# NOTICE OF AN APPLICATION FOR PLANNING PERMIT

<table>
<thead>
<tr>
<th>THE LAND AFFECTED BY THE APPLICATION IS LOCATED AT:</th>
<th>78 Albenca Street, CHELTENHAM VIC 3192</th>
</tr>
</thead>
<tbody>
<tr>
<td>THE APPLICATION IS FOR A PERMIT TO:</td>
<td>Develop the land for the construction of three (3) double storey dwellings</td>
</tr>
<tr>
<td>THE APPLICATION REFERENCE NUMBER IS:</td>
<td>KP-2018/827</td>
</tr>
<tr>
<td>THE APPLICANT FOR THE PERMIT IS:</td>
<td>Sync Design</td>
</tr>
<tr>
<td>This can be done during office hours and is free of charge</td>
<td></td>
</tr>
</tbody>
</table>

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

**An objection must:**

- be made to the Responsible Authority in writing,
- include the reasons for the objection, and
- state how the objector would be affected.

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

| THE RESPONSIBLE AUTHORITY WILL NOT DECIDE ON THE APPLICATION BEFORE: | 10-Jun-2019 |

If you object, the Responsible Authority will tell you of its decision.

Privacy Notification: The personal information provided in a submission/objection is collected for planning purposes in accordance with the Planning & Environment Act 1987 (the Act). The public may view an objection or submission in accordance with Section 57 of the Act whilst the planning application is current. In accordance with the "Improving Access to Planning Documents" Practice Note dated December, 1999, a copy of your submission will be made available on request. If you fail to provide contact details your objection may not be considered. For information regarding access to Planning documents please contact Council’s Planning Department on 1300 653 356.
Application for Planning Permit

Privacy notice - any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of the planning process under the Planning and Environment Act 1987. If you have any concerns please contact Council's Planning Department on 9581 4131.

Need Help? - If you need help to complete this form, read: How to complete the application for planning permit form available at www.kingston.vic.gov.au/planning.

Questions marked with an asterisk (*) are mandatory and must be completed

1. Pre-application meeting

Has there been a pre-application meeting with a council planning officer?

- [ ] No
- [x] Yes

If 'yes', with whom?

Date: ___________ dd/mm/yyyy

2. The Land *

Address of the land. Complete the street address and one of the formal land descriptions.

Street Address *

Unit No.: ________ St No.: 78 St Name: ALBENCA ST

Suburb: CHELTENHAM Postcode: 3054

Formal Land Description *

Complete either A or B.

This information can be found on the certificate of title

A. Lodged Plan Title Plan Plan of Subdivision No. 027472

B. Crown Allotment No.: Section No.: Parish/Township Name: 
3. Description of Land *

Describe how the land is used and development now.

- e.g. vacant, single dwelling, three dwellings, shop, factory, medical centre, with two practitioners, licensed restaurant with 80 seats.

---

4. Plan of the Land *

Attach a plan of the existing conditions. Photos are also helpful.

---

5. The Proposal *

You must give full details of your proposal and attach the information required to assess the application. Lack of detail, insufficient or unclear information will delay your application.

- For what use, development or other matter do you require a permit?

- If you need help about the proposal, read: How to complete the application for planning permit form.

---

6. Additional Information

Attach additional information providing details of the proposal, including:

- Any information required by the planning scheme, requested by Council or outlined in a council planning permit checklist.

- Plans and elevations showing the layout and details of the proposal.

- If required, a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts).

---

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7. Title Information *

Attach a full, current copy of title information, not older than 90 days, for each individual parcel of land, forming the subject site.

Encumbrances on title?

- Encumbrances are identified on the certificate of title.
  - Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?
    - No, go to Question 8.
    - Yes, attach a copy of the document (instrument) specifying the details of the encumbrance.
    - Does the proposal breach, in any way, the encumbrance on title?
      - No, go to Question 8.
      - Yes, contact council for advice on how to proceed before continuing with this application.

Note

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61(4) and 62 of the Planning and Environment Act 1987). Contact Council and/or an appropriately qualified person for advice.

8. Costs of Buildings and Works/permit fee *

All applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact Council to determine the appropriate fee.

Estimate cost of development for which the permit is required? *

Cost $ 950,000.00

Note

Write 'Nil' if no development is proposed (eg. Change of use, subdivision, removal of covenant, liquor licence)

Is a Metropolitan Planning Levy (MPL) certificate required? *

Is the estimated cost of the development greater than $1 million?

