

### 3 Presentation of officer reports

#### 3.1 48-52 Riversdale Road, Hawthorn - Four storey apartment building - PP23/0152

##### Executive Summary

###### Proposal

The application seeks planning permission for the development of the land at 48-52 Riversdale Road, Hawthorn (the Site) for the purpose of multiple dwellings on a lot and alteration of access to a road in a Transport Zone 2; comprising 29 dwellings within a 4 storey apartment building, upon basement car parking.

The key details of the proposal are summarised as follows:

- Site area: 1,619sqm
- Apartments: 29 (1x1bed, 23x2bed & 5x3bed)
- Car parking spaces: 35 (34 spaces required)
- Bicycle parking spaces: 22
- Site coverage: 65.44%
- Permeability: 20.13%
- Building height: 4 storeys and 14.1 metres

The proposed building would adopt a contemporary form and appearance, presenting a 3 storey façade to Riversdale Road. The building has been designed with a split level arrangement owing to the slope of the land, allowing the building to step down to the rear of the Site, with the slope.

The proposal includes the removal of the majority of trees onsite; however, Tree 24 is proposed for retention. Tree 24 is a 15m high, mature Brittle Gum, located to the front setback.

13 objections have been received to the application.

###### Key Issues

The following key considerations are addressed in the Planning Assessment Report:

- Strategic Directions
- Planning Zone
- Neighbourhood Character
- Onsite and Offsite Amenity
- Traffic, Transport and Parking
- Environmental Sustainability
- Integrated Decision Making

###### Officer's Response

Planning Officers have undertaken a detailed assessment of the proposal in accordance with the requirements of the Boroondara Planning Scheme, as outlined in the Planning Assessment Report.

The proposal is considered to be appropriate and acceptable, for the following reasons:

- The proposal has strategic support from the Planning Scheme, which has a consistent theme of increasing residential density within accessible and strategically appropriate locations. This is reflected in Council's Housing Framework Plan which identifies the site for 'increased diversity and density' and categorises the land as a 'main road apartment precinct'.
- The proposal achieves the express purpose of the zone which includes to provide housing at increased densities in buildings up to and including four storeys.
- The proposal is well conceived from an architectural and urban design perspective, resulting in a high quality and contextual development which will sit comfortably within its context. Further, the development provides for an appropriate transition to the surrounding Neighbourhood Residential Zoned land.
- The development provides for considerable landscaping opportunities, appropriate to the physical and policy context.
- The development accommodates the retention of the mature Brittle Gum within the front setback.
- The development achieves excellent standards of onsite amenity, including appropriate levels of outdoor space.
- The development will not result in undue offsite amenity impacts.
- The development complies with all Clause 55 (ResCode & Apartment Development) objectives and most standards.
- The development provides an oversupply of parking spaces and the traffic movements will not unduly impact the surrounding network.
- The development provides an oversupply of bike parking spaces.
- The development achieves 'best practice' in term of sustainable design.

## Officers' recommendation

That the Urban Planning Delegated Committee resolve to issue a Notice of Decision to Grant a Planning Permit for Planning Permit Application PP23/0152 to construct multiple dwellings on a lot and to create or alter access to a road in a Transport Zone 2, involving a 4 storey apartment building upon basement car parking, at 48-52 Riversdale Road, Hawthorn under the Boroondara Planning Scheme subject to the following conditions:

### Stormwater Drainage Plan Prerequisite Requirements

1. Prior to the submission of Amended Plans pursuant to Condition 2, Development Stormwater Drainage Plans must be submitted to and approved by Council's Asset and Capital Planning team (Drainage), the Responsible Authority. The plans must be prepared by a Registered Professional Civil Engineer with endorsement as a building engineer and must include:
  - (a) The use of an On-site Stormwater Detention (OSD) system;
  - (b) The connection to the Council nominated Legal Point of Discharge;
  - (c) The outfall drainage works necessary to connect the subject site to the Council nominated Legal Point of Discharge;
  - (d) The integration, details and connections of all Water Sensitive Urban Design (WSUD) features in accordance with the Environmentally Sustainable Design (ESD) and STORM report and include drainage details as a result of landscaping;



- (e) A suitably prepared design with computations for the internal drainage and method of disposal of stormwater from all roofed areas and sealed areas;
- (f) All drainage plans must show the Trees to be retained and include the Tree Number; The Structural Root Zone (SRZ) radius; and the Tree Protection Zone (TPZ) radius, as detailed in accordance with the arborist report submitted with the application.
- (g) All drainage plans must show proposed trees to be planted in accordance with the landscape plan submitted with the application.

### **Amended plans required**

2. 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 plans advertised on 7 September 2023 but modified to show:
  - (a) Details of the development stormwater drainage plans in accordance with Condition 1.
  - (b) Annotation to confirm that any landscaping or other obstruction within the sight triangles must be no higher than 900mm in height or made to be 50% permeable in order to maintain visibility to pedestrians.
  - (c) Electric Vehicle charging infrastructure to all car parking spaces.
  - (d) A total provision of 29 bicycle parking spaces.
  - (e) A rainwater harvesting tank with a total capacity of 12,500L.
  - (f) Increased setbacks to the second floor balcony balustrade/screening from the southern boundary, to comply with Clause 55 Standard B20 (north facing windows). The increased setback is to be absorbed within the building envelope and without reducing any other setback.
  - (g) Demonstrate through the use of overlooking sectional diagrams, along with any additional overlooking measures (as necessary), that the development complies with Clause 55 Standard B22 (Overlooking) from the following areas:
    - a. Ground floor and associated decking to the west and rear. Any necessary screening to these interfaces must be setback from the common boundary and provided as free-standing screening.
    - b. Second floor balconies to the rear and west.
    - c. Third floor terrace/balcony, to all neighbouring interfaces.
  - (h) Updated materials schedule to depict the proposed balustrades / overlooking screening, specify the colour and materiality and confirm that screening will be no more than 25% open.
  - (i) The location of all outdoor heating and cooling units must be depicted and they must be located away from the existing habitable rooms.
  - (j) Any changes required by the Sustainable Management Plan, required at Condition 5.
  - (k) Any changes required by the Landscape Plan, required at Condition 8.
  - (l) Any reductions to the built form and/or works recommended in the endorsed Tree Management Plan, required at Condition 11. Any reductions must be accommodated within the building envelope and without the reduction of any other setbacks.
  - (m) Any changes required by the Waste Management Plan, required at Condition 27.

**Trees**

- (n) The Tree Protection Zone and Structural Root Zone of Tree Nos. 2, 3, 4, 12, 15, 16, 17, 18, 19, 20, 21 22, 24, 26 (as identified in the Arborist Report submitted with the application prepared by Glenn Waters Arboricultural (dated 20/10/2022) drawn on all site and floor plans.
- (o) Notation on all site and floor plans that Tree Nos. 2, 3, 4, 12, 15, 16, 17, 18 (neighbouring portion of tree group), 19, 20, 21 22, 24, 26 are to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit.
- (p) Notation confirming that all fencing and decking structures within the TPZ of Tree 24 and all neighbouring trees to incorporate root sensitive footings or as otherwise agreed in the endorsed Tree Management Plan required by this Permit.
- (q) Notation confirming permanent fencing within the Tree Protection Zone of Tree 12 and 26 are to be constructed on pier foundations with any required plinths constructed above existing grade.
- (r) Notation confirming that existing ground levels are to be maintained in TPZs for retained trees (excluding approved built form).
- (s) Any decking within the SRZ of Tree 15 and 17 to be deleted.
- (t) A notation confirming that the siting of any necessary stormwater detention pit, underground services and pits, and/or rainwater harvesting tank will be located outside any area set aside for deep-soil planting and outside the Tree Protection Zone of any trees to be retained/protected.
- (u) Notation on all site and floor plans that all excavations within the Tree Protection Zones of retained onsite trees and neighbouring trees shall be carried out in accordance with the endorsed Tree Management Plan required by this Permit.
- (v) Notation on all site and floor plans that all excavations within the Tree Protection Zone of Tree 12 and 26 must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, documented and certified by the Project Arborist.

**Layout not to be altered**

- 3. 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.

**Privacy measures must be installed**

- 4. Prior to occupation of the development approved by this permit the installation of any privacy screens and measures shown on the endorsed plans must be undertaken in accordance with the endorsed plans. The privacy screens must be maintained thereafter to the satisfaction of the Responsible Authority.

**Updated Sustainable Management Plan**

- 5. Concurrent with the endorsement of plans required by Condition 2, an updated Sustainable Management Plan (ESD Report) must be submitted to and approved to the satisfaction by the Responsible Authority. The Report must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the ESD Report advertised on 7 September 2023 prepared by Energy, Water and Environment, but modified to include the following changes:
  - a. An amended stormwater management plan that includes a maintenance plan, stating periodic actions, requirements, and responsibilities.
  - b. Specification for electric vehicle charging infrastructure provisions in accordance with the National Construction Code 2022.

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

### **Implementation of ESD measures**

6. All works must be undertaken in accordance with the endorsed ESD Report to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.

### **Confirmation of ESD measures**

7. Prior to the commencement of occupation or issue of a Statement of Compliance, whichever comes first, of any part approved under this permit, a report from the author of the ESD Report approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm through supporting evidence that all measures specified in the endorsed ESD Report have been implemented in accordance with the approved plan.

### **Updated Landscape Plan**

8. Concurrent with the endorsement of plans required by Condition 2, a detailed Landscape Plan must be submitted to satisfaction of the Responsible Authority. Once approved the Landscape Plan will be endorsed and form part of the permit. The Landscape Plan must be generally in accordance with the Landscape Concept Design advertised on 7 September 2023 prepared by Vivid Green, except that the plan must show:
  - (a) A survey (including botanical names) of all existing trees to be retained and of those to be removed. The intended status of the trees shown on the landscape plan must be consistent with that depicted on the development layout plan;
  - (b) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and the quantities of each plant;
  - (c) 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.
  - (d) Details of the surface finish of all pathways, paved areas and accessways and the use of permeable paving where required by the endorsed Tree Management Plan required by this permit;
  - (e) All hard surfaces proposed within the Tree Protection Zone of Tree Nos. 12 and 26 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.
  - (f) Notation confirming all trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use;
  - (g) Notation confirming all canopy trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist;
  - (h) Depict the approved Development Stormwater Drainage Plans required under Condition 1, demonstrating that proposed landscaping can be accommodated while not prejudicing the approved drainage infrastructure;
  - (i) Demonstrate that all proposed trees are to be provided with sufficient soil volumes and depths (whether in planters or deep soil areas) by specifying the

- proposed soil volume and soil depth alongside the necessary soil volume and soil depth, for all proposed trees;
- (j) Detailed construction specifications for all permeable surfaces that include cross-section diagrams;
  - (k) Landscaping and planting within all open areas of the site.

**Completion of landscaping works**

9. 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**

10. 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**

11. Concurrent with the submission of amended plans required by Condition 2 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. Nos. 2, 3, 4, 12, 15, 16, 17, 18, 19, 20, 21 22, 24, 26 (as identified in the Arborist Report submitted with the application prepared by Glenn Waters Arboricultural (dated 20/10/2022)). 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, where the TPZs of these trees enter the subject land;
    - ii. All tree protection fenced off areas and areas where ground protection systems will be used;
    - iii. The type of foundations, fence footings and plinths (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;
    - 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 of any initial non-destructive trenching and pruning of any roots required to be undertaken by the project arborist; details of excavation methods; and details of how any hard and permeable surfaces within the Tree Protection Zone of retained trees will be constructed;
  - c) Specify which trees require supervision from Council's Arborist when excavation is occurring within their root zones and specify that a suitable time will be arranged with Council's Arborist to organise supervision for these works.
  - d) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;

- e) All remedial pruning works that are required to be performed on trees during demolition and development of the site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur. Note: Only Council or Authorised Council Contractors can prune Trees Nos. 12 and 26. Any request for the pruning of trees on public land must be made through Council's Environmental Sustainability and Open Spaces Department.

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**

12. The Construction Management Plan required as a condition of this permit must be in accordance with the Tree Management Plan and Tree Protection Plan.

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

13. 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 as detailed in the endorsed Tree Management Plan and are advised of any obligations in relation to the protection of those trees. A written record must be maintained on site of all contractors inducted regarding this condition. At the request of an authorized officer of Council this written record must be provided to Council.

### **Regulation of activities in Tree Protection Zone**

14. 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 (other than as already approved by 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**

15. Provide the following in relation to the project arborist and tree management:
  - 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**

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

**Drainage arrangements**

17. 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.

**Sediment laden run-off**

18. 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.

**Location of third party assets**

19. 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.

**Use & allocation of car parking spaces**

20. Car parking spaces shown on the endorsed plans must not be used for any purpose other than the parking of vehicles; a minimum of 1 space must be allocated to each 1 or 2 bed dwelling and 2 spaces must be allocated to each 3+ bed dwelling; each pair of tandem spaces must be allocated to the same dwelling; all to the satisfaction of the Responsible Authority.

**Lighting of carparks and accessways**

21. Low intensity lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any unreasonable loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.

**Pedestrian sight triangles**

22. Pedestrian sight triangle(s) are to be maintained so that any obstructions, including fencing and/or letterboxes, must be no higher than 900mm or 50% permeable within these triangles, to the satisfaction of the Responsible Authority.

**Boundary walls**

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

**External lighting**

24. All external lighting must be designed, baffled and located so as to prevent light from the site causing any unreasonable impacts on the locality, to the satisfaction of the Responsible Authority.

**Concealment of pipes**

25. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.

**Hours for waste collection**

26. Collection of waste must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:

Monday to Friday:	9:00am to 4:00pm
Saturday & Public Holidays:	9:00am to 6:00pm
Sunday:	No collection allowed

Unless otherwise agreed in writing by, and to the satisfaction of, the Responsible Authority.

**Updated Waste Management Plan**

27. Concurrent with the endorsement of plans required by Condition 2, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority and must be submitted to and approved by the Responsible Authority. The Waste Management Plan must be generally in accordance with the Waste Management Plan advertised on 7 September 2023 prepared by Urban Waste Environmental Consultants, but modified:
- To note that each tenement is to be provided with a kitchen caddy and compostable liners for the management of the FOGO component of the waste stream.
  - To note that each waste stream is to be collected by separate dedicated waste trucks and taken to dedicated and licenced disposal facilities. Wastes are not to be collected in one truck.
  - To confirm that waste collection will occur outside of peak hours.

**Waste collection**

28. Waste collection shall be carried out in accordance with the endorsed waste management plan for the lifetime of the development, to the satisfaction of the Responsible Authority.

**Construction management plan**

29. Prior to the commencement of any site works, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must be prepared in accordance with Council's Construction Management Plan Template and provide details of the following:
- Hours for construction activity in accordance with any other condition of this permit;
  - Measures to control noise, dust, water and sediment laden runoff;
  - Measures relating to removal of hazardous or dangerous material from the site, where applicable;
  - A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles

associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;

- e) A Traffic Management Plan showing truck routes to and from the site;
- f) Swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
- g) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
- h) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the construction management plan;
- i) Contact details of key construction site staff;
- j) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support site sheds on Council road reserves; and
- k) Any other relevant matters, including the requirements of Head, Transport for Victoria and Yarra Trams.

### **Head, Transport for Victoria**

- 30. Prior to the occupation of the development the crossover driveway and all associated works show on plans (Pitard Group Ref TP-03 Rev 3 29/08/2023) must be constructed to the satisfaction of the Head, Transport for Victoria and the Responsible Authority, at no cost to the Head, Transport for Victoria.
- 31. All vehicles associated with the development must be able to conveniently enter and exit the subject land in a forward direction to the satisfaction of the Responsible Authority and the Head, Transport for Victoria.
- 32. All disused or redundant crossings along Riversdale Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.
- 33. The permit holder must avoid disruption to tram operation along Riversdale Road during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of 8 weeks prior.
- 34. The permit holder must ensure that all track, tram and overhead infrastructure is not altered or damaged. Any alteration or damage to public transport infrastructure must be approved and / or rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

### **Permit to expire**

- 35. 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 use or 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.



## PLANNING ASSESSMENT

### Urban Planning Delegated Committee

<b>Application Number</b>	PP23/0152
<b>Date Application Received</b>	08/03/2023
<b>Planning Officer</b>	Jock Farrow
<b>Applicant</b>	SP16 Pty Ltd
<b>Property Address</b>	48-52 Riversdale Road, Hawthorn
<b>Proposal</b>	Construct multiple dwellings on a lot and to create or alter access to a road in a Transport Zone 2; involving a 4 storey apartment building upon basement car parking
<b>Ward</b>	Riversdale
<b>Zoning</b>	Residential Growth Zone - Schedule 1 Adjoins Transport Zone 2
<b>Overlays</b>	None applicable
<b>Neighbourhood Character Precinct</b>	40
<b>Particular Provisions</b>	<ul style="list-style-type: none"> <li>• Clause 52.06 (Car Parking)</li> <li>• Clause 52.29 (Land Adjacent to the Principal Road Network)</li> <li>• Clause 53.18 (Stormwater Management in Urban Development)</li> <li>• Clause 55, including 55.07 (ResCode &amp; Apartment Developments)</li> </ul>
<b>Permit Triggers</b>	<ul style="list-style-type: none"> <li>• Clause 32.07-5 (RGZ) of the Boroondara Planning Scheme, a permit is required to Construct two or more dwellings on a lot.</li> <li>• Clause 52.29 of the Boroondara Planning Scheme, a permit is required to Create or alter access to a road in a Transport Zone 2.</li> </ul>
<b>Section 55 Referrals</b>	Head, Transport for Victoria
<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 7 September 2023 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>	13
<b>Plans Assessed in this Report</b>	Plans advertised on 7 September 2023
<b>Recommendation</b>	Notice of Decision to Grant a Planning Permit, subject to conditions

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## PROPOSAL

The application seeks planning permission for the development of the land at 48-52 Riversdale Road, Hawthorn (the Site) for the purpose of multiple dwellings on a lot and alteration of access to a road in a Transport Zone 2; comprising 29 dwellings within a 4 storey apartment building, upon basement car parking.

The key details of the proposal are summarised as follows:

- Site area: 1,619sqm
- Apartments: 29 (1x1bed, 23x2bed & 5x3bed)
- Car parking spaces: 35 (34 spaces required)
- Bicycle parking spaces: 22
- Site coverage: 65.44%
- Permeability: 20.13%
- Building height: 4 storeys and 14.1 metres

The proposed building would span across two lots, it would be setback from the front boundary by approximately 6.4m to 6.7m and it would be setback from all boundaries. Vehicle access would be provided directly from Riversdale Road to basement carparking; the double width crossover would be positioned to the north-eastern corner of the Site and would include a passing bay at the junction with the road. The main pedestrian entrance would be positioned slightly off centre to the front of the building and would achieve direct access from Riversdale Road. The floor plates would generally reduce as height increases, with the top floor recessed from the floor below to all sides.

The proposed building presents a contemporary form and appearance to the streetscape, with elements of classical motifs; including a flat roof form, full length glazing and the incorporation of columns. At ground floor level the building would be finished in light brick. The proposed building presents stone columns at first and second floor levels which frame the flanks of the building and create a vertical rhythm across the façade; balcony voids sit behind these columns. The rhythmic columns are broken up with an off-centre visual break of dark metal cladding - this design element also demarcates the main pedestrian entry. The top floor would be finished in mid grey metal cladding and recessed from the main façade along with both flanks of the building. Full length glazing and recessed balconies would feature prominently within the façade.

The building has been designed with a split-level arrangement owing to the slope of the land, allowing the building to step down to the rear of the site, with the slope.

The proposal includes the removal of the majority of trees onsite; however, Tree 24 is proposed for retention. Tree 24 is a 15m high, mature Brittle Gum, located to the front setback.



Figure 1 - Footprint and ground floor of the proposed development



Figure 2 - Render of the proposed development

### Section 50 Amendment

The application was amended prior to notice under the provisions of section 50 of the *Planning and Environment Act 1987*. The changes responded to issues raised by officers and referrals, and can be summarised as follows:

- Additional bicycle parking in basement.

- The pedestrian entry gates and paths to apartments G01 and G02 relocated outside of the structural root zone of Tree 24.
- Alteration to crossover to increase separation from street tree.
- Alterations to ground floor decking.
- Building setbacks from the western boundary increased.
- General redesign of apartments.
- Consequential changes to the elevations, landscape plan and shadow diagrams to reflect the above amendments.

## THE SITE

<b>Site Location</b>	The Site comprises No.'s 48 and 52 Riversdale Road, Hawthorn; being the amalgamation of these two lots. The Site is located on the southern side of Riversdale Road, approximately 28m to the east of Fairview Street.
<b>Width of Frontage</b>	34.5m
<b>Average Depth of Site</b>	47m
<b>Total Site Area</b>	1,618m <sup>2</sup>
<b>Easements</b>	There are no recorded easements of the land; however, there are two Council pits to the rear boundary, which carry implied easements.
<b>Fall of the Land</b>	The Site falls by approximately 4 from the front down to the rear; and approximately 1.5m from east down to the west. This result in a crossfall with the highest point of the Site being to the northeast corner and lowest point at the southwest corner. Over the Site depth of 47m, a fall of 4m results in an average slope of 8.5%.
<b>Front Fence Details</b>	The existing front fences of No.'s 48 and 52 Riversdale Road are timber paling and render respectively, both at approximate heights of 1.8m - 2m.

Both properties are occupied by 2-storey detached dwellings, constructed of brick and weatherboard/render and comprising tiled pitched roofs. A number of trees are located onsite. The existing conditions are depicted by the figures below.





Figure 3 - Existing Conditions Photo - 52 Riversdale Road to left of page and 48 Riversdale Road to right of page



Figure 4 - Site Survey - Depicting Existing Conditions



“Precinct 40 consists of several main road corridors which follow tram lines along Glenferrie Road, Riversdale Road and Power Street, Hawthorn. The south side of Riversdale Road, west of Power Street is within the Fairview Park heritage overlay area (HO148) which is significant for its collection of medium density interwar and post war apartments.

Similarly, the east side of Glenferrie Road, south of Riversdale Road is within the Glenferrie Hill heritage overlay (HO149) due to the Victorian and Federation villas, houses and flats in the area.

The precinct is characterised by 2 and 3 storey apartments from the interwar era to now as well as 1 and 2 storey, generally historic single dwellings. A small number of 4 storey apartment buildings are also present.

Lot frontages are wide at approximately 20m or more. Most buildings are constructed from face or rendered brick. Roofs are a variety of pitched and flat.

While the size of side setbacks, front gardens and rear gardens varies, most sites accommodate landscaping and / or mature plantings to the front, side or rear of buildings.

This vegetation softens the streetscape, often obscuring views of the buildings behind. Medium and high fences predominate which create a hard interface with the street.”

#### Immediate Interfaces

To the western interface are neighbouring properties 1/46 Riversdale Road and 1A & 1B Fairview Street.

- 1/46 Riversdale Road: Two storey, flat roofed townhouse (part of a 3 townhouse development), finished in render. The immediate interface with the Site is the side setback to this property, a parking area to the rear and their secluded private open space (SPOS) to the front.
- 1A & 1B Fairview Street: Two storey, semi-detached pair of dwellings, finished in render and comprising pitched roofs. The immediate interface with the Site is the rear SPOS of both of these dwellings.





*Figure 6 - Existing Conditions Photo - 48 Riversdale Road to left of page and 1/46 Riversdale Road to right of page*

To the southern interface is No. 1 Fairview Street, a large flat roofed dwelling. The immediate interface comprises dense foliage along the common boundary, beyond which is the property's side setback and SPOS to the rear (including a pool).

To the eastern interface are neighbouring properties 1/60 and 2/60 Riversdale Road.

- 1/60 Riversdale Road: Single storey detached dwelling, constructed of brick and comprising a pitched roof. The immediate interface is the side setback to this property. The main areas of SPOS to this property are to its front setback and to the eastern side.
- 2/60 Riversdale Road: Two storey detached dwelling, constructed of brick and comprising a pitched roof. This property sits rearward of No. 1/60 Riversdale Road, well setback from the road interface. The immediate interface with the Site is a garage and side setback.



*Figure 7 - Existing Conditions Photo - 1/60 Riversdale Road to left of page and 52 Riversdale Road to right of page*

Opposite the Site is the School of Philosophy Melbourne along with Erasmus Primary School.





Figure 8 - Existing Conditions Photo - Land opposite the Site (looking north)



Figure 9 - Existing Conditions Photo - Land opposite the Site (looking northeast)





Figure 10 - Aerial of the Site and Immediate Interfaces (Site highlighted yellow)

### Transport

The Site abuts Riversdale Road which is an arterial road. Further, the Site is within the Principal Public Transport Network area (PPTN), noting Tram routes 70 and 75 run along the road directly in front of the Site and Tram route 16 is proximate.



Figure 11 - PTV Public Transport Map (Site indicated by red arrow)

## RESTRICTIVE COVENANT/AGREEMENTS

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

## ABORIGINAL CULTURAL HERITAGE

Is the site within an area of Aboriginal cultural heritage sensitivity?	No
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## PERMIT/SITE HISTORY

A review of Council records indicates that there is no relevant planning history on the Site.

## EXTERNAL REFERRALS

A full copy of all referrals is provided at Appendix A of this report. The following provides a summary of each referral.

## Head, Transport for Victoria

It is noted that two referrals were undertaken to the Head, Transport for Victoria given the amended plans (under s50) revised the vehicle access. The below summary is based on the second referral, which superseded the first.

No objection, subject to the following conditions:

- Crossovers to be constructed to the satisfaction of the Responsible Authority.
- Disused crossovers to be removed with the kerb, channel and pavement to be reinstated.
- All vehicles must be able to enter and exit the land in a forward direction.
- The developer must avoid disruption to the tram operation; or, any disruption must be communicated and approved a minimum of 8 weeks prior.
- Alterations or damage to tram infrastructure must be avoided; or, any alterations must be approved and/or rectified, to the satisfaction of the Responsible Authority, at the full cost of the permit holder.

### **Planner's Comments:**

The required conditions should be included on any permit that issues.

## **INTERNAL REFERRALS**

A full copy of all referrals is provided at Appendix A of this report. The following provides a summary of each referral.

### **Urban Design**

The Urban Design comments are generally supportive, with the following key points raised:

- Broadly supportive of the proposal in terms of overall height, massing proportions and material finish.
- The building form is contemporary and incorporates a classical aesthetic with strong columnar rhythm and highly articulated natural stone finish to the façade. The massing is broken up with light brick-face base to the ground floor, stone and black metal cladding to Levels 1 and 2 and mid-grey metal cladding creating a distinctive 'cap' to the top level.
- The 4 storey proposal is generally supported given the zoning (RGZ) of the land which seeks *'To provide housing at increased densities in buildings up to and including four storey buildings'*. However, refinements are suggested.
- The split-level arrangement is supported which allows the building to respond to the steep slope of the site, allowing for 4-storey massing without significant encroachment into the side setback (Standard B17), with minor encroachments being acceptable.
- Concern, however, is raised with the encroachment of APT 207 into B17, which will negatively impact up the amenity to the west.
- The Existing Conditions plan (TP-01) shows a 6.7m setback to the west (1/46 Riversdale Road) and a 7.6m setback to the east (60 Riversdale Road) resulting in a preferred front setback of 7.15m. In the absence of any clear justification for encroachment into the setback Standard B6, we recommend a minimum front setback of 7.15m be provided to the northern façade.

- Generally supportive of the northern façade treatment which incorporates recessed balconies and well-articulated, stone-faced framing elements. We note alternative façade treatment above the pedestrian entry clearly highlights the front door location.
- We are however concerned that the proposal does not adequately meet the NCS Precinct 40 objective of '*maintaining the existing streetscape rhythm*'. A vertical recess within the northern façade would help to divide the massing into two components, reflecting the two current titles and adding visual depth to the 26m wide façade. Therefore, we recommend providing a vertical break 3m wide x 2m deep to provide visual relief, to reflect the existing subdivision pattern and streetscape rhythm of this part of Riversdale Road.
- The stepped built form profile of the southern interface mitigates issues of visual bulk and overshadowing to the south. We are concerned however that the ground floor layout is too tightly arranged, resulting in poor on-site and off-site amenity impacts, including:
  - Concerns of overlooking from elevated ground floor decking
  - Decking with a width less than 1.6m is not usable, and ideally should be increased to 2m
  - A landscaped 'green' break should be provided to the southern boundary.

### **Planner's Comments:**

It is acknowledged that the proposal is broadly supported in terms of height, massing, proportions, the split-level arrangement (which drops in height with the slope of the land), materiality and articulation to the street.

A number of detailed matters were also raised in relation to the front setback, compliance with side and rear setbacks, overlooking from ground floor decking, the width of ground floor decking and a landscaped 'green' break to the rear.

It is noted that changes were made to the application under section 50 of the Act to improve compliance with side and rear setbacks (Clause 55 Standard B17), to increase the width of ground floor decking to at least 2m and to incorporate a 'green' break to the rear.

While the development is still not fully compliant with the front setback (B6) or side and rear setbacks (B17) of Clause 55, a detailed assessment against these standards is undertaken at Appendix B of this Report, in the Clause 55 assessment. The remaining amenity based matters are also assessed at Appendix B of this Report.

With regard to the suggested vertical recess within the northern façade, this is discussed within the Neighbourhood Character assessment of this Report.

### **Arborist**

Council's Arborists provided the following comments:

- Trees 3, 11, 21, 22, 23 absent from site survey
- Construction of driveway within the TPZ of tree 11 must be above existing grade and consist of permeable materials. This may result in issues with ramp gradient.
- Major encroachment of tree 12 to be considered by ESOS.

- Steps within the SRZ of tree 24 would not be supported.
- Fencing and decking structures within the TPZ of tree 24 and all neighbouring trees to incorporate root sensitive footings.
- Existing ground levels must be maintained of TPZs for trees to be retained (excluding built form)
- Decking to be deleted from the SRZ of Tree 15 and 17.
- Extent of basement footprint and hard surfaces do not allow for appropriate replacement planting and landscape outcomes.
- Confirm ownership of tree group 18
- Opportunity for appropriate replacement planting to compensate for the removal of existing trees is insufficient. The proposal must be redesigned to facilitate 2 canopy trees with 49sqm of deep soil within the rear of G04 and G05, with small trees within the POS of G01, G06 and G07 with 12sqm of deep soil.
- Two onsite trees (Tree 10 & 25) require a local law permit for removal, a permit would be granted for their removal.
- The recommendation of standard permit conditions.

### **Planner's Comments:**

In terms of the omission of Trees 3, 11, 21, 22, 23 from the site survey, it is noted that they were picked up by the project arborist and included in the submitted Arborist Report. Further, these trees (with the exception of Tree 11) are either onsite trees proposed for removal or neighbouring trees which are well separated from the development. If a permit were to issue, a condition requiring a tree protection management plan should be imposed which would pick up all neighbouring trees and ensure all retained trees are suitably protected.

The only concern raised by Council's Arborist in relation to the above-mentioned trees, was the impact of the driveway upon the neighbouring Tree 11. However, the applicant has since confirmed that Tree 11 has been removed - this was corroborated during a site visit by Planning Officers.

In terms of the crossover encroachment into the TPZ of the street tree, Tree 12, the location of the crossover has been amended to achieve a setback of 2.5m from the street tree which meets Council's requirements. Further, it is noted that street trees are the jurisdiction of Council's Environmental Sustainability & Open Space Department (ESOS) department, who have supported the application (discussed below).

In relation to the steps within the SRZ of tree 24, these have been shifted to the edge of the TPZ.

With respect to Tree Group 18, the applicant has confirmed the following "What is described as tree 18 in the arborist report is two rows of pear trees, one on either side of the boundary fence. The trees on the subject site will be removed, the trees in 1A Fairview Road will be retained".

With respect to replanting, the applicant provided an updated landscape plan which exceeds the expectation of Council's Arborists. The relevant assessment is undertaken within the Clause 55 assessment at Appendix B of this Report.



It is considered that all issues have either been addressed by the amended plans or can be addressed by conditions of permit, should a permit issue. The implementation of standard permit conditions is generally supported by Planning Officers, however, they should be tailored to the specific development.

#### **Traffic Officer**

Council's Traffic Officer provided the following comments:

The proposal complies with the statutory parking requirements (requiring 34 spaces and proposing 35 spaces). Under Council's Parking Permit Policy, residents of the apartments would not be eligible for resident or visitor parking permits.

The proposal exceeds the bicycle parking requirements (requiring 7 spaces and proposing 14 spaces).

The proposal would comply with all relevant design standards, including car parking dimensions and setbacks, aisle widths, access widths and grades, headroom clearance, bicycle parking and sight triangles.

A passing area has been provided as the accessway serves 10 or more spaces and connects to a road in a Transport Zone 2. It is noted that the access aisle immediately at the bottom of the access ramp widens to 6.4m to allow vehicles to pass. This passing area is supplemented by a traffic control system which regulates ingress and egress movements, with an emphasis on prioritising incoming vehicles.

Waste collection will occur from within the basement by private contractor and the collection vehicle can enter and exit in a forward direction, this is considered to be acceptable. However, waste collection should occur outside of peak times.

Overall, 145 trips per day have been estimated by Traffic Engineering for the proposed development including 15 trips in each of the AM and PM peak periods. It is indicated in the analysis that there is significant capacity based on current traffic volumes for the anticipated site-generated traffic volumes to be accommodated within the existing Riversdale Road traffic volumes.

Conditions should include:

- All tandem spaces to be allocated to the same dwelling.
- Any landscaping or other obstruction within the sight triangles must be no higher than 900mm in height or made to be 50% permeable in order to maintain visibility to pedestrians.
- Amended Waste Management Plan to confirm waste collection will occur outside of peak times i.e. between 9:00am and 4:00 Monday to Friday and 9:00am to 6:00pm Saturday & Public Holidays.

It is noted that a further referral was undertaken following the amendment of plans under section 50, which amongst other things amended the vehicle access and added additional bicycle parking to the basement (increasing the spaces to 22). On the amended plans, Council's Traffic Engineer advised the following:

“On review of the amended plans indicating the minor amendments to the proposed crossover design and the addition of a further 8 bicycle parking spaces within the basement, it is considered that these proposed changes are both considered acceptable and do not alter the previously issued advice regarding this development.

The additional bicycle parking spaces improve the previous on-site bicycle parking provision and exceed the statutory requirement.”

**Planner’s Comments:**

Council’s Traffic Officer is supportive of the proposal and does not require any changes; Planning Officer’s accept these findings and recommend including the suggested conditions, on any permit that issues.

**ESD Officer**

Council’s ESD Officer provided the following comments:

The building design is acceptable as it provides sufficient setbacks to allow for good daylight levels and deep soil planting. There are no red flags or great concerns in relation to the ESD and therefore this development is supported subject to the recommended conditions.

The submitted Sustainability Management Plan (SMP) does not include all the information required to complete the Environmentally Sustainable Development (ESD) assessment. There are some ESD expectations which were not met and opportunities to improve the outcome. Some of the proposed ESD initiatives need to be clarified and others shown on plans if applicable.

A number of standard conditions were recommended to address the ESD matters.

**Planner’s Comments:**

Planning Officers concur with the assessment by Council’s ESD Officer and recommend the inclusion of the suggested conditions, on any permit that issues.

It is also noted that the plans were amended under section 50 to include 10kW of solar PV, in line with the recommendations of Council’s ESD Officer.

**Infrastructure**

Council’s Infrastructure Officer provided the following comments:

The proposed crossover is less than 2.5m from the street tree which is not supported.

The proposed crossover is proximate to a Telstra pit and power pole, the applicant will need to discuss these matters with the relevant service providers.

Other than the proximity to the street tree, the proposed crossover is supported.

The following condition is recommended:

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

**Planner's Comments:**

Street trees are a matter for Council's ESOS Department (discussed below); as such, for the purpose of the 'Infrastructure' referral, the crossovers are considered to be supported.

The recommended condition should be included on any permit that issues.

