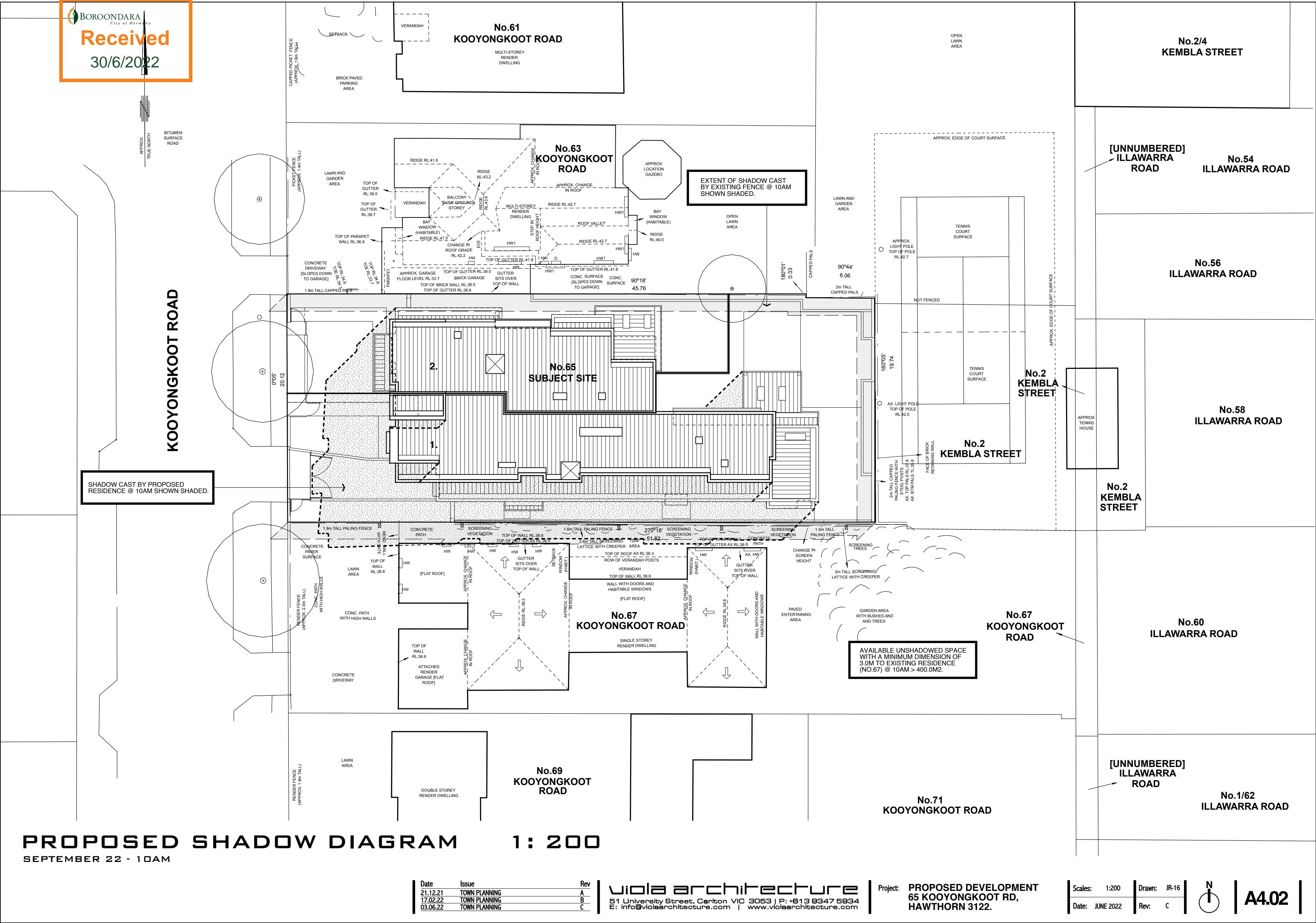
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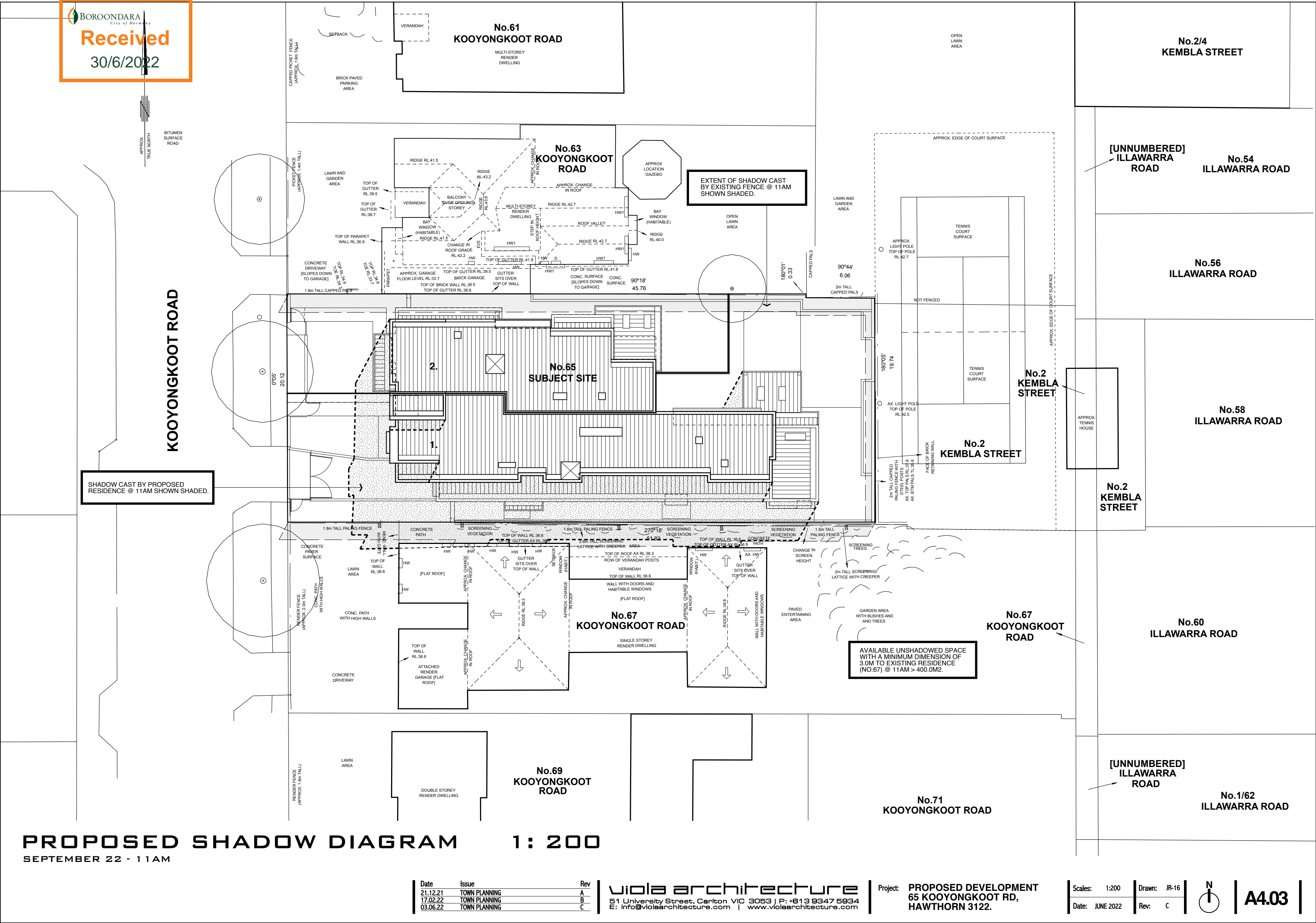
Date	Issue	Rev