- No, go to Question 9.
- Yes, attach a valid copy of the MPL Certificate

Note

If a MPL is applicable, a planning application must be accompanied by the MPL certificate. This is a requirement of section 3 of the Planning and Environment Act 1987. For more information on the MPL visit www.sro.vic.gov.au
11. Information checklist

Have you:

- [x] Filled in the form completely?
- [x] Included the application fee? (Contact council to determine the appropriate fee).
- [x] Provided all necessary supporting information and documents?
- [x] Provided a copy of full title, no older than 3 months, for each individual parcel of land forming the subject site?
- [x] Provided a plan of existing site conditions?
- [x] Included plans showing the layout and details of the proposal?
- [x] Provided all information required by the planning scheme, requested by Council or outlined in a council planning permit checklist?
- [ ] Where required, provided a description of the likely effect of the proposal (e.g. traffic, noise, environmental impacts)?
- [ ] If applicable, included a current MLP Certificate. Note: a levy certificate expires 90 days after the day on which it is issued by the State Revenue Office. Once expired, the certificate becomes invalid and cannot be used. Failure to comply means the application is void.
- [ ] Completed Kingston’s relevant Council Planning Permit Checklist?
- [x] Signed the Declaration (section 10 of this form)?

12. Lodgement

Lodge the completed and signed form, the fee payment and all City Development documents with:

**By Post**
City Development
Kingston City Council
PO Box 1000, Mentone, VIC 3194

**In Person**
Level 1, 1230 Nepean Highway, Cheltenham VIC 3194

**Contact Information**
T (03) 9581 4131
E info@kingston.vic.gov.au
REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 08138 FOLIO 886

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 027472.

PARENT TITLE Volume 08009 Folio 004
Created by instrument A279233 18/01/1957

REGISTERED PROPRIETOR

Security no : 124074135001F
Produced 27/09/2018 10:17 AM

Estate Fee Simple

78 ALBENCA PTY LTD of 2/2 DREWERY PLACE MELBOURNE VIC 3000
AQ636464X 15/01/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AQ636465V 15/01/2018
WESTPAC BANKING CORPORATION

COVENANT as to part 1509397

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP027472 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

END OF REGISTER SEARCH STATEMENT

Additional information: (not part of the Register Search Statement)

Street Address: 78 ALBENCA STREET CHELTENHAM VIC 3192

ADMINISTRATIVE NOTICES

NIL

eCT Control 15232S WESTPAC BUSINESS BANKING
Effective from 15/01/2018

DOCUMENT END

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MEMORIAL OF INSTRUMENT

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<thead>
<tr>
<th>NATURE OF INSTRUMENT</th>
<th>DATE OF THE PRODUCTION FOR REGISTRATION</th>
<th>TO WHOM GIVEN</th>
<th>NUMBER OF SYMBOL THEREON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfer as to part</td>
<td>20th September 1932</td>
<td>Mr. J. R. Anderson</td>
<td>1507397</td>
</tr>
</tbody>
</table>

I CERTIFY THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED AT THE TIME LAST MENTIONED IN THE REGISTER BOOK VOL. 5873 FOL 1118478.

Assistant Registrar of Titles.
TOWN PLANNING REPORT

WRITTEN SUBMISSION IN RESPONSE TO CLAUSE 55 OF THE KINGSTON PLANNING SCHEME.

APPLICATION FOR THE CONSTRUCTION OF THREE DOUBLE STOREY DWELLINGS ON A LOT.

AT 78 ALBENCA STREET CHELTENHAM

30 September 2018
Am 16th May 2019

Prepared for SYNC Design Pty Ltd

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Town Planning Assessment
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Job 19/1926
1.0 Introduction

LS Planning P/L has been engaged by SYNC Design Pty Ltd to prepare a planning submission in response to Clause 55 of the Kingston Planning Scheme for the construction of three double storey dwellings, on the land located at 78 Albenca Street, Cheltenham.

In the course of preparing this planning submission the subject site and the surrounding neighbourhood have been inspected, and an investigation of the features and constraints associated with the site have been given due consideration.

The report is based on plans prepared by SYNC Design Pty Ltd revision C dated 26th March 2019 and refers to drawing numbers TP01 to TP7 inclusive.

2.0 The Site

Albenca Street is a Local Traffic Street and runs in a north south direction between Savona Street to the south and Judd Parade to the north. The subject site is located on the eastern side of Albenca Street. The site is located within the PPTN Area and in close proximity to bus route 903 which runs along Warrigal Road.

The site is currently occupied by a single storey, brick veneer residence which is finished with a pitched roof. The existing dwelling is 8.1 metres from the street with the carport further setback. A single car driveway accesses the site from the northern alignment which provides vehicle access to site.

Landscaping to the site consists of a number of medium sized trees and shrubs. It is noted that none of the trees on the site are significant and their removal and replacement with more appropriate species is considered to be a more site responsive and effective option with regard to landscaping.