**Drainage Officer**

Council's Drainage Officer advised that the area is not within an area susceptible to flooding and that the proposal is supported, subject to standard conditions along with a condition requiring a 150mm high (relative to kerb level) basement ramp apex.

There is an implied easement to the rear boundary, in the form of 2 Council pits, the development does not seek to build over these implied easements.

It is further noted that objectors raised specific concern with the overflow of drains in the area, and that the additional load from the proposal could exacerbate these issues. The referral response included the following advice which was recommended to be added as a permit note:

"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 temporarily 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."

The above concerns and drainage note were discussed with Council's Drainage Engineer. They advised that this discharge rate is designed to be an improvement on the current rate of discharge from the site.

**Planner's Comments:**

The recommended conditions should be included on any permit that issues.

With regard to the reported drainage issues in the area, given the development would be required to result in an improvement as compared to existing rates, this is considered to be acceptable.

**Environment, Sustainability & Open Space Department (ESOS)**

Council's ESOS Department provided the following comments:

The proximity of the crossover to Tree 12 is acceptable and the application is supported, subject to standard conditions.

**Planner's Comments:**

The recommended conditions should be included on any permit that issues.

## **Waste**

Council's Waste Officer provided the following comments

The WMP is supported subject to two changes:

- Add a note that each tenement is to be provided with a kitchen caddy and compostable liners for the management of the FOGO component of the waste stream.
- Add a note that each waste stream is to be collected by separate dedicated waste trucks and taken to dedicated and licenced disposal facilities. Wastes are not to be collected in one truck.

### **Planner's Comments:**

The changes should be required by permit condition, on any permit that issues. Further and as recommended by Traffic Engineering, waste collection should be required to occur outside of peak times.

## **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.

The report to Council and any decision arising of Council will be made available on Council's website and by inspection at the Council Offices in accordance with the requirements in the Local Government Act 2020, Council's Governance Rules and Public Transparency Policy.

## **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 comment or decision of a referral authority;
- The objections received.

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

## PLANNING POLICY FRAMEWORK

The following provides a summary of the applicable state and local planning policies:

- **Clause 02.01 - Context:**

### Settlement and the built environment

Boroondara is an attractive and highly sought after residential municipality with a mix of housing options. The municipality is characterised by high quality developments, tree lined streets, a range of heritage assets and a network of activity centres and commercial corridors.

### Housing

Boroondara's demographics are changing, with an ageing population and a trend toward smaller dwellings. Future housing provisions need to be responsive to demand and must provide flexible options for a mix of household types. The local community is characterised by a higher proportion of older residents compared with the Melbourne average, established families with generally high incomes and educational levels, and increasing cultural diversity.

Boroondara's residential areas are characterised by high quality community facilities and public infrastructure, a high level of residential amenity and quality of residential design.

### Transport

Boroondara benefits from excellent access to public transport and it is well connected by arterial roads and freeways. Car parking demands vary across the municipality and must be carefully managed.

- **Clause 02.02 - Vision:** The land use and development strategies are provided as follows:

- Community services and facilities are high quality, inclusive and meet a variety of needs now and into the future.
- Inviting and well-utilised community parks and green spaces.
- Our natural environment is healthy and sustainable for future generations.
- Protect the heritage and respect the character of the City to maintain amenity and liveability whilst recognising the need for appropriate, well-designed development for future generations.
- Travel options that are connected, safe, accessible, environmentally sustainable and well-designed.
- A vibrant local economy and shops that are accessible, attractive and a centre of community life.

- **Clause 02.03 - Strategic Directions:**

- Settlement

- The Site is proximate to the Glenferrie Hill Neighbourhood Centre. The policy acknowledges the important social, economic, environmental and infrastructure role activity centres and commercial corridors play and seeks to maintain and strengthen these areas, retain a commercial focus, ensure residential developments complement the areas (particularly at upper levels) and to minimise the impact upon sensitive residential interfaces.

- Built environment and heritage

- Character and heritage are key features within the municipality and Council is committed to improving the quality of the built environment. This includes incorporating environmentally sustainable development (ESD) principles through energy and waste efficiency and water conservation.

- Housing

- Council's vision is to facilitate a diverse range of housing in line with housing demand (which includes an aging population and a trend toward smaller dwellings) while maintaining a high standard for neighbourhood character and amenity. Development is to be facilitated in accordance with the Housing Framework Plan at Clause 02.04 and to provide for sufficient flexibility in housing to account for age and disability.

- Transport

- Key directions include supporting a modal shift towards healthy and sustainable transport options while ensuring the provision of sufficient car parking.

- **Clause 02.04 - Strategic Framework Plans:**

- As per Clause 02.04-2 the Site is proximate to the Glenferrie Hill Neighbourhood Centre.
    - As per Clause 02.04-3 the Site is designated for 'Increased Housing Diversity and Density', being within a 'main road apartment precinct'.
    - As per Clause 02.04-4 the Site has excellent transport options including tram, bus and cycle routes.

- **Clause 11.01-1S – Settlement** - Seeks to promote sustainable growth and development.
- **Clause 11.01-1R – Settlement – Metropolitan Melbourne** – Seeks to consolidate growth within high change areas, promoting sustainability which can benefit from public transport and to protect non-urban land. Seeks to create mixed-use neighbourhoods that offer more choice in housing and jobs.
- **Clause 11.02-1S - Supply of Urban Land:** Seeks to ensure a sufficient supply of land including through the consolidation, redevelopment and intensification of existing urban areas.

- **Clause 11.03-1S/1R - Activity Centres** – Seeks to support the role of activity centres in providing a higher concentration of commercial, retail, entertainment and residential uses.
- **Clause 11.03-2S - Growth areas**: Seeks to concentrate urban growth in areas that are well serviced by high-capacity public transport and services.
- **Clause 13.05-1S – Noise Management**: Seeks to manage noise effects on sensitive land uses.
- **Clause 15.01-1S – Urban design**: Aims to create safe, healthy, functional, and enjoyable urban environments. Developments should respond to context; implement inclusive, safe and connected design; integrate with and appropriately delineate from the public realm; and contribute towards landscaping that improves amenity.
- **Clause 15.01-1R – Urban design - Metropolitan Melbourne**: Aims to create a distinctive and liveable city with quality design and amenity.
- **Clause 15.01-1L-01 – Urban design and built form outcomes**: Seeks to achieve high quality urban design and built form outcomes which enhance streetscapes, maintains amenity and caters for a diversity of user needs.
- **Clause 15.01-2S - Building design**: To achieve building design and siting outcomes which respond and contribute positively to the local context, enhance the public realm and to support ESD initiatives.
- **Clause 15.01-4S – Healthy neighbourhoods**: Seeks to achieve neighbourhoods that foster healthy and active living and community wellbeing.
- **Clause 15.01-4S – Healthy neighbourhoods - Metropolitan Melbourne**: Seeks to create a city of '20 minute neighbourhoods' that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.
- **Clause 15.01-5S – Neighbourhood character**: Seeks to recognise, support, and protect neighbourhood character, cultural identity, and sense of place.
- **Clause 15.01-5L - Neighbourhood character - Boroondara**: This is the key neighbourhood character policy for the City of Boroondara which seeks to ensure development retains and enhances the key character attributes that contribute to a precinct's preferred character. A detailed assessment of this policy is provided in the following sections of this Report.
- **Clause 15.03-2S - Aboriginal cultural heritage**: Ensures the protection and conservation of places of Aboriginal cultural heritage significance.
- **Clause 16.01-1S - Housing supply**: Seeks to facilitate well-located, integrated and diverse housing that meets community needs. The policy encourages higher densities in areas that are well located in relation to jobs, services and public transport, and specifically references areas which are in and around activity centres. It seeks to deliver housing diversity which offers high quality amenity and inclusive design.
- **Clause 16.01-1R - Housing supply – Metropolitan Melbourne**: Seeks to manage the supply of new housing to meet population growth and create a

sustainable city by developing housing and mixed-use development opportunities in metropolitan activity centres. Seeks to increase density near employment and transport nodes, provide certainty for development outcomes and to facilitate the '20 minute neighbourhood' concept.

- **Clause 16.01-1L - Housing - Boroondara:** Seeks to provide housing in accordance with the scale and density as envisaged by the 'Housing Framework Plan' at Clause 02.04.
- **Clause 16.01-2S - Housing affordability:** Seeks to deliver more affordable housing closer to jobs, transport and services.
- **Clause 18.01-2S - Transport system:** Seeks the efficient movement of people in line with the '20 minute neighbourhood' concept.
- **Clause 18.01-3S/3R - Sustainable and safe transport:** Promotes sustainable transport options and seeks to support the '20 minute neighbourhood' concept. The policy seeks to prepare for and adapt to climate change impacts, prioritise the use of sustainable personal transport and technologies that have the lowest environmental impact, to reduce greenhouse emissions, and to design developments that minimise car dependency.
- **Clause 18.01-3L - Sustainable personal transport - Boroondara:** Support and improve pedestrian and cycling networks and facilities.
- **Clause 18.02-3S - Public transport:** Seeks to improve public transport and reduce the reliance on cars. Locate higher density and increased development on or close to the Principal Public Transport Network in a way that does not compromise the efficiency of the Principal Public Transport Network.
- **Clause 18.02-3R - Principal Public Transport Network:** Promotes the increase in diversity and density of development along the PPTN, at public transport nodes and activity centres.
- **Clause 18.02-4L-01 - Road system - Boroondara:** Seeks to minimise the creation of new vehicle crossovers to street frontages and promotes the use of rear laneways as access points.
- **Clause 18.02-4L-02 - Car parking - Boroondara:** Seeks to ensure an appropriate level of user and visitor car parking for use and development. Supports parking reductions where sufficient car parking exists in the area and where there is a choice of transport modes available in the area. Seeks to facilitate measures to improve access to activity centres, health and education facilities and community facilities via alternative transport modes - such as car share, public transport, cycling and walking - to reduce the demand for car parking.

## PLANNER'S ASSESSMENT

The key considerations for this proposal are outlined as follows:

- Strategic Directions
- Planning Zone
- Neighbourhood Character
- Onsite and Offsite Amenity



- Traffic, Transport and Parking
- Environmental Sustainability
- Integrated Decision Making

## STRATEGIC DIRECTIONS

### Planning Policy Framework

The demographic and population changes facing Melbourne are significant. Plan Melbourne Addendum (2019) projects metropolitan Melbourne's population will grow by 1.6 million people between 2016 and 2031, to a population of approximately 6.3 million. By 2051, the population is projected to grow to approximately 8.4 million. A population increase of this magnitude is predicted to require a further 1.6 million dwellings and will require significant investment in services, transport and employment.

Victorian and local planning policy generally seek to facilitate increased development densities in accessible locations, where proximate to jobs, shops, services, facilities, amenities, infrastructure and public transport. Highly accessible locations are typically associated with being capable of accommodating higher densities, while locations with limited accessibility are typically more suitable to less intensive development. Further, Victorian policy seeks to concentrate population densities in existing urban areas, facilitating sustainability objectives, limiting urban sprawl and allowing for state government to coordinate major infrastructure projects with areas of concentrated (existing and envisaged) density.

These principles are reflected in Victorian planning policy at Clauses 11.01-1S/1R (Settlement), 11.03-1S/1R (Activity centres), 11.03-2S (Growth areas), 16.01-1S/1R (Housing Supply), 16.01-2S (Housing affordability), 18.01-2S (Transport system), 18.01-3S/3R (Sustainable and safe transport), 18.02-3S (Public transport), 18.02-3R (Principal Public Transport Network) along with Plan Melbourne 2017-2050. Plan Melbourne 2017-2050 is underpinned by nine principles, including the '20-minute neighbourhoods' concept, essentially giving people the ability to meet most of their daily needs within a 20-minute/ 800 metre one-way walk from home.

Boroondara's local policy at Clause 16.01-1L (Housing) reinforces these principles and seeks to provide housing in accordance with the scale and density envisaged by the 'Housing Framework Plan' at Clause 02.04-3. In relation to the Site, Clause 02.04-3 identifies the Site as being within the 'main road apartment precinct' which seeks 'increased housing diversity and density'.

The Site is well placed to meet the above-mentioned policy objectives. Clause 02.04-2 identifies the Site as being proximate to the Glenferrie Hill Neighbourhood Centre. The Site has excellent access to shops, services, employment, educational facilities and a range of sustainable transport options (tram, bus and cycling routes), including trams which are high-capacity modes of transport. Owing to these factors, Clause 02.04-3 identifies the Site for 'increased diversity and density' and categorises the land as a 'main road apartment precinct'.

### Strategic Directives of the Zones

The aforementioned policy drivers are reflected in the application of the Residential Growth Zone to the land.

The Residential Growth Zone - Schedule 1 (RGZ1) has the following key (relevant) purposes:

- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.*

Further to the above, schedule 1 of the RGZ is designated as a 'Main Road Apartment Precinct'.

### Strategic Support

The proposed development, which comprises a 4 storey apartment building, has clear strategic support from the Planning Scheme. The express purpose of the zone is to provide for housing at increased densities, up to and including 4 storeys; and the schedule to the zone designates the land as being within an apartment precinct. Further, the site is well located in relation to jobs, shops, services, facilities, amenities, infrastructure and public transport; such locations are encouraged to accommodate increased densities (and therefore increased built form) under state and local planning policy. The physical characteristics of the land along with the aspirations of the zone are reflected in Council's Housing Framework which identifies the Site for 'increased diversity and density' and categorises the land as a 'main road apartment precinct'.

While the proposal aligns with the strategic directives of the Planning Scheme, the development must also be assessed in detail in terms of its site-specific response - this is discussed in the following sections of this report.

### **PLANNING ZONE - RGZ1**

The Site is zoned Residential Growth Zone - Schedule 1.

As per the preceding assessment, the proposed development aligns with the express purpose of the zone, which seeks to deliver increased density in buildings up to and including 4 storeys. It is further noted that the use of the land for dwellings is 'as of right' (no permit required) under the zone.

Clause 32.07-9 sets out the building heights for the Residential Growth Zone. Clause 32.07-9 states that buildings must not exceed the building height specified in the schedule to the zone. However, in this instance there is no mandatory building height set out in the schedule; in such circumstances the building height defaults to a preferred building height of 13.5m. In addition, the clause allows for an additional 1m of height for land with a slope exceeding 2.5 degrees over an 8m cross section, the slope of the land exceeds this threshold thus the preferred height is 14.5m.

The proposed building has a maximum height of 14.1m, which complies with the preferred building height.

In addition to the purposes of the zone as outlined above, the RGZ seeks to *encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas*. The development reduces in scale toward the rear and also increases setbacks from the adjacent Neighbourhood Residential Zoned land, the development is considered to provide for an appropriate transition (this is discussed further in the Neighbourhood Character assessment below).

A development must meet the requirements of Clause 55, including 55.07 for an apartment development. Clause 55 is discussed throughout this Report with the full assessment provided at Appendix B.

## NEIGHBOURHOOD CHARACTER

The key assessment tools with respect to neighbourhood character and urban design are provided at Clauses 15.01-1S/1R (Urban Design), 15.01-1L-01 (Urban Design and Built Form Outcomes), 15.01-2S (Building Design), 15.01-5S (Neighbourhood Character), 15.01-5L (Neighbourhood Character - Boroondara) along with the Precinct Statements of the Boroondara Neighbourhood Character Study.

The above referenced policies and provisions collectively promote a holistic approach to design, seeking to achieve high quality architecture that is respectful and responsive to its context, which integrates with and improves the public realm, which creates a sense of place, which responds to existing and preferred character, which responds to strategic directives such as density aspirations and that contributes to a landscaped setting.

Clause 15.01-5L (Neighbourhood Character - Boroondara) and the Precinct Statements of the Boroondara Neighbourhood Character Study provide the preferred character at a local level.

Clause 15.01-5L (Neighbourhood Character - Boroondara) provides the following general objectives and strategies for the municipality along with specific objectives and strategies for the Residential Growth Zone - RGZ1.

- Objectives:
  - General: *To ensure development retains and enhances the key character attributes that contribute to a precinct's preferred character.*
  - RGZ1: *To facilitate a diversity of housing types.*
- Strategies:
  - General: *Maintain the City's valued residential visual amenity including landscaped settings and leafy streets.*
  - General: *Avoid the loss of mature trees and gardens and ensure development provides adequate space for new vegetation, particularly canopy trees.*
  - General: *Ensure in all areas except General Residential Zone Schedule 4 that development respects, responds to and makes a positive contribution to the precinct's preferred character.*

- RGZ1: *Set development back from front, side and rear boundaries consistent with the preferred character of the precinct.*
- RGZ1: *Provide a transition in building scale and setbacks to residential properties located within the Neighbourhood Residential Zone Schedule 3 or public open space areas.*
- RGZ1: *Design and site development adjacent to a property in an individual Heritage Overlay fronting onto the same street to provide a transition in scale and not detrimentally impact the heritage significance of the place*

Precinct Statement 40 of Boroondara's Neighbourhood Character Study provides the following preferred character:

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#### PREFERRED CHARACTER STATEMENT

To facilitate development of a diverse range of housing that integrates with the scale and form of buildings in the precinct, that respects the historic houses in the area and which maintains and enhances the landscape character of the streetscape.

This will be achieved by:

- Encouraging the retention of large trees;
  - Ensuring buildings are sufficiently setback from the front boundary to retain and enhance the existing streetscape rhythm and provide sufficient space for landscaping;
  - Encouraging design that integrates with the heritage styles of the precinct;
  - Ensuring car parking structures do not dominate the streetscape;
  - Maximising soft landscaping and minimising areas of hard surfaces; and
  - Encouraging low or open style front fences.
  - Ensuring new developments and additions respect the predominant scale and form of buildings in the streetscape;
- 

*Figure 12 - Extract from Precinct 40 Statement, Boroondara Neighbourhood Character Study*

It must also be highlighted that while the above-mentioned policies and provisions are highly relevant, they must be viewed through the lens of the strategic context of the land, which is to increase housing density including in apartment buildings of 4 storeys in height. This strategic direction sets the parameters in which the preferred character is to be understood.

### Siting

The siting of the development is considered to be acceptable.

The proposed building would be setback from the front boundary by approximately 6.7m (western side) to 7.2m (eastern side) at ground level, with the range being a result of the skewed front boundary. At first and second floor levels, the front setback would be reduced, to approximately 6.4m (west) to 6.7m (east), with the columns projecting a further 0.5m.

It is highlighted that a front setback of 7.15m would be required to meet the numerical standard of B6 (Street setback) of Clause 55; however, this numerical standard does not take into account the strategic context of the land or the emerging character. Where the standard is not met, the objective must be considered which includes 'respecting preferred neighbourhood character and making efficient use of the site' along with the decision guidelines which require the strategic context of the land to be considered.

The front setback is considered to be acceptable for the following reasons:

- The shortfall at ground floor level is minor, at approximately 0.5m; further, the shortfall only occurs to the western side of the Site where it aligns with the front setback of the adjacent dwelling, at No. 1/46 Riversdale Road.

- While the front setback to the first and second floors are reduced further, these minimum setbacks primarily relate to the front edges of balconies, the openness of the balconies are considered to offset any undue visual bulk resulting from the reduced setback.
- The proposed building sits within a robust context, fronting Riversdale Road and being zoned for increased built form and density.
- Importantly, the front setback allows for the retention of Tree 24.
- Lastly, the front setback still provides for an appropriate visual transition between the adjacent dwellings, this is by reason of the openness of the front façade (due to the balcony voids), the visual breaks created by the side setbacks of the proposal and the relatively minor extent of encroachment into the standard.

In terms of side and rear setbacks, the development would be setback from all boundaries, providing for suitable landscaping and outdoor space provisions.

### Massing and Transition in Scale

The proposed building is considered to provide for an appropriate transition to the surrounding NRZ land. The massing of the building would be focussed toward the front and centrally within the Site, with the floor plates generally reducing as height increases, thereby increasing the setbacks from neighbouring properties. Further, a split-level arrangement would be utilised which steps down with the slope of the land.

This is well demonstrated in the side elevation which demonstrates that the rear of the building fits comfortably within the B17 (side and rear setbacks standard of Clause 55) building envelope - the B17 building envelope is depicted by the dotted line to the rear of the Site.



Figure 13 - Western elevation of the proposed development

It is further noted that the development complies with B17 to all neighbouring NRZ land.

### Streetscape Response

The height, scale and form of the development are considered to be appropriate given the physical and policy context of the land. It is highlighted that the proposed building presents a three-storey façade to the street (given the top level is recessed), which aligns with policy along with the emerging character of Riversdale Road.

The façade is highly articulated incorporating balcony voids behind columns, which create a vertical rhythm across the façade. The rhythmic columns are broken up with an off-centre visual break of dark metal cladding - this design element also demarcates the main pedestrian entry. The articulated façade is paired with quality materials, including light brick at ground floor, stone columns at the mid-levels and a recessed top floor clad in mid grey metal; full length glazing and recessed balconies would feature prominently within the façade.

The front fence is well rationalised. The front fence minimises the impact of services within the streetscape. Further, the fence utilises a combination of solid and visually permeable elements and would sit at a height of approximately 1.5m. This is considered to be acceptable within the main road context, noting front fences up to a height of 2m do not require a planning permit, where they adjoin a Transport Zone 2 road.



*Figure 14 - Render of the proposed development*

While Council's Urban Designer was broadly supportive of the proposal in terms of overall height, massing proportions, articulation and materiality, they also suggested a vertical recess within the front façade to create a visual break, 3m wide and 2m deep.

The development utilises a change in materiality to create a visual break running vertically down the façade. The visual break proposed is 3.35m wide; it is considered to successfully break the façade down into two, smaller, more manageable portions and to provide a visual nod to the rhythm of the two lots. The break does not incorporate the suggested recess. The recess could be required by way of permit condition; however, Officers are not persuaded that a 2m recess is necessary in this instance. This section of Riversdale Road is not characterised by a regular rhythm and as mentioned above, the change in materiality is considered to successfully break up the massing of the front façade. It is also noted that while a recess is not proposed, the stone column elements do project from the front façade by 0.5m, this creates a three dimensionality to the façade and gives the impression of a recess. Lastly, the majority of the first and second floor components of the façade are characterised by balcony voids, which are considered to successfully manage the bulk to this part of the building.

Viewed holistically, the proposal is considered to respond well to the physical and policy context of the land, delivering a high quality architectural response which will result in a positive contribution to the streetscape.

## Vehicle Access

The preferred character as outlined in Precinct Statement 40, seeks to ensure that vehicle parking structures do not dominate the streetscape. The basement entry sits to the side of the building and well behind the front façade. This outcome is supported.

## ON AND OFFSITE AMENITY

The primary amenity assessment is undertaken in accordance with Clause 55 and is presented at Appendix B of this Report. The following provides a summary of the key points:

- The development is considered to meet the objectives of all Clause 55 standards.
- The development would provide setbacks to all neighbouring windows to ensure they receive suitable levels of natural light, in accordance Clause 55 Standard B19.
- Recommended permit conditions would require the development to provide additional setbacks to north facing neighbouring windows, ensuring compliance with Clause 55 Standard B20.
- Recommended permit conditions would require detailed cross-sections, sight lines and additional overlooking prevention measures (as necessary), to ensure full compliance with Clause 55 Standard B22 (Overlooking).
- Internal views are well managed to ensure suitable levels of privacy within the development.
- The proposed dwellings would receive excellent levels of natural light.
- All proposed dwellings would be spacious and achieve functional layouts.
- All proposed dwellings would be provided with excellent levels of secluded private open space and/or balconies, in accordance with the objectives of Clause 55.
- The development proposes extensive landscaping across the Site and to all interfaces, including a range of canopy trees, in accordance with the objectives of Clause 55.
- All dwellings achieve storage volumes in excess of the standards at Clause 55.
- Side and rear setbacks are considered to be well managed, noting the development would be in full compliance with Clause 55 Standard B17 to the adjacent Neighbourhood Residential Zone land, while encroaching into the setback envelopes toward the front of the Site, where adjacent to land zoned Residential Growth Zone (No. 1/46 Riversdale Road and No. 1/60 Riversdale Road). Given the development seeks a variation to Standard B17, a detailed assessment is provided below.

- Offsite shadow impacts are considered to be well managed, complying with Clause 55 Standard B21 to all neighbouring interfaces, with the exception of 1A and 1B Fairview Street. With regard to 1A and 1B Fairview Street, the development would not result in any additional shadows to their outdoor space areas from 10am onwards. Given the development seeks a variation to Standard B21, a detailed assessment is provided below.

#### **Side and Rear Setbacks - Clause 55 Standard B17**

At ground and first floor levels, the development exceeds the requirements of the standard, to all interfaces.

At second floor level, the development exceeds the requirements of the standard to all interfaces, except for the upper portion of the wall belonging to Apt 202 (depicted below), to the western interface.

At third floor level, the development exceeds the standard to all interfaces, with the exception of:

- The balcony belonging to Apt 302 to the west.
- The kitchen and living room wall, and balcony of Apt 301, to the east.

The roof tops services and associated screening exceed the standard to all interfaces.

#### **Areas of Encroachment**

##### **Western Elevation**

The balcony belonging to Apt 302 encroaches into the standard; as does the upper section of wall immediately below (belonging to Apt 202). The wall/balcony has a height ranging from 11.1m to 11.8m which requires setbacks of 6.2m to 6.9m respectively. A setback of 4.55m is proposed. The area of encroachment is depicted (clouded) below.





- The area in question is not adjacent to the secluded private open space of the neighbouring dwelling.
- This component of the development achieves setbacks from the neighbouring habitable room windows of 6.5m to 7m, which exceeds the setbacks from windows Standard B19.
- The development would not result in additional shadow to the main area of SPOS of No. 1/46 Riversdale Road.
- No. 1/46 Riversdale Road is also zoned RGZ; in such zones a greater emphasis is placed on housing growth while less weight is afforded to amenity. That said, the development is not considered to result in unreasonable amenity impacts to No. 1/46 Riversdale Road.

There is an encroachment at the kitchen and living room wall of Apt 301; the maximum wall height is 13m which requires a maximum setback of 8.1m, 7.8m is proposed. The non-compliance arises from the sloping ground and the extent is generally indicated in the image below (with non-compliance reducing and becoming compliant toward the front).

A section of the balcony to Apt 301 encroaches into the standard. The non-complaint section has a height of 9.75m to 10.1m which requires a setback of 4.84m to 5.19m respectively. A setback of 4.8m is proposed.



Figure 16 - Extent of non-compliance (clouded red) to the eastern elevation at third floor level

The area of encroachment, as outlined above, has a maximum shortfall of 0.4m and it is adjacent to the flank elevation of No. 1/60 Riversdale Road. The encroachment is considered to be acceptable for the following reasons:

- The area in question is not adjacent to the secluded private open space of the neighbouring dwelling.
- This component of the development achieves minimum setbacks from the neighbouring habitable room windows of 7.8m, which exceeds the daylight to existing windows Standard B19.
- The development would not result in additional shadow to the main area of SPOS of No. 1/60 Riversdale Road.
- No. 1/60 Riversdale Road is also zoned RGZ; in such zones a greater emphasis is placed on housing growth while less weight is afforded to amenity. That said, the development is not considered to result in unreasonable amenity impacts to No. 1/60 Riversdale Road.

The massing of the development has been focused toward the front of the Site where the adjoining land is zoned for housing growth; further, the level of encroachment proposed is not considered to unduly impact upon the amenity of these adjacent dwellings.

Where the development is adjacent to NRZ land, it is fully compliant with the standard. Further, the development incorporates vertical recesses within both flank elevations, well in excess of the standard, to provide an additional visual break along the side elevations.

The development is considered to meet the objective of the standard.

#### **Overshadowing Open Space - Clause 55 Standard B21**

The objective of Standard B21 is to ensure buildings do not 'significantly' overshadow existing areas of secluded private open space (SPOS). The numerical component of the standard, which is discretionary, seeks that existing SPOS areas retain 5 hours of sunlight (between 9am and 3pm on 22 September) to an area of 40sqm or to 75% of the total area (whichever is lesser).

The development would comply with the standard to all neighbouring secluded private open space (SPOS) areas, with the exception of 1A and 1B Fairview Street.

The development would result in full shadow to the SPOS areas of 1A and 1B Fairview Street at 9am; however, from 10am onwards the development would no longer create any additional shadow to these spaces. This means that the development does not impact the SPOS areas of 1A and 1B Fairview Street for a period of 5 hours, between 9am & 3pm on 22 September - this outcome is generally in line with the standard.

However, the non-compliance arises from an additional provision within the standard which reads *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.*

The following is highlighted:

- 1A Fairview Street SPOS: 67sqm, which currently (based on existing shadows) falls short of the standard at 9am, 2pm and 3pm.
- 1B Fairview Street SPOS: 57sqm, which currently (based on existing shadows) falls short of the standard at all times from 9am to 3pm.

While the development would not impact upon the SPOS areas of 1A and 1B Fairview Street for a period of 5 hours (between 9am - 3pm), it would result in additional shadow at 9am and given the SPOS areas already fall short of the standard, this results in a technical non-compliance.

The numerical component of the standard is not mandatory, albeit the objective must be met. In such scenarios, a weighing exercise must be undertaken which considers the actual impact upon the SPOS areas along with the decision guidelines of the standard, all viewed through the lens of the relevant planning controls and strategic aspirations for the Site.

To put the development in context, the express purpose of the zone is to provide for housing at increased densities, up to and including 4 storeys; and the schedule to the zone designates the land as an apartments precinct. The physical characteristics of the land (highly accessible by public transport with jobs, shops and services proximate) along with the aspirations of the zone are reflected in Council's Housing Framework which identifies the Site for 'increased diversity and density' and categorises the land as a 'main road apartment precinct'.

Within the context of the relevant planning controls and policy, the development is considered to appropriately minimise shadows to the properties at No.'s 1A and 1B Fairview Street, which only results in shadow at 9am. The development incorporates generous side setbacks adjacent to these properties and increases the setbacks as height increases. It is not considered reasonable to require no additional shadow to these properties, given the strong Planning Scheme support for apartment developments of 4 storeys and encouragement for 'increased diversity and density'.

With reference to the decision guidelines of the standard:

- For the reasons outlined above the design response is considered to be reasonable and to appropriately minimise offsite shadow.
- Within the times outlined by the standard, the development only results in additional shadow between 9am and 10am, with no further shadow from 10am onwards.
- From 10am onwards both properties receive reasonable levels of sunlight; even at 3pm both properties receive a minimum of 17sqm of sunlight (it is noted that this remains unchanged from existing conditions).
- Both areas of SPOS remain highly usable and will continue to enjoy sunlight at various times of the day.
- The effect of the reduction is not considered to be unreasonable given the physical and policy context of the Site.

For the reasons outlined above, the development is not considered to 'significantly' overshadow existing secluded private open space, thereby complying with the objective of the standard.

Lastly, it is noted that the applicant supported their position by referencing VCAT decision *WAT385 Developer Pty Ltd v Stonnington CC [2023] VCAT 672 (16 June 2023)*, this is a 2023 decision which considered a similar scenario albeit the review site was zoned General Residential Zone (which is a zone that typically allows less intensive development as compared to the Residential Growth Zone, which is the zoning of the subject site). The *WAT385* decision made the following conclusions with regard to additional shadows to an area of SPOS which already fell short of the standard:

(Paragraph 85) "While I hear and understand that Mr Fox values the early morning sunlight, the maintenance of that sunlight is an unreasonable expectation where Mr Fox owns a ground floor south facing apartment in an area identified in the Stonnington Planning Scheme for substantial change and up to four storey development. The level of solar access currently enjoyed by Mr Fox was always going to be impacted when the adjoining review site is developed in a manner consistent with the encouragement of the Stonnington Planning Scheme. Even a three-storey apartment development on the review site, with setbacks similar to that achieved on Mr Fox's site, would have caused increased overshadowing. While the proposal for the review site is at four storeys in height, it also employs a range of side boundary setbacks that far exceed that provided on Mr Fox's site. This assists to reduce the shadow impacts on Mr Fox's property to a reasonable level.

(Paragraph 86) For these reasons I find that the proposal will not significantly overshadow Mr Fox's existing secluded private open space. As such, the relevant objective is achieved."

## **TRAFFIC, TRANSPORT AND PARKING**

### **Car Parking Rates**

Clause 52.06 (Car Parking) requires parking to be provided at different rates depending on use, scale and location.

Pursuant to Clause 52.06, the proposal has a required parking provision of 34 spaces. Given 35 spaces are proposed, the application exceeds the parking requirements, this is considered to be acceptable.

### **Access and Design Standards**

Vehicle ingress and egress would be provided by way of a double width crossover to Riversdale Road. The double width crossover would narrow to a single width basement ramp; however, a passing bay would be provided at the interface with Riversdale Road, to allow a vehicle to enter even when another vehicle is waiting to leave. Further, a detector and stop/go lantern system would be utilised to ensure that when a vehicle is entering the Site, the lantern in the basement would instruct any exiting vehicles to queue at the base of the ramp, until the incoming vehicle has entered the basement and cleared the ramp.

Given the development has direct access to a Transport Zone 2 road, the Head, Transport for Victoria are the relevant authority with respect to impacts to Riversdale Road. The application was referred to the Head, Transport for Victoria who raised no objections to the proposal, they did however require conditions (summarised) as follows:

- Crossovers to be constructed to the satisfaction of the Responsible Authority.
- Disused crossovers to be removed with the kerb, channel and pavement to be reinstated.
- All vehicles must be able to enter and exit the land in a forward direction.
- The developer must avoid disruption to the tram operation; or, any disruption must be communicated and approved a minimum of 8 weeks prior.
- Alterations or damage to tram infrastructure must be avoided; or, any alterations must be approved and/or rectified, to the satisfaction of the Responsible Authority, at the full cost of the permit holder.

The conditions required by the Head, Transport for Victoria should be included on any permit that issues.

Council's Traffic Engineer has also reviewed the application and confirmed that it is acceptable with respect to access provisions, ramp design and grades, parking space dimensions, aisles widths, vehicle movements, headroom clearance and pedestrian sight triangles.

Further, submitted swept paths demonstrate suitable vehicle movements.

For the reasons outlined above, the development is considered to be acceptable with regard to the proposed access provisions along with the design standards at Clause 52.07-9.

### **Traffic Impacts**

As per the above, Head, Transport for Victoria are the relevant authority with respect to impacts to Riversdale Road - they raise no objection to the proposal.

Council's Traffic Engineer has also reviewed the proposal with regard to traffic impacts, and made the following findings:

"It is considered reasonable that a traffic generation rate of 5 vehicle movements per dwelling, including 0.5 movements per dwelling in the peak hours be applied for the proposed development. This results in a total of 145 movements per day, with 15 of these occurring in each of the peak hours. This equates to approximately one vehicle every 4 minutes during the peak period.

It is indicated in the analysis that there is significant capacity based on current traffic volumes for the anticipated site-generated traffic volumes to be accommodated within the existing Riversdale Road traffic volumes.

On this basis, it is considered that the anticipated traffic generated by the proposed development will not result in significant adverse effects on the safety and operation of Riversdale Road and/or the existing tram services, and the surrounding road network."

### **Waste Collection**

Waste collection is proposed to occur from within the basement by way of a private contractor. The waste storage includes landfill, organics and recycling. This is considered to be acceptable.

## **ENVIRONMENTAL SUSTAINABILITY**

The Victorian planning system recognises the importance of the sustainable use and development of land and acknowledges that sustainable design initiatives must be implemented in the present, to safeguard the environment for future generations. The Boroondara Planning Scheme builds on these Objectives through various policies and provisions. Within the MPS, Clause 02.02 of the Planning Scheme gives effect to the Boroondara Council Plan (City of Boroondara, 2017-21) and the Boroondara Community Plan (City of Boroondara, 2017-27), and sets out the Vision for the municipality. Key to the Vision is 'Our natural environment is healthy and sustainable for future generations'. This Vision is further reflected at Clause 02.03-4 (Built Environment and Heritage) which seeks to ensure environmentally sustainable development (ESD) principles are incorporated into all developments. In addition to the MPS, a range of policies seek sustainable use and development including but not limited to Clause 11

(Settlement), Clause 15 (Built environment and heritage), Clause 18 (Transport), Clause 53.18 (Stormwater Management) & Clauses 54 / 55 & 58 (Residential Developments).