21.12.21	TOWN PLANNING	A
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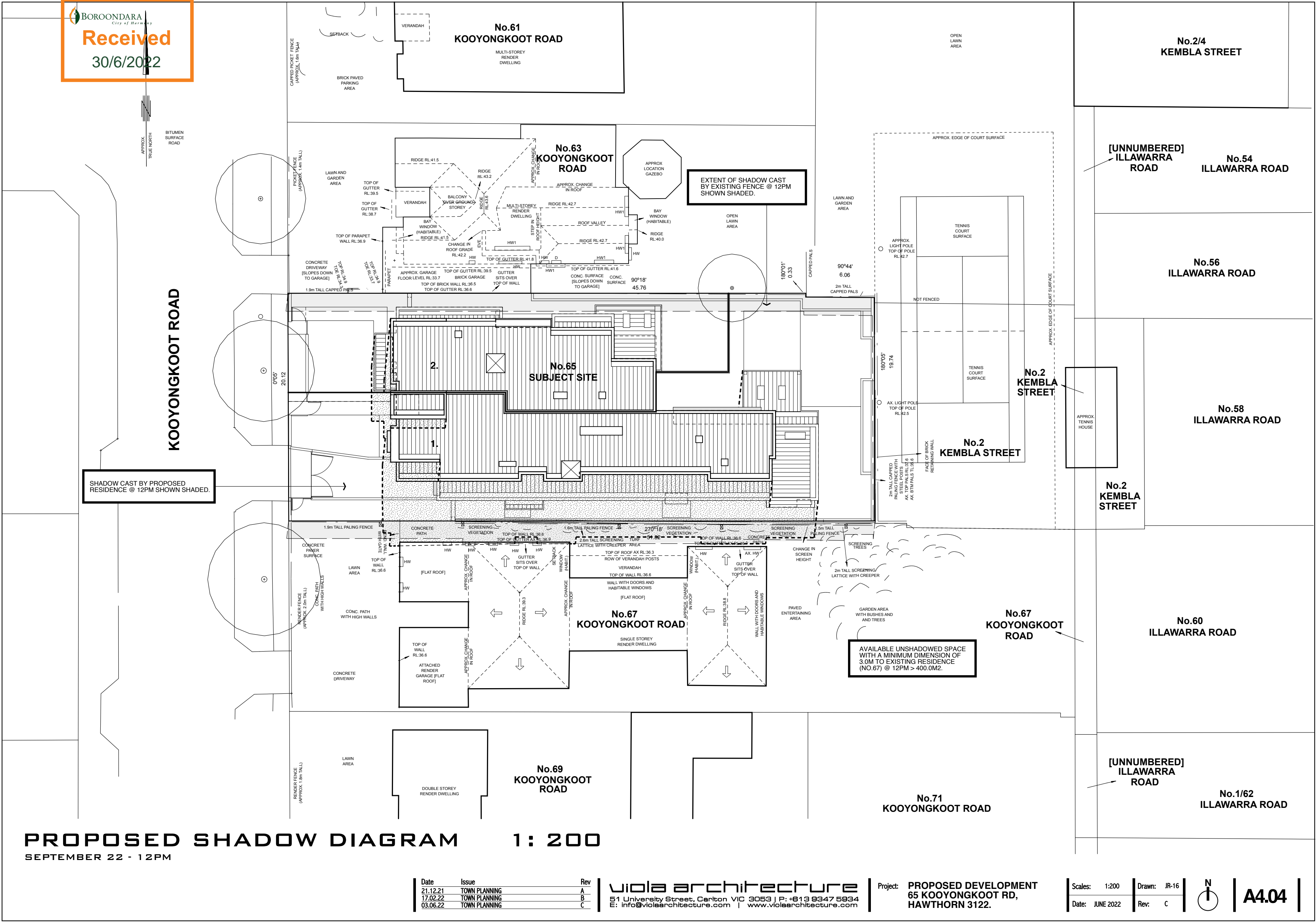
### A3.08