The land is basically rectangular in shape and abuts five adjoining residential allotments, one each to the north and south which have their frontage to Albenca Street and three to the east which fronts onto Hilda Street. The west of the subject site abuts Albenca Street with residential lots further to the west of Albenca Street. The land is affected by a 1.3 metres easement. The land is generally flat and has the following dimensions
The land has the following dimensions:

- North: 50.22 metres
- South: 50.22 metres
- East: 20.12 metres
- West: 20.12 metres

**Total site area**: 1010.43 square metres

There are no impediments such as covenants that impede development of the land for two dwellings. The nature strip to the front of the site contains a street tree which has been considered in the development of the land. There is nothing associated with the site which would impede the future re-development of the land.

**Figure 1 - Subject site: 78 Albenca Street, Cheltenham**
3.0 The Locality

Surrounding land uses to the north and west are of a residential form and character with the area appearing to have been developed from the post war / 1950’s era onwards. The Site Analysis indicates that the housing style in the immediate area includes brick, and weatherboards, with the majority of which are capped with hipped, tiled roof forms with some parapet/ flat roof forms.

Lot sizes and street frontages are not generally consistent throughout the immediate area. The lot sized ranges between small and large with private open space located to the rear of the dwellings. Outbuildings and sheds are also a common element, with many of the dwellings within the immediate neighbourhood having some form of metal or brick shed, carport or garage located adjacent to the dwelling or to the rear of the site.
Landscaping to the front setbacks of the majority of the dwellings is generally reasonably maintained and contains variety of established trees and shrubs of exotic and native species. As outlined above the streetscape is varied in its style and age with a mix of both older brick, rendered and weatherboard dwellings, predominantly single and double storey the bulk of which are finished with hipped, tiled roof, as well as newer construction often including multiple dwellings on the site.

Pedestrian footpaths exist along both alignments of the street. Street trees are present along both site of the street and on-street parking is available along both sides of Alcenda Street. Frontage setbacks along the street are varied with the range of street setback near to the subject site between 7.4 metres and 12 metres. Side setbacks are predominantly on both sides of the dwellings.

The accompanying Town Planning drawings including the Site Analysis combined with the following locality maps, photographs and aerial photographs provide a more comprehensive and detailed description of the subject site, the surrounding housing stock, and the general streetscape of Alcenda Street.

**Figure 3 – Property to the north: 80 Albenca Street, Cheltenham**
Figure 4 – Property further to the north: 82 Albenca Street, Cheltenham

Figure 5 – Property to the south: 76 Albenca Street, Cheltenham
Figure 6 – Property further to the south: 74 Albenca Street, Cheltenham

Figure 7 – Property opposite: 77 Albenca Street, Cheltenham
Figure 8 – Property opposite : 79 Albenca Street, Cheltenham

Figure 9 – Property opposite : 81 Albenca Street, Cheltenham
Figure 10 – View south from 78 Albenca Street, Cheltenham

Figure 11 – View north from 78 Albenca Street, Cheltenham
### 4.0 Development Summary

<table>
<thead>
<tr>
<th>Item</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Area</td>
<td>1010.43 square metres</td>
</tr>
<tr>
<td>Number of Dwellings</td>
<td>3</td>
</tr>
<tr>
<td>Number of bedrooms</td>
<td>3x3,</td>
</tr>
<tr>
<td>Building Site Coverage</td>
<td>42.48%</td>
</tr>
<tr>
<td>Public/Communal Open Space</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Permeable area</td>
<td>57.51%</td>
</tr>
<tr>
<td>Garden Area</td>
<td>35.43%</td>
</tr>
<tr>
<td>Overall Height</td>
<td>8.213 metres</td>
</tr>
<tr>
<td>Common Property</td>
<td>Driveway for access to 1 and 3</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>Unit 1: 61.04 square metres, plus POS within the front setback.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>Dwelling 2: 60.45 square metres plus POS within the front setback.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>Dwelling 3: 82.35 square metres</td>
</tr>
<tr>
<td>Parking on site</td>
<td>6 on site car parking spaces, 2 spaces to each dwelling.</td>
</tr>
</tbody>
</table>

Figure 12 – Locality Plan: 78 Albenc Street, Cheltenham

Site location

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5.0 The Proposal

It is proposed to demolish the existing dwelling onsite and construct three new double storey dwellings two of which will frontage unit 2 Albenca Street and the other will be located at the rear of the site. Each of the dwellings is similar in layout and are provided with the following components:

- An entry and entry hallway which is protected by a front porch. The entrance to each of the dwelling will be from the front porch with unit 1 and 2 provided with access from the street and unit 3 from the driveway.