To ensure the relevant objectives, policies and provisions are being implemented, applications are required to be supported by a Sustainable Design Assessment (SDA) or Sustainability Management Plan (SMP), which address the proposal's sustainability credentials. In this instance the application is supported by an SMP.

Council's ESD Officer has reviewed the application along with the supporting documents; they have advised that the proposal can achieve 'best practice' with respect to ESD initiatives, albeit some minor modifications are necessary (as outlined in the Referrals section of this Report) which could be addressed by permit conditions.

To achieve 'best practice', the following key initiatives are proposed:

- Solar PV;
- Treatment and storage of stormwater, with collected stormwater (12,500L of rainwater tanks) to be reused for toilet flushing, achieving a STORM rating of 100%;
- Electric vehicle charging ready;
- Water efficient fixtures and irrigation;
- Energy efficient fixtures and appliances;
- Separate utility metering;
- Thermal insulation;
- Use of sustainable materials;
- 22 bicycle parking spaces;
- Extensive landscaping proposed;
- Passive design principles such as natural ventilation and the appropriate balance between shading of windows and daylight access.

It is highlighted that while a rainwater harvesting tank of 12,500L is proposed in the SMP, only 12,000L is shown on the plans. A condition should require the capacity of the rainwater harvesting tank to be increased to 12,500L, on any permit that issues.

With regard to Clause 53.18 (Stormwater Management), the proposed rainwater harvesting tank ensures the reuse of rainwater along with water treatment, the proposed permeability (which exceeds 20%) and landscaping contribute towards cooling and habitat and the recommended conditions of any permit that issues require a stormwater detention system to be approved by Council's Drainage Engineers. Council's Drainage Engineers have advised that the detention system will be required to result in a reduced rate of discharge (an improvement) from the site, as compared to existing conditions. The objectives of Clause 53.18 are considered to be satisfied.

Subject to appropriate permit conditions, the development is considered to provide an acceptable response with respect to sustainable design and stormwater management.

## OBJECTION RESPONSE

13 objections have been received to the application. A summary of the objections is provided below, along with the Planning Officer's response.

Summary of Objection	Planner's Comments
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The development does not meet the intent of the zoning	As per the preceding assessment relating to the strategic directions of the Planning Scheme along with the purpose of the Residential Growth Zone, the development has strong strategic support from the Planning Scheme and meets the express purpose of the zone.
Excessive density	One of the express purposes of the zone is <i>to provide housing at increased densities in buildings up to and including four storey buildings</i> . The development aligns well with this purpose.
Excessive height, bulk and scale which is out of keeping with the character of the area	As per the preceding assessment, the height, bulk and scale are considered to be appropriate given the physical and policy context of the land. The development is also considered to provide an appropriate transition to the surrounding NRZ land.
The widened crossover will look out of place	The width of the crossover is a requirement of the Head, Transport for Victoria, given the crossover serves more than 10 parking spaces and connects to a Transport Zone 2 road. Further, Riversdale Road is an arterial road - the proposed crossover is entirely in keeping with the context.
Excessive site coverage	Site coverage is proposed at approximately 65.44%, which is 5.44% above the Clause 55 Standard B8. However, this standard does not take into account the policy context of the land or the zoning which seeks increased densities. The site coverage is considered to be both acceptable and necessary to achieve the policy aspirations for the land.
Inadequate side and rear setbacks	Side and rear setbacks are considered to be well resolved. The proposed encroachments (into the Clause 55 Standard B17) are adjacent to land zoned RGZ and neighbouring interfaces which will not be unduly impacted by the encroachments. Where the development is adjacent to NRZ land, it complies with the B17 setbacks standards.
Loss of privacy	Conditions are recommended for any permit that issues to ensure the development would comply with the privacy standards of Clause 55.
Light to neighbouring windows	Conditions are recommended for any permit that issues to ensure the



	development would comply with the light to neighbouring windows standards of Clause 55.
Overshadowing, particularly due to the slope of the land	The shadow impacts of the development are considered to be well resolved. The development would comply with requirements of Clause 55 Standard B21 to all neighbouring properties except 1A and 1B Fairview Street - to these properties the development would cast no further shadow from 10am onwards on 22 September. A detailed assessment in terms of shadow impacts is provided at Appendix B.
Concerns with the accuracy of the shadow diagrams	As with any planning application, Planning Officers rely on the information submitted by the applicant. The applicant has provided a signed declaration advising that all information is true and correct.
Lack of landscaping	The landscaping proposed is extensive and far exceeds the requirements of Clause 55.
Tree removal	Tree removal is well considered, noting that only those trees that have been assessed as having low arboricultural value would be removed. Importantly, Tree 24 (15m high Brittle Gum to the front setback) would be retained. Further, tree removal would be offset by extensive replanting.
Noise from the apartment residents, including music and partying	The proposed use is residential, which is 'as of right' in the zone and accounts for the typical impacts associated with the use. If individuals were to behave in an anti-social manner, other legislation would be enacted - this is not addressed under the Planning Scheme.
Noise from the apartment services	Services are appropriately located within the basement or on the roof (screened).  Private A/C units would be located within the outdoor space / balcony of each dwelling. A/C units are required to comply with EPA noise regulations. Further, a condition is recommended on any permit that issues that requires the location of the A/C units to be shown on the plans and to be located away from neighbouring bedrooms.
Noise from vehicle movements, impacting adjacent neighbouring windows	The vehicle accessway is located to the eastern boundary. It is setback well in

	excess of the 1.5m Standard (B15 of Clause 55) from the habitable rooms of the neighbouring dwelling at No. 1/60 Riversdale Road.
Lack of parking spaces which will exacerbate parking pressure in the surrounding network	The development exceeds the parking space requirements of Clause 52.06.
Increased traffic congestion and related safety concerns	Added congestion is a natural consequence of new development. However, this must be balanced with policy directives which seek significant levels of new housing across the state. As such, the industry accepted test for whether the additional quantum of traffic is acceptable, is whether the additional traffic would have a 'significant impact' upon the road network. The development has been reviewed by Council's Traffic Engineer and the Head, Transport for Victoria. Neither referral raised concern with traffic generation / congestion.
Safety concerns relating to vehicle movements and the primary school opposite	The development has been reviewed by Council's Traffic Engineer and the Head, Transport for Victoria. Neither referral raised concern with safety or vehicle movements.
Concerns regarding vehicle conflicts given the proximity of the proposed crossover and the existing crossover at No. 60 Riversdale Road; and, a lack of information in the application to address this issue	The development has been reviewed by Council's Traffic Engineer and the Head, Transport for Victoria. Neither referral raised concern with safety or vehicle movements / conflicts.
The trams along Riversdale Road are already full with no capacity to run more trams	<p>The development is not at a scale where the capacity of public transport can be taken into account. Further, the development would provide car parking and bicycle parking in excess of the requirements; as such, while the use of public transport is encouraged, the development does not rely on it.</p> <p>If the development was for 60 or more dwellings, a referral would be required to the Head, Transport for Victoria. It is highlighted that a referral was already undertaken to the Head, Transport for Victoria due to the creation of the access to a Transport Zone 2 road - they raised no concerns with the capacity of the trams.</p>
Potential errors in the survey and plans regarding separation distances	Officers are not aware of any error in the survey plan.

The development will affect neighbouring solar panels at No. 1/60 Riversdale, once installed.	It is highlighted that while the impact upon neighbouring solar panels is a relevant consideration under the Planning Scheme, impacts can only be considered to existing solar panels.
Secluded private open space along the western boundary of No. 1/60 Riversdale Road has not been acknowledged within the application	Officers acknowledge that the side setback to No. 1/60 Riversdale Road could be used as secluded private open space. Officers also understand that this property has an area of SPOS to the front setback and another to the east. This has been factored into the Officer assessment.
Where are bins to be located?	Bins would be stored and collected from the basement, by way of private contractor.
Where are services to be located?	Services are located within the basement, upon the roof (screened) and A/C units would be provided within the outdoor space of each dwelling. Service enclosures would also be provided within the front fence.
More information is required regarding boundary fencing	<p>Boundary fencing is not addressed at the Planning stage. Boundary fencing is a civil matter between neighbouring properties which is addressed under the Fences Act and potentially becomes a matter for the building permit, depending on the heights of the fences.</p> <p>What is relevant to Planning; however, is how ground level overlooking will be addressed, particularly given the sloping nature of the land and the necessary cut and fill. Conditions are recommended on any permit that issues, to require details of screening to demonstrate that overlooking would be addressed in accordance with Clause 55 Standard B22.</p>
Impact upon the stormwater and drainage network, noting there is a history of overflow and flooding in the area	<p>This matter was discussed with Council's Drainage Engineer who advised that an onsite detention system would be required for the development which meets the following specifications:</p> <p>"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</p>

	<p>rainfall event, via an approved stormwater detention system designed to Council specifications."</p> <p>Council's Drainage Engineer advised that this discharge rate is designed to be an improvement on the current rate of discharge from the Site.</p> <p>It is further highlighted that Officers reported the issue to Council's Drainage Maintenance &amp; Cleaning Services (Drainage Depot). The Drainage Depot advised that they had investigated this issue toward the end of 2021 and early 2022. The investigations found blockages and root growth which were then cleared. The Drainage Depot advised that they were not aware of any further complaints following the maintenance works.</p>
No details of a stormwater detention system have been provided	Stormwater detention systems are required to be approved before development commences, with Council's Drainage Engineers undertaking the relevant assessment. This is the standard process for all planning applications.
Impacts during construction, including noise and the parking requirements of workers	Construction impacts are a natural consequence of construction and while they cannot be avoided entirely, they can be minimised. To ensure that construction is undertaken in an appropriate manner, it is recommended that a construction management plan condition be imposed on any permit that issues.

## INTEGRATED DECISION MAKING

Clause 71.02 of the Planning Scheme requires the decision-maker to integrate the range of relevant policies (to the issues to be determined) and balance the positive and negative environmental, social and economic impacts of the proposal, in favour of net community benefit and sustainable development. When considering net community benefit, fair and orderly planning is key; the interests of present and future Victorians must be balanced; and, the test is one of acceptability.

Clause 71.02 seeks to ensure the objectives of the *Planning and Environment Act 1987* (as set out in section 4) are achieved, which includes the facilitation of development.

The proposal is considered to be appropriate and acceptable, for the following reasons:

- The proposal has strategic support from the Planning Scheme, which has a consistent theme of increasing residential density within accessible and strategically appropriate locations, this is reflected in Council's Housing

Framework Plan which identifies the Site for 'increased diversity and density' and categorises the land as a 'main road apartment precinct'.

- The proposal achieves the express purpose of the zone which includes to provide housing at increased densities in buildings up to and including four storeys.
- The proposal is well conceived from an architectural and urban design perspective, resulting in a high quality and contextual development which will sit comfortably within its context. Further, the development provides for an appropriate transition to the surrounding NRZ land.
- The development provides for considerable landscaping opportunities, appropriate to the physical and policy context.
- The development accommodates the retention of the mature Brittle Gum within the front setback.
- The development achieves excellent standards of onsite amenity, including appropriate levels of outdoor space.
- The development will not result in undue offsite amenity impacts.
- The development complies with all Clause 55 objectives and most standards.
- The development provides an oversupply of parking spaces and the traffic movements will not unduly impact the surrounding network.
- The development provides an oversupply of bike parking spaces.
- The development achieves 'best practice' in term of sustainable design.

The impacts of the development are considered to weigh in the favour of 'positive'. Viewed holistically and balancing the material considerations along with the interests of present and future Victorians, the proposal is considered to result in a net community benefit and sustainable form of development; for these reasons, the application is recommended for support, subject to appropriate conditions.

## APPENDIX A - Referrals

### Head, Transport for Victoria

The Head, Transport for Victoria, pursuant to Section 56(1) of the *Planning and Environment Act 1987* **does not object** to the grant of a planning permit subject to the following conditions:

**Condition:**

1. Prior to the occupation of the development the crossover driveway and all associated works show on plans (Pitard Group Ref TP-03 Rev 3 29/08/2023) must be constructed to the satisfaction of the Head, Transport for Victoria and the Responsible Authority, at no cost to the Head, Transport for Victoria.
2. All vehicles associated with the development must be able to conveniently enter and exit the subject land in a forward direction to the satisfaction of the Responsible Authority and the Head, Transport for Victoria.
3. All disused or redundant crossings along Riversdale Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.
4. The permit holder must avoid disruption to tram operation along Riversdale Road during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of 8 weeks prior.
5. The permit holder must ensure that all track, tram and overhead infrastructure is not altered or damaged. Any alteration or damage to public transport infrastructure must be approved and / or rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

**Permit Note:**

The proposed development requires the construction of a crossover. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport & Planning prior to commencing any works..

### Urban Design

#### COMMENTS:

The proposal seeks support for a 4-storey apartment building over a basement level comprising 29 dwellings. The site slopes steeply down (approx. 4.2m) from north-east to south-west across a 58m with a portion of the massing set down into the site. The majority of the proposal is within the 13.5m (4-storey) mandatory height limit required by Clause 32.07 with minor encroachments towards the rear (south) of the site. The ground floor is setback 6.75m and first and second floor are set back 6.55m from Riversdale Road with façade elements expressed a further 0.5m into the front setback. The driveway is located to the north-eastern corner of the site and provides vehicle access to a common basement car park, central lift / stair core, bike parking and storage areas. Decks and balconies ring the proposal at each level and in all cardinal directions with various screen types to avoid overlooking. The built form is setback to the rear in compliance with ResCode however the sides (east and west) encroach at Level 2.

The ground floor western interface is setback between 2.0-4.4m with a deep central recess offset 7.6m from the boundary (continuing to level 2) and a similar profile to the east. Level 1 and setback range from 5.5-6.8m with Level 3 increased to 7.9m

(east) and 9.1m (west). To the south the ground floor offset is 3.0m, Level 1 is 4m, Level 2 is 7m and Level 3 is 10.5m.

The building form is contemporary and incorporates a classical aesthetic with strong columnar rhythm and highly articulated natural stone finish to the façade. The massing is broken up with light brick-face base to the ground floor, stone and black metal cladding to Levels 1 and 2 and mid-grey metal cladding creating a distinctive 'cap' to the top (3<sup>rd</sup>) storey.

1. The Residential Growth Zone seeks *'To provide housing at increased densities in buildings up to and including four storey buildings'*. We are generally supportive of the 4-storey proposal however we do recognise areas for refinement to ensure height and setback requirements are met and the objectives of the RGZ and guidelines within the NCS are adhered to.
2. The split-level arrangement between the eastern and western portion of the building responds to the steep slope of the site allowing 4-storey massing without significant encroachment into the side setback, B17 profile. Section 1 (TP-12) of the architectural package does however reveal some encroachment which appears to be limited to the balcony balustrade of APT 206. We consider this minor encroachment to be acceptable however it appears the massing associated with APT 207 will have greater impact on the preferred neighbourhood character and will negatively impact amenity of current and future dwellings to the west. We also recognise it is difficult to assess adherence with Standard B17 given the stepped profile and sloped terrain along the western boundary. Therefore, we recommend an updated graphic be provided to demonstrate adherence with Standard B17 along the western boundary. While this will result in some 'trimming' to the top of Level 2, the design response must also consider the composition of the northern façade. A stepped or 'wedding cake' profile will not be considered acceptable.

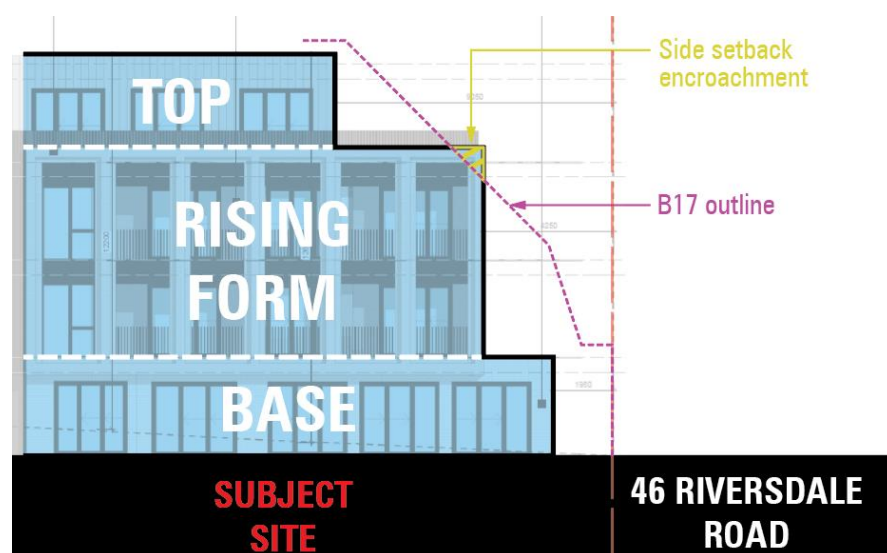


Figure 1: Extract North Elevation (TP-10) showing encroachment into B17 profile.

3. Clause 55.03-1 (Street setback) objective states that the minimum front setback should be *'The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street'*. The Existing Conditions plan (TP-01) shows a 6.7m setback to the west (1/46 Riversdale Road) and a 7.6m setback to the east (60 Riversdale Road) resulting in a preferred front setback of 7.15m. The proposal is 'sunken' approximately 1.3m below NGL when viewed from street level, thereby lessening the visual impact of the northern façade of the proposal. This is however a similar condition to other properties along the southern side of Riversdale Road. In the absence of any clear justification for encroachment into the setback Standard B6, we recommend a minimum front setback of 7.15m be provided to the northern façade.
4. We are generally supportive of the northern façade treatment which incorporates recessed balconies and well-articulated, stone-faced framing elements. We note alternative façade treatment above the pedestrian entry clearly highlights the front door location. We are however concerned that the proposal does not adequately meet the NCS Precinct 40 objective of *'maintaining the existing streetscape rhythm'*. When viewed from Riversdale Road the proposal fails to provide adequate articulation to reflect the prevailing subdivision pattern. A vertical recess within the northern façade would help to divide the massing into two components, reflecting the two current titles and adding visual depth to the 26m wide façade. Therefore, we recommend providing a vertical break 3m wide x 2m deep to provide visual relief, to reflect the existing subdivision pattern and streetscape rhythm of this part of Riversdale Road. Retaining a material distinction between the primary façade and vertical recess is also recommended.
5. The stepped built form profile of the southern interface mitigates issues of visual bulk and overshadowing to the south. We are concerned however that the ground floor layout is too tightly arranged, resulting in poor on-site and off-site amenity impacts.
  - a. Firstly, portions of the timber deck (balcony) for APT G05 appear to be elevated above the ground plane and could result in overlooking into habitable rooms and/or open space of neighbours to the south (1 Fairview Street). Ensure the balcony complies with Standard B22 (Overlooking) objectives.
  - b. Secondly, the maximum width of balconies shown for APT G04 & APT G05 is 1.5m which is 0.1m less than is required in Standard B28 (ResCode). While a 1.6m wide area adjacent to the living room would be acceptable, we consider 2.0m or more width to be desirable and commensurate with apartments of this size (3-bedrooms).
  - c. Lastly, the overall length of balcony of 31m (15.5m per apartment) along the southern interface is considered excessive. The provision of a green 'break' with opportunities for planting

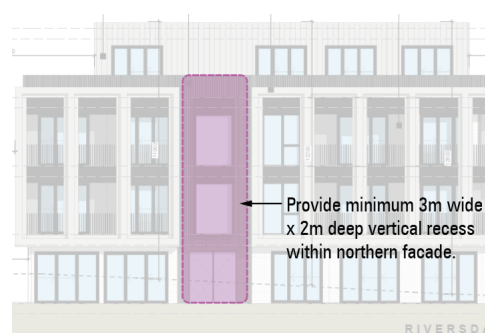


Figure 2: Extract North Elevation (TP 101)



would offer welcome visual relief to neighbours (south) and future residents (APT G04 & APT G05).

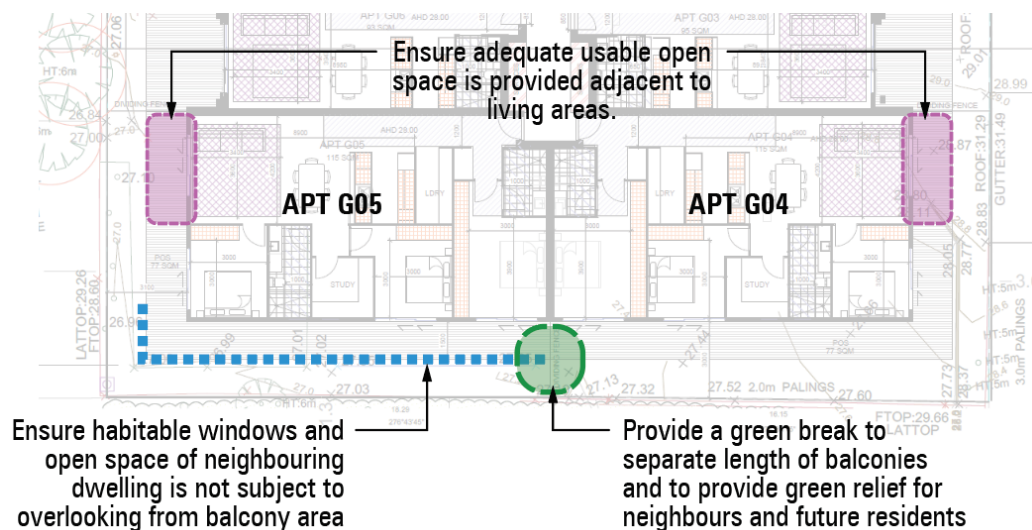


Figure 3: Extract Ground Floor Plan (TP-05) showing potential adjustments to APT G04 and APT G05 open space and interface treatment.

6. We are broadly supportive of the proposal in terms of overall height, massing proportions and material finish. We do however recognise that the proposed adjustments to street setback, addition of a vertical recess to the northern façade and erosion to western profile to accord with Standard B17 will have an impact on massing and therefore yield.

#### Arborist

##### ARBORIST REFERRAL RECOMMENDATION SUMMARY:

- The proposal is not supported

##### SUMMARY COMMENTS:

The following issues are identified:

1. Trees 3, 11, 21, 22, 23 absent from site survey
2. Construction of driveway within the TPZ of tree 11 must be above existing grade and consist of permeable materials. This may result in issues with ramp gradient.
3. Major encroachment of tree 12 to be considered by ESOS.
4. Steps within the SRZ of tree 24 would not be supported.
5. Fencing structures within the TPZ of tree 24 and all neighbouring trees to incorporate root sensitive footings.

6. Existing ground levels must be maintained of trees to be retained (excluding built form)
7. Extent of basement footprint and hard surfaces do not allow for appropriate replacement planting and landscape outcomes.
8. Confirm ownership of tree group 18
9. Opportunity for appropriate replacement planting to compensate for the removal of existing trees is insufficient. The proposal must be redesigned to facilitate 2 canopy trees with 49sqm of deep soil within the rear of G04 and G05, with small trees within the POS of G01, G06 and G07 with 12sqm of deep soil.

#### **DETAILED COMMENTS:**

##### **Detailed Internal Arborist Comments:**

##### **Tree 1 - Subject site tree**

Hedging trees which have been identified as low amenity and poor structure. Their removal would be supported and would have minor impacts on the treed character of the neighbourhood. These trees appear to be under permit size based on the arborist report.

##### **Tree 2 - Neighbouring tree**

The proposed basement is located outside of the TPZ of this tree. The proposed decking area represents a TPZ encroachment of approximately 5% which is considered minor and unlikely to impact the tree. The TPZ area outside of the decking must be maintained at existing grade and consist of permeable surfaces and garden area.

##### **Tree 3 -**

##### **Tree 4 - Neighbouring hedge**

The proposed basement is located outside of the TPZ of these trees. TPZ area between the decking and the southern boundary must be maintained at existing grade and consist of permeable surfaces and garden area.

##### **Tree 5 - Subject site trees**

Hedging trees which have been identified as low amenity and poor structure. Their removal would be supported and would have minor impacts on the treed character of the neighbourhood. These trees appear to be under permit size based on the arborist report.

##### **Tree 6 - Subject site tree**

Small tree with low amenity and streetscape value. Likely sucker growth which will not require a local law permit for removal.

##### **Tree 7 - Subject site tree**

Relatively small tree in good condition located within the front setback of the property. The tree provides low amenity and streetscape value due to its size and is not considered a canopy tree under the local law. The removal of this tree would be supported with appropriate replacement planting.

##### **Trees 8 and 9 - Subject site trees**

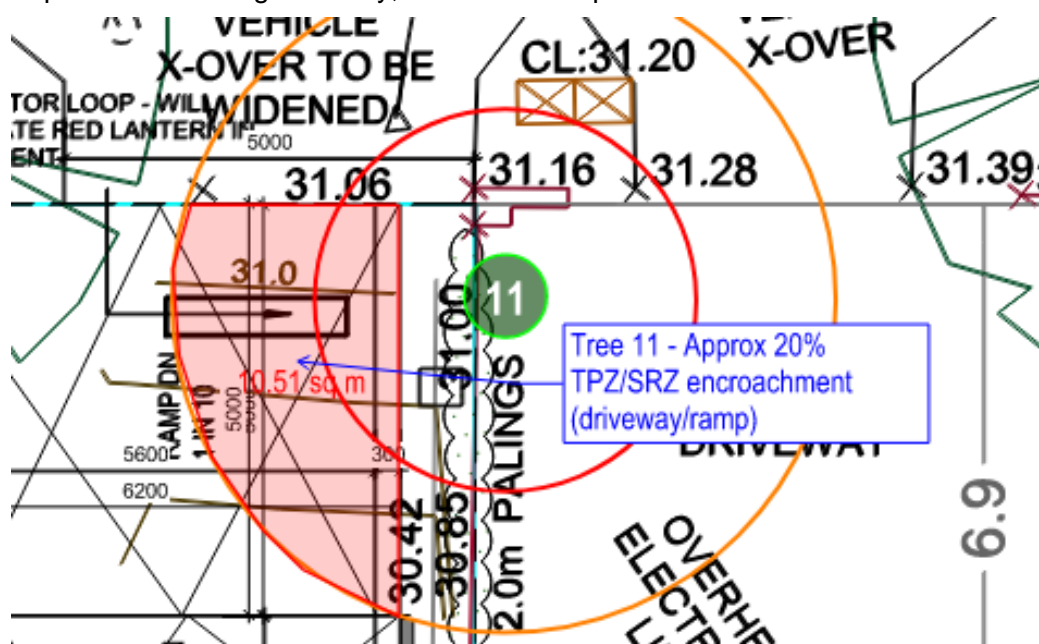
Likely self-seeded weed species tree with low amenity and streetscape value. Their removal would be supported with replacement planting. Local law permits do not appear to be required for their removal.

##### **Tree 10 - Subject site trees**

Two small native trees with low amenity and streetscape value. Structure appears to be fair with multiple stemmed form and included unions. The removal of these trees would be supported with appropriate replacement planting. The removal of these trees will likely require local law approval.

#### **Tree 11 - Neighbouring tree**

This neighbouring tree is located directly adjacent to the eastern boundary fence and has not been surveyed as part of the plans. The proposed ramp will represent a major encroachment of the TPZ and SRZ which is likely to have major impacts on the tree. The driveway/ramp within the TPZ/SRZ of this tree must be constructed above grade, or at the depth of the existing driveway, and consist of permeable materials.



*Tree 11 - Proposed TPZ/SRZ encroachment (ramp/driveway)*

#### **Tree 12 - Street Tree**

The proposed ramps, services and decking represent major encroachments of the TPZ. ESOS to provide comments and conditions.

#### **Tree 13 - Subject site trees**

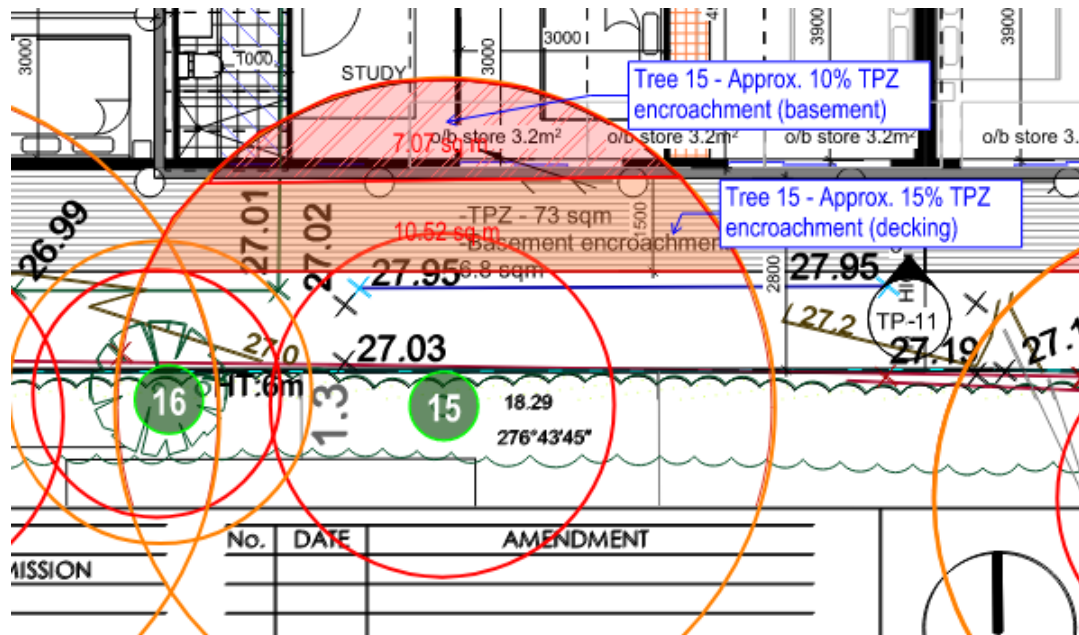
Hedging trees which have been identified as low amenity and poor structure. Their removal would be supported and would have minor impacts on the treed character of the neighbourhood. These trees appear to be under permit size based on the arborist report.

#### **Tree 14 - Subject site vegetation**

Row of banana palms which provide low levels of amenity and streetscape value due to their size, species and location. Their removal would be supported and would have minimal impacts on the treed character of the neighbourhood. It does not appear that local law approval is required.

#### **Tree 15 - Neighbouring tree**

The proposed basement represents a TPZ encroachment of approx. 10% which is considered minor and unlikely to impact the tree. The proposed decking area represents a further TPZ encroachment of approximately 15% which is considered major and has the potential to impact the tree. Given the species of tree it is unlikely to be impacted with decking to be constructed above grade, on root sensitive footings, and with a permeable design. Decking to be deleted within the SRZ of this tree.



*Tree 15 - Proposed TPZ encroachment (basement and decking)*



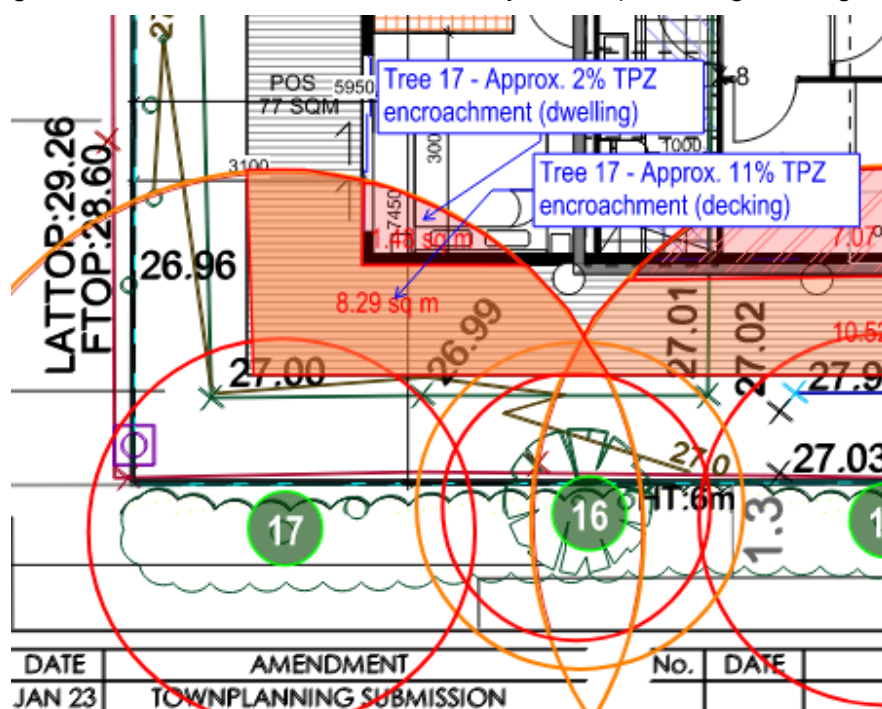
*Tree 15 (arb report photo)*

**Tree 16 - Neighbouring tree**

The proposed represents a minor TPZ encroachment which is unlikely to impact the tree. Construction of the decking should be above grade and must maintain the existing levels within the TPZ where it enters the property.

### Tree 17 - Neighbouring tree

The proposed dwelling represents a TPZ encroachment of approx. 2% which is considered minor and unlikely to impact the tree. The proposed decking represents a further TPZ/SRZ encroachment of approx. 11%. Although the combined encroachment is marginally over what is considered minor, the proposed works are unlikely to impact the tree. The decking must be constructed above grade utilising root sensitive footings. Decking to be deleted within the SRZ. The TPZ area must be maintained at existing grade where it encroaches into the subject site (excluding building footprint).



Tree 17 - Proposed TPZ encroachment (dwelling/decking)

### Tree 18 - Subject site trees

Hedging trees which have been identified as low amenity and poor structure. Their removal would be supported and would have minor impacts on the treed character of the neighbourhood. These trees appear to be under permit size based on the arborist report. There appears to be some discrepancy regarding the site survey and arborist report. Tree ownership to be confirmed.





**NEIGHBOURING TREES #18**

*Tree 18 - Photo from arb report.*

**Tree 19 - Neighbouring trees**

The majority of the tree group have a minor encroachment of their TPZ into the subject site with the exception of one tree. Given the size and species of the tree, none of the trees are likely to be impacted.

**Tree 20 - Neighbouring tree group**

The proposed ground floor represents a minor TPZ encroachment of this tree group which is unlikely to have significant impacts. The existing grade must be maintained within the TPZs of these trees where they enter the subject site.

**Tree 21 - Neighbouring tree**

This tree has been omitted from the site survey, however the arborist report has estimated its location. It does not appear that the TPZ enters the subject site and it is therefore unlikely to be impacted. Tree to be plotted accurately for future plans.

**Tree 22 - Neighbouring tree**

This tree has been omitted from the site survey, however the arborist report has estimated its location. The TPZ encroaches into the subject site and has the potential to be impacted. Maintaining the existing levels within its TPZ will allow its successful retention.

**Tree 23 - Subject site tree**

Assessed to have low amenity value due to species and size. Its removal would be supported and is unlikely to require local law approval.

**Tree 24 - Subject site tree**

The proposed basement and ground floor footprint represent a TPZ encroachment of approximately 9% which is considered minor and unlikely to impact the tree. There is a

[illegible]

### Tree 25 - Subject site tree

### Tree 26 - Street tree

- The applicant has failed to demonstrate how the development responds to the preferred neighbourhood character statement regarding the retention of large trees, and the landscape plans do not retain and protect significant vegetation on the site.
- The applicant has failed to demonstrate how the development responds to Clause 15.01-5L of the Planning Scheme (Neighbourhood Character). The proposed development does not retain canopy trees and there is insufficient space to plant, establish and maintain new canopy trees.