PROPOSED SHADOW DIAGRAM 1: 200  
SEPTEMBER 22 - 12PM

Date	Issue	Rev
21.12.21	TOWN PLANNING	A
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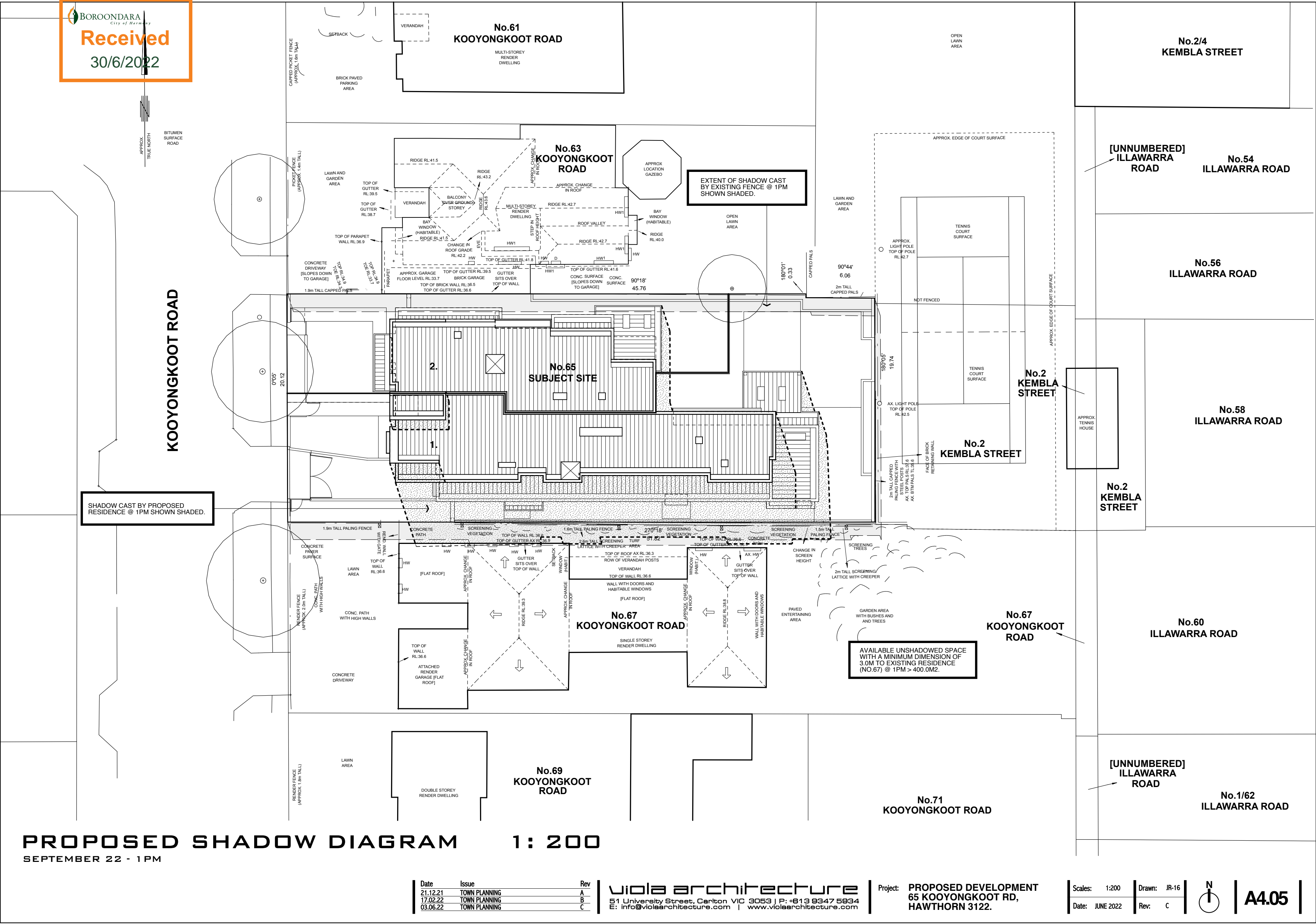
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