- The internal layout of each of the dwelling will include a guest room to the front of the dwellings. Unit 1 and 2 will have a direct outlook to the Albenca Street frontage while Unit 3 will have an outlook to the internal driveway.

- At the rear of each of the dwelling is a large open plan living area which includes the living, kitchen and meals area with direct access to a ground level secluded private open space area.

- The laundry and power room is located to the rear of the guest room.

- A single car garage and a tandem space is provided for Unit 2. Unit 1 is provided with a double garage and unit 3 is provided with a single car garage and a single car space. The garages are provided with access to the rear garden areas as well as the internal layout of the dwellings.

- The first floor to each dwelling is provided with a retreat master bedroom with ensuite and WIR, additional bedroom and a separate bathroom.

- The dwellings will have an approximate height of 8.2 metres, with internal ceiling heights of 3.000 metres for the ground and 2.700 metres for the first floor.

- The dwellings are provided with a minimum street setback of 8.0 metres from Albenca Street on the ground floor for unit 2 and 8.589 metres t unit 1. The first floor is recessed behind the main façade and setback to the street frontage 9.593 metres to unit 2 and 9.992 metres for unit 1.
General

- Landscaping is proposed along the streetscape and rear secluded private open space areas.
- The dwellings will be provided with letterboxes to frontage of the site.
- The existing crossover at the site will provide access to dwelling 2 with one new crossover proposed for access to dwelling 1 & 3.
- The garage wall of dwelling 2 is proposed to be constructed on the northern boundary for a total length of 6.78 metres. Where this occurs the maximum wall height will not exceed 3.2 metres.
- The dwellings will be constructed of brick veneer on the ground with render finishes to the part of the front façade. The first floor of the dwellings will be constructed with vertical timber profile cladding.
- Windows will be of aluminium finish.
- Externally the dwellings have been designed in a modern contemporary manner. The roof form is gable pitch at first floor level and flat at ground floor level and covered in colorbond roof.
- The proposed dwellings are provided with good sized areas of secluded private open space which is considered to be commensurate in size with the requirements of the end users of the site.
- The setbacks to both the frontage and the side boundaries have been designed to maintain the rhythm which is exhibited within the Albenca Street streetscape.
- In general, the development proposed is considered to have been carefully conceived, having full regard to both the constraints exhibited by the site, and the neighbourhood context into which the proposal is to be incorporated.

The dwellings are highly articulated and will provide a staggered and visually interesting façade to the site frontage with generous porch elements protruding forward of the main building line which add to the many recessive elements of the façade. The dwellings are to be landscaped using a mix of native and indigenous species which are both common to the Kingston municipality, and which are drought tolerant.

In general, the development proposed is considered to have been carefully conceived, having full regard to both the constraints exhibited by the site, and the neighbourhood context into which the proposal is to be incorporated.
6.0 The zoning of the land

6.1 Zone

Clause 32.08 - General Residential Zone 3
The subject site is situated within a General Residential Zone 3 (GRZ3) and is not effected by any overlays. The purpose of the General Residential Zone - Schedule 3 (under Clause 32.08 of the Kingston Planning Scheme) is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Under the provisions of Clause 32.08-1 Neighbourhood character objectives, a schedule to this zone may contain neighbourhood character objectives to be achieved for the area. The schedule to the zone Identify the site as part of General Residential Area B and varied the requirements of Rescode as follows:

Site Coverage
50%

Private Open Space
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 40 square metres, a minimum dimension of 5 metres and convenient access from a living room. If a dwelling has more than 2 bedrooms an additional ground level private open space area of 20 square metres with a minimum width of 3 metres is required to be provided for each additional bedroom, with a maximum of 80 square metre.

Front Fence Height
For two or more dwellings or a residential building, a front fence within 3 metres of a street should not exceed:
2 metres for streets in a Road Zone, Category 1 or 1.2 metres for other streets.

**Maximum Building height**
A building used as a dwelling or residential building must not exceed a height of 9 metres unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case it must not exceed a height of 10 metres.

The provisions of **Clause 32.08-4** Construction or extension of a dwelling or residential building, whether or not a planning permit is required for the construction or extension of a dwelling or residential building on a lot, a lot must provide the minimum garden area at ground level as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size (metres)</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500</td>
<td>25%</td>
</tr>
<tr>
<td>501 - 650</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650</td>
<td>35%</td>
</tr>
</tbody>
</table>

The subject site has an area of 1010.43sqm and the table above require 35% of the land to be set aside as garden area. The development provided 359.88sqm - 35.43%.

This planning submission highlights the development’s ability to comply with the relevant Clause of the Kingston Planning Scheme, Clause 32.08 General Residential Zone - Schedule 3, and Clause 55, two or more dwellings on a lot.