<b>TREE PROTECTION LOCAL LAW PERMITS REQUIRED?</b>	Yes
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<b>Tree Protection Local Law Permits Will Be Approved For (Tree Numbers): 10, 25</b>
<b>Tree Protection Local Law Permits Will <u>NOT</u> Be Approved For (Tree Numbers):</b>
<p><i>If there are unresolved street tree issues</i></p> <p><b>Subject to further assessment and requirements from ESOS regarding Tree XXX, please include the following conditions:</b></p> <p><i>If street tree issues are resolved</i></p> <p><b><u>Please include the following conditions:</u></b></p> <p><b>Amended plans required</b></p> <p>1. Plans modified to show:</p> <ul style="list-style-type: none"> <li>a) The Tree Protection Zone and Structural Root Zone of Tree Nos. XXX (as identified in the Arborist Report submitted with the application prepared by COMPANY NAME (dated XXX) drawn on all site and floor plans;</li> <li>b) Notation on all site and floor plans that Tree Nos. XXX are to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;</li> <li>c) 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>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.</li> <li>e) Notation on all site and floor plans that all excavations within the Tree Protection Zone of Tree XX must be undertaken with hand tools or hydro-vacuum to a minimum depth of <u>50 cm / 1 metre</u> and that all excavation works must be supervised, document and certified by the Project Arborist.</li> <li>f) Permanent fencing within the Tree Protection Zone of Tree XX constructed on pier foundations with any required plinths constructed above existing grade.</li> <li>g) Notation on all site and floor plans that no strip footing is permitted within the Tree Protection Zone of Tree XX.</li> <li>h) All building foundations within the Tree Protection Zone of Tree XX to be constructed using root sensitive techniques (e.g. pier and beam, waffle slab, suspended slab or cantilevered foundations).</li> <li>i) Changes to the INSERT AREA OF DEVELOPMENT to facilitate replacement tree planting as required in the Landscape Plan conditions of this permit.</li> <li>j) Deletion of INSERT AREA OF DEVELOPMENT to facilitate replacement tree planting as required in the Landscape Plan conditions of this permit.</li> </ul> <p><b>Landscape plan</b></p> <ul style="list-style-type: none"> <li>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;</li> <li>b) All hard surfaces proposed within the Tree Protection Zone of Tree Nos. XXX (as identified in the Arborist Report submitted with the application COMPANY</li> </ul>

- NAME (dated XXX) 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 10/13 metres and canopy spread of 5/7 metres) in the front setback of the property;
  - e) One (1) small tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 5/7 metres and canopy spread of 3/5 metres) in the secluded private open space of each dwelling;
  - f) Each canopy tree must be provided a minimum of 49 sqm of deep soil, with the available soil area clearly shown on the landscape plan;
  - g) Each small tree must be provided a minimum of 12 sqm of deep soil, with the available soil area clearly shown on the landscape plan;
  - h) All trees must comply with Australian Standard AS2303:2015 - Tree Stock for Landscape Use;
  - i) All canopy trees must be planted by an AQF Level 3 Qualified Arborist, Landscape Gardener or Horticulturist;
  - j) All canopy trees must be planted more than 2 metres away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
  - k) All small trees must be planted more than 1 metre away from any structures, paving, decking, property boundaries, easements, existing trees or shrubs;
  - l) All trees within side and rear setbacks adequately setback from common boundaries to avoid mature canopy overhang of neighboring spaces.
  - m) One (1) large tree (minimum 2 metres tall when planted and must achieve a minimum mature height of 13/15/20 metres and canopy spread of 7/10/15 metres) in the front/rear/side setback of the property.
  - n) Each canopy tree must be provided a minimum of 121 sqm of deep soil, with the available soil area clearly shown on the landscape plan

### **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. XXX (as identified in the Arborist Report submitted with the application prepared by COMPANY NAME (dated XXX)). The Tree Management Plan must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to ensure that all retained trees remain healthy and viable during construction:
  - a) A Tree Protection Plan drawn to scale that shows:
    - i. Tree Protection Zones and Structural Root Zones of all trees to be retained;

- ii. All tree protection fenced off areas and areas where ground protection systems will be used;
  - iii. The type of foundations (illustration or notation) within each Tree Protection Zone;
  - iv. Any services to be located within the Tree Protection Zone and a notation to state that all services will either be located outside of the Tree Protection Zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the project arborist; and
  - v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the Tree Protection Zone.
- b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the project arborist; and details of how any permeable surfaces within the Tree Protection Zone of retained trees will be constructed;
  - c) Specification that a suitable time must be arranged with Council's Arborist (Statutory Planning), who must be present to supervise any root excavation greater than 5 cm in diameter within the Tree Protection Zone of Tree Nos. XXXX;
  - d) Specification that a suitable time must be arranged with Council's Arborist (Environmental Sustainability and Open Spaces), who must be present to supervise any root excavation greater than 5 cm in diameter within the Tree Protection Zone of Tree Nos. XXXX;
  - e) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the Responsible Authority;
  - f) 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.*
  - g) 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. A written record must be maintained on site of all contractors inducted regarding this condition. At the request of an authorized officer of Council this written record must be provided to council.

**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.

**Traffic**

ON-SITE PARKING PROVISION				
DESCRIPT ION (USE)	SIZE	CAR PARKING RATE	CAR PARKING REQUIREMENT	ON-SITE PARKING PROVISION
1 x Dwelling	1 x bedrooms	1 space per dwelling	1	1
24 x Dwelling	2 x bedrooms	1 space per dwelling	24	26
4 x Dwelling	3 x bedrooms	2 spaces per dwelling	8	8
Visitor	29 x Dwellings	PPTN	0	0
<b>TOTAL</b>			33	35

DESCRIPTION (USE)		SIZE	BICYCLE PARKING RATE	BICYCLE PARKING REQUIREMENT	ON-SITE PARKING PROVISION
Resident		29 dwellings	1 per 5 dwellings (if 4 storeys or more)	5	14
Visitors			1 per 10 dwellings (if 4 storeys or more)	2	
TOTAL				7	14
SATISFIED		PARKING ASSESSMENT ELEMENT			
YES	NO				
X		In accordance with Statutory Requirements			
	N/A	Waiver of long-term (eg. staff, resident) parking			
	N/A	Waiver of short-term (eg. visitor, customer) parking			
	N/A	Submission of empirical data - including Parking Demand and Occupancy surveys			
COMMENTS					
<ul style="list-style-type: none"><li>The provision of 35 car parking spaces within a basement car park exceeds the statutory requirement of 33 resident car parking spaces in accordance with Clause 52.06.</li><li>The subject site lies within the PPTN, therefore, Column B rates have been applied.</li><li>Under Council's Parking Permit Policy, residents of the development will not be eligible for resident or visitor parking permits.</li><li>There is a statutory bicycle parking requirement for the development of 5 resident bicycle spaces and 2 visitor bicycle spaces. A total of 14 bicycle parking spaces have been provided in the basement car park for residents and visitors which exceeds the statutory requirement and is considered acceptable.</li><li>It is considered reasonable that visitors may also be able to park bicycles within the basement car park, as residents will simply allow visitors access to the basement.</li></ul>					
CAR PARK LAYOUT/DESIGN					
SATISFIED		PARKING ASSESSMENT ELEMENT			
YES	NO				

Parking Spaces/Garages		
X		Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004
X		Electronic swept path assessment provided to demonstrate satisfactory access
<b>COMMENTS</b> <ul style="list-style-type: none"> <li>• Dimensions for the majority of parking spaces (2.6m wide x 4.9m long), assessed via a 6.4m aisle width exceed the minimum requirements of Clause 52.06.</li> <li>• Proposed tandem spaces include an additional 500mm gap between spaces in accordance with Clause 52.06. All tandem spaces must be allocated to the same dwelling.</li> <li>• Parking spaces adjacent to walls are widened to a minimum of 2.9m in accordance with AS/NZS2890.1-2004.</li> <li>• Columns are located and designed in accordance with Clause 52.06 and/or AS/NZS2890.1-2004.</li> <li>• The proposed bicycle parking spaces are designed in accordance with Clause 52.34.</li> </ul>		
Access Aisles		
X		Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004
X		Electronic swept path assessment provided to demonstrate satisfactory access
X		Provision of 1m aisle extension for blind aisle in basement car park
<b>COMMENTS</b> <ul style="list-style-type: none"> <li>• All main aisles are 6.4m wide which adheres to the Planning Scheme requirement and permits simultaneous two-way traffic.</li> </ul>		
Access Ramps		
X		Ramp width and design in accordance with Clause 52.06 or AS/NZS2890.1-2004
X		Ramp grades in accordance with Clause 52.06 or AS/NZS2890.1-2004
X		Electronic swept path assessment demonstrating satisfactory simultaneous access
<b>COMMENTS</b> <ul style="list-style-type: none"> <li>• The access ramp achieves a minimum width of 3.6m wide between walls (inclusive of kerbs), in compliance with AS/NZS2890.1-2004. Given the basement car park services 35 on-site spaces, the access does not permit simultaneous two-way</li> </ul>		

<p>movement along the entire length. It is noted that the access widens to 6.8m wall-to-wall at the interface with Riversdale Road.</p> <ul style="list-style-type: none"> <li>• The proposed access ramp achieves an upwards ramp grade of 1:10 for the first 5m, followed by a section of 1:4.5 for 2m, then a further section of 1:4 for 19.2m, a further section of 1:8 grade for 2.5m to a flat grade within the basement. These ramp grades satisfy the requirements of Clause 52.06.</li> <li>• Internal ramped accessways are designed in accordance with Clause 52.06.</li> <li>• A passing area has been provided as the accessway serves 10 or more spaces connects to a road in a Transport Zone 2 or 3. It is noted that the access aisle immediately at the bottom of the access ramp widens to 6.4m to permit vehicles to pass. This passing area is supplemented by a traffic control system which regulates ingress and egress movements to/from the development, with an emphasis on prioritising ingressing vehicles to the site.</li> <li>• It is noted that a convex mirror is also proposed at the base of the access ramp to assist visibility.</li> <li>• The construction of the proposed crossover to Riversdale Road must be approved and constructed to the satisfaction of the responsible authority.</li> </ul>		
<b>Headroom</b>		
<b>X</b>		Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004
<b>COMMENTS</b>		
A minimum height clearance of 2.1m has been provided at the entrance and within the basement car park levels in accordance with Clause 52.06.		
<b>Pedestrian Sight Triangles</b>		
<b>X</b>		Dimensions in accordance with Clause 52.06 or AS/NZS2890.1-2004
<b>X</b>		Fences or obstructions restricted to a height of 900mm or made to be 50% permeable to maintain visibility to pedestrians
<b>COMMENTS</b>		
A pedestrian sight triangle has been provided on the western side of the site accessway. Given the width of the access at the site interface there is sufficient visibility for egressing motorists on both sides of the access, which is acceptable. Should landscaping or other obstructions (i.e. retaining/ramp walls, fences etc.) be proposed within the sight triangles, they are required to be no higher than 900mm in height or made to be 50% permeable in order to maintain visibility to pedestrians.		
<b>LOADING REQUIREMENTS</b>		
<b>SATISFIED</b>		<b>LOADING ASSESSMENT ELEMENT</b>
<b>YES</b>	<b>NO</b>	



<b>N/A</b>	<b>N/A</b>	Dimensions of on-site loading area in accordance with Clause 52.06			
<b>N/A</b>	<b>N/A</b>	Suitable justification for not providing an on-site loading facility			
<b>COMMENTS</b>					
N/A					
<b>WASTE COLLECTION</b>					
<b>SATISFIED</b>		<b>WASTE COLLECTION ASSESSMENT ELEMENT</b>			
<b>YES</b>	<b>NO</b>				
<b>X</b>		Identification of waste collection method (Council/Private Contractor)			
<b>X</b>		Demonstration of suitable on-site access and manoeuvrability (if required)			
<b>COMMENTS</b>					
<p>Waste is to be collected on-site by a private contractor. A bin store room is provided in the basement car park. Waste contractors will access the store and transfer the bins to/from during collection. Collection is to occur outside of peak traffic periods to minimise impacts to residents and surrounding stakeholders.</p> <p>Swept path analysis of a 6.4m waste collection vehicle has been provided demonstrating a typical mini rear loader waste truck entering and exiting the basement car park. The waste vehicle will prop near the bin store while collection occurs. The vehicle may exit the basement car park in a forwards direction.</p>					
<b>TRAFFIC ASSESSMENT</b>					
<b>DESCRIPTI ON (USE)</b>	<b>SIZE</b>	<b>DESIGN GENERATION RATES</b>		<b>TRAFFIC GENERATION ESTIMATES</b>	
		<b>PEAK HOUR</b>	<b>DAILY</b>	<b>PEAK HOUR</b>	<b>DAILY</b>
1 x Dwelling	1 x bedroom	0.5/dwelling	5/dwelling	15	145
24 x Dwelling	2 x bedrooms				
4 x Dwelling	4 x bedrooms				
<b>TOTAL</b>				15	145
<b>COUNCIL OBTAINED TRAFFIC DATA</b>					
<b>STREET</b>		<b>DATE</b>	<b>ROAD TYPE(CAPACIT Y)</b>	<b>DAILY TRAFFIC VOLUME</b>	
Riversdale Road, Hawthorn		2019	Arterial Road	12,000	
<b>PROVIDED</b>		<b>TRAFFIC ASSESSMENT ELEMENT</b>			

YES	NO	
	X	Existing traffic volume data for adjacent street
X		Anticipated traffic generation of the proposed development to be accommodated within the surrounding road network
X		Submission of traffic modelling data to justify anticipated traffic generation
<b>COMMENTS</b> <p>It is considered reasonable that a traffic generation rate of 5 vehicle movements per dwelling, including 0.5 movements per dwelling in the peak hours be applied for the proposed development. This results in a total of 145 movements per day, with 15 of these occurring in each of the peak hours. This equates to approximately one vehicle every 4 minutes during the peak period.</p> <p>It is indicated in the analysis that there is significant capacity based on current traffic volumes for the anticipated site-generated traffic volumes to be accommodated within the existing Riversdale Road traffic volumes.</p> <p>On this basis, it is considered that the anticipated traffic generated by the proposed development will not result in significant adverse effects on the safety and operation of Riversdale Road and/or the existing tram services, and the surrounding road network.</p>		

### Environmental Sustainable Design

#### Summary

This is the second response to the submission. The initial responses are included while the updated responses have been added in **Green**. The recommended planning permit conditions have been updated accordingly.

Documents reviewed:

- Development plans by Pitard Group dated July 2023 and received by Council on 21/08/2023
- Sustainability Management Plan by Energy Water and Environment dated 14<sup>th</sup> August 2023 and received by Council on 21/08/2023

#### Environment (ESD) Response

1. **Renewable Energy:** The BESS report indicates that 20kW roof mounted solar photovoltaic system will be provided for the development. This however was not included in the SMP or on plans. It is required that plans show the panels on roof, however, a condition is included to show a system capacity of at least 10kW which will provide some flexibility and practicality. On-site

renewable energy is imperative to reducing peak power demand and greenhouse gas emissions

**Received**  
8/3/2023

<b>Dwellings Energy Approach</b>	
What approach do you want to use for Energy?:	Provide our own calculations
<b>Solar Photovoltaic system</b>	
System Size (lesser of inverter and panel capacity): PV	20.0 kW peak
Orientation (which way is the system facing)?: PV	North
Inclination (angle from horizontal): PV	2.0 Angle (degrees)

**Satisfactory**

2. **Energy Ratings:** the SMP does not include the individual heating and cooling loads resulting from the undertaken preliminary ratings and therefore it could not be assessed whether the development complies with the maximum cooling load of clause 55.07. Therefore, it is required that this information is included in the SMP for all thermally unique dwellings and especially for the top floor apartments facing north, east, and west. The preview energy rating certificates must be appended to the SMP report.

**Satisfactory**

3. **Catchment plan:** A complete response to the stormwater management requirements involves the preparation and submission of a site layout plan showing the different catchment areas sizes and the proposed stormwater treatment measures consistent with the STORM report, the SDA and the BESS report. The underlying must be a roof plan that indicates slopes of different roofs to predict the potential path of rainwater from source to treatment destination.

**Satisfactory**

4. **Stormwater collection from balconies:** The fact that trafficable areas can collect more pathogens that lead to water contamination and increase health risks, Council does not encourage the collection of rainwater from trafficable terraces and balconies into rainwater tanks. It is recommended that stormwater runoff from the terraces is treated separately through means other than storage and reuse, however, should trafficable areas need to be collected from, provide more details on the potential water contaminants resulting from the expected use of the areas of collection, the relevant water treatment measures proposed upstream and downstream the tanks, and their effectiveness in achieving the required water quality suitable for the end use. Also provide a maintenance plan, stating periodic actions, requirements, and responsibilities.

The rating is achieved by the utilisation of an 12.5kL rainwater harvesting system treating 932 m<sup>2</sup> of the roof and balcony area via toilet flushing (with UV filters). Note that flow and detention requirements of Clause 53.18 are being undertaken by others.

**Not entirely satisfactory, the maintenance plan is not included in the SMP.**

- 5. Electric Vehicle (EV) Charging Infrastructure:** electric and other zero emission vehicles are imperative in achieving zero carbon and reduce urban air pollution. In an apartment building it is increasingly difficult for the first EV adopter to install chargers when an infrastructure is missing. Therefore, and in order to future-proof the development, it is required that EV charging infrastructure is provided for all the residential carparking spaces in accordance with NCC 2022

**Not Satisfactory. The response only includes spatial provisions in the switch board as shown in the excerpt below. The response should be in line with NCC2022 provisions as initially required.**

Electric Vehicle Charging Infrastructure	<ul style="list-style-type: none"> <li>Provision of space in switchboards shall be made for residents / body corporate to install electrical vehicle charging at car parks</li> </ul>	<ul style="list-style-type: none"> <li>Provision of space in switchboards shall be made for residents / body corporate to install electrical vehicle charging at car parks</li> </ul>	<ul style="list-style-type: none"> <li>Design phase: Architect, Electrical Designer</li> <li>Construction phase: Electrical Contractor</li> </ul>
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- 6. Electrification:** It is highly recommended for the development to adopt a gas-free approach, for more info <https://www.energy.vic.gov.au/gas/victorias-gas-substitution-roadmap> Such approach requires the use of electric boosted solar hot water or a heat pump water heater, and an induction cooktop instead of gas. The cost implication is generally either neutral or provide a capital cost reduction while having reduced energy expenditure in the future especially when combined with solar PV. Not having fossil fuel inside the dwellings also contributes to better internal air quality and provides a safer environment.

**Not taken on board, however, electrification is a recommendation only at this stage. No further response is required.**

- 7. Bicycle parking:** the development provides 14 bicycle parking only which is not sufficient to service the 29 apartments. This means that some apartment occupants will not have the opportunity to cycle or at least many would be discouraged. Cycling is one of the most fundamental active transport modes contributing to emission reduction (including local air pollution reduction), congestion relief and promoting health benefits. The location of the development with proximity to Yarra River Trail is a missing opportunity in providing a development that promotes sustainable and active transport modes. For all the above reasons, it is required that the number of bicycle parking is increased to at least 29. The ground floor is the most preferable location for bicycle parking providing a convenient and safe access.

**The number of bicycle parking spaces have been increased by 8, which is an improvement but does not meet the requirements. The above is still applicable.**

#### **Recommended Permit Conditions (Without Prejudice)**

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans received XXXX but modified to show:
  - a. Initiatives contained within the Sustainability Management Plan along with the proposed changes, including:
    - i. Electric Vehicle charging infrastructure to all car parking spaces.
    - ii. At least 29 bicycle parking
2. Prior to the endorsement of plans, a Sustainability Management Plan (SMP) must be submitted to and approved to the satisfaction by the Responsible Authority. The Sustainability Management Plan must demonstrate a best practice standard of environmentally sustainable design and be generally in accordance with the report by Energy Water and Environment dated 14th August 2023 and received by Council on 21/08/2023, but modified to include the following changes:
  - a. An amended stormwater management plan that includes a maintenance plan, stating periodic actions, requirements, and responsibilities.
  - b. Specification for electric vehicle charging infrastructure provisions in accordance with the National Construction Code 2022.

Where alternative ESD initiatives are proposed to those specified in conditions above (including condition 1), the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes in association with the development.
3. All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to these plans may occur without the written consent of the Responsible Authority.
4. Prior to the commencement of occupation or issue of a Statement of Compliance, whichever comes first, of any part approved under this permit, a report from the author of the Sustainability Management Plan (SMP) approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm through supporting evidence that all measures specified in the endorsed SMP have been implemented in accordance with the approved plan.

<b>Infrastructure</b>
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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 checked="" type="checkbox"/>	<input type="checkbox"/>
<b>COMMENT: Once radials are added the cross over is less than 1.3m from the cross over</b>			
Is the proposed crossover 1 metre or greater away from any power pole?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>COMMENT: power pole within crossover location</b>			
There are no street assets that will require relocation due to the proposed crossover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>COMMENT: there is a double Telstra pit within 500mm. This is existing conditions but as the drive way is being upgraded Telstra will need to give comments</b>			
Is there an existing redundant crossover(s) which will require removal?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>COMMENT:</b>			
Is the crossover width(s) acceptable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>COMMENT:</b>			
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"/>
<b>COMMENT:</b>			
Is the separation between the proposed crossovers acceptable?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>COMMENT:</b>			
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"/>

COMMENTS
<input type="checkbox"/> The application is supported. <input checked="" type="checkbox"/> The application is not supported.
<b>OVERALL COMMENTS:</b>  Cross over too close to street tree Power company will need to approve power pole relocation Telstra to be contacted re the double Telstra pit

**STANDARD CONDITIONS REQUIRED FOR PLANNING PERMIT**  
**(Drainage Officer to delete conditions which are not required)**

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

**STANDARD NOTES REQUIRED FOR PLANNING PERMIT**  
**(Drainage Officer to delete notes which are not required)**

- An Asset Protection Permit is required prior to the commencement of site works in accordance with Council's Local Law 1E.*
- 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.*
- 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.*

**Drainage**

<b>FLOODING</b>		
	<b>YES</b>	<b>NO</b>
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 top of the basement ramp but be 150mm above base of kerb directly in front of it</b>		

<b>DRAINAGE</b>		
	<b>YES</b>	<b>NO</b>
Legal Point of Discharge:		
<b>Description: Middle of the rear boundary</b>		
Approved Connection Point:		
<b>Description: Direct connection to the Council pit</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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Are outfall drainage works required to address sub-surface drainage issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Comments:</b>		

EASEMENTS		
	YES	NO
Are any drainage easements on the property title?	<input type="checkbox"/>	<input type="checkbox"/>
Are there any implied easements associated with Council Assets on the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Description of easements (designated, shared, private or implied): 2 Council pits in the middle of the rear boundary</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 checked="" 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>		

#### **STANDARD CONDITIONS REQUIRED FOR PLANNING PERMIT**

- The site must be drained to the satisfaction of the relevant building surveyor.
- 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.
- 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.
- 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.

#### **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.*

SUMMARY
<input checked="" type="checkbox"/> The application is supported. <input type="checkbox"/> The application is not supported.  <u>Comment:</u>  <b>the top of the basement ramp but be 150mm above base of kerb directly in front of it</b>

<b>Environmental Sustainability and Open Space Department</b>
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<b>SUMMARY</b>	<b>Supported</b>
<p><b><u>Assessment:</u></b></p> <p><b>Tree 12</b></p> <p>The plans show the existing crossover widened so that it will be 2.9m from the outside trunk of Tree 12 (street tree). As implemented by Environmental Sustainability and Open Space (ESOS) management, the minimum distance (separation) from the edge of a new crossover (in this case a widened crossover) to existing street trees must now be 2.5m. As the proposed crossover is shown on the plans to be 2.9m from the tree, where the radial meets the kerb, construction of the crossover complies with ESOS management requirements in relation to how close it will be to the existing tree when widened.</p> <p>Based on the location of the widened crossover being 2.9m from the outer trunk of the tree, its construction can be supported. Please see conditions below.</p> <p><b>Tree 26</b></p> <p>No impacts to this tree by way of crossover(s). There is an existing crossover 7m from this tree. However, the plans appear to show that it will remain in place, though will not be used. It maybe re-instated, however the plans are not appearing to show that.</p> <p>Please see conditions below.</p> <p>Jock, in relation to your question:</p> <p><i>'It would be great if you could clarify the responsibilities for the street trees in your response i.e. where the trees are located within a road owned and administered by DTP (VicRoads).'</i></p> <p>The trees are owned and managed by ESOS, not VicRoads.</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>k) The Tree Protection Zone and Structural Root Zone of Tree Nos. 12 and 26 (as identified in the Arborist Report submitted with the application prepared by Glenn Waters Arboriculture (dated 20 October 2022) drawn on all site and floor plans;</li> <li>l) Notation on all site and floor plans that Tree Nos. 12 and 26 are to be retained and protected in accordance with the endorsed Tree Management Plan required by this Permit;</li> <li>m) Any modifications to the location or layout of buildings and/or works recommended in the endorsed Tree Management Plan required by this Permit;</li> </ul>	

- n) 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.
- o) Notation on all site and floor plans that all excavations within the Tree Protection Zone of Tree 12 and 26 must be undertaken with hand tools or hydro-vacuum and that all excavation works must be supervised, document and certified by the Project Arborist.
- p) Permanent fencing within the Tree Protection Zone of Tree 12 and 26 constructed on pier foundations with any required plinths constructed above existing grade.

#### **Landscape plan**

- b) All hard surfaces proposed within the Tree Protection Zone of Tree Nos. 12 and 26 (as identified in the Arborist Report submitted with the application Glenn Waters Arboriculture (dated 20 October 2022) 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;

#### **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. 12 and 26 (as identified in the Arborist Report submitted with the application prepared by Glenn Waters Arboriculture (dated 20 October 2022). 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. 12 and 26. 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.

#### **Waste**

Two notes need to be added to Section 4.1 - Waste Removal.

1. Add a note that each tenement is to be provided with a kitchen caddy and compostable liners for the management of the FOGO component of the waste stream.
2. Add a note that each waste stream is to be collected by separate dedicated waste trucks and taken to dedicated and licenced disposal facilities. Wastes are not to be collected in one truck.

Once these amendments have been made the WMP can be referred back to me for final perusal and approval.



**APPENDIX B - Clause 55 (ResCode - Apartments)**

Application Type	Applicable Clauses
<ul style="list-style-type: none"> <li>To construct or extend an apartment development, or</li> <li>To construct or extend a dwelling in or forming part of an apartment development.</li> </ul>	<p>All of Clause 55 except:</p> <p>55.03-5, 55.03-6, 55.03-8, 55.04-8, 55.05-1, 55.05-2 and 55.05-6.</p>
<p><b>Requirements:</b></p> <p>A development:</p> <ul style="list-style-type: none"> <li>Must meet all of the objectives of this clause that apply to the application.</li> <li>Should meet all of the standards of this clause that apply to the application.</li> </ul> <p>If a development meets standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32, it is deemed to meet the objective for that standard.</p> <p>Where standard B6, B7, B8, B17, B18, B19, B20, B21, B22, B27, B28, B30 or B32 is met the decision guidelines for that standard do not apply to the application.</p>	

**Clause 55.02 - Neighbourhood Character & Infrastructure**

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

**Planner's Comments:**

As per the Neighbourhood Character assessment of this Report, the development responds appropriately to the preferred and emerging character of the surrounding area.

Clause 55.02-2 (B2) Residential Policy	
Objective	Assessment

<i>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</i>	✓
<i>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</i>	✓

**Planner's Comments:**

As per the Strategic Directives assessment of this Report, the development responds appropriately to the policy directives of the MPS and PPF, including but not limited to the Site's identification at Clause 02.04-3 (Housing framework plan) as an 'Increased housing diversity and density' area. The application is also supported by a statement which substantiates this position.

<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>	✓
<b>Standard</b>	<b>Assessment</b>
<i>Dwellings with a different number of bedrooms</i>	✓
<i>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level</i>	✓

<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>Standard</b>	<b>Assessment</b>
<i>Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available. Connection to a reticulated gas service is optional.</i>	✓

<p><i>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</i></p> <p><i>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</i></p>	
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### **Planner's Comments:**

Objectors to the proposal specifically identified the overflow of drainage systems as an existing issue. An issue that they believe will be exacerbated by the additional load the proposal may place on the system.

This matter was discussed with Council's Drainage Engineer who advised that an onsite detention system would be required for the development which meets the following specifications:

"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."

Council's Drainage Engineer advised that this discharge rate is designed to be an improvement on the current rate of discharge from the Site. Given this would be an improvement on existing conditions, the response is considered to be acceptable.

It is further highlighted that Officer's reported the issue to Council's Drainage Maintenance & Cleaning Services (Drainage Depot). The Drainage Depot advised that they had investigated this issue toward the end of 2021 and early 2022. The investigations found blockages and root growth which were then cleared. The Drainage Depot advised that they were not aware of any further complaints following the maintenance works.

<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>	
<b>Objective</b>	<b>Assessment</b>

<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>	✓
<b>Standard</b>	<b>Assessment</b>
<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>	✗

### **Planner's Comments:**

Neighbouring front setbacks are 6.7m to the west and 7.6m to the east, meaning the required setback is 7.15m.

The proposed building would be setback from the front boundary by approximately 6.7m (western side) to 7.2m (eastern side) at ground level, with the range being a result of the skewed front boundary. At first and second floor levels, the front setback would be reduced, to approximately 6.4m (west) to 6.7m (east), with the columns projecting a further 0.5m.

It is highlighted that this numerical standard does not take into account the policy context of the land or the emerging character of the area. Where the standard is not met, the objective must be considered which includes 'respecting preferred neighbourhood character and making efficient use of the site' along with the decision guidelines which requires the policy context of the land to be considered.

The front setback is considered to be acceptable for the following reasons:

- The shortfall at ground floor level is minor, at approximately 0.5m; further, the shortfall only occurs to the western side of the Site where it aligns with the front setback of the adjacent dwelling, at No. 1/46 Riversdale Road.
- While the front setback to the first and second floors are reduced further, these minimum setbacks primarily relate to the front edges of balconies, the openness of the balconies are considered to offset any visual bulk resulting from the reduced setback.
- The proposed building sits within a robust context, fronting Riversdale Road and being zoned for increased built form and density.
- Reducing the front setback ensures the Site can be used efficiently while shifting the bulk away from the NRZ properties to the rear.
- Importantly, the front setback allows for the retention of Tree 24.
- Lastly, the front setback still provides for an appropriate visual transition between the adjacent buildings, this is by reason of the openness of the front façade (due to the balcony voids), the visual breaks created by the side setbacks of the proposal and the relatively minor extent of encroachment into the standard.

<b>Clause 55.03-2 (B7) Building Height</b>	
<b>Objective</b>	<b>Assessment</b>

<i>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</i>	✓
<b>Standard</b>	<b>Assessment</b>
<i>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</i>	✓

<b>Clause 55.03-3 (B8) Site Coverage</b>		
<b>Objective</b>		<b>Assessment</b>
<i>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</i>		✓
<b>Standard</b>		
<b>Proposed</b>	<b>Required</b>	<b>Assessment</b>
65.44%	60%	✗

**Planner's Comments:**

Site coverage exceeds the standard by 5.44%. This is considered to be acceptable given the strategic context of the land.

While the site coverage is considered to be acceptable, other related matters remain highly relevant to the considerations of the development such as permeability, landscaping provisions and offsite amenity impacts, these matters are considered in detail in the following sections of this assessment.

<b>Clause 55.03-4 (B9) Permeability</b>	
<b>Objective</b>	<b>Assessment</b>
<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>	✓
<b>Standard</b>	✓

Proposed	Required	Assessment
20.13%	20%	✓

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>	✓

**Planner Comments:**

The main entry to the building would benefit from passive surveillance from the street. Further, the development would provide passive surveillance the street.

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>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</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 Transport Zone should be minimised.</i></p> <p><i>Developments must provide for access for service, emergency and delivery vehicles.</i></p>	✓

**Planner's Comments:**

The width the crossover equates to 17% of the frontage.

The number of crossovers along with its width has been minimised as far as practicable and meets the requirements of the road authority (Head, Transport for Victoria).

<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>
<i>Car parking facilities should:</i> <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>	✓
<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>	✗

**Planner's Comments:**

The vehicle accessway is located to the eastern boundary. It is setback well in excess of 1.5m from the habitable rooms of the neighbouring dwelling at No. 1/60 Riversdale Road.

There are, however, a number of habitable rooms within the development which are within a 1m horizontal distance of the accessway. To address this concern, the applicant has agreed to the use of double glazing for habitable room windows; double glazing offers a number of benefits including thermal insulation and (relevantly) noise mitigation.

**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>	x

### **Planner's Comments:**

At ground and first floor levels, the development exceeds the requirements of the standard, to all interfaces.

At second floor level, the development exceeds the requirements of the standard to all interfaces, except for the upper portion of the wall belonging to Apt 202 (depicted below), to the western interface.

At third floor level, the development exceeds the standard to all interfaces, with the exception of:

- The balcony belonging to Apt 302 to the west.
- The kitchen and living room wall, and balcony of Apt 301, to the east.

The roof tops services and associated screening exceed the standard to all interfaces.

### **Areas of Encroachment**

#### **Western Elevation**

The balcony belonging to Apt 302 encroaches into the standard; as does the upper section of wall immediately below (belonging to Apt 202). The wall/balcony has a height ranging from 11.1m to 11.8m which requires setbacks of 6.2m to 6.9m



respectively. A setback of 4.55m is proposed. The area of encroachment is depicted below.



Figure 1 - Extent of non-compliance (clouded in red) to the western elevation at third floor level balcony

The area of encroachment, as outlined above, has a maximum shortfall of 2.35m and it is adjacent to the flank elevation of No. 1/46 Riversdale Road. The encroachment is considered to be acceptable for the following reasons:

- The area in question is not adjacent to the secluded private open space of the neighbouring dwelling.
- This component of the development achieves setbacks from the neighbouring habitable room windows of 6.5m to 7m, which exceeds the setbacks from windows Standard B19 (assessed below).
- The development would not result in additional shadow to the main area of SPOS of No. 1/46 Riversdale Road.
- No. 1/46 Riversdale Road is also zoned RGZ; in such zones a greater emphasis is placed on housing growth while less weight is afforded to amenity. That said, the development is not considered to result in unreasonable amenity impacts to No. 1/46 Riversdale Road.

### Eastern Elevation

There is an encroachment at the kitchen and living room wall of Apt 301; the maximum wall height is 13m which requires a maximum setback of 8.1m, 7.8m is proposed. The non-compliance arises from the sloping ground and the extent is

generally indicated in the image below (with non-compliance reducing and becoming compliant toward the front).

A section of the balcony to Apt 301 encroaches into the standard. The non-complaint section has a height of 9.75m to 10.1m which requires a setback of 4.84m to 5.19m respectively. A setback of 4.8m is proposed.



Figure 2 - Extent of non-compliance (clouded red) to the eastern elevation at third floor level

The area of encroachment, as outlined above, has a maximum shortfall of 0.4m and it is adjacent to the flank elevation of No. 1/60 Riversdale Road. The encroachment is considered to be acceptable for the following reasons:

- The area in question is not adjacent to the secluded private open space of the neighbouring dwelling.
- This component of the development achieves minimum setbacks from the neighbouring habitable room windows of 7.8m, which exceeds the daylight to existing windows Standard B19 (assessed below).
- The development would not result in additional shadow to the main area of SPOS of No. 1/60 Riversdale Road.
- No. 1/60 Riversdale Road is also zoned RGZ; in such zones a greater emphasis is placed on housing growth while less weight is afforded to amenity. That said, the development is not considered to result in unreasonable amenity impacts to No. 1/60 Riversdale Road.

The massing of the development has been focused towards the front of the Site where the adjoining land is zoned for housing growth; further, the level of encroachment proposed is not considered to unduly impact upon the amenity of these adjacent dwellings.

Where the development is adjacent to NRZ land, it is fully compliant with the standard. Further, the development incorporates vertical recesses within both flank

elevations, well in excess of the standard, to provide an additional visual break along the side elevations.

The development is considered to meet the objective of the standard.