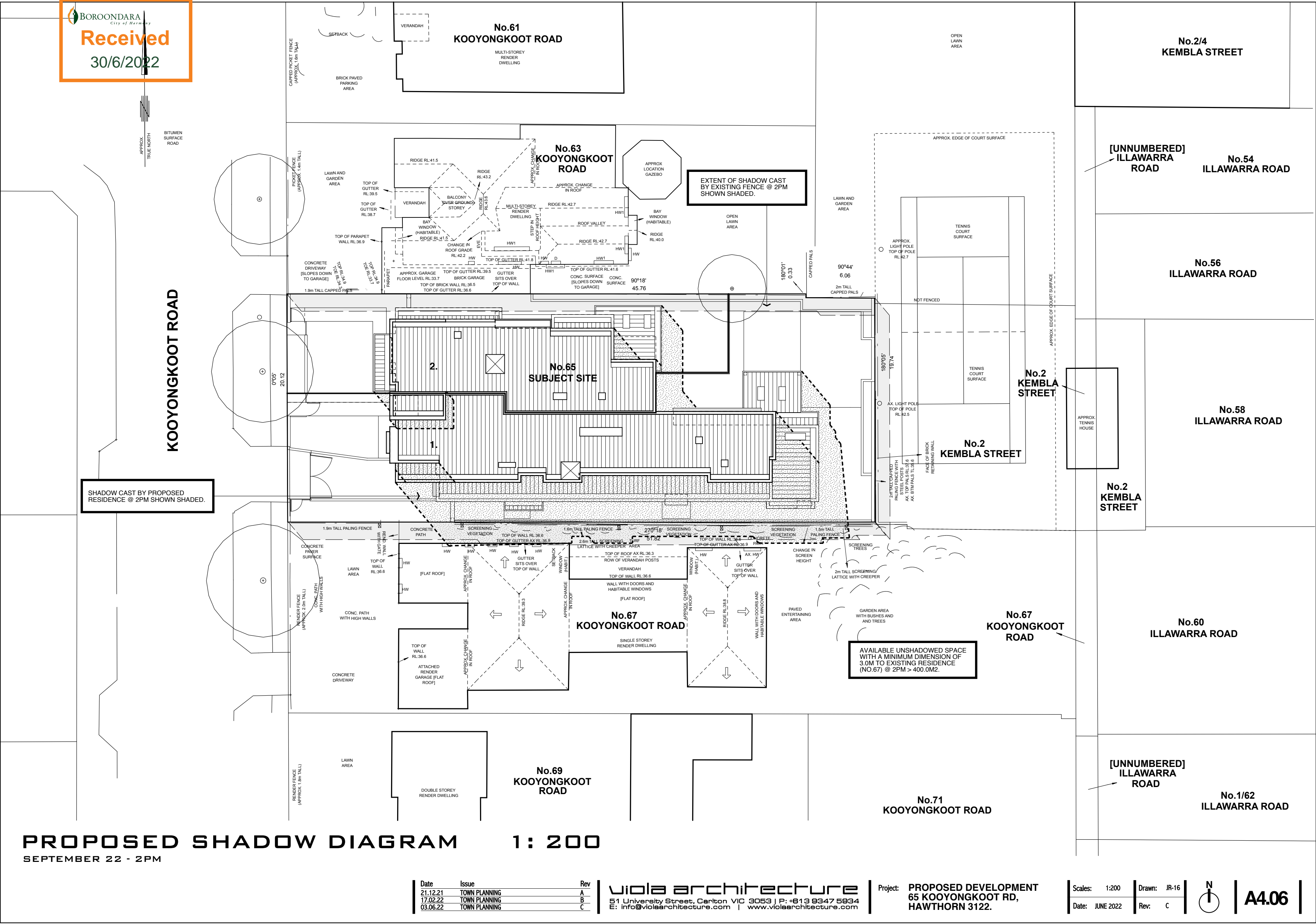
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Date: JUNE 2022  
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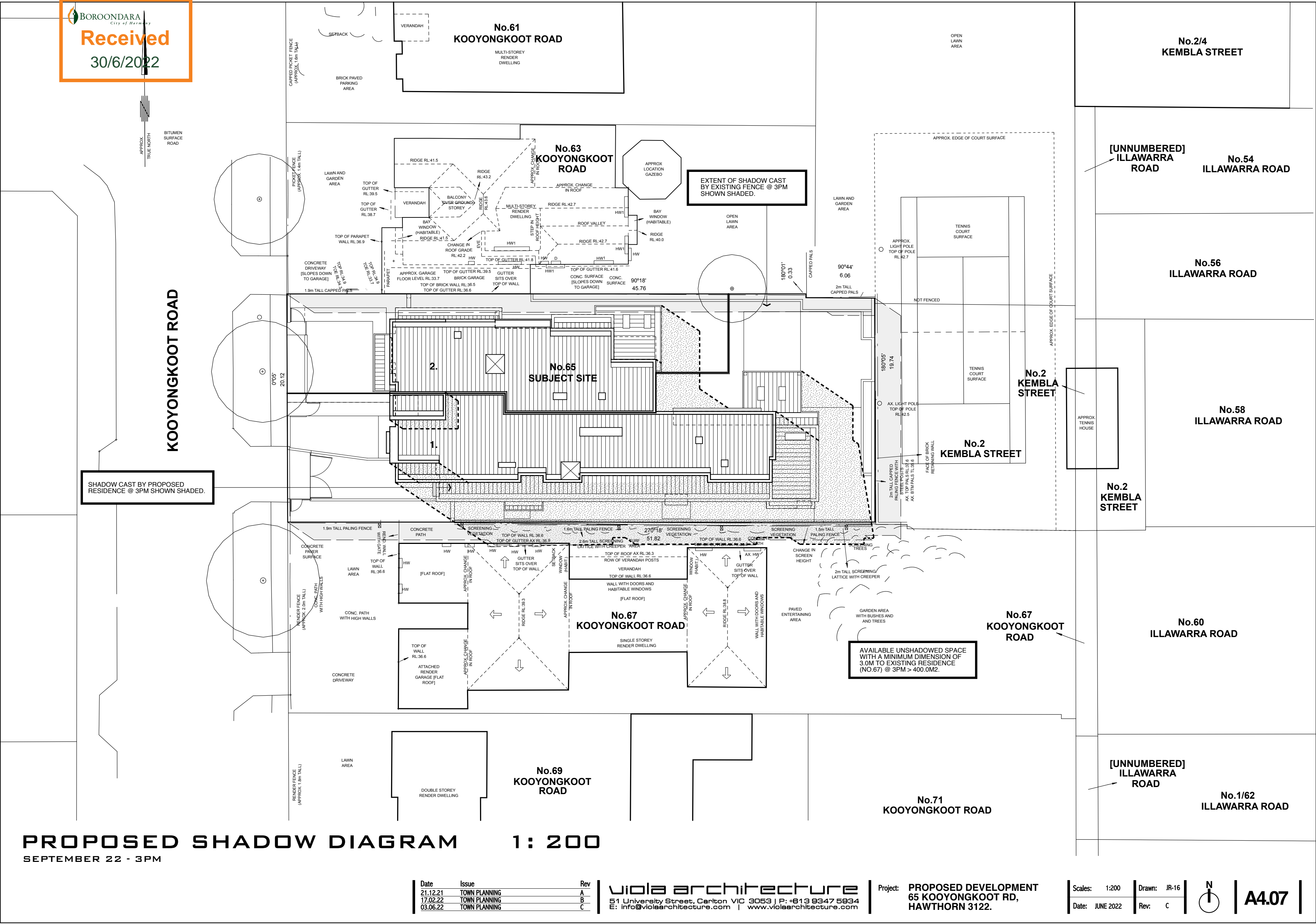