Pursuant to the provisions of clause 32.08-6 A permit is required to:
- **Construct a dwelling if there is at least one dwelling existing on the lot.**
- **Construct two or more dwellings on a lot.**

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

Pursuant to the provisions of clause 32.08-7 a schedule to this zone may specify the requirements of:
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 55 applies.

Clause 32.08-12 Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of this zone.
- Any other decision guidelines specified in a schedule to this zone.

**Dwellings and residential buildings**
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

**Figure 13 – Zoning Map: 78 Albenca Street, Cheltenham**

### 6.2 Area of Aboriginal Cultural Heritage Sensitivity

The land is within, or is affected by, one or more areas of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007.

The proposal does not require the preparation of a mandatory CHMP as the land is less than 1100 square metres in area and has been subject to significant ground disturbance. It is submitted that the land is currently developed and used for residential purposes and the building and work associated with the construction, provision of services associated with the existing dwelling has resulted to significant ground disturbance.
7.0 Planning controls

Planning Policy Framework (PPF) provides high level direction to new development across the State. Collectively, the above policies seek to create active, safe and consolidated urban environments. Increases in housing densities are encouraged especially in and around activity centres creating 20 Minute Neighbourhoods. Amendment VC148 was gazetted on 31 July 2018. The Amendment makes changes across all Victorian Planning Schemes as part of the Smart Planning reforms. The following PPF provisions (some identified as ‘S’ state and ‘R’ regional) that are relevant to this proposal include:

7.1 Planning Policy Framework

An assessment according to the State Planning Policy Framework, the Local Planning Policy Framework of the Kingston Planning Scheme, and Council’s Municipal Strategic Statement of the Kingston Planning Scheme were carried out as follows:

<table>
<thead>
<tr>
<th>Clause 11</th>
<th>Victoria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 11.01-1S</td>
<td>Settlement</td>
</tr>
<tr>
<td>Clause 11.02-1S</td>
<td>Supply of urban land</td>
</tr>
<tr>
<td>Clause 11.03-1S</td>
<td>Activity Centre hierarchy</td>
</tr>
</tbody>
</table>
The provisions of Clause 11 relating to ‘Settlement’ reinforce the efficient use of land and the location of residential accommodation in areas with established infrastructure and proximity to recreational, community and commercial facilities and public transport.

Clause 11.01-1S ‘Settlement’ aims to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 11.02-1S ‘Supply of Urban Land’ seeks to ensure sufficient land is available for residential uses (amongst other things) and to provide ‘opportunities for the consolidation, redevelopment and intensification of existing urban area’; and to ‘locate urban growth close to transport corridors.’

Clause 11.03-1S ‘Activity Centre Planning’ seeks to concentrate a range of services within activity centres and which are highly accessible to the community.
The provisions of **Clause 12** relating to ‘Environmental and Landscape Values’ reinforce the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.

**Clause 12.05-1S** Environmental sensitive areas seeks to protect and conserve environmentally sensitive areas from development which would diminish their environmental conservation or recreation values.

**Clause 12.05-2S** landscapes seeks to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments. They seek to ensure sensitive landscape areas such as the bays and coastlines are protected and that new development does not detract from their natural quality. Improve the landscape qualities, open space linkages and environmental performance in green wedges and conservation areas and non-urban areas. Recognise the natural landscape for its aesthetic value and as a fully functioning system. Ensure natural key features are protected and enhanced

**Clause 15.01-1S** ‘Urban Design’ aims to create safe, healthy, functional and enjoyable urban environments that contribute to a sense of place and cultural identity. This Clause sets out urban design principles.

**Clause 15.01-2S** ‘Building Design’ aims to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

**Clause 15.01-4S** ‘Healthy Neighbourhood’ aim to achieve neighbourhoods that foster healthy and active living and community wellbeing.

**Clause 15.01-5S** ‘Neighbourhood Character’ aims to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

**Clause 15.02-1S** ‘Energy and Resource Efficiency’ encourages land use and development that supports the efficient use of energy and the minimisation of greenhouse gases.

**Clause 15.03-2S** ‘Aboriginal cultural Heritage’ aims to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

**Clause 16** ‘Housing’ aims to provide for housing diversity, and ensure the efficient provision of supporting infrastructure.
Clause 16.01-1S ‘Integrated Housing’ seeks to encourage the provision of housing that meets community needs. Relevant strategies include:

- ‘Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.
- Ensure housing developments are integrated with infrastructure and services… Encourage housing that is both water efficient and energy efficient.’

Clause 16.01-2S ‘Location of residential development’ seeks to ‘locate new housing in designated locations that offers good access to jobs, services and transport.’

Clause 16.01-3S ‘Housing Diversity’ aims to provide a range of housing types to cater for a diverse range of needs.