<b>Clause 55.04-2 (B18) Walls On Boundaries</b>	
<b>Objective</b>	<b>Assessment</b>
<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>	<b>N/A</b>
<b>Standard</b>	
<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> <ul style="list-style-type: none"> <li>▪ <i>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</i></li> <li>▪ <i>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</i></li> </ul> </li> </ul> <p><i>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.</i></p> <p><i>A building on a boundary includes a building set back up to 200mm from a boundary.</i></p>	<b>N/A</b>
<i>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.</i>	<b>N/A</b>

**Planner's Comments:**

The development does not propose any walls on boundary.

<b>Clause 55.04-3 (B19) Daylight to Existing Windows</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To allow adequate daylight into existing habitable room windows.</i>	✓
<b>Standard</b>	
<i>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.</i>	✓
<i>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.</i>	✓
<i>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</i>	

<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</i>	✗

<p>a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</p>	
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**Planner's Comments:**

### Ground and first floor

At ground and first floor level, the development is in full compliance. The first floor wall height, where opposite the north facing window, is a maximum of 7.8m high, which requires a setback of 3.88m; a setback of 3.88m is proposed.

## Second floor

At second floor level to the balustrade/screening of the balcony, a height of 8.65m is proposed which requires a setback of 4.73m; a setback of 4.5m is proposed which falls short of the standard. The shortfall relates only to the overhanging component of the overlooking screening; it is therefore recommended to require compliance with the standard by way of a condition on any permit that issues.

To the second floor wall, it has a height of 10.5m which requires a setback of 6.58m; a setback of 6.85m is proposed which complies.

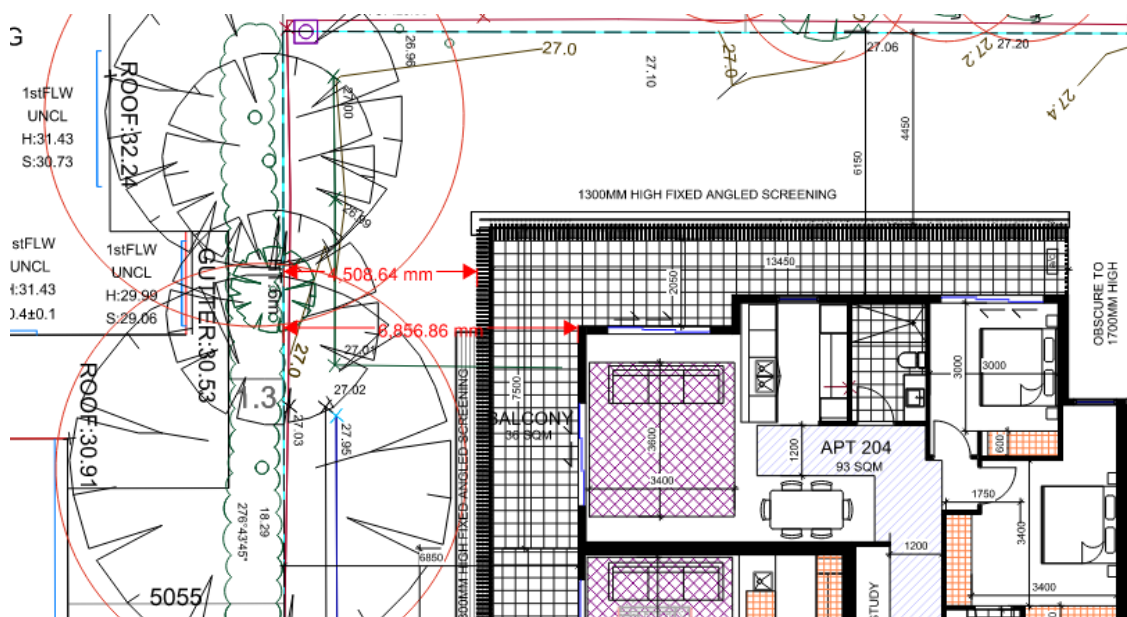


Figure 3 - Second floor setbacks from the southern boundary

### Third floor

At third floor level to the balustrade of the balcony, a height of 11.65m is proposed which requires a setback of 7.73m; a setback of 7.8m is proposed which complies with the standard.

To the third floor wall, it has a height of 13.85m which requires a setback of 9.93m; a setback of 10.4m is proposed which complies.

Compliance and recommended condition

The development only has one area of encroachment into the standard, this is to the second floor balcony screening. The following condition is recommended:

- Increased setbacks to the second floor balcony balustrade/screening from the southern boundary, to comply with Clause 55 Standard B20 (north facing windows). The increased setback is to be absorbed within the building envelope and without reducing any other setback.

Importantly, such a condition will not result in unworkable consequences to the development. The increased setback is in the vicinity of 0.25m, this will not compromise the balcony of Apt 204.

Subject to the recommended permit condition, the development will achieve full compliance with the standard.

<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>	
<p><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></p> <p><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></p> <p><b>Decision Guidelines</b></p> <ul style="list-style-type: none"> <li><i>The design response.</i></li> <li><i>The impact on the amenity of existing dwellings.</i></li> <li><i>Existing sunlight penetration to the secluded private open space of the existing dwelling.</i></li> <li><i>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</i></li> <li><i>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</i></li> </ul>	✗



**Planner's Comments:**

The development would comply with the standard to all neighbouring secluded private open space (SPOS) areas, with the exception of 1A and 1B Fairview Street.

The development would result in full shadow to the SPOS areas of 1A and 1B Fairview Street at 9am; however, from 10am onwards the development would no longer create any additional shadow to these spaces. This means that the development does not impact the SPOS areas of 1A and 1B Fairview Street for a period of 5 hours, between 9am - 3pm on 22 September - this outcome is generally in line with the standard.

However, the non-compliance arises from an additional provision within the standard which reads *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.*

The following is highlighted:

- 1A Fairview Street SPOS: 67sqm, which currently (based on existing shadows) falls short of the standard at 9am, 2pm and 3pm.
- 1B Fairview Street SPOS: 57sqm, which currently (based on existing shadows) falls short of the standard at all times from 9am to 3pm.

While the development would not impact upon the SPOS areas of 1A and 1B Fairview Street for a period of 5 hours (between 9am - 3pm), it would result in additional shadow at 9am and given the SPOS areas already fall short of the standard, this results in a non-compliance.

The standard is not mandatory, albeit the objective must be met. In such scenarios, a weighing exercise must be undertaken which considers the actual impact upon the SPOS areas along with the decision guidelines of the standard, all viewed through the lens of the relevant planning controls and strategic aspirations for the Site.

To put the development in context, the express purpose of the zone is to provide for housing at increased densities, up to and including 4 storeys; and, the schedule to the zone designates the land as an apartments precinct. The physical characteristics of the land (highly accessible by public transport with jobs, shops and services proximate) along with the aspirations of the zone are reflected in Council's Housing Framework which identifies the Site for 'increased diversity and density' and categorises the land as a 'main road apartment precinct'.

Within the context of the relevant planning controls and policy, the development is considered to appropriately minimise shadows to the properties at No.'s 1A and 1B Fairview Street, which only results in shadow at 9am. The development incorporates generous side setbacks adjacent to these properties and increases the setbacks as height increases. It is not considered reasonable to require no additional shadow to these properties, given the strong Planning Scheme support for apartment developments of 4 storeys and encouragement for 'increased diversity and density'.

With reference to the decision guidelines:

- For the reasons outlined above the design response is considered to be reasonable and to appropriately minimise offsite shadow.
- Within the times outlined by the standard, the development only results in additional shadow between 9am and 10am, with no further shadow from 10am onwards.
- From 10am onwards both properties receive reasonable levels of sunlight; even at 3pm both properties receive a minimum of 17sqm of sunlight (it is noted that this remains unchanged from existing conditions).
- Both areas of SPOS remain highly usable and will continue to enjoy sunlight at various times of the day.
- The effect of the reduction is not considered to be unreasonable given the physical and policy context of the Site.

For the reasons outlined above, the development is not considered to *significantly overshadow existing secluded private open space*, thereby complying with the objective of the standard.

Lastly, it is noted that the applicant supported their position by referencing VCAT decision *WAT385 Developer Pty Ltd v Stonnington CC [2023] VCAT 672 (16 June 2023)*, this is a 2023 decision which considered a similar scenario albeit the review site was zoned General Residential Zone (which is a zone that typically allows less intensive development as compared to the Residential Growth Zone, which is the zoning of the subject site). The *WAT385* decision made the following conclusions with regard to additional shadows to an area of SPOS which already fell short of the standard:

(Paragraph 85) “While I hear and understand that Mr Fox values the early morning sunlight, the maintenance of that sunlight is an unreasonable expectation where Mr Fox owns a ground floor south facing apartment in an area identified in the Stonnington Planning Scheme for substantial change and up to four storey development. The level of solar access currently enjoyed by Mr Fox was always going to be impacted when the adjoining review site is developed in a manner consistent with the encouragement of the Stonnington Planning Scheme. Even a three storey apartment development on the review site, with setbacks similar to that achieved on Mr Fox’s site, would have caused increased overshadowing. While the proposal for the review site is at four storeys in height, it also employs a range of side boundary setbacks that far exceed that provided on Mr Fox’s site. This assists to reduce the shadow impacts on Mr Fox’s property to a reasonable level.

(Paragraph 86) For these reasons I find that the proposal will not significantly overshadow Mr Fox’s existing secluded private open space. As such, the relevant objective is achieved.”

Clause 55.04-6 (B22) Overlooking	
Objective	Assessment



<p><i>To limit views into existing secluded private open space and habitable room windows.</i></p>	<p>✓</p>
<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 of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</i></p> <p><i>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio 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> <ul style="list-style-type: none"> <li><i>• Screens used to obscure a view should be:</i></li> <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</i></p>	<p>✗</p>

<i>level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary</i>	
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### **Planner's Comments:**

#### **Ground Floor**

Standard boundary fencing will address any overlooking from the ground floor to the east and to the southeast corner.

However, to the balance of the rear elevation and to the west elevation, the ground floor of the development would sit above natural ground level (NGL), resulting in potential overlooking (above the height of standard boundary fencing).

Boundary fencing over 2m in height could be required in some areas to address overlooking. However, boundary fencing over 2m in height requires approval through the Building Permit process and it is unknown if such approval would be obtained.

To ensure ground floor overlooking is appropriately addressed through the Planning process, conditions are recommended which would require free standing screening, set in from the boundary, to limit any overlooking in accordance with the requirements of this standard.

#### **Upper Floors**

##### **East Elevation**

To the east, overlooking is addressed at first and second floors through the use of 1.7m high screening and obscure glazing.

At third floor level, overlooking measures include a combination of 1.1m - 1.2m balustrades together with planter setbacks. This is a common solution to overlooking, as by increasing the setback from the screening the required height is reduced. However, the applicant has not demonstrated that the combination of the setbacks and heights are sufficient to comply with the standard. It is considered that this can be addressed by way of permit condition, as outlined below.

##### **Rear Elevation**

To the rear, overlooking is addressed through the use of 1.7m high screening at first floor.

At second floor, the use of a 1.3m high angled balustrade is proposed. Overlooking diagrams demonstrate that there would be no undue overlooking to neighbouring SPOS areas. However, it appears that overlooking would occur to the neighbouring north facing window (within 3m of the common boundary). It is considered that this issue could be addressed by a permit condition.

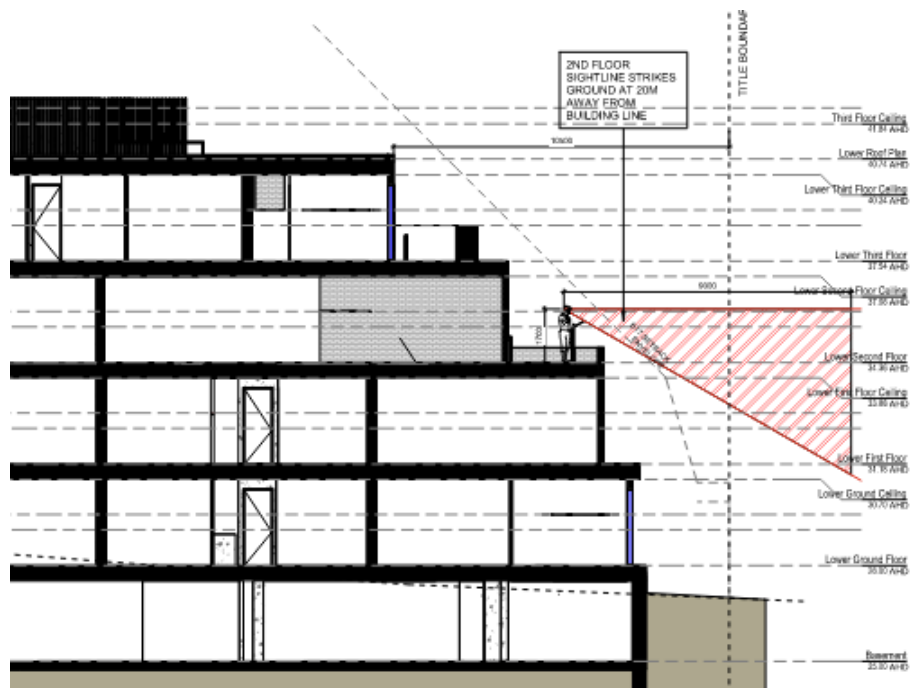


Figure 4 - Sectional diagram demonstrating overlooking measures from second floor terrace, toward the rear

At third floor level, overlooking has been addressed in the same manner as the east elevation (low balustrade combined with planter setback); however, as above, a condition is recommended to demonstrate that no overlooking will occur from this interface.

### West Elevation

At first floor and part of the second floor, overlooking is addressed through the use of 1.7m high screening and obscure glazing.

To the balance of the second floor, the use of a 1.3m high angled balustrade is proposed. As with the rear elevation, overlooking diagrams demonstrate that there would be no undue overlooking to neighbouring SPOS areas; however, it appears that there would be overlooking to neighbouring windows. It is considered that this issue could be addressed by a permit condition.

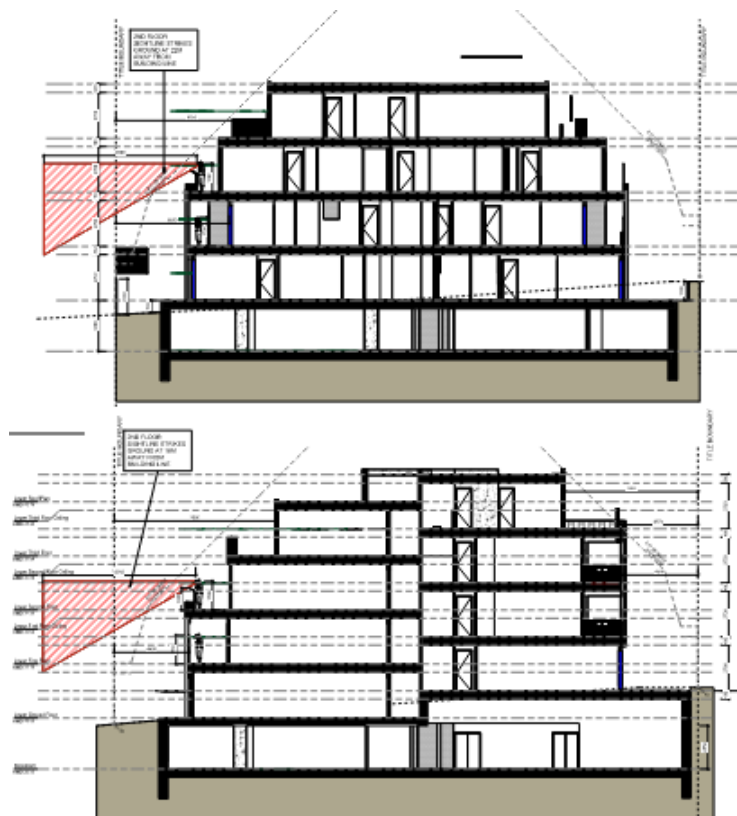


Figure 5 - Sectional diagram demonstrating overlooking measures from second floor terrace, toward the west

Finally, as with the other elevations, it needs to be demonstrated that the third floor terrace complies with the standard.

#### Conditions & compliance

It is considered that the development would comply with the requirements of the standard, subject to the following conditions on any permit that issues:

- Demonstrate through the use of overlooking sectional diagrams, along with any additional overlooking measures, that the development complies with Clause 55 Standard B22 (Overlooking) from the following areas:
  - Ground floor and associated decking to the west and rear. Any necessary screening to these interfaces must be setback from the common boundary and provided as free standing screening.
  - Second floor balconies to the rear and west.
  - Third floor terrace/balcony, to all neighbouring interfaces.

With regard to the actual screening proposed, the screening has 50mm wide solid sections with 16mm gaps, this equates to an openness of 24.24%, which complies with the standard. To secure this provision, the following condition is recommended:

- Updated materials schedule to depict the proposed balustrades / overlooking screening, specify the colour and materiality and confirm that screening will be no more than 25% open.

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

**Planner's Comments:**

The proposal complies with the standard.

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

Clause 55.05-3 (B27) Daylight to New Windows	
Objective	Assessment
<i>To allow adequate daylight into new habitable room windows.</i>	✓
Standard	Assessment
<p><i>A window in a habitable room should be located to face:</i></p> <ul style="list-style-type: none"> <li><i>An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</i></li> <li><i>A verandah provided it is open for at least one third of its perimeter, or</i></li> <li><i>A carport provided it has two or more open sides and is open for at least one third of its perimeter</i></li> </ul>	✓

Clause 55.05-4 (B28) Private Open Space	
Objective	Assessment
<i>To provide adequate private open space for the reasonable recreation and service needs of residents.</i>	✓
Standard	
<i>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</i>	✓

<p><i>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:</i></p> <ul style="list-style-type: none"> <li><i>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</i></li> <li><i>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</i></li> <li><i>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</i></li> </ul> <p><b><i>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</i></b></p>	
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<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>	
<p><i>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</i></p> <p><i>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall.</i></p>	✓

**Planner's Comments:**

All ground floor dwellings have northerly aspects to their SPOS, including Apt G05 & G06 noting their SPOS areas wrap around the building to the sides.

With regard to Apt G03, there is a 4.25m high wall which sits to the north of its SPOS area. A wall of that height has a required setback of 5.825m. The southern boundary of G03's SPOS area is setback approx. 12m from the wall to the north, thereby exceeding the standard.

<b>Clause 55.06 - Detailed Design</b>
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<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>Standard</b>	<b>Assessment</b>
<p><i>The design of buildings, including:</i></p> <ul style="list-style-type: none"> <li><i>• Facade articulation and detailing,</i></li> <li><i>• Window and door proportions,</i></li> <li><i>• Roof form, and</i></li> <li><i>• Verandahs, eaves and parapets,</i></li> </ul> <p><i>should respect the existing or preferred neighbourhood character.</i></p> <p><i>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</i></p>	✓

**Planner's Comments:**

As per the neighbourhood character assessment of this report, the neighbourhood character response is considered to be acceptable.

<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>	✓

**Planner's Comments:**

As per the neighbourhood character assessment of this report, the front fence is considered to be acceptable.

<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>	✓
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<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>	✓

#### **Clause 55.07 - Apartment Developments**

<b>Clause 55.07-1 (B35) Energy Efficiency</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To achieve and protect energy efficient dwellings and 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>	✓
<i>To ensure dwellings achieve adequate thermal efficiency</i>	✓
<b>Standard</b>	
<i>Buildings should be:</i> <ul style="list-style-type: none"> <li><i>Oriented to make appropriate use of solar energy.</i></li> <li><i>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</i></li> <li><i>Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</i></li> </ul>	✓
<i>Living areas and private open space should be located on the north side of the development, if practicable.</i>	✓
<i>Developments should be designed so that solar access to north-facing windows is optimised.</i>	✓
<i>Dwellings located in a climate zone identified in Table B4 should not exceed the maximum NatHERS annual cooling load specified in the following table.</i>	<b>Refer to table below</b>



Table B4 - Cooling Load	
NatHERS climate zone	NatHERS maximum cooling load MJ/M <sup>2</sup> per annum
Climate Zone 62 Moorabbin	21

**Planner's Comments:**

In terms of the NatHERS cooling loads, the submitted SDA models the cooling loads for all thermally unique apartments. The modelling suggests that all dwellings would comply with a maximum cooling load of 21MJ/M<sup>2</sup> per annum, with the maximum load being attributed to Apt 303 at 20.3MJ/M<sup>2</sup>.

Clause 55.07-2 (B36) Communal Open Space	
Objective	Assessment
<i>To provide communal open space that meets the recreation and amenity needs of residents.</i>	✓
<i>To ensure that communal open space is accessible, functional, and is easily maintained.</i>	
<i>To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.</i>	

**Planner's Comments:**

For a development of the scale and nature proposed, 30sqm of outdoor space + 2.5sqm per dwelling (which can be indoor or outdoor) of communal space should be provided. This equates to a total communal area of 102.5sqm, with 30sqm of this space to be outside.

The development proposes 108sqm of communal space, in the form of a communal dining and lounge area which has direct access to 38sqm of outdoor space. The space is considered to be conveniently located and to achieve a logical layout.


Clause 55.07-3 (B37) Solar Access to Communal Outdoor Open Space	
Objective	Assessment

<i>To allow solar access into communal outdoor open space.</i>	✓
<b>Standard</b>	
<i>The communal outdoor open space should be located on the north side of a building, if appropriate.</i>	✓
<i>At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.</i>	✓

**Planner's Comments:**

The outdoor space is located to the north which will comfortably achieve the standard.

<b>Clause 55.07-4 (B38) Landscaping</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.</i>	✓
<i>To preserve existing canopy cover and support the provision of new canopy cover.</i>	✓
<i>To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.</i>	✓
<b>Standard</b>	
<i>Development should retain existing trees and canopy cover.</i>	✓
<i>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</i>	

<p><i>Development should:</i></p> <ul style="list-style-type: none"> <li>• <i>Provide the canopy cover and deep soil areas specified in Table B5. Existing trees can be used to meet the canopy cover requirements of Table B5.</i></li> <li>• <i>Provide canopy cover through canopy trees that are:</i> <ul style="list-style-type: none"> <li>○ <i>Located in an area of deep soil specified in Table B6. Where deep soil cannot be provided trees should be provided in planters specified in Table B6.</i></li> <li>○ <i>Consistent with the canopy diameter and height at maturity specified in Table B7.</i></li> <li>○ <i>Located in communal outdoor open space or common areas or street frontages.</i></li> </ul> </li> <li>• <i>Comprise smaller trees, shrubs and ground cover, including flowering native species.</i></li> <li>• <i>Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.</i></li> <li>• <i>Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.</i></li> <li>• <i>Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.</i></li> <li>• <i>Protect any predominant landscape features of the area.</i></li> <li>• <i>Take into account the soil type and drainage patterns of the site.</i></li> <li>• <i>Provide a safe, attractive and functional environment for residents.</i></li> <li>• <i>Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.</i></li> </ul>	
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### **Planner's Comments:**

#### **Tree Removal**

The proposal seeks the removal of the majority of trees onsite, with the exception of Tree 24 (the 15m high Brittle Gum in the front setback). This approach is considered to be acceptable noting that the remaining trees have been assessed as having low arboricultural value.

#### **Replanting**

The removal of the remaining trees onsite was supported by Council's Arborists, subject to the following replanting:

- 1 canopy tree (mature dimensions of 10+m in height and 5+m canopy spread) in the front setback of the property

- 1 small tree (5+m in height and 3+m canopy spread) to each ground level apartment.

The replanting proposed generally aligns with the request by Council's Arborists, including:

- 2 x Gleditsia triacanthos 'Shademaster' (12m+ in height with 10m canopy), including 1 x to the front setback.
- 3 x Hymenosporum flavum 'Native Frangipani' (8m in height and 6m canopy).
- 3 x Lagerstroemia indica 'Crepe Myrtle' (6m in height and 4m wide).
- 2 x Cotinus coggygria 'Flame tree' (4m in height and 4m canopy).

Given the Site has an area of 1,619sqm, it is subject to the following requirements under the standard:

Table B5 Canopy cover and deep soil requirements		
Site area	Canopy cover	Deep soil
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres  Include at least 2 Type B trees or 1 Type C tree	10% of site area

Figure 6 - Extract from Clause 55 Standard B38 - Canopy and Deep Spoil Requirements

As such, Standard B38 requires canopy cover of 174sqm and a deep soil area of 162sqm; the development proposes approximately 360sqm of canopy cover and 423sqm of deep soil area, which is therefore compliant.

Further, the standard requires at least 2 Type B trees or 1 Type C tree, the development would exceed this requirement by a significant margin noting the existing (retained) Tree 24 would already meet the requirement of 1 x Type C tree.

The level of replanting proposed is acceptable and far exceeds the requirements of the standard.

Clause 55.07-5 (B39) Integrated Water and Stormwater Management	
Objective	Assessment
<i>To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</i>	✓
<i>To facilitate stormwater collection, utilisation and infiltration within the development.</i>	✓
<i>To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.</i>	✓

<b>Standard</b>	
<i>Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.</i>	✓
<i>Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.</i>	✓
<i>The stormwater management system should be:</i> <ul style="list-style-type: none"> <li><i>Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li><i>Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.</i></li> </ul>	✓

<b>Clause 55.07-6 (B40) Access</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.</i>	✓
<i>To ensure that vehicle crossovers are designed and located to minimise visual impact.</i>	✓
<b>Standard</b>	
<i>Vehicle crossovers should be minimised.</i>	✓
<i>Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.</i>	✓
<i>Pedestrian and cyclist access should be clearly delineated from vehicle access.</i>	✓
<i>The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.</i>	✓
<i>Development must provide access for service, emergency and delivery vehicles.</i>	✓

<b>Clause 55.07-7 (B41) Noise Impacts</b>
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Objective	Assessment
<i>To contain noise sources in developments that may affect existing dwellings.</i>	✓
<i>To protect residents from external and internal noise sources.</i>	✓
<b>Standard</b>	
<i>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</i>	✓
<i>The layout of new dwellings and buildings should minimise noise transmission within the site.</i>	✓
<i>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</i>	✓
<i>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</i>	✓
<i>Buildings within a noise influence area specified in Table B8 (below) should be designed and constructed to achieve the following noise levels:</i> <ul style="list-style-type: none"> <li><i>Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.</i></li> <li><i>Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.</i></li> </ul>	N/A
<i>Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.</i>	✓
<i>Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.</i>	✓

**Planner's Comments:**

Habitable room windows would be double glazed.

Plant would be located within the basement and upon the roof (screened), well separated from neighbouring properties.

A/C units would be located within the outdoor space / balcony of each dwelling. A condition of any permit that issues should require A/C units to be located away from neighbouring bedrooms.

<b>Clause 55.07-8 (B42) Accessibility</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure the design of dwellings meets the needs of people with limited mobility.</i>	✓
<b>Standard</b>	
<i>At least 50 per cent of dwellings should have:</i>	✓
<ul style="list-style-type: none"> <li>A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.</li> </ul>	✓
<ul style="list-style-type: none"> <li>A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.</li> </ul>	✓
<ul style="list-style-type: none"> <li>A main bedroom with access to an adaptable bathroom.</li> </ul>	✓
<ul style="list-style-type: none"> <li>At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B9.</li> </ul>	✓  <b>Refer to table below</b>

<b>Table B9 - Bathroom Design</b>		
	<b>Design Option A</b>	<b>Design Option B</b>
<b>Door opening</b>	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
<b>Door design</b>	Either: <ul style="list-style-type: none"> <li>A slide door, or</li> <li>A door that opens outwards, or</li> <li>A door that opens inwards that is clear of the circulation area and has readily removable hinges.</li> </ul>	Either: <ul style="list-style-type: none"> <li>A slide door, or</li> <li>A door that opens outwards, or</li> <li>A door that opens inwards and has readily removable hinges.</li> </ul>
<b>Circulation area</b>	A clear circulation area that is: <ul style="list-style-type: none"> <li>A minimum area of 1.2m by 1.2m.</li> <li>Located in front of the shower and the toilet.</li> <li>Clear of the toilet, basin and the door swing.</li> </ul>	A clear circulation area that is: <ul style="list-style-type: none"> <li>A minimum width of 1m.</li> <li>The full length of the bathroom and a minimum length of 2.7m.</li> <li>Clear of the toilet and basin.</li> </ul>

	The circulation area for the toilet and shower can overlap.	The circulation area can include a shower area.
<b>Path to circulation area</b>	A clear path with a minimum width of 900mm from the door opening to the circulation area.	N/A
<b>Shower</b>	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
<b>Toilet</b>	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

**Planner's Comments:**

Over 50% of the dwellings achieve the requirements of the standard, which therefore complies.

<b>Clause 55.07-9 (B43) 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>	
<i>A dwelling should have private open space consisting of at least one of the following:</i> <ul style="list-style-type: none"> <li><i>An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li><i>A balcony with at least the area and dimensions specified in Table B10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table B10 should be increased by at least 1.5 square metres.</i></li> </ul>	✓  <b>Refer to tables below for balcony size</b>



<ul style="list-style-type: none"> <li>An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.</li> </ul>	N/A

Table B10 - Balcony size			
Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

### **Planner's Comments:**

All dwellings are provided with balconies in excess of the above requirements, including the additional 1.5sqm allowance for heating or cooling units.

Clause 55.07-10 (B44) Storage	
Objective	Assessment
<i>To provide adequate storage facilities for each dwelling.</i>	✓
Standard	
<i>Each dwelling should have convenient access to usable and secure storage space.</i>	✓

<i>The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B11.</i>	<p style="text-align: center;">✓</p> <p style="text-align: center;"><b>Refer to tables below</b></p>
---	--

<b>Table B11 - Storage</b>		
<b>Dwelling Type</b>	<b>Total min. storage volume</b>	<b>Min. storage volume within the dwelling</b>
<b>Studio (s)</b>	8m <sup>3</sup>	5m <sup>3</sup>
<b>1 bedroom dwelling (1br)</b>	10m <sup>3</sup>	6m <sup>3</sup>
<b>2 bedroom dwelling (2br)</b>	14m <sup>3</sup>	9m <sup>3</sup>
<b>3 or more bedroom dwelling (3br)</b>	18m <sup>3</sup>	12m <sup>3</sup>

<b>Clause 55.07-11 (B45) Waste Recycling</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure dwellings are designed to encourage waste recycling.</i>	✓
<i>To ensure that waste and recycling facilities are accessible, adequate and attractive.</i>	✓
<i>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</i>	✓
<b>Standard</b>	
<i>Developments should include dedicated areas for:</i>	
<ul style="list-style-type: none"> <li>• <i>Waste and recycling enclosures which are:</i> <ul style="list-style-type: none"> <li>▪ <i>Adequate in size, durable, waterproof and blend in with the development.</i></li> <li>▪ <i>Adequately ventilated.</i></li> <li>▪ <i>Located and designed for convenient access by residents and made easily accessible to people with limited mobility.</i></li> </ul> </li> </ul>	✓
• <i>Adequate facilities for bin washing. These areas should be adequately ventilated.</i>	✓
• <i>Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</i>	✓

<ul style="list-style-type: none"> <li>Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.</li> </ul>	✓
<p>Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:</p> <ul style="list-style-type: none"> <li>Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.</li> </ul>	✓
<ul style="list-style-type: none"> <li>Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.</li> </ul>	✓

Clause 55.07-12 (B46) Functional Layout	
Objective	Assessment
To ensure dwellings provide functional areas that meet the needs of residents.	✓
Standard	
<p>Bedrooms should:</p> <ul style="list-style-type: none"> <li>Meet the minimum internal room dimensions specified in Table B12.</li> </ul>	<p>✓</p> <p><b>Refer to table below</b></p>
<ul style="list-style-type: none"> <li>Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.</li> </ul>	✓
<p>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B13.</p>	<p>✓</p> <p><b>Refer to table below</b></p>

Table B12 - Bedroom Dimensions		
Bedroom Type	Min. width	Min. depth
Main bedroom	3m	3.4m
All other bedrooms	3m	3m

**Table B13 - Living Area Dimensions**

Dwelling type	Min. width	Min. area
Studio and 1 bedroom dwelling	3.3m	10m <sup>2</sup>
2 or more bedroom dwelling	3.6m	12m <sup>2</sup>

**Clause 55.07-13 (B47) Room Depth**

Objective	Assessment
<i>To allow adequate daylight into single aspect habitable rooms.</i>	✓
<b>Standard</b>	
<i>Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.</i>	✓  Refer to table below
<i>The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:</i>	✓
<ul style="list-style-type: none"> <li><i>The room combines the living area, dining area and kitchen.</i></li> <li><i>The kitchen is located furthest from the window.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li><i>The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.</i></li> </ul>	✓

**Clause 55.07-13 (B48) Windows**

Objective	Assessment
<i>To allow adequate daylight into new habitable room windows.</i>	✓
<b>Standard</b>	
<i>Habitable rooms should have a window in an external wall of the building.</i>	✓
<i>A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.</i>	✓

<i>The secondary area should be:</i>	✓
<ul style="list-style-type: none"> <li><i>A minimum width of 1.2 metres.</i></li> </ul>	
<ul style="list-style-type: none"> <li><i>A maximum depth of 1.5 times the width, measured from the external surface of the window.</i></li> </ul>	✓

### **Planner's Comments:**

In addition to the requirements of the standard, the applicant has undertaken daylight modelling which made the following findings:

"A daylight assessment has been undertaken as required by the BESS assessment process using the IES VE Software. The analysis showed that daylight targets of 1% daylight factor is achieved for over 90% of the room area for 100% of living areas. The analysis also showed that daylight targets of 0.5% daylight factor is achieved for over 90% of the room area for 100% of bedroom areas. The following table shows the daylight factor for each level and the total weighted daylight factor."

The results of the modelling were reviewed by Council's ESD Officer who raised no concerns with the methodology or findings.

<b>Clause 55.07-15 (B49) Natural Ventilation</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To encourage natural ventilation of dwellings.</i>	✓
<i>To allow occupants to effectively manage natural ventilation of dwellings.</i>	✓
<b>Standard</b>	
<i>The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.</i>	✓
<i>At least 40 per cent of dwellings should provide effective cross ventilation and a breeze path that is between 5 and 18 metres</i>	✓
<ul style="list-style-type: none"> <li><i>Ventilation openings with approximately the same area.</i></li> <li><i>The breeze path is measured between the ventilation openings on different orientations of the dwelling.</i></li> </ul>	✓

### **Planner's Comments:**

44% of the dwellings met the requirements of the standard, which therefore complies.

Further, the balance of the dwellings would also achieve suitable ventilation, albeit the relevant openings would not be on different orientations.

<b>Clause 55.07-16 (B50) Building Entry and Circulation</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To provide each dwelling and building with its own sense of identity.</i>	✓
<i>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</i>	✓
<i>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</i>	✓
<b>Standard</b>	
<i>Entries to dwellings and buildings should:</i> <ul style="list-style-type: none"> <li>• <i>Be visible and easily identifiable.</i></li> <li>• <i>Provide shelter, a sense of personal address and a transitional space around the entry.</i></li> </ul>	✓
<i>The layout and design of buildings should:</i> <ul style="list-style-type: none"> <li>• <i>Clearly distinguish entrances to residential and non-residential areas.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li>• <i>Provide windows to building entrances and lift areas.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li>• <i>Provide visible, safe and attractive stairs from the entry level to encourage use by residents.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li>• <i>Provide common areas and corridors that:</i> <ul style="list-style-type: none"> <li>▪ <i>Include at least one source of natural light and natural ventilation.</i></li> <li>▪ <i>Avoid obstruction from building services.</i></li> <li>▪ <i>Maintain clear sight lines.</i></li> </ul> </li> </ul>	✗

#### **Planner's Comments:**

The building has been designed around a central core, as such it would not be practicable to provide natural light and ventilation to the common corridors. This is a common outcome for apartment buildings and it is not considered to be fatal to the application.

Further, it is noted that standard which seeks access to natural light and ventilation is ultimately a sustainability objective. The application is supported by a Sustainability Management Plan; any shortfall resulting from the lack of ventilation and natural light to the common corridors would need to be offset by other sustainability initiatives. This ensures that the development would still achieve 'best practice' with regard to sustainable design.