**A4.04**

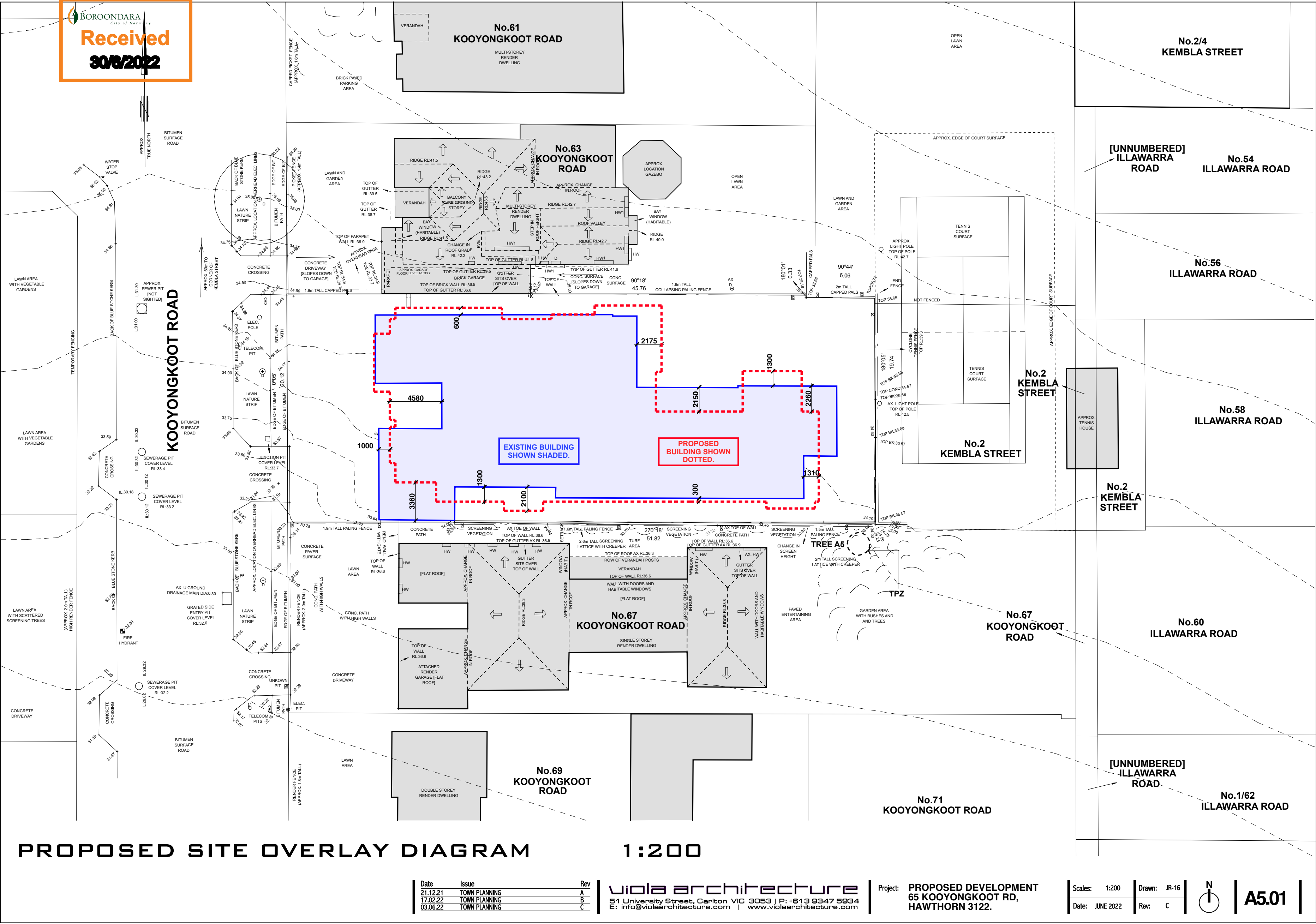


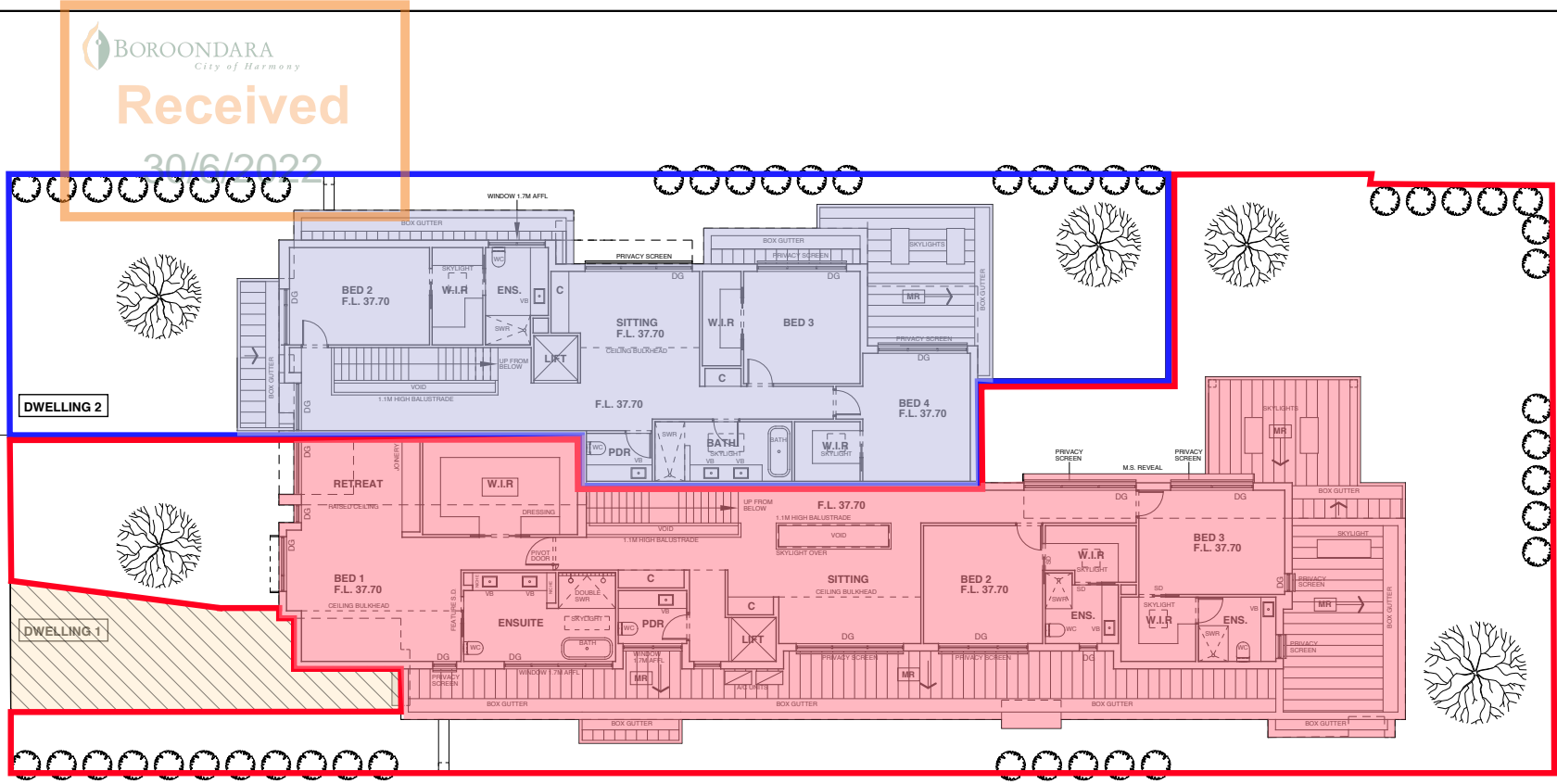




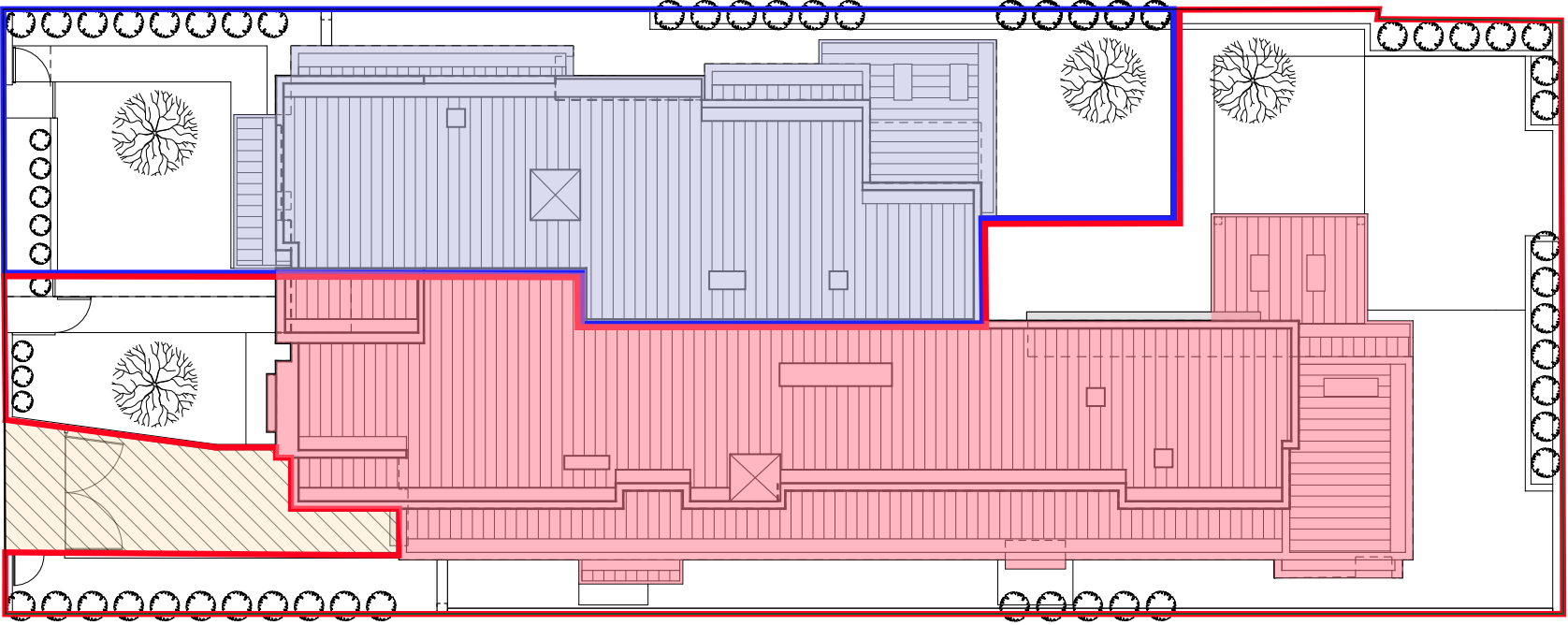




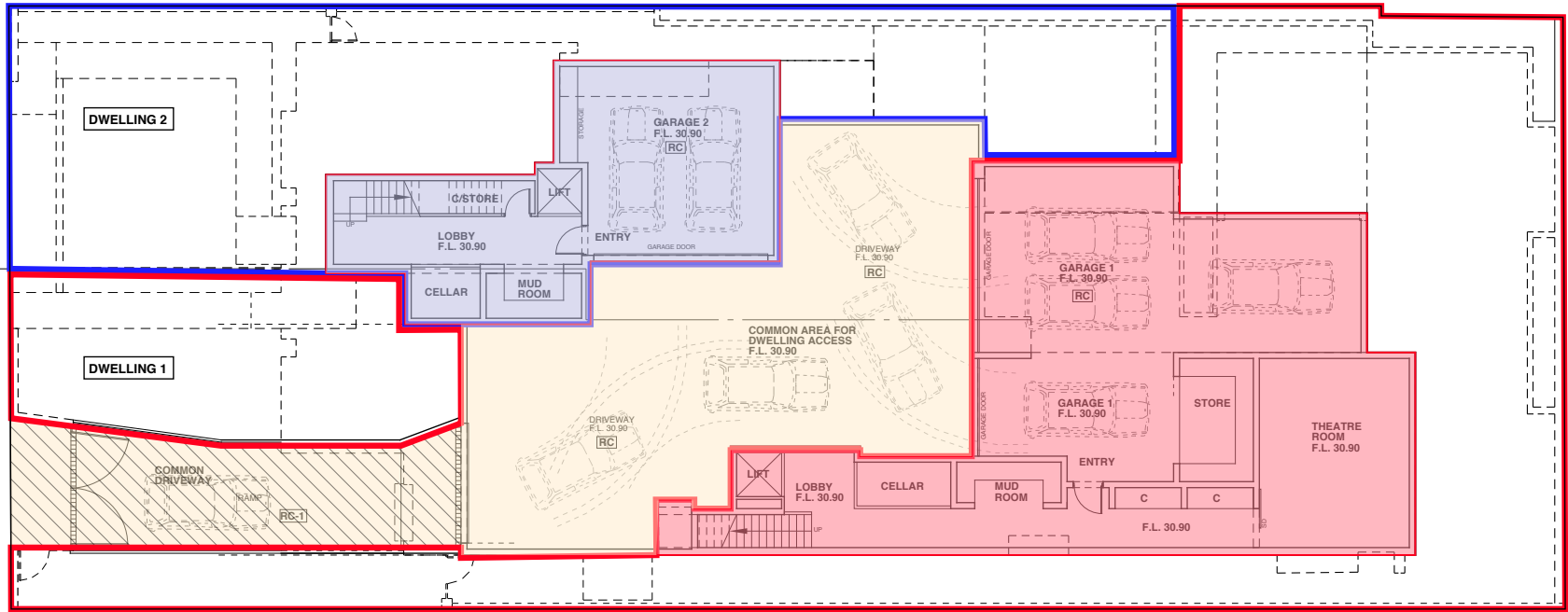