Clause 16.01-4S ‘Housing affordability’ aims to ‘deliver more affordable housing closer to jobs, transport and services.’

Clause 18.01-1S ‘Land use and Transport Planning’ seeks to create a safe and sustainable transport system by integrating land use and transport.

Clause 18.02-1S ‘Sustainable personal transport’ seeks to encourage ‘opportunities to create more sustainable transport options such as walking, cycling and public transport.’

Clause 18.02-2S ‘Public Transport’ aims to facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Clause 18.02-4S ‘Car Parking’ aims to an adequate supply of well-designed and located car parking to protect residential amenity from the ‘effects of road congestion created by on-street parking’.

Clause 19 aims facilitate efficient use of existing infrastructure and human service

**Consistency with Planning Policies**

The objective of above policies are to encourage development in locations with access to physical and community infrastructure while providing a range of lot sizes to allow housing for varying sized households. At the same time development should provide for, convenient and safe road network, appropriate pedestrian and cycle paths, sufficient, useable public open space and low vulnerability to fire. Residential development should be cost-effective in infrastructure provision and use, be energy efficient, incorporate water-sensitive design principles and encourage public transport.
use whilst maximising opportunities for increased residential densities to help consolidate urban areas.

The proposal is consistent with State and Local policy relating to the efficient use of the land and infrastructure and also considers the amenity provisions of the Kingston Planning Scheme. The proposal’s consistency with State policy is primarily a result of its infill scale development within an existing urban area and its careful consideration of adjoining land uses and utilisation of effective urban design principles. Overall, the proposal respects the amenity of adjoining properties given the site layout. The proposed dwellings will positively enhance the character of the area and will enhance the visual perception of the site when viewed from the surrounding streets.

The development has been carefully designed to minimise adverse amenity impacts and the external materials, architectural detailing and proposed landscaping will provide a uniquely attractive development. It is submitted that the proposed development is site responsive and one which will have a minimal impact on the amenity of the neighbouring properties. As such it is submitted that the proposal is of a design that fully accords with the State Planning Policy Framework.

7.2 Local Planning Policy Framework

Clause 21.04 – Vision
21.04-2 Key land use themes
Kingston’s vision for future land use planning and development is expressed around a number of key land use themes. These themes provide a basis for the more detailed objectives, strategies and implementation measures outlined in Section 5.0 of the MSS.

The major land use themes in Kingston have been identified as follows:

- Residential Land Use
- Retail and Commercial Land Use
- Industrial Land Use
- Foreshore
- Environment Wetlands and Waterways
- Non-Urban Land
- Open Space
- Transport, Movement and Access
- Heritage

Clause 21.05 – Residential Land Use

Kingston comprises a high diversity of residential areas, spanning from housing constructed in the early 1900s through to newer ‘greenfield’ estates. The ability of our residential areas to continue to accommodate the changing lifestyle and housing needs of current and future populations is becoming an increasingly important issue in Kingston.
Overall, the predominant form of housing in Kingston is the single detached house. However, the housing mix in different parts of Kingston varies considerably. Some parts of the municipality currently provide a diverse mix of housing types, including high proportions of medium density housing while other areas consist substantially of single detached houses. Areas in Kingston with greater housing diversity tend to be those areas in close proximity to the foreshore and railway lines.

The changing demographics of the Kingston community are anticipated to create future demands for both greater diversity of housing types and additional dwelling numbers in Kingston.

The vision for Kingston’s residential areas outlined in the Kingston Residential Strategy - September 2000 is: “to promote and facilitate both increased local housing diversity to meet the changing housing needs of the community and increased liveability within an integrated planning framework”. The MSS seeks to promote medium density housing in locations better suited to accommodating housing change, and to moderate the rate and type of housing change in other locations. The Residential Land Use Framework Plan identifies the range of housing outcomes sought across the City.

**Incremental housing change areas**

The type of housing change anticipated in these areas will take the form of extensions to existing houses, new single dwellings or the equivalent of new two dwelling developments on average sized lots. The existing single dwelling character of these areas is to be retained.

**Clause 21.05-2 Key Issues**

- Impacts of a decreasing average household size and a general ageing of the population on the demand for additional dwellings.
- Impact of future changes in household structure on the demand for greater diversity of housing stock.
- Impact of future population changes on the supply of and demand for community and social facilities.
- Impact of new residential development in established urban areas on existing ageing infrastructure such as drains and roads.
- Loss of vegetation and historic buildings through the redevelopment process.
- Impact of new residential development on the character and amenity of existing residential areas.
- The need to understand the capacity of local areas to accommodate increased housing diversity.
- The need to promote quality and environmentally sustainable residential development.
- Management of the interfaces between residential areas and other sensitive/strategic land uses.
- Identification of households with specific housing needs within the Kingston community, including older people and people on low incomes.
Clause 21.05-3 Objectives, Strategies and Implementation

Objective 1:
To provide a range of housing types across the municipality to increase housing diversity and cater for the changing housing needs of current and future populations, taking account of the differential capacity of local areas in Kingston to accommodate different types and rates of housing change.