<b>Clause 55.07-17 (B51) Integration with the Street</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To integrate the layout of development with the street.</i>	✓
<i>To support development that activates street frontages.</i>	✓
<b>Standard</b>	
<i>Development should be oriented to front existing and proposed streets.</i>	✓
<i>Along street frontages, development should:</i> <ul style="list-style-type: none"> <li><i>Incorporate pedestrian entries, windows, balconies or other active spaces.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li><i>Limit blank walls.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li><i>Limit high front fencing, unless consistent with the existing urban context.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li><i>Provide low and visually permeable front fences, where proposed.</i></li> </ul>	✓
<ul style="list-style-type: none"> <li><i>Conceal car parking and internal waste collection areas from the street.</i></li> </ul>	✓
<i>Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.</i>	N/A

<b>Clause 55.07-18 (B52) Site Services</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure that site services are accessible and can be easily installed and maintained.</i>	✓
<i>To ensure that site services and facilities are visually integrated into the building design or landscape.</i>	✓
<b>Standard</b>	
<i>Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.</i>	✓
<i>Meters and utility services should be designed as an integrated component of the building or landscape.</i>	✓

<i>Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.</i>	✓
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<b>Clause 55.07-19 (B53) External Walls and Materials</b>	
<b>Objective</b>	<b>Assessment</b>
<i>To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.</i>	✓
<i>To ensure external walls endure and retain their attractiveness.</i>	✓
<b>Standard</b>	
<i>External walls should be finished with materials that:</i> <ul style="list-style-type: none"> <li>• <i>Do not easily deteriorate or stain.</i></li> <li>• <i>Weather well over time.</i></li> <li>• <i>Are resilient to the wear and tear from their intended use.</i></li> </ul>	✓
<i>External wall design should facilitate safe and convenient access for maintenance.</i>	✓



NOTICE INFORMATION  
Date of Notice: 7/9/2023



48 - 52 RIVERSDALE ROAD RD HAWTHORN VIC  
RFI TOWNPLANNING SUBMISSION AUG 2023

## DRAWING SCHEDULE

TP01	EXISTING CONDITIONS
TP02	URBAN CONTEXT
TP03	DESIGN RESPONSE
TP03A	DESIGN RESPONSE - STREETSCAPE -
TP03B	DESIGN RESPONSE - PERSPECTIVE
TP03C	DESIGN RESPONSE - PERSPECTIVE
TP03D	DESIGN RESPONSE - PERSPECTIVE
TP04	BASEMENT PLAN
TP05	GROUND FLOOR PLAN
TP06	1ST FLOOR PLAN
TP07	2ND FLOOR PLAN
TP08	3RD FLOOR PLAN
TP09	ROOF PLAN
TP10	ELEVATIONS MATERIAL SCHEDULE
TP11	ELEVATIONS
TP12	SHADOW STUDY 9AM - 10AM
TP13	SHADOW STUDY 11AM - 12PM
TP14	SHADOW STUDY 1PM
TP15	SHADOW STUDY 2PM
TP16	SHADOW STUDY 3PM
TP17	SECTIONS
TP17A	SECTIONS
TP18	FRONT FENCE ELEVATION
TP19	INDIVIDUAL FLOOR PLANS
TP20	INDIVIDUAL FLOOR PLANS

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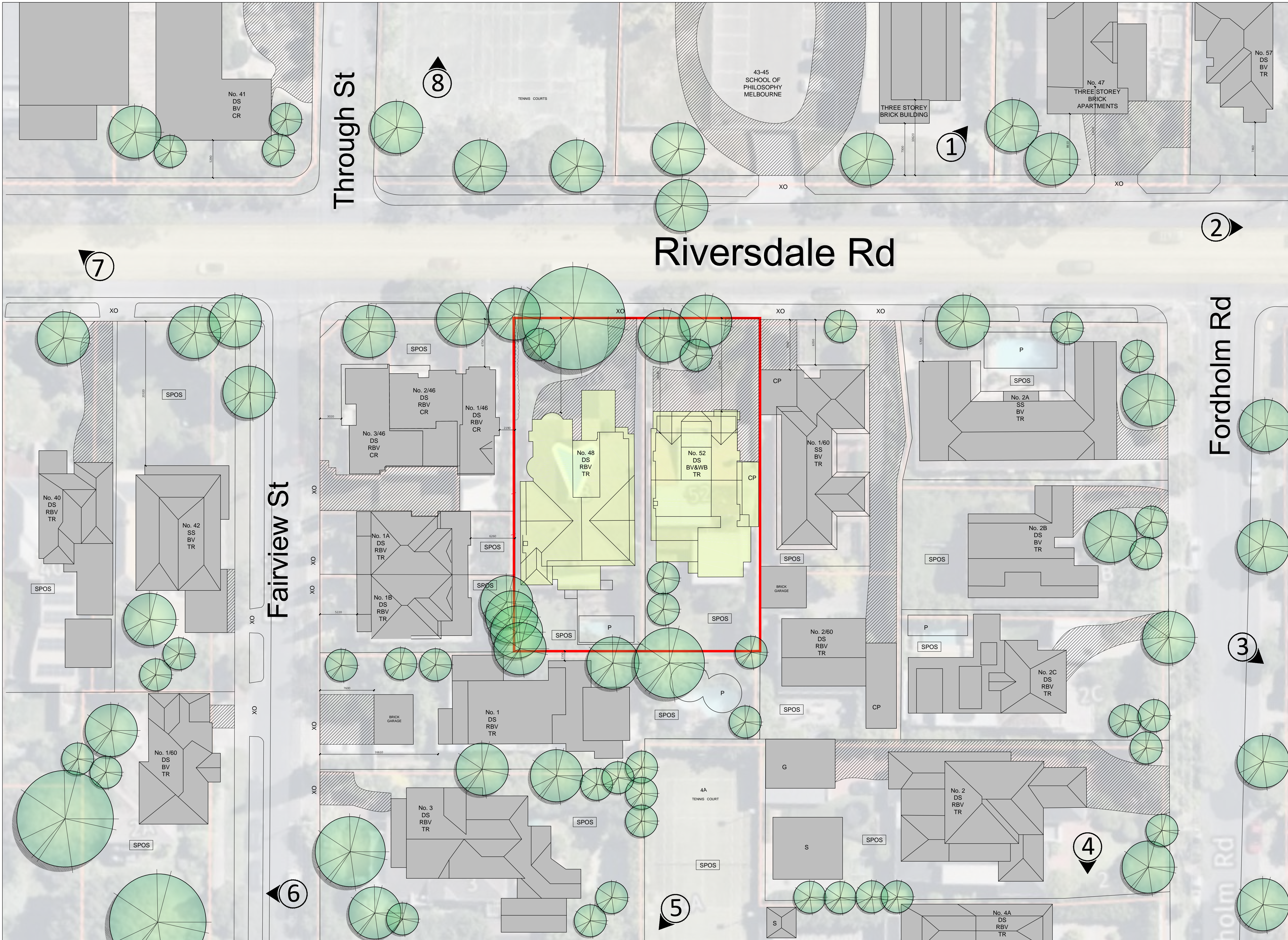
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1.1km GLENFERIE UNIVERSITY  
1.1km CENTRAL GARDENS

2. 1.1km FRITCH HOLDER PARK  
2.1km CAMBERWELL LIBRARY  
2.1km CAMBERWELL STATION

3. 2.0km ALBURN ROAD MEDICAL CENTRE  
2.1km ANDERSON PARK  
2.1km MENDS PRESSWAY ENTRY

4. 1.8km SCOTT COLLEGE MELBOURNE  
1.8km LAURISTON GIRLS SCHOOL  
4.8km MALVERN TENNIS CENTRE

5. 1.8km BEDA COLLEGE  
2.0km KEVIN MURPHY RESERVE  
2.1km ST KEVIN'S COLLEGE

6. 1.1km BURLY OVAL  
1.1km GOLDEN SQUARE BLENTHAM PARK  
2.1km BURLY STATION

7. 1.1km HAWTHORN STATION  
1.1km ST JAMES PARK  
1.1km MELBOURNE GIRLS COLLEGE

8. 1.1km HAWTHORN AQUATIC & LEISURE CENTRE  
2.0km GLENFERIE PRIVATE HOSPITAL  
2.0km XAVIER COLLEGE

**LEGEND:**

- SUBJECT SITE
- DRIVEWAY
- SINGLE STOREY BUILDING
- DOUBLE STOREY BUILDING
- TRIPLE STOREY BUILDING
- BRICK VENEER
- RENDERED BRICK VENEER
- WEATHER BOARD
- TIMBER CLAD
- FIBRE BOARD CLAD
- GALVANISED IRON
- TILED ROOF
- PARAPET ROOF
- COMMERCIAL BUILDING
- SECURED PRIVATE OPEN SPACE
- HABITABLE ROOM WINDOW
- NON HABITABLE ROOM WINDOW
- CORRUGATED SHEET ROOF
- CROSS OVER
- VERANDAH
- SHED
- GARAGE
- CARPORT
- CURT BUILDING
- TIMBER PILING FENCE
- TIMBER FENCE
- BRICK FENCE
- UNFENCED
- METAL FENCE
- LIGHT POLE
- ELECTRICITY POLE
- ELEC. POLE WITH LIGHT
- TRAFFIC LIGHT
- DRAINAGE PIT
- ELECTRICAL CABLE PIT
- TELSTRA PIT
- SEWER PIT

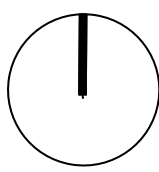
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No.	DATE	AMENDMENT
1	JAN 23	APPLICATION SUBMISSION
2	JUL 23	RFI SUBMISSION
3	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48- 52 Riversdale Rd Hawthorn

ADDRESS:  
48- 52 Riversdale Rd Hawthorn

DRAWING:  
URBAN CONTEXT

JOB NO:  
2204

SCALE:  
1 : 200

AUTHOR:  
pp

DATE:  
29-08-23

DRAWING NO:

TP-02

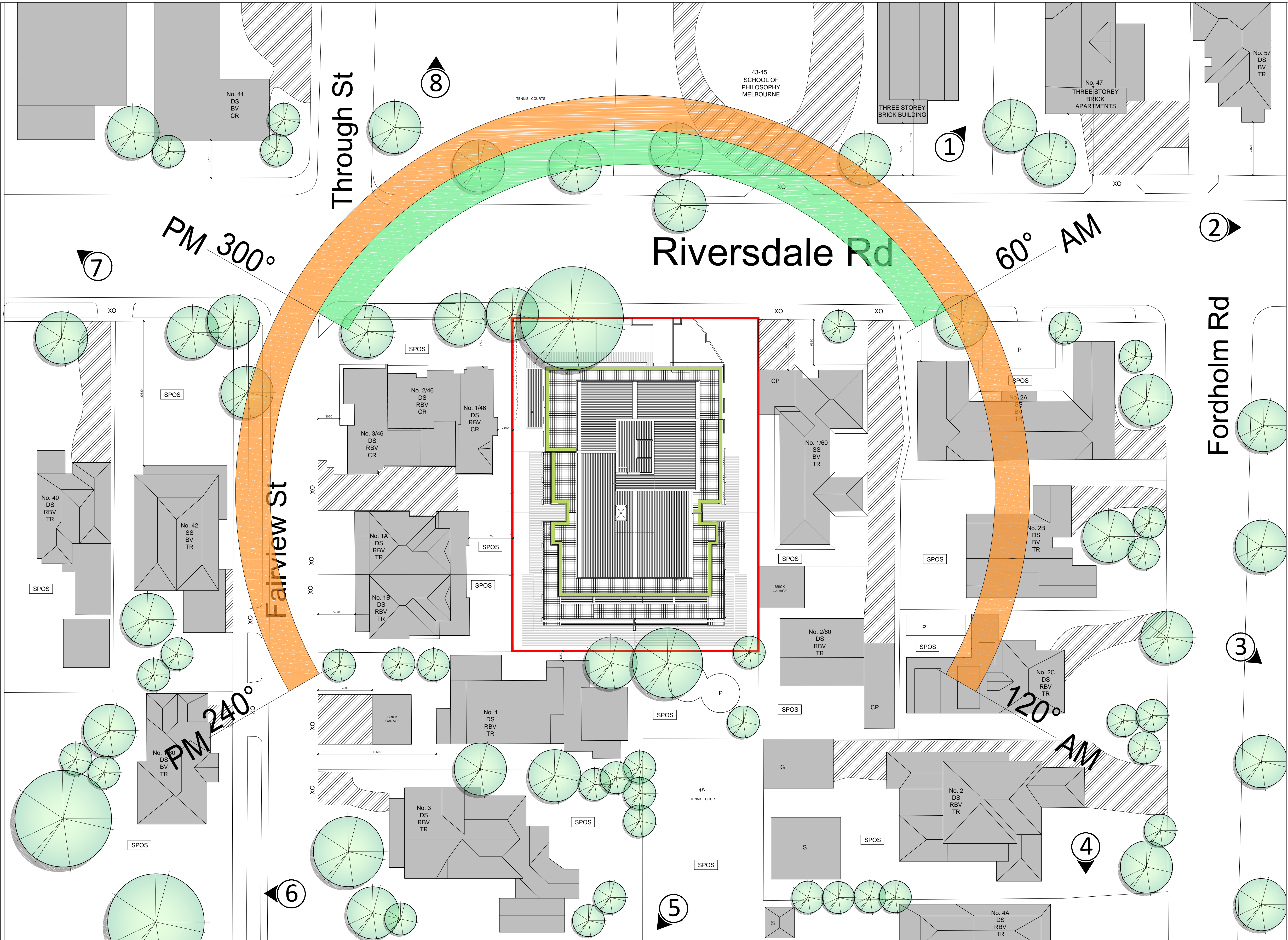
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**LEGEND:**

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- SEWER PIT

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No.	DATE	AMENDMENT

1

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48- 52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48- 52 Riversdale Rd Hawthorn

DRAWING:  
DESIGN RESPONSE

JOB NO:  
2204

SCALE:  
1 : 200

AUTHOR:  
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DATE:  
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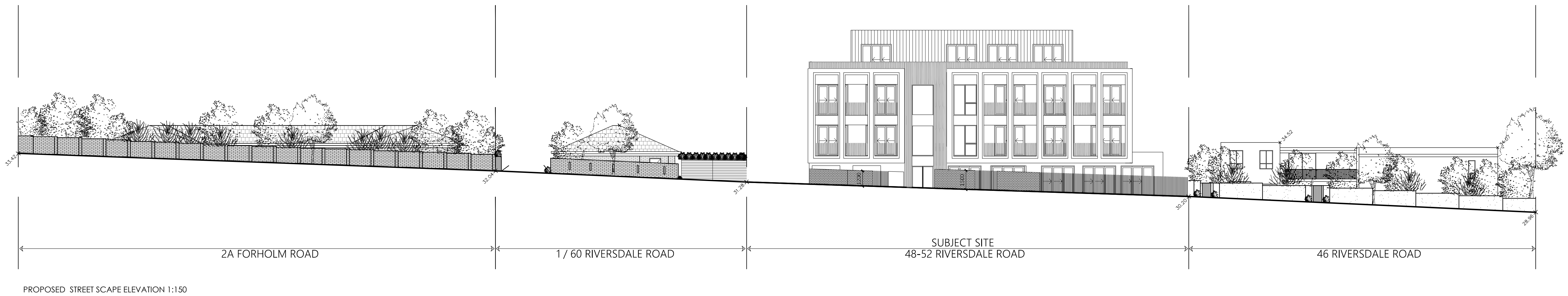
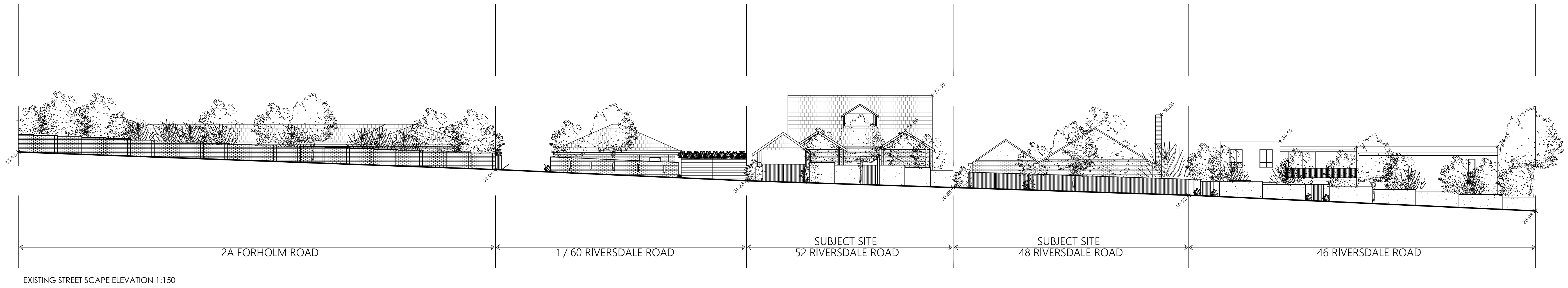
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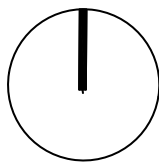


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No.	DATE	AMENDMENT
1	JAN 23	APPLICATION SUBMISSION
2	JUL 23	RFI SUBMISSION
3	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48- 52 Riversdale Rd Hawthorn

ADDRESS:  
48- 52 Riversdale Rd Hawthorn

DRAWING:  
DESIGN RESPONSE - STREET  
SCAPE ELEVATION

JOB NO:  
2204

SCALES:  
1 : 200

AUTHOR:  
pp

DATE:  
29-08-23

DRAWING NO:

TP03a

A1 size sheet:

REV:

3



NOTICE INFORMATION
Date of Notice: 7/9/2023

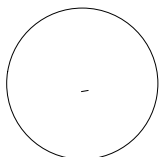


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No.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Design Response

JOB NO:  
2204  
  
SCALES:

AUTHOR:  
PP  
  
DATE:  
29-08-23

DRAWING NO:  
**TP03b**  
A1 size sheet:

REV:  
**3**



NOTICE INFORMATION  
Date of Notice: 7/9/2023



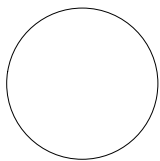
1 3D View 2

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No.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Design Response

JOB NO:  
2204  
  
SCALES:

AUTHOR:  
PP  
  
DATE:  
26-06-23

DRAWING NO:  
**TP03c**  
A1 size sheet:

REV:  
**3**

NOTICE INFORMATION  
Date of Notice: 7/9/2023



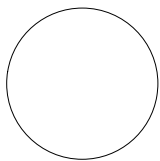
1 | 3D View 12

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No.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Design Response

JOB NO:  
2204  
  
SCALES:

AUTHOR:  
PP  
  
DATE:  
26-06-23

DRAWING NO:  
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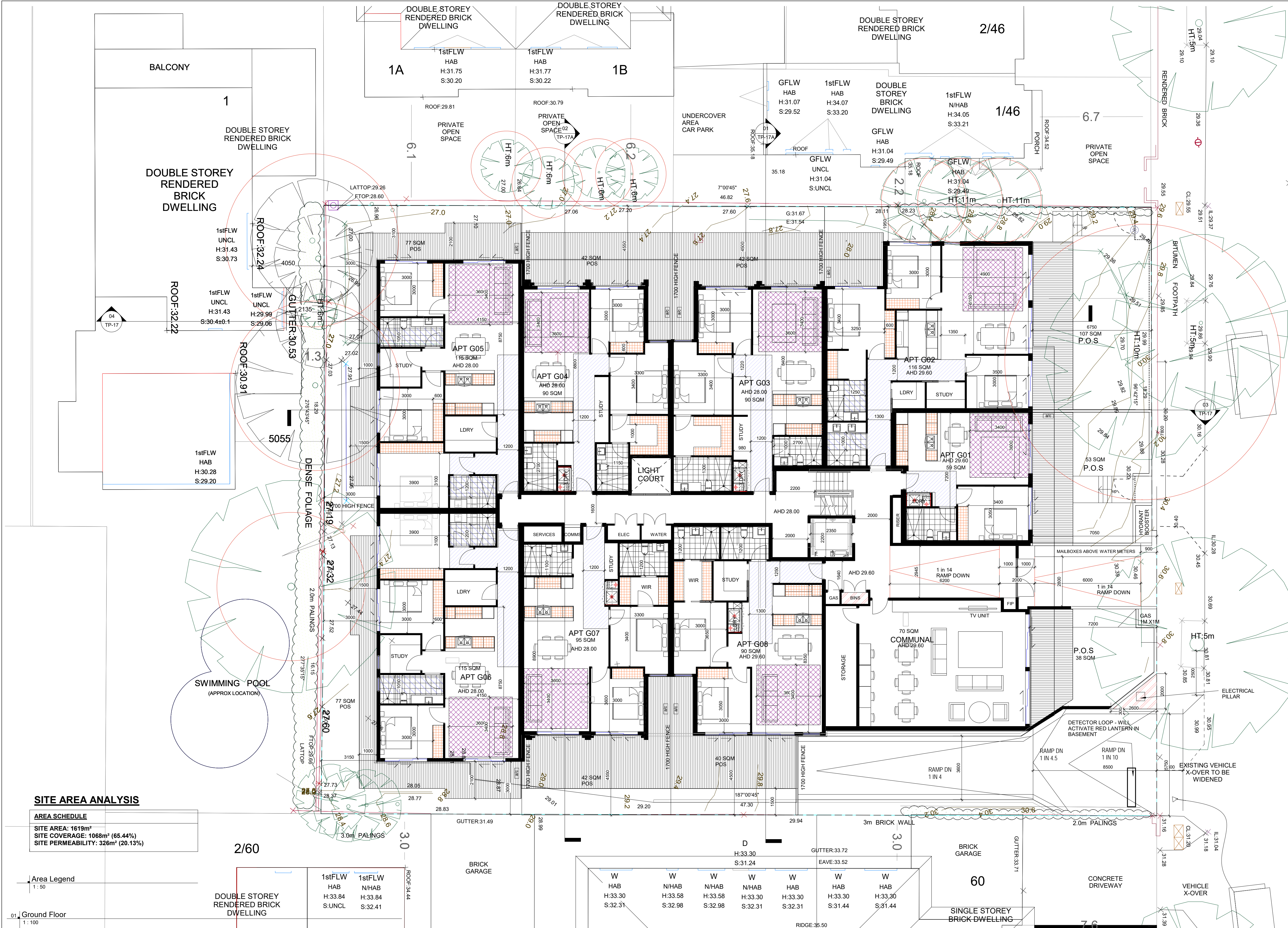
REV:  
**3**







NOTICE INFORMATION  
Date of Notice: 7/9/2023



**SITE AREA ANALYSIS**

**AREA SCHEDULE**

SITE AREA: 1619m<sup>2</sup>  
SITE COVERAGE: 1068m<sup>2</sup> (65.44%)  
SITE PERMEABILITY: 326m<sup>2</sup> (20.13%)

Area Legend  
1:50

01 Ground Floor  
1:100

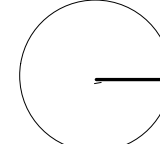
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No.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Ground Floor Plan

JOB NO:  
2204  
SCALES:  
As indicated

AUTHOR:  
PP  
DATE:  
29-08-23

DRAWING NO:  
TP-05  
A1 size sheet.

REV:  
3

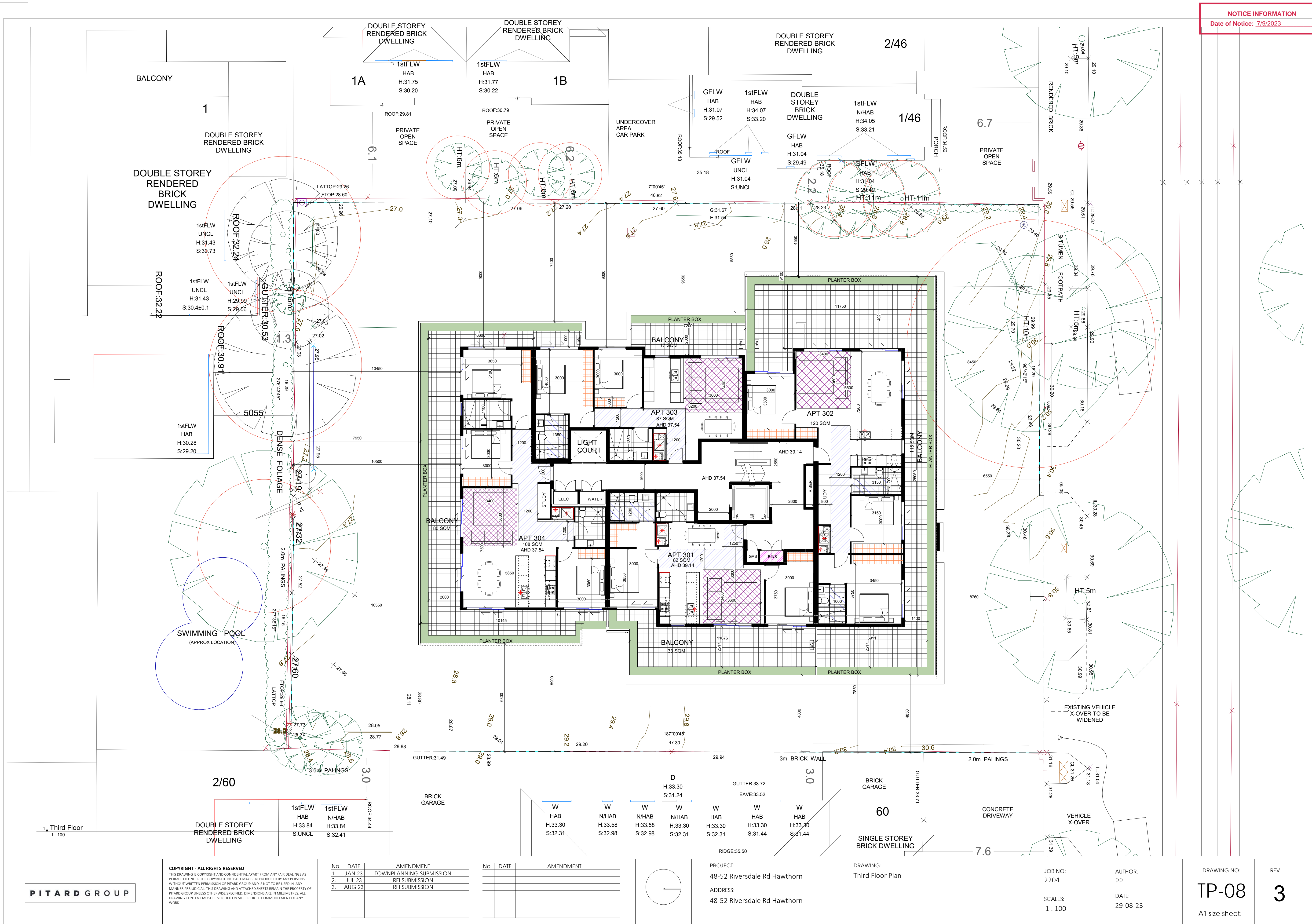


















NOTICE INFORMATION  
Date of Notice: 7/9/2023

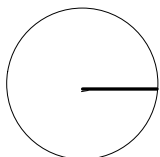


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NO.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

NO.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
ELEVATIONS

JOB NO:  
2204  
  
SCALES:  
1 : 100

AUTHOR:  
PP  
  
DATE:  
29-08-23

DRAWING NO:  
TP-10  
A1 size sheet.

REV:  
3



NOTICE INFORMATION  
Date of Notice: 7/9/2023



1 West Elevation  
1 : 100



3 South Elevation  
1 : 100



MAT -01  
NATURAL STONE FACADE  
FEATURE TILE



MAT -02  
CONCRETE RENDER



MAT -03  
FACE BRICK IN  
SELECTED COLOUR



MAT -04  
C/B VERTICAL CLADDING  
MID GREY



MAT -05  
BLACK METAL BATTEN CLADDING



MAT -06  
VERTICAL METAL BLADE SCREENING  
+ BALUSTRADE - BLACK



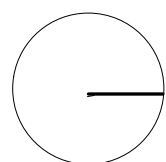
ALL SLIDING DOOR AND WINDOWS  
ALUMINUM SATIN BLACK  
ALL HABITABLE ROOM WINDOWS  
AND DOORS ARE TO BE DOUBLE  
GLAZED

PITARD GROUP

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NO.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

NO.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
ELEVATIONS  
MATERIAL SCHEDULE

JOB NO:  
2204

SCALES:  
1 : 100

AUTHOR:  
PP

DATE:  
29-08-23

DRAWING NO:

TP-11

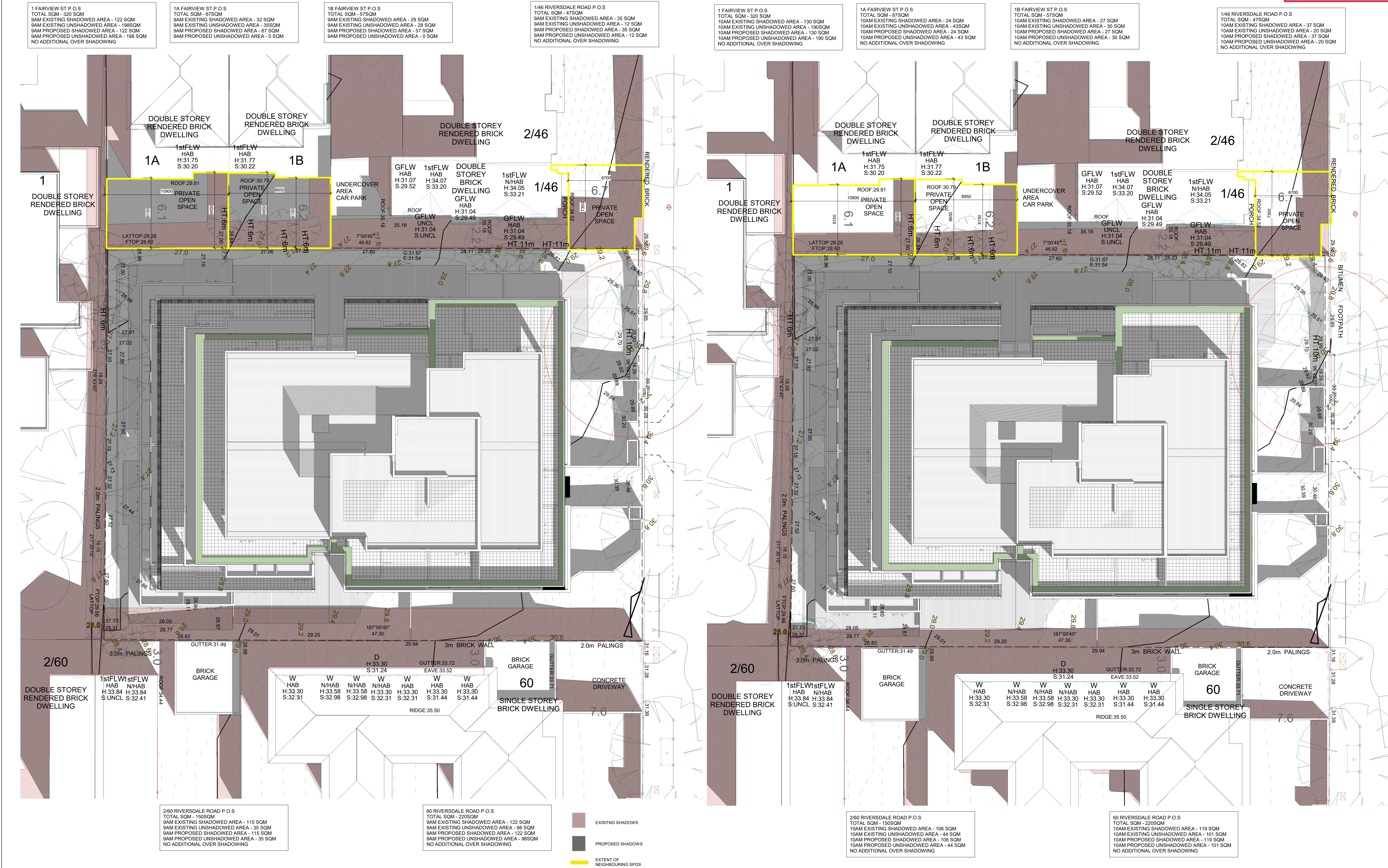
A1 size sheet:

REV:

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NOTICE INFORMATION  
Date of Notice: 7/9/2023



1 Shadow Diagram - 9.00am Sep 22nd  
1: 150

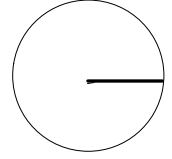
2 Shadow Diagram - 10.00am Sep 22nd  
1: 150

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No.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn

ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Shadow Diagram - 9.00am- 10.00am Sep 22nd

JOB NO:  
2204

SCALE:  
1 : 150

AUTHOR:  
PP

DATE:  
29-08-23

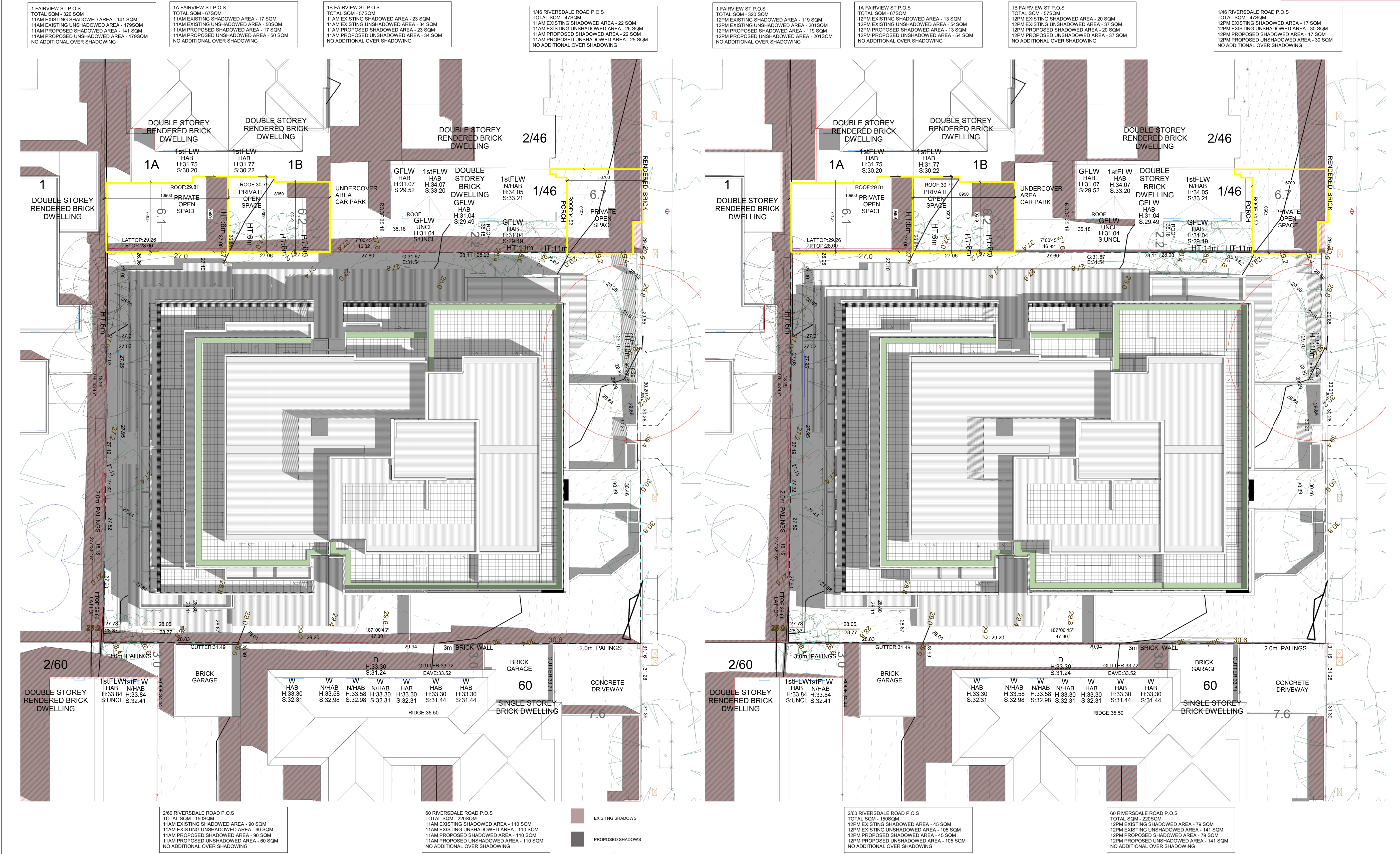
DRAWING NO:  
TP-12

A1 size sheet:

REV:  
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NOTICE INFORMATION  
Date of Notice: 7/9/2023



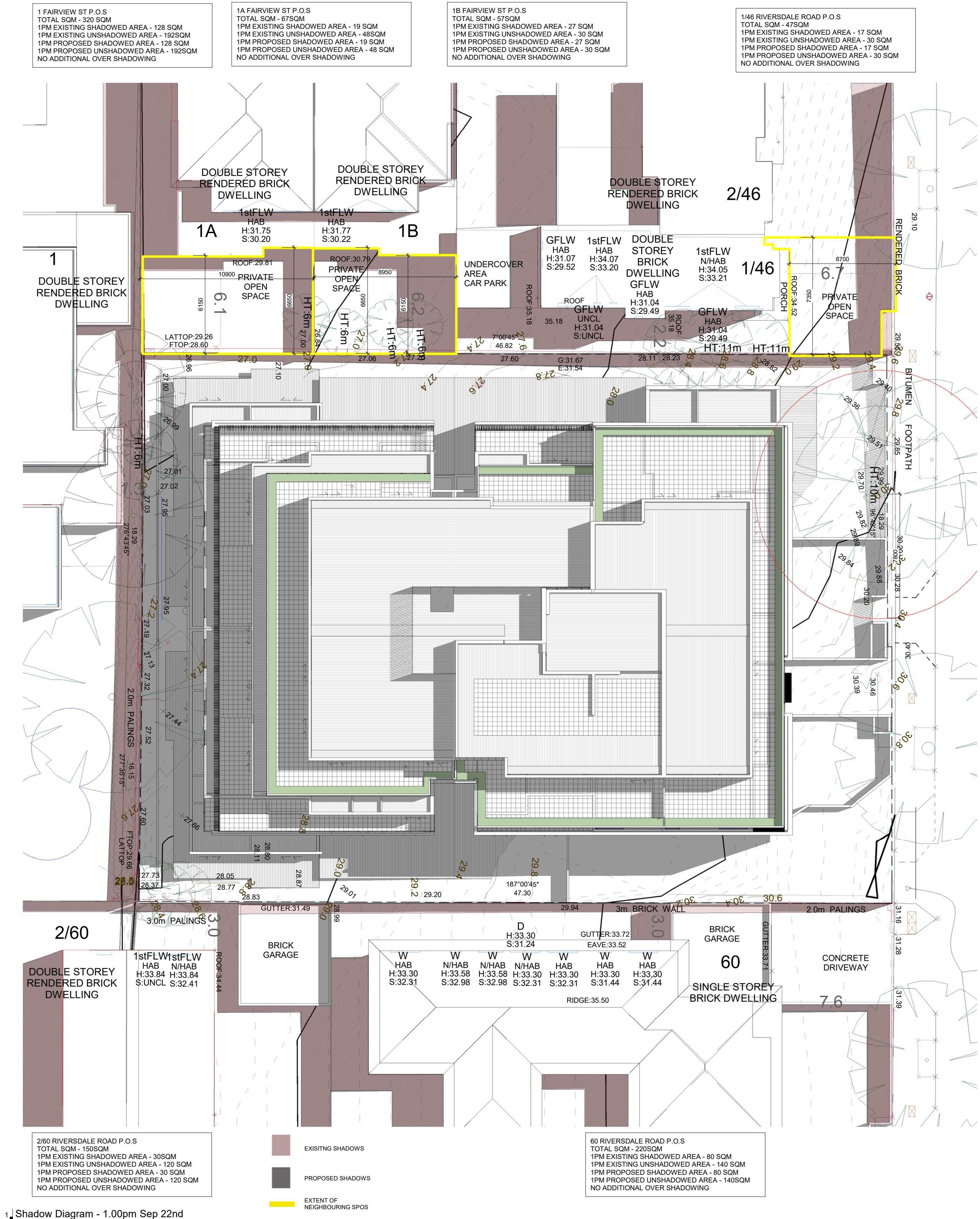
1 Shadow Diagram - 11.00am Sep 22nd  
1:150

2 Shadow Diagram - 12.00pm Sep 22nd  
1:150

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		1.	JAN 23	TOWNPLANNING SUBMISSION
		2.	JUL 23	RFI SUBMISSION
		3.	AUG 23	RFI SUBMISSION
<div></div>	No.	DATE	AMENDMENT	
<div></div>	PROJECT:	48-52 Riversdale Rd Hawthorn		
	ADDRESS:	48-52 Riversdale Rd Hawthorn		
	DRAWING:	Shadow Diagram - 11.00am + 12.00pm Sep 22nd		
	JOB NO:	2204		
	SCALES:	1 : 150		
	AUTHOR:	PP		
	DATE:	29-08-23		
	DRAWING NO:	TP-13		
	REV:	3		
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NOTICE INFORMATION  
Date of Notice: 7/9/2023

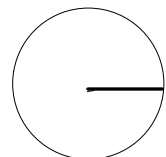


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NO.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

NO.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn

ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Shadow Diagram - 1.00pm Sep 22nd

JOB NO:  
2204

SCALES:  
1 : 150

AUTHOR:  
PP

DATE:  
29-08-23

DRAWING NO:

TP-14

A1 size sheet.

REV:

3



NOTICE INFORMATION  
Date of Notice: 7/9/2023

1/46 RIVERSDALE ROAD P.O.S  
TOTAL SQM - 47SQM  
2PM EXISTING SHADOWED AREA - 17 SQM  
2PM EXISTING UNSHADOWED AREA - 30 SQM  
2PM PROPOSED SHADOWED AREA - 17 SQM  
2PM PROPOSED UNSHADOWED AREA - 30 SQM  
NO ADDITIONAL OVER SHADOWING

1B FAIRVIEW ST P.O.S  
TOTAL SQM - 57SQM  
2PM EXISTING SHADOWED AREA - 36 SQM  
2PM EXISTING UNSHADOWED AREA - 21 SQM  
2PM PROPOSED SHADOWED AREA - 36 SQM  
2PM PROPOSED UNSHADOWED AREA - 21 SQM  
NO ADDITIONAL OVER SHADOWING

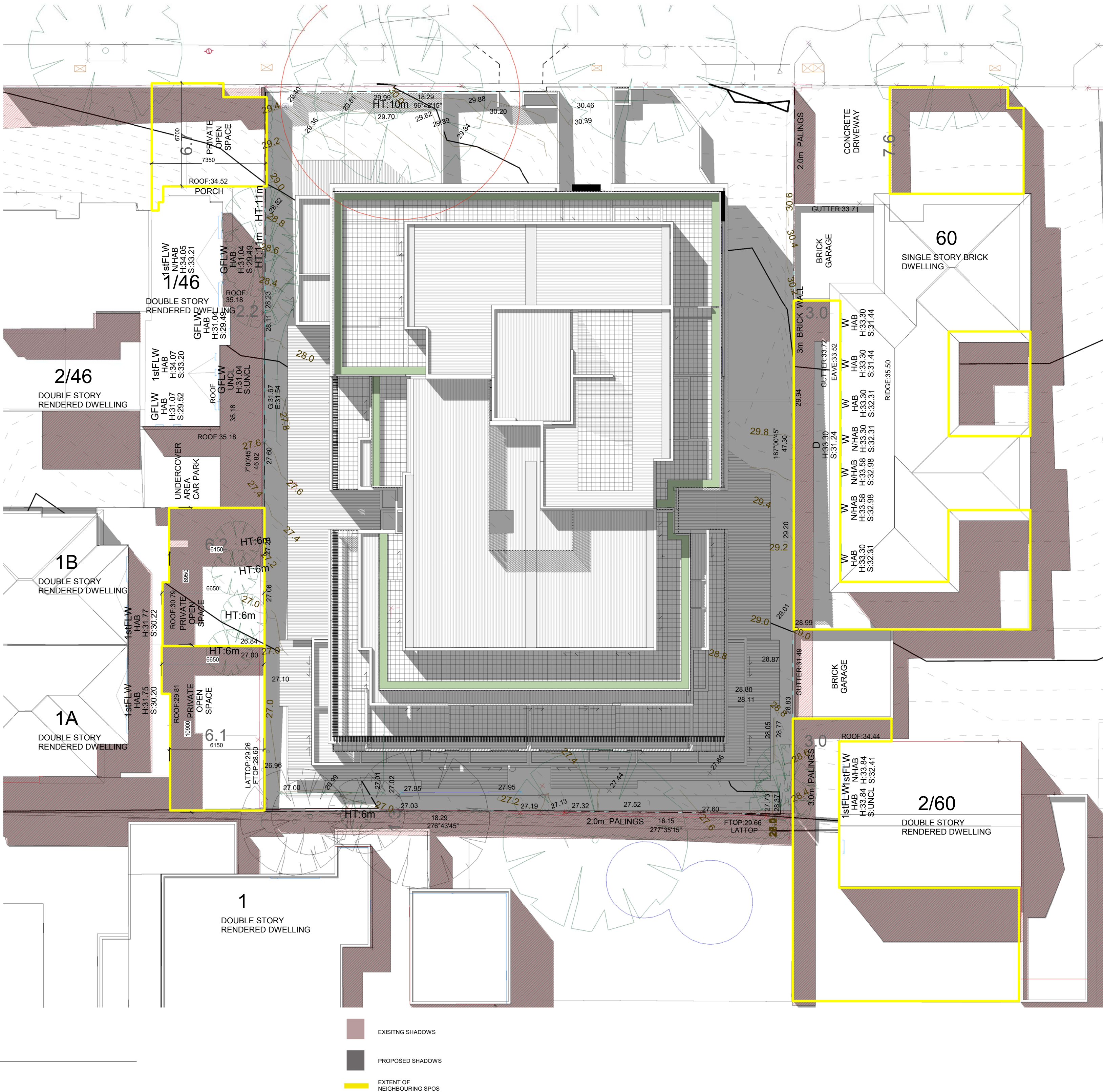
1A FAIRVIEW ST P.O.S  
TOTAL SQM - 67SQM  
2PM EXISTING SHADOWED AREA - 31 SQM  
2PM EXISTING UNSHADOWED AREA - 36 SQM  
2PM PROPOSED SHADOWED AREA - 31 SQM  
2PM PROPOSED UNSHADOWED AREA - 36 SQM  
NO ADDITIONAL OVER SHADOWING

4 FAIRVIEW ST P.O.S  
TOTAL SQM - 320 SQM  
2PM EXISTING SHADOWED AREA - 149 SQM  
2PM EXISTING UNSHADOWED AREA - 171SQM  
2PM PROPOSED SHADOWED AREA - 148 SQM  
2PM PROPOSED UNSHADOWED AREA - 171SQM  
NO ADDITIONAL OVER SHADOWING

60 RIVERSDALE ROAD P.O.S  
TOTAL SQM - 220SQM  
2PM EXISTING SHADOWED AREA - 125 SQM  
2PM EXISTING UNSHADOWED AREA - 95 SQM  
2PM PROPOSED SHADOWED AREA - 141 SQM  
2PM PROPOSED UNSHADOWED AREA - 79 SQM  
16 SQM ADDITIONAL OVER SHADOWING

2/60 RIVERSDALE ROAD P.O.S  
TOTAL SQM - 150SQM  
2PM EXISTING SHADOWED AREA - 49SQM  
2PM EXISTING UNSHADOWED AREA - 101 SQM  
2PM PROPOSED SHADOWED AREA - 49 SQM  
2PM PROPOSED UNSHADOWED AREA - 101 SQM  
NO ADDITIONAL OVER SHADOWING

1 Shadow Diagram - 2.00pm Sep 22nd  
1 : 150

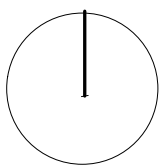


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No.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Shadow Diagram - 2.00pm Sep 22nd

JOB NO:  
2204  
  
SCALES:  
1 : 150

AUTHOR:  
PP  
  
DATE:  
29-08-23

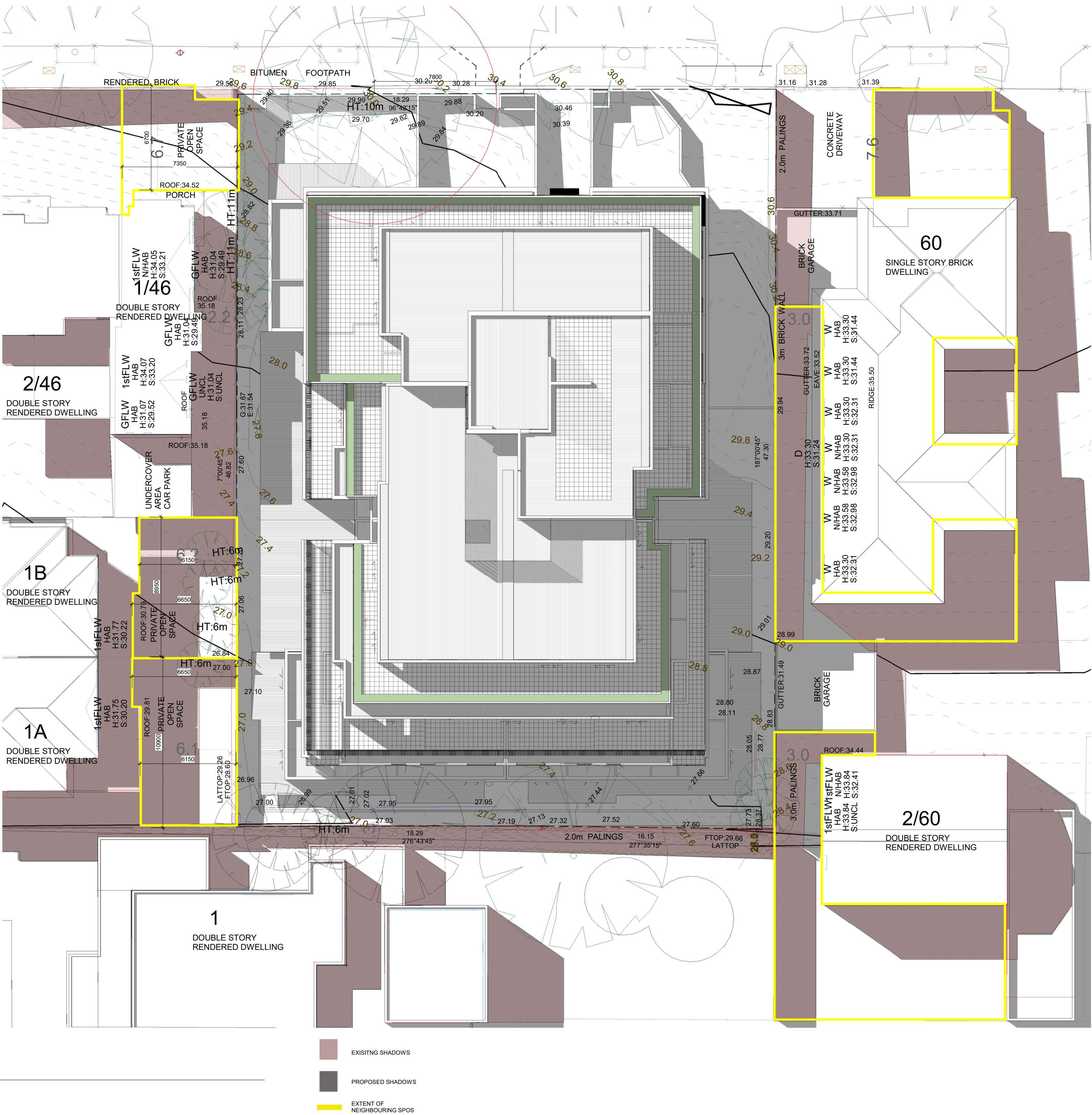
DRAWING NO:  
**TP-15**  
A1 size sheet:

REV:  
**3**



NOTICE INFORMATION  
Date of Notice: 7/9/2023

1. Shadow Diagram - 3.00pm Sep 22nd  
1 : 150



1/46 RIVERSDALE ROAD P.O.S  
TOTAL SQM - 475SQM  
3PM EXISTING SHADOWED AREA - 18 SQM  
3PM EXISTING UNSHADOWED AREA - 31 SQM  
3PM PROPOSED SHADOWED AREA - 18 SQM  
2PM PROPOSED UNSHADOWED AREA - 31 SQM  
NO ADDITIONAL OVER SHADOWING

1B FAIRVIEW ST P.O.S  
TOTAL SQM - 575SQM  
3PM EXISTING SHADOWED AREA - 40 SQM  
3PM EXISTING UNSHADOWED AREA - 17 SQM  
3PM PROPOSED SHADOWED AREA - 40 SQM  
3PM PROPOSED UNSHADOWED AREA - 17 SQM  
NO ADDITIONAL OVER SHADOWING

1A FAIRVIEW ST P.O.S  
TOTAL SQM - 675SQM  
3PM EXISTING SHADOWED AREA - 45 SQM  
3PM EXISTING UNSHADOWED AREA - 22 SQM  
3PM PROPOSED SHADOWED AREA - 45 SQM  
3PM PROPOSED UNSHADOWED AREA - 22 SQM  
NO ADDITIONAL OVER SHADOWING

1 FAIRVIEW ST P.O.S  
TOTAL SQM - 320 SQM  
3PM EXISTING SHADOWED AREA - 154 SQM  
3PM EXISTING UNSHADOWED AREA - 166SQM  
3PM PROPOSED SHADOWED AREA - 154 SQM  
3PM PROPOSED UNSHADOWED AREA - 166SQM  
NO ADDITIONAL OVER SHADOWING

60 RIVERSDALE ROAD P.O.S  
TOTAL SQM - 220SQM  
3PM EXISTING SHADOWED AREA - 160SQM  
3PM EXISTING UNSHADOWED AREA - 60 SQM  
3PM PROPOSED SHADOWED AREA - 171.5 SQM  
3PM PROPOSED UNSHADOWED AREA - 48.5 SQM  
11.5 SQM ADDITIONAL OVER SHADOWING

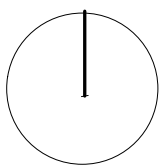
2/60 RIVERSDALE ROAD P.O.S  
TOTAL SQM - 1505SQM  
3PM EXISTING SHADOWED AREA - 66SQM  
3PM EXISTING UNSHADOWED AREA - 84 SQM  
3PM PROPOSED SHADOWED AREA - 72 SQM  
3PM PROPOSED UNSHADOWED AREA - 78 SQM  
6 SQM ADDITIONAL OVER SHADOWING

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No.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Shadow Diagram - 3.00pm Sep 22nd

JOB NO:  
2204  
  
SCALES:  
1 : 150

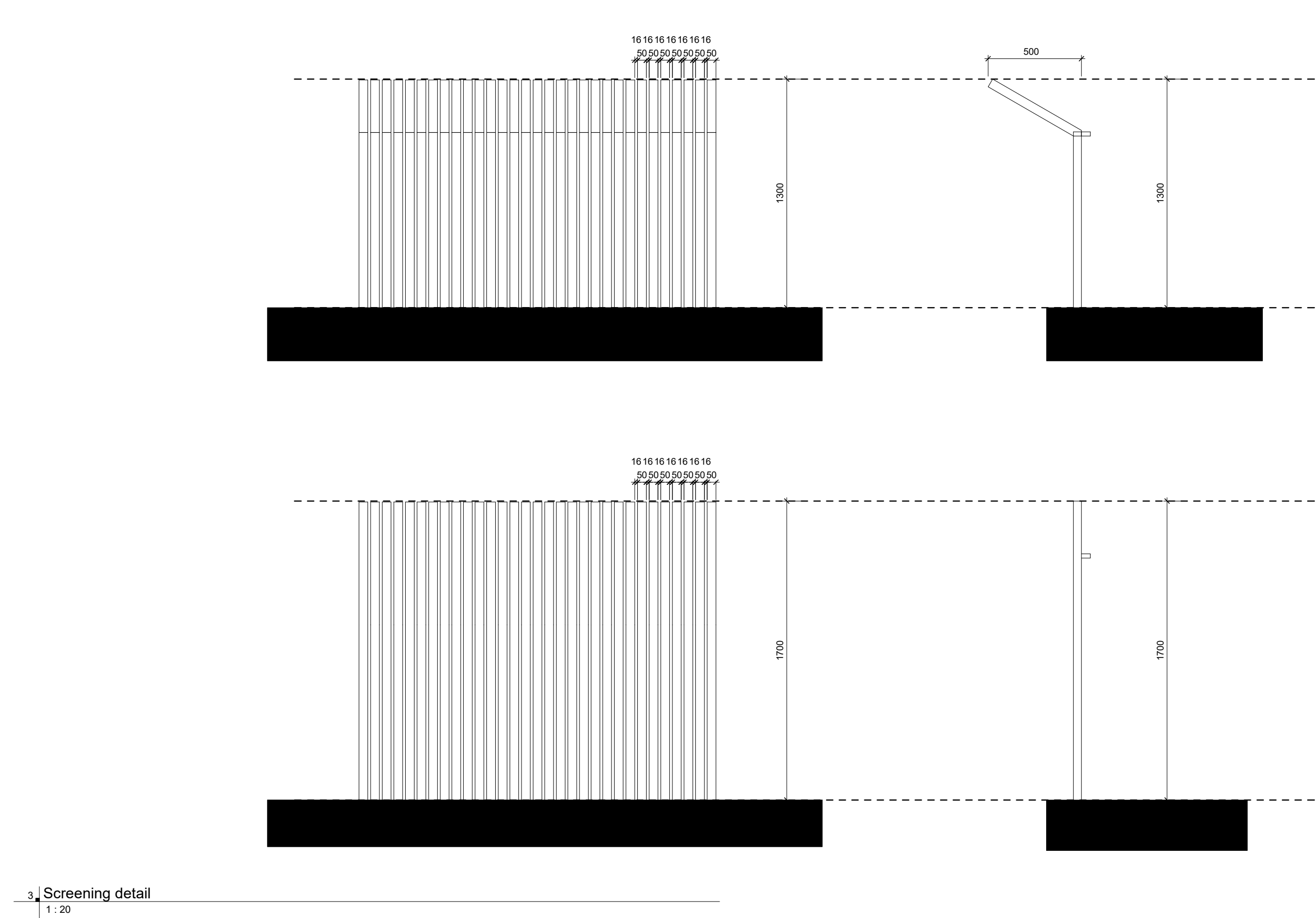
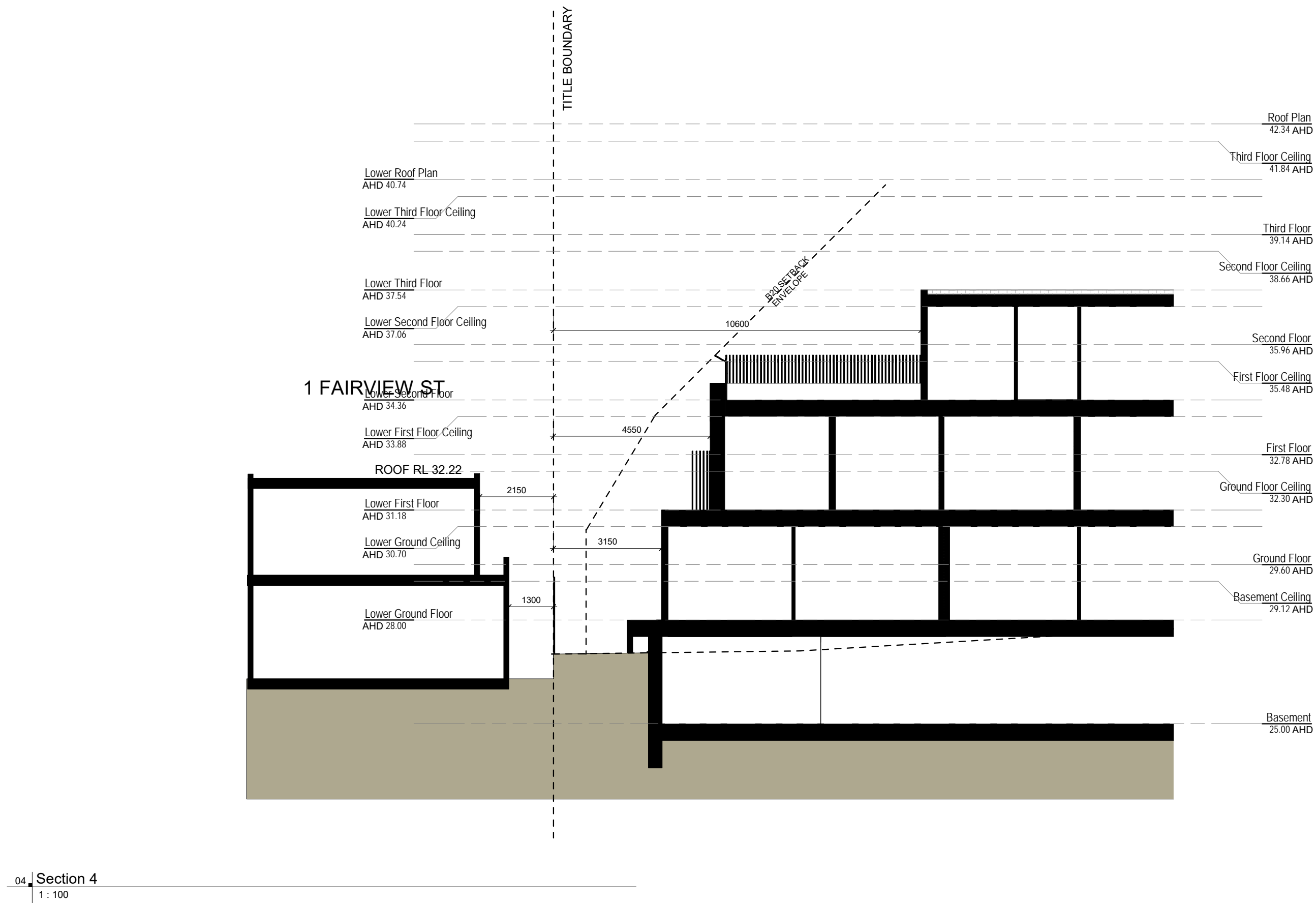
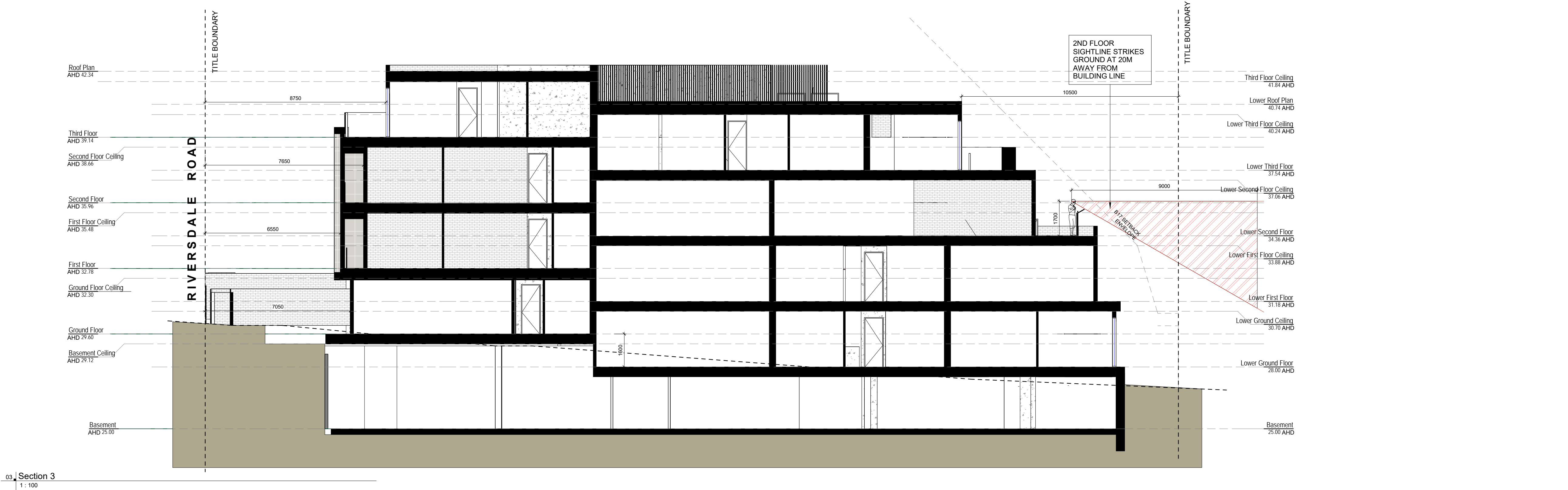
AUTHOR:  
PP  
  
DATE:  
29-08-23

DRAWING NO:  
**TP-16**  
A1 size sheet.

REV:  
**3**



NOTICE INFORMATION  
Date of Notice: 7/9/2023

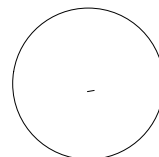


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NO.	DATE	AMENDMENT
1.	JAN 23	TOWNPLANNING SUBMISSION
2.	JUL 23	RFI SUBMISSION
3.	AUG 23	RFI SUBMISSION

NO.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Cross sections

JOB NO:  
2204

SCALES:  
As indicated

AUTHOR:  
pp

DATE:  
29-08-23

DRAWING NO:

TP-17

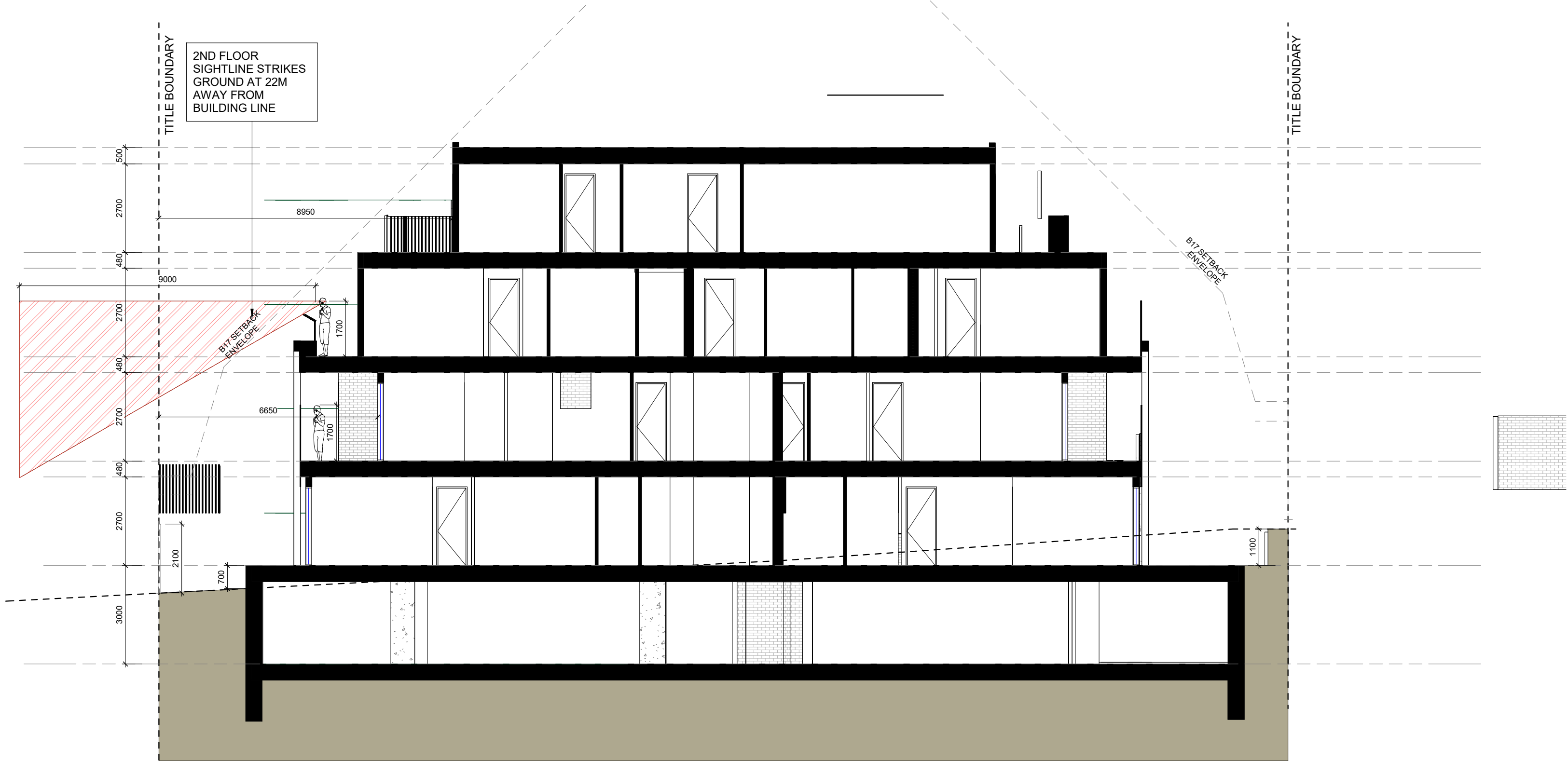
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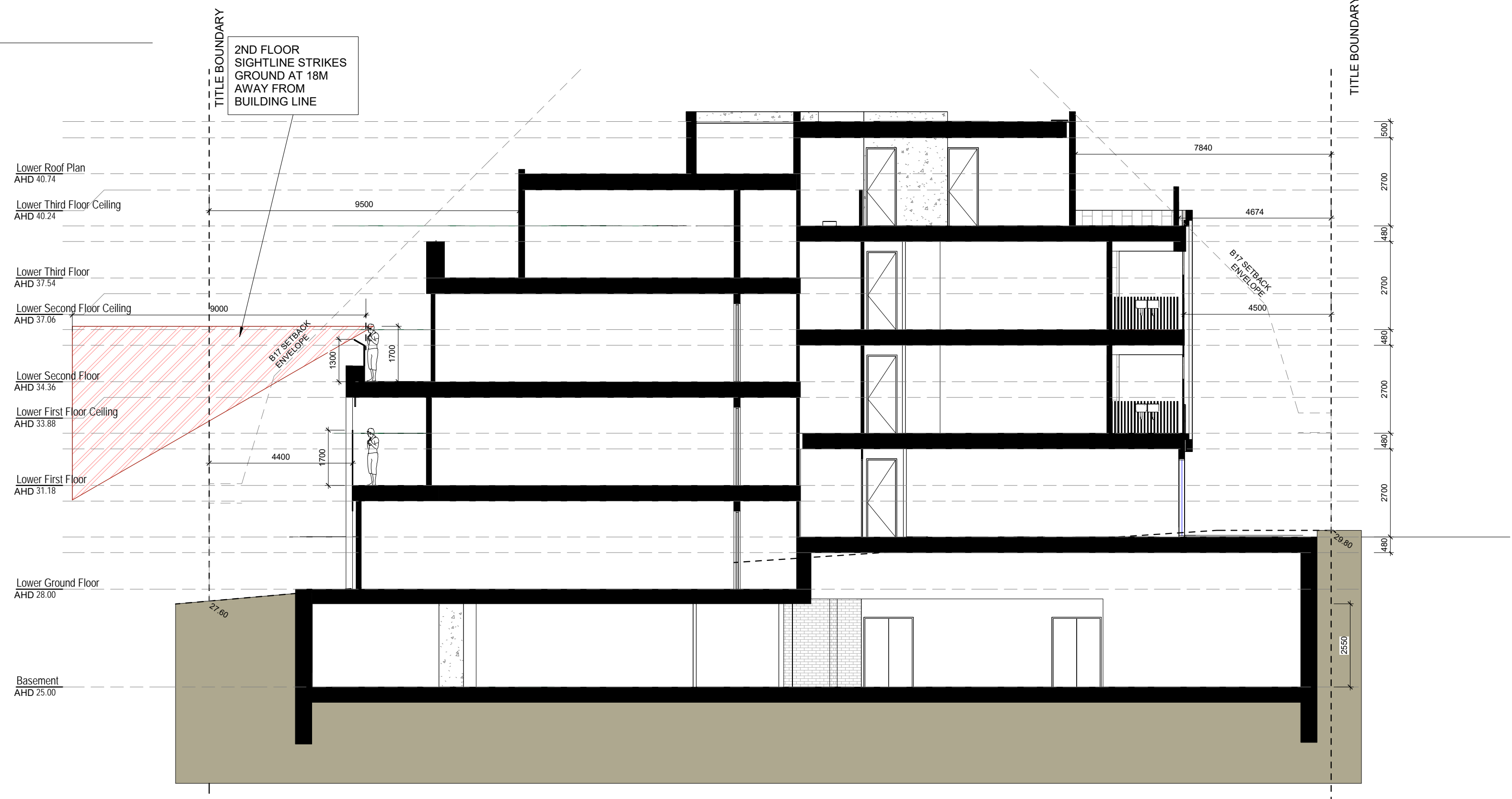
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NOTICE INFORMATION  
Date of Notice: 7/9/2023