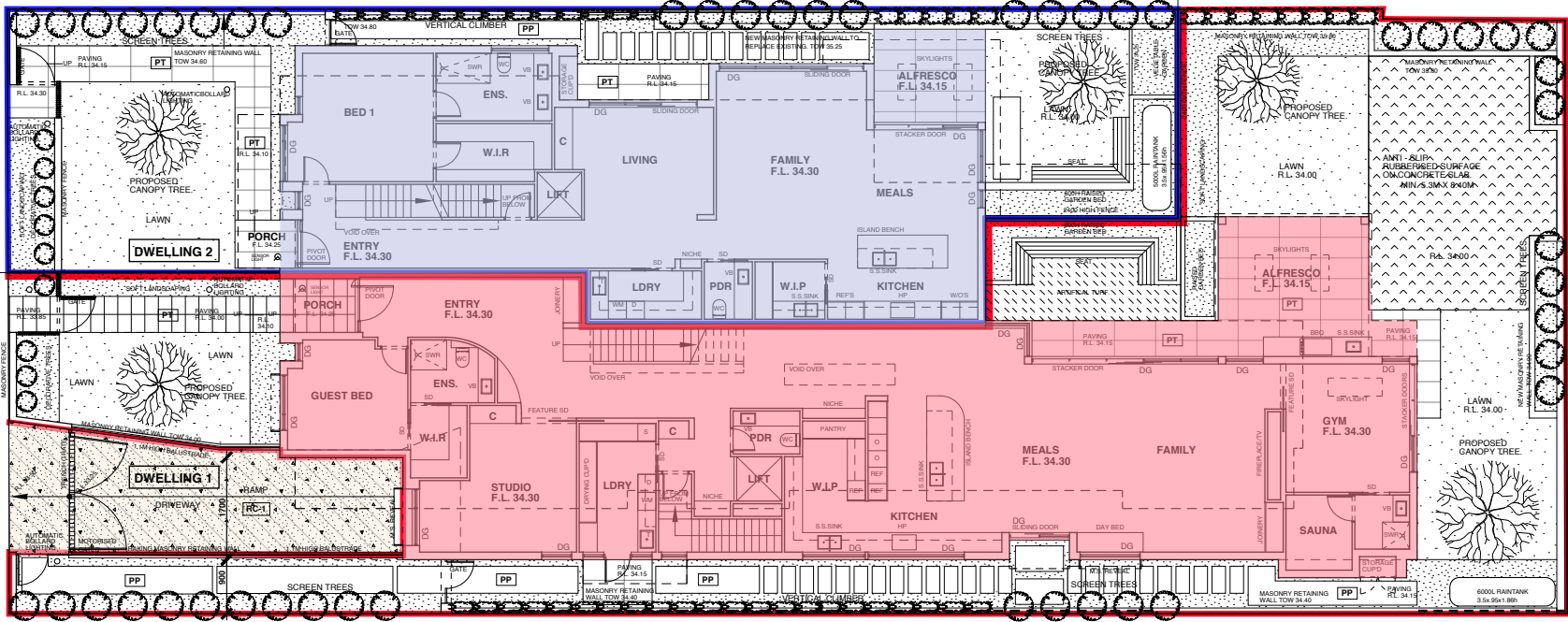
FIRST FLOOR PLAN



ROOF PLAN



LOWER GROUND FLOOR PLAN



GROUND FLOOR PLAN

PROPOSED DIVISIONS BETWEEN DWELLINGS

1:200

**KEY**

- DWELLING 1 - SITE OUTLINE
- DWELLING 1 - GENERAL BUILDING FOOTPRINT
- DWELLING 2 - SITE OUTLINE
- DWELLING 2 - GENERAL BUILDING FOOTPRINT
- COMMON AREA - INTERNAL
- COMMON AREA - EXTERNAL