Objective 2:
To ensure new residential development respects neighbourhood character and is site responsive, and that medium density dwellings are of the highest design quality.

Objective 3:
To preserve and enhance well landscaped/vegetated environments and protect identified significant vegetation.

Objective 4:
To promote more environmentally sustainable forms of residential development.

Objective 5:
To manage the interface between residential development and adjoining or nearby sensitive/strategic land uses.

Objective 6:
To ensure residential development does not exceed known physical infrastructure capacities.

Objective 7:
To ensure all residential neighbourhoods in Kingston are provided with supporting social infrastructure adequate to the population’s needs.
Figure 15 – Neighbourhood Character Map

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7.3 Local Policies

7.3.1 Clause 22.11 Residential Development Policy

This policy applies the objectives of the Kingston Residential Strategy – September 2000, relating to increased housing diversity areas, incremental housing change areas, minimal housing change areas, residential renewal areas and neighbourhood character. The policy also provides design guidance to implement the Kingston Neighbourhood Character Guidelines in residential areas across the municipality.

The purpose of this policy is to identify those locations where increased housing diversity, incremental housing change, minimal housing change and residential renewal will be encouraged and provide policy guidance on how development design should respond to meet the desired objectives. This policy is based on the principles outlined in the Kingston Residential Strategy – September 2000 and the Kingston Neighbourhood Character Guidelines – August 2007.

The Kingston Residential Strategy – September 2000 is premised upon a managed approach to housing change across the municipality. This approach recommends that new well designed multi dwelling housing be developed in locations accessible to public transport and activity centres to achieve an increase in housing diversity in these locations. Residential locations in Kingston that do not have good access to public transport and activity centres should accommodate a gradual or incremental housing change, maintaining a predominantly single dwelling character with the equivalent of some dual occupancy development on average sized lots. Those locations which are influenced by physical or legal constraints are not planned to play a significantly expanded role in meeting future housing needs. Renovation and replacement of existing housing stock will be the focus of residential development activity in these areas, which are identified for minimal housing change. In areas where significant levels of older medium density housing already occur redevelopment will be encouraged (residential renewal).

The Residential Strategy encourages new residential development to respect neighbourhood character and medium density dwellings to be of the highest quality in design and with minimal impact on off-site amenity. Relevant objectives from this strategy have been included in this policy. The Kingston Neighbourhood Character Guidelines – August 2007 provide an assessment tool to assist in site analysis and design response to ensure the design of new medium density housing responds to neighbourhood character. This policy incorporates the Kingston Neighbourhood Character Guidelines – August 2007.

Clause 22.11-2 Objectives

- To promote a managed approach to housing change, taking account of the differential capacity of local areas in Kingston to accommodate increased housing diversity, incremental housing change, residential renewal or minimal housing change, as identified within the MSS.
- To encourage new residential development to achieve architectural and urban design outcomes that positively respond to neighbourhood character having
particular regard to that identified in the Kingston Neighbourhood Character Guidelines

- To promote on-site car parking which is adequate to meet the anticipated needs of future residents.
- To ensure that landscaping and trees remain a major element in the appearance and character of the municipality’s residential environments.
- To limit the amount and impact of increased stormwater runoff on local drainage systems.
- To ensure that the siting and design of new residential development takes account of interfaces with sensitive and strategic land uses.

Incremental Housing Change Areas
In areas identified for incremental housing change, ensure that new housing development is responsive to maintaining the existing and preferred single dwelling/lower density nature of these areas.

Site landscaping
- Encourage the retention of existing semi-mature and mature canopy trees wherever possible.
- Unless significant existing vegetation is to be incorporated as part of a redevelopment, encourage the planting of semi-mature canopy trees with spreading crowns in front setbacks and open space areas, with at least one semi-mature tree with a spreading canopy provided in the front setback area.

Built form, siting and scale of development
- Encourage the two storey component of new medium density housing to be located towards the front of a site.
- Ensure that two storey dwellings are designed to respond to the character of the local neighbourhood. Where the local neighbourhood is characterised by single storey development and this characteristic makes a major or critical contribution to neighbourhood character, new two storey development should incorporate rooms within the roof form of attic style dwellings, and should set the second storey building envelope back from the ground level envelope.
- Ensure that any upper storey components towards the rear of sites are sensitively designed to avoid unreasonable adverse amenity impacts on neighbours.
- Encourage well-articulated and graduated elevations in order to avoid ‘box-like’ double storey designs, thus reducing visual bulk.
- Ensure that the siting of new buildings respects the amenity of adjoining neighbours with regard to rear yards and garden outlooks from habitable living room windows.
- Ensure that the design and layout of new dwellings incorporate features which minimise overlooking of adjacent properties.
- Address potential overlooking through site layout planning as well as individual dwelling planning.
Car parking and vehicle access
- Ensure that adequate on-site car parking is provided to meet the needs of future residents and visitors and sited to reduce its impact on the streetscape.
- Performance measures
- Locating garages or carports at the rear of dwellings fronting a street wherever possible. Ensuring that where garages are located in the street elevation, they are set back a greater distance than the front wall of the building.
- Ensuring that garages and carports are sited so that a tandem car parking space can be provided in front of the garage or carport.
- Incorporating garages and carports within the main roof line of the dwelling.

Stormwater run-off mitigation and quality management
Ensure that new residential development limits the impact of increased stormwater runoff on drainage systems.
Performance measures
On-site infiltration should be maximised by:
- Wherever possible, using unpaved landscape areas or porous paving.
- Where appropriate, constructing on-site stormwater detention with delayed release into the stormwater drainage system.
- Designing to limit the impervious area.
- Incorporating on-site water re-cycling systems for stormwater run-off
- Directing stormwater run-off into garden areas to reduce watering and the demand on drainage infrastructure.

7.3.2 Clause 22.20 Storm Water Management

The policy at clause 22.20 relates to storm water management and applies to developments that require a planning permit.

The objectives are:
- To improve the water quality of stormwater run-off.
- To reduce the impact of stormwater run-off.
- To incorporate the use of WSUD in development including stormwater reuse.
- To ensure that developments designed to meet the best practice performance objectives for suspended solids, total phosphorus and total nitrogen, as set out in the Urban Stormwater – Best Practice Environmental Management Guidelines, (Victoria Stormwater Committee 1999) as amended.

It is policy that prior to the commencement of development a drainage declaration completed to the satisfaction of the Responsible Authority explaining how the requirements and objectives of this policy will be met be provided for:
- Residential and/or mixed use developments of 1 to 2 dwellings.
- Residential developments and/or mixed use developments with a new building gross floor area less than 500 m2.
• Non-residential developments with a new gross floor area less than 500 m2.

It is policy that applications for the types of developments listed in Table 1 be accompanied, as appropriate, by information which demonstrates how relevant policy objectives will be achieved.

In determining an application, the Responsible Authority will consider, as appropriate:
• The extent to which the development meets the objectives and requirements of this policy.
• The requirements of the Kingston Civil Design Requirements for Developers Part A: Integrated Stormwater Management, May 2016.
• Whether the development meets the quality performance objectives set out in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victoria Stormwater Committee 1999) as amended.
• The extent to which the design incorporates WSUD.
• Whether the proposal is designed and incorporates works to maintain, or improve the quality of stormwater within or exiting the site.
• Whether appropriate tools and assessment methods have been used and the development meets their targets.
• Whether the proposal will significantly add to the stormwater discharge or adversely affect the water quality entering the drainage system.
• Whether the design provides opportunities for water conservation and reuse.
• Whether stormwater protection measures, such as silt traps, will be used during the construction phase to prevent a loss of stormwater quality as a result of building activities.

A WSUD plan has been submitted that details the compliance with above policy outcomes.

**Compliance with Local Planning Policies**

It is submitted the proposed development generally accords with the strategies and objectives outlined in Councils vision for residential development within the municipality as the design has been designed in response to the relevant clauses contained within the Local Planning Policy Framework.

The development is considered to fully comply with the objectives of the above clauses. The proposal responds to the neighbourhood and preferred neighbourhood character in that the spaciousness of the streetscapes, and the garden settings of the dwellings will be retained and enhanced through a high quality design that is of a high architectural merit, that is site responsive, and integrated with the streetscape through the use of building materials and building lines as well as the installation of new substantial landscaping.
The objective of above local policies is also to ensure a diverse choice of housing within the market place, and that new development results from high quality urban design that is environmentally conscious, with a built form that is respectful of the neighbourhood and characteristics of the contexts to which it is located within. The development has been carefully designed to minimise adverse amenity impacts and the external materials, architectural detailing and proposed landscaping will provide a uniquely attractive development that is compatible with the character of the neighbourhood.

The proposed development compliments and adds value to the current character of the existing streetscape and will form a complimentary inclusion.

Setbacks reflect and are consistent with the context of the surrounding environment and development; and maintains an open frontage at the site.

The scale of the dwellings