02 | Section 2  
1 : 100



01 | Section 1  
1 : 100

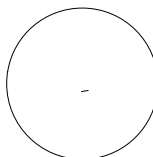


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3.	AUG 23	RFI SUBMISSION

NO.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Cross sections

JOB NO:  
2204  
SCALES:  
1 : 100

AUTHOR:  
pp  
DATE:  
29-08-23

DRAWING NO:  
**TP-17A**  
A1 size sheet:

REV:  
**3**

NOTICE INFORMATION  
Date of Notice: 7/9/2023



MAT -01  
NATURAL STONE FACADE  
FEATURE TILE



MAT -02  
CONCRETE RENDER



MAT -03  
FACE BRICK IN  
SELECTED COLOUR



MAT -04  
C/B VERTICAL CLADDING  
MID GREY



MAT -05  
BLACK METAL BATTEN CLADDING



MAT -06  
VERTICAL METAL BLADE SCREENING  
+ BALUSTRADE - BLACK



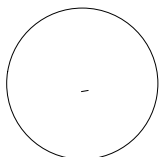
ALL SLIDING DOOR AND WINDOWS  
ALUMINUM SATIN BLACK

PITARD GROUP

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1.	JAN 23	TOWNPLANNING SUBMISSION
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3.	AUG 23	RFI SUBMISSION

No.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
FRONT FENCE ELEVATION  
MATERIAL SCHEDULE

JOB NO:  
2204

SCALES:  
1 : 100

AUTHOR:  
PP

DATE:  
29-08-23

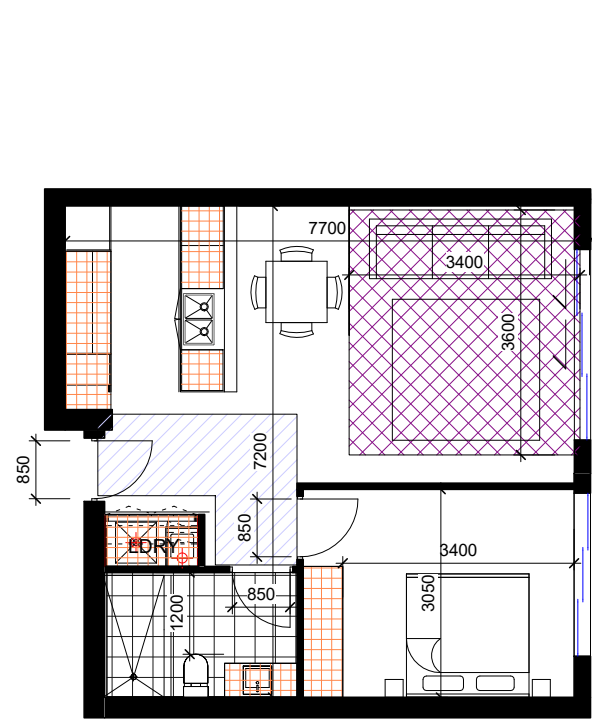
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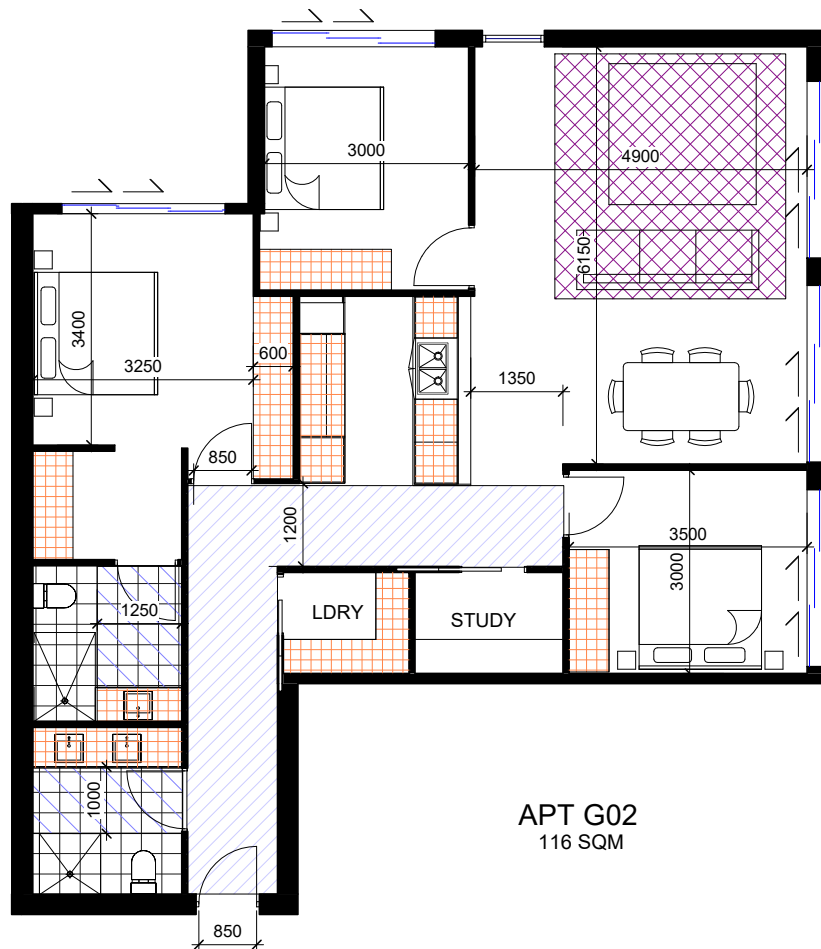
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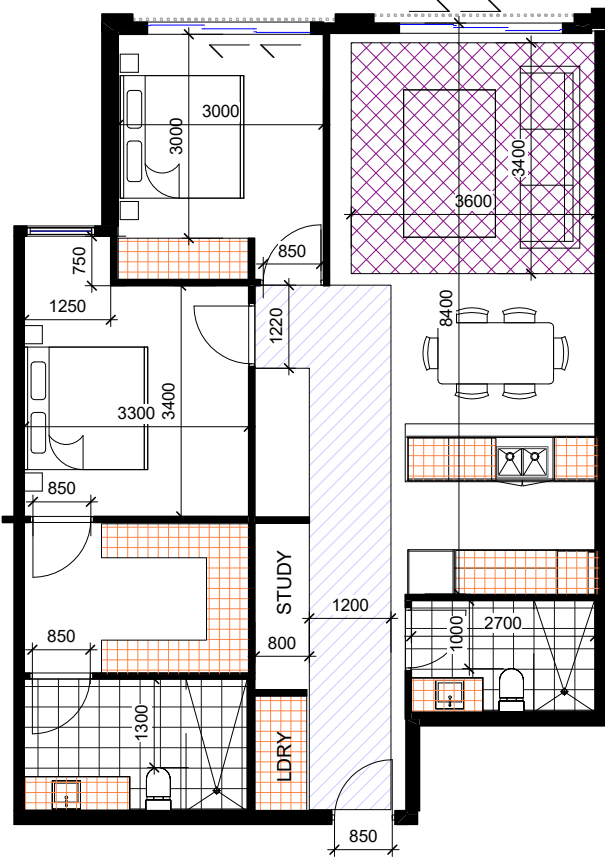
NOTICE INFORMATION  
Date of Notice: 7/9/2023



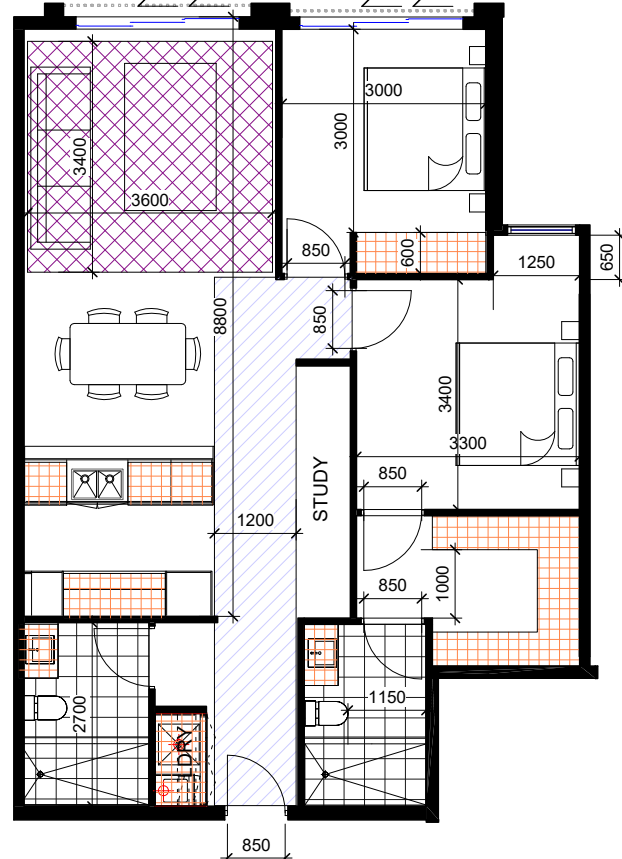
APT G01  
59 SQM



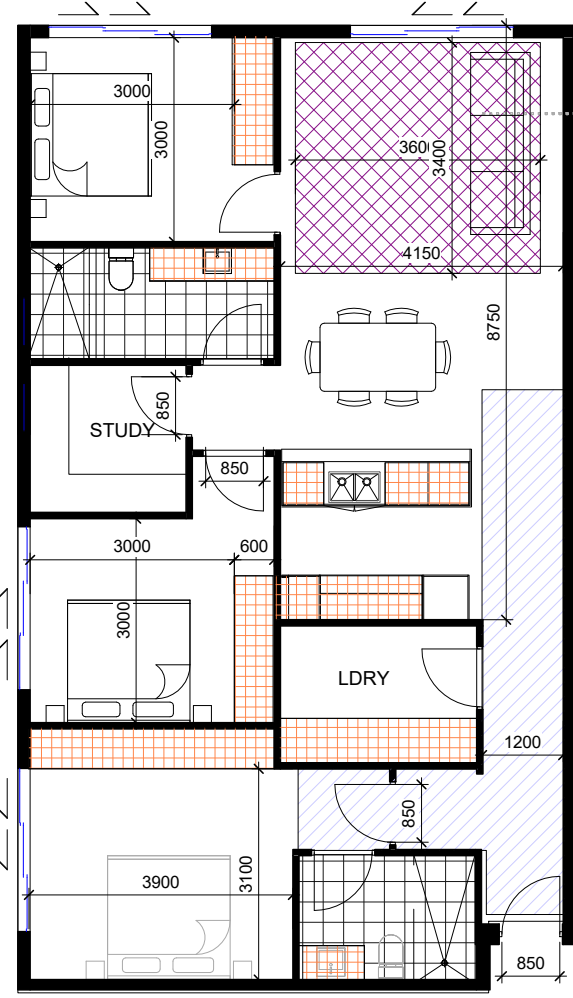
APT G02  
116 SQM



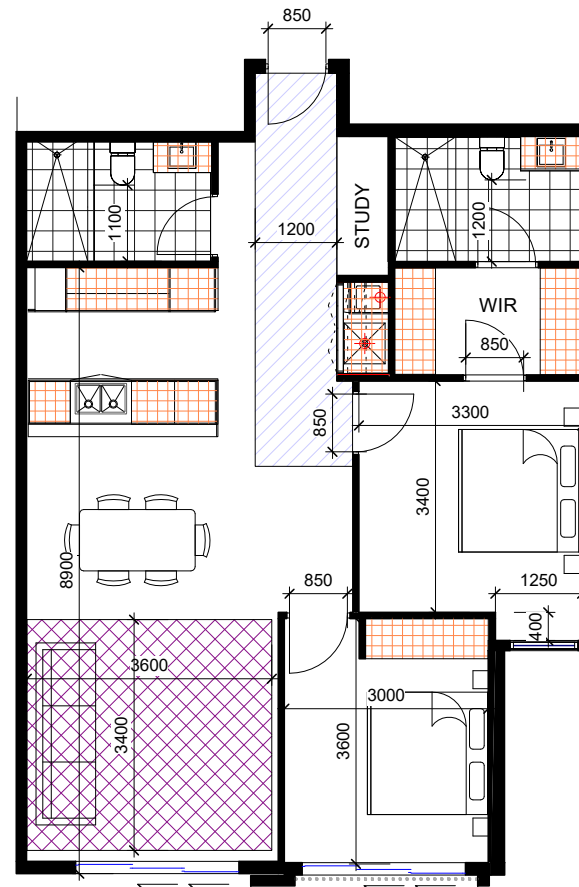
APT G03  
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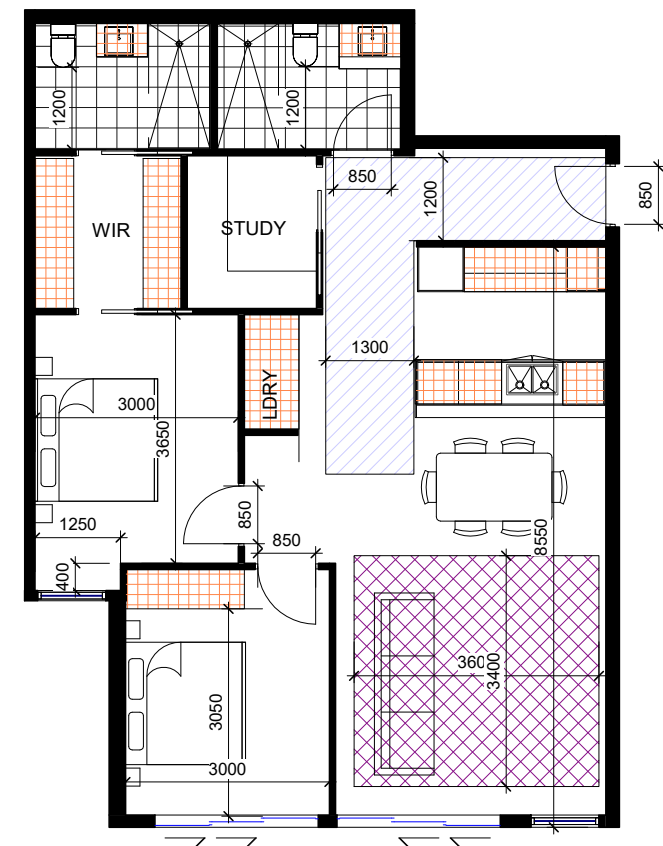
APT G04  
90 SQM



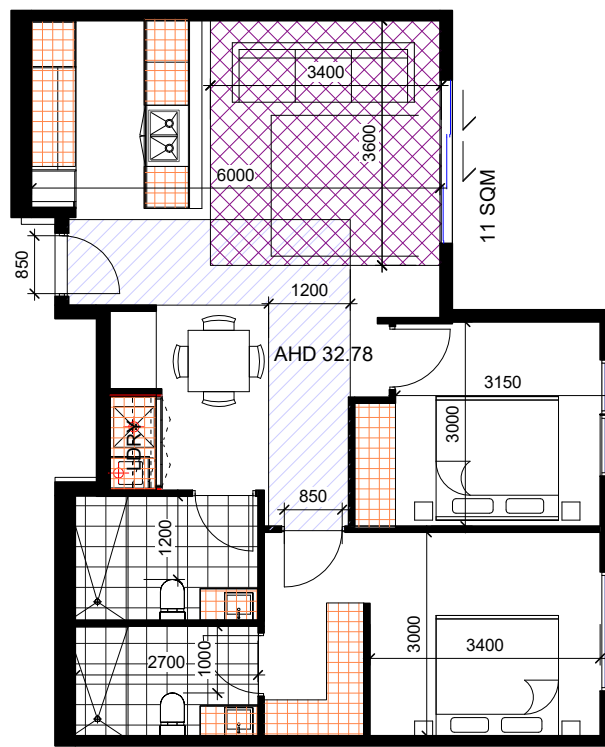
APT G05    APT G06  
115 SQM



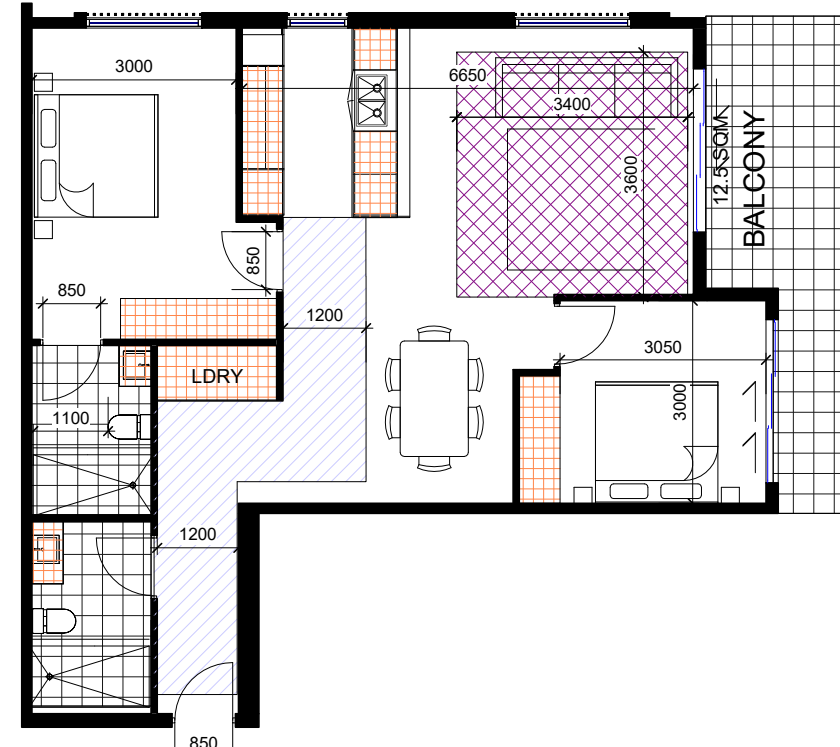
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95 SQM



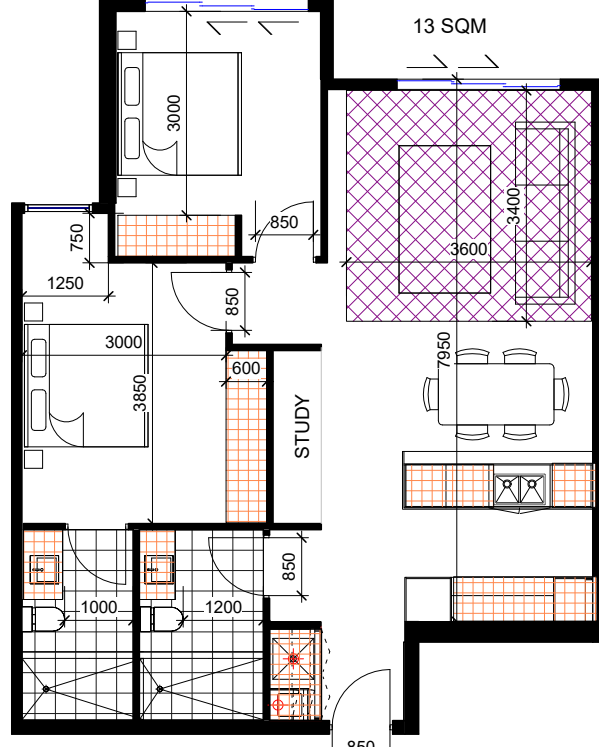
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90 SQM



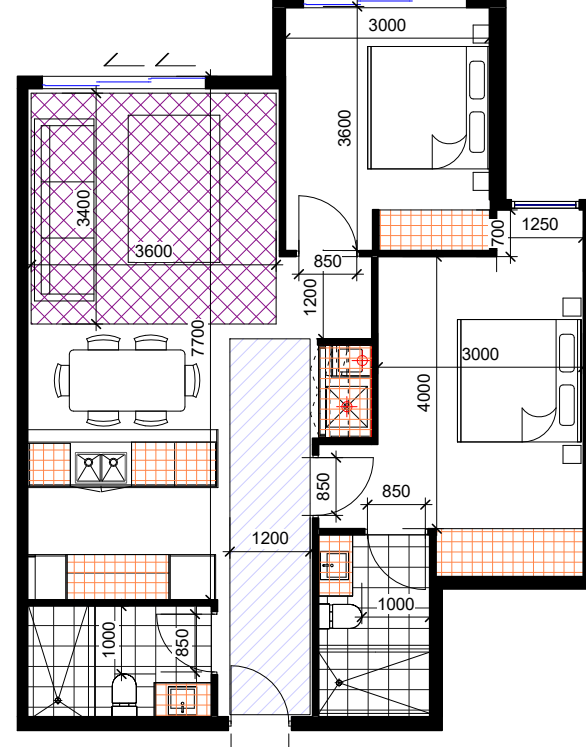
APT 101    APT 201  
79 SQM



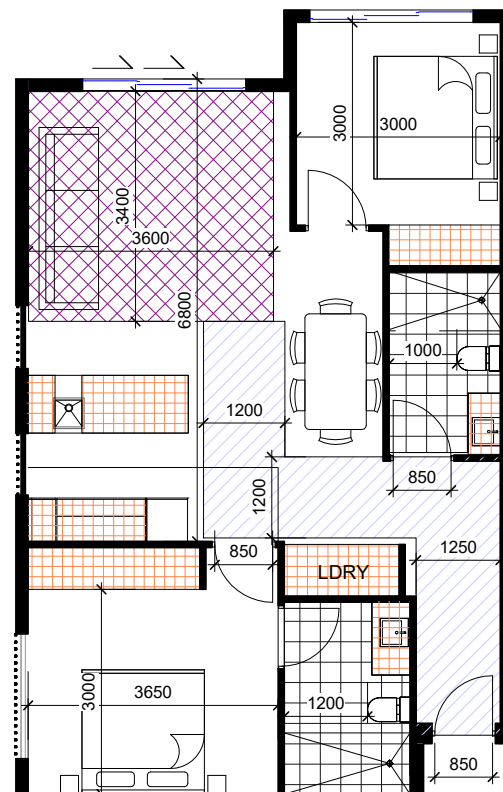
APT 102    APT 202  
84 SQM



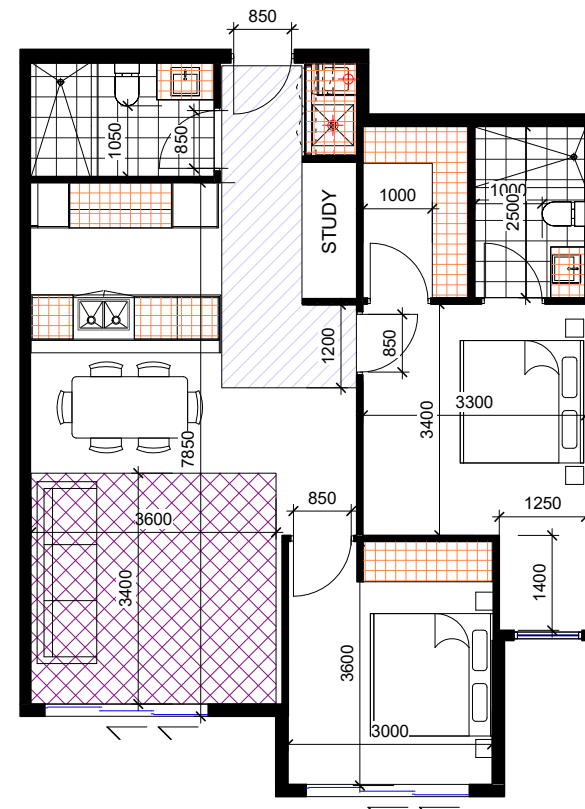
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78 SQM



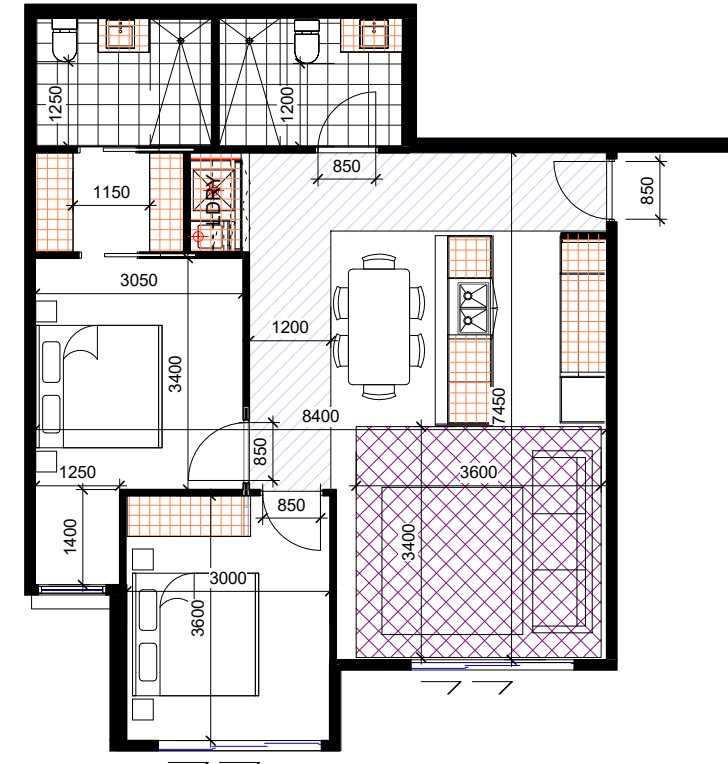
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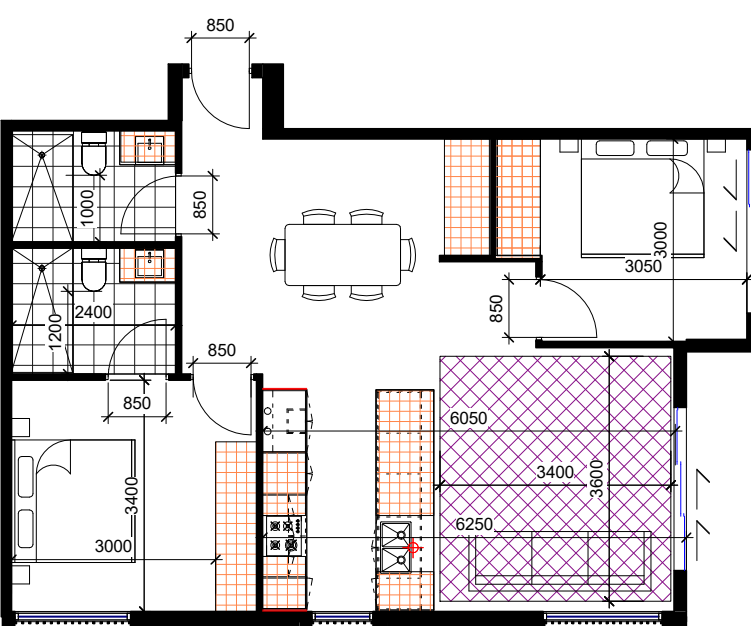
APT 105    APT 106  
79 SQM



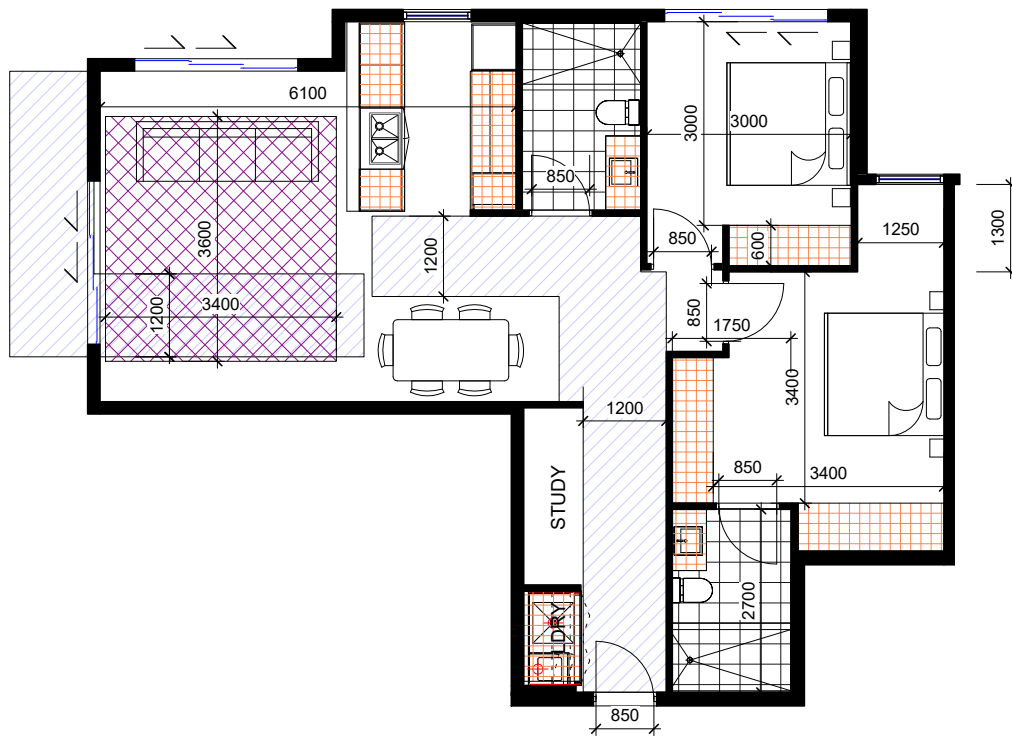
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80 SQM



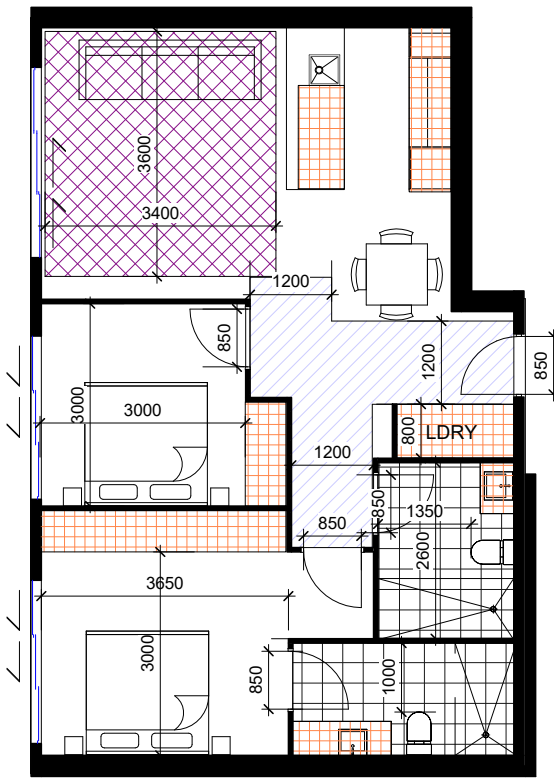
APT 108  
79 SQM



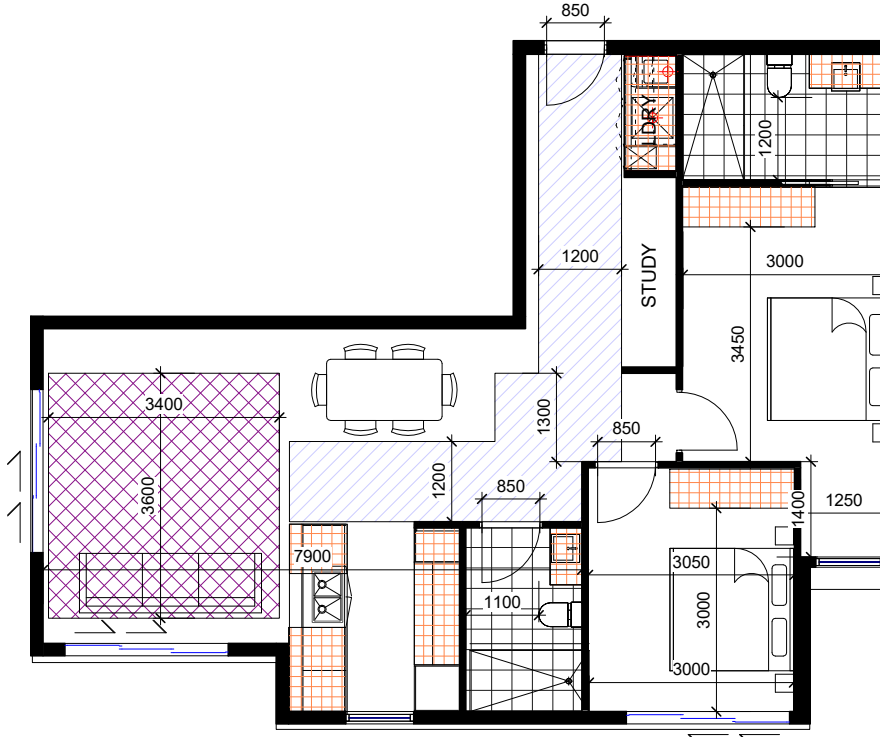
APT 109    APT 209  
84 SQM



APT 204  
93 SQM



APT 205  
76 SQM



APT 206  
93 SQM

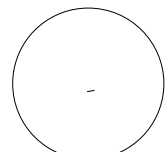
Individual Floor Plans.  
1 : 100

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3.	AUG 23	RFI SUBMISSION

NO.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Individual Floor Plans

JOB NO:  
2204

SCALES:  
1 : 100

AUTHOR:  
PP

DATE:  
29-08-23

DRAWING NO:

TP-19

A1 size sheet:

REV:

3

NOTICE INFORMATION  
Date of Notice: 7/9/2023



1 Individual Floor Plans  
1 : 100

APARTMENT	INTERNAL STORAGE M3	EXTERNAL STORAGE M3	TOTAL
G01	7.3	5.1	12.4
G02	19	2.7	21.7
G03	15.8	2.7	18.5
G04	15.6	2.7	18.3
G05	17.9	2.7	20.6
G06	17.9	2.7	20.6
G07	12.6	2.7	15.3
G08	14.5	2.7	17.2
101	12	2.7	14.7
102	12	5.1	17.1
103	12.5	5.1	17.6
104	12.2	5.1	17.3
105	12	5.1	17.1
106	12	5.1	17.1
107	13.2	5.1	18.3
108	12.8	5.1	17.9
109	11.5	5.1	16.6
201	12	2.7	14.7
202	12	5.1	17.1
203	12.5	5.1	17.6
204	12.2	5.1	17.3
205	11.7	5.1	16.8
206	12.6	5.1	17.7
207	12.2	5.1	17.3
208	11.5	5.1	16.6
209	11.5	5.1	16.6
301	12.8	5.1	17.9
302	16.5	5.1	21.6
303	13	5.1	18.1
304	17	5.1	22.1

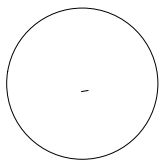
Storage Schedule

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NO.	DATE	AMENDMENT



PROJECT:  
48-52 Riversdale Rd Hawthorn  
  
ADDRESS:  
48-52 Riversdale Rd Hawthorn

DRAWING:  
Individual Floor Plans

JOB NO:  
2204  
  
SCALES:  
1 : 100

AUTHOR:  
PP  
  
DATE:  
29-08-23

DRAWING NO:  
**TP-20**  
A1 size sheet:

REV:  
**3**