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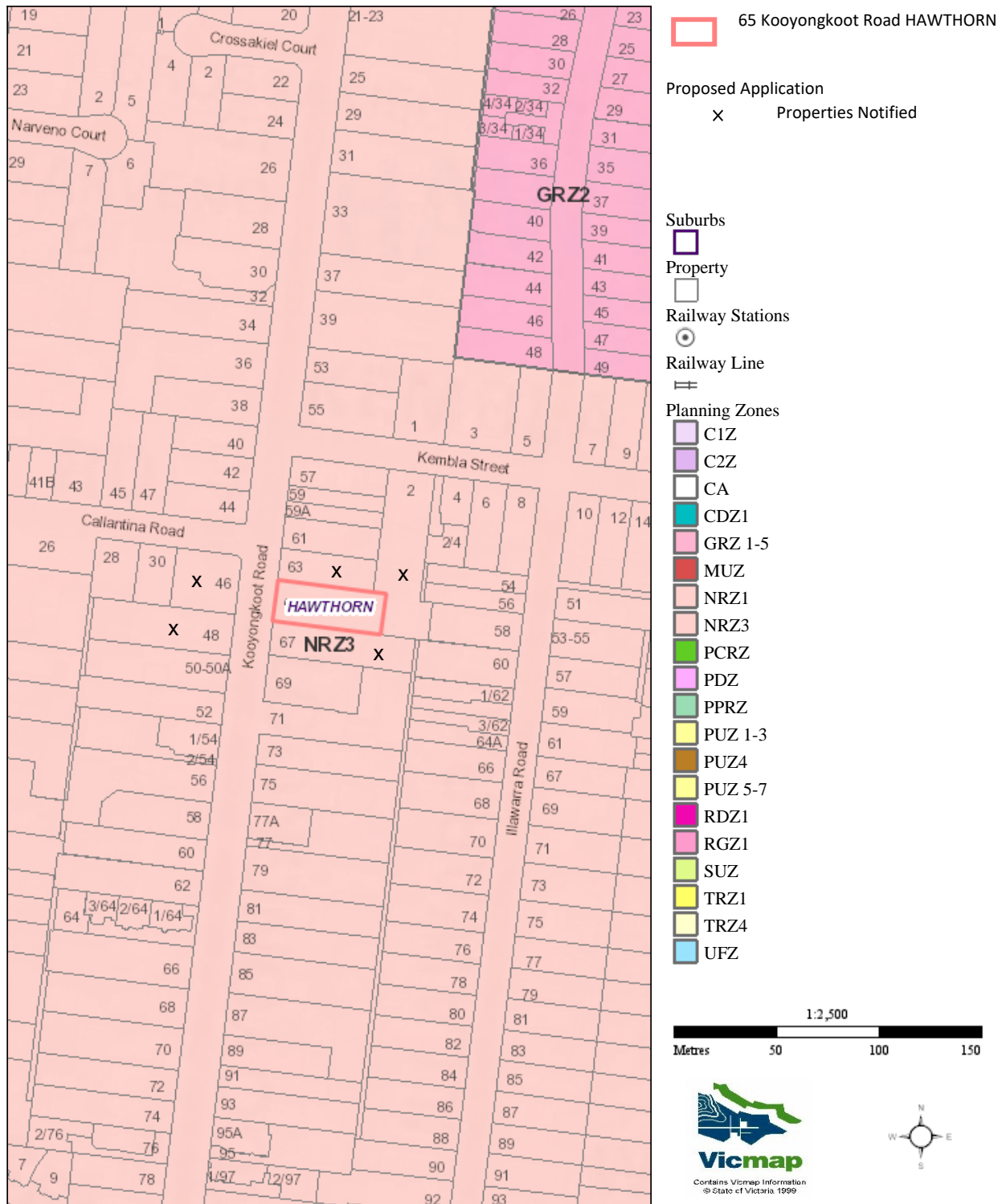
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A5.02

## Location of Subject Site, Notified Properties



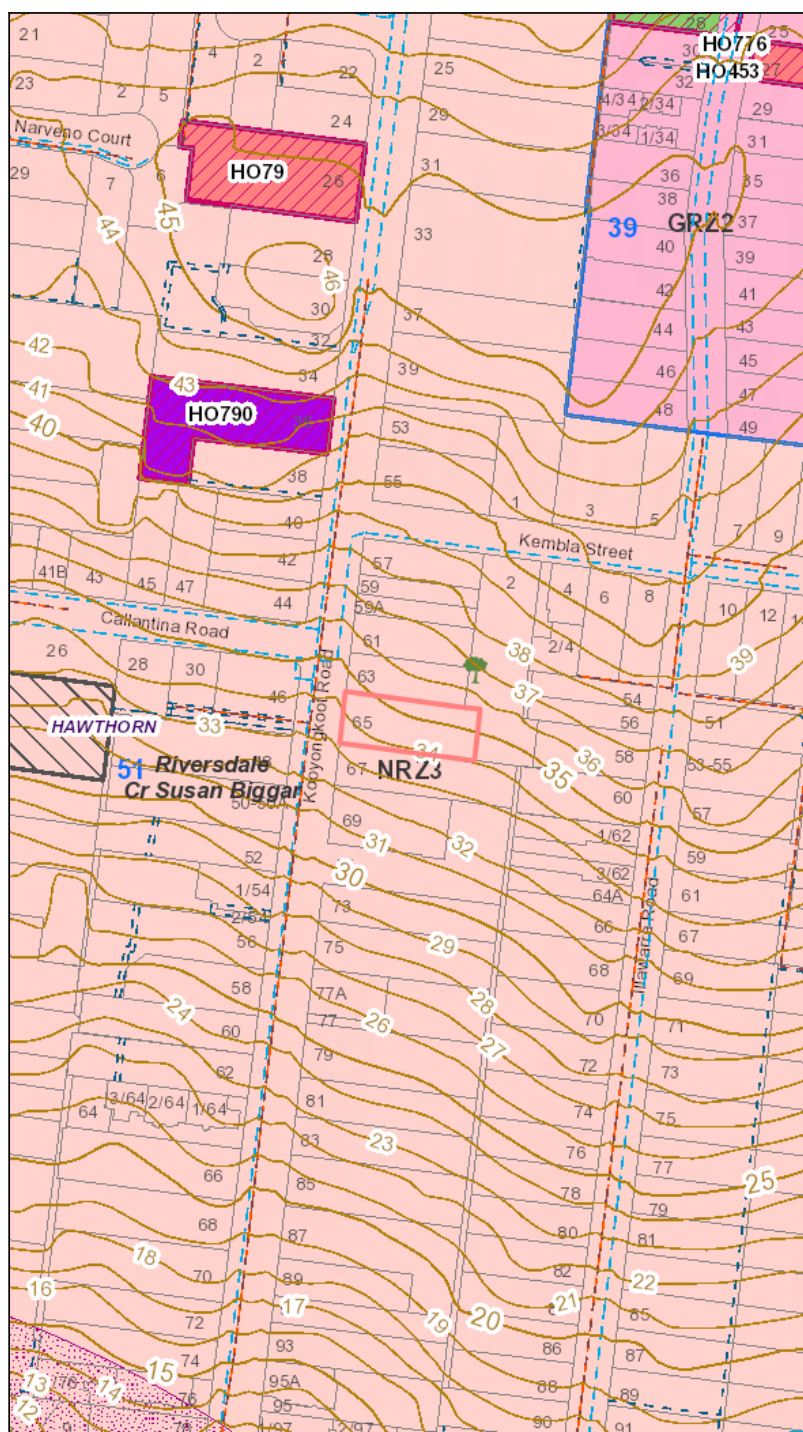
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Map produced: 1 September 2022, 21:53:26



## Zoning Map



65 Kooyongkoot Road, HAWTHORN

### Planning Scheme Zones

NRZ	Neighbourhood Residential
GRZ	General Residential

1:2,500  
Metres 50 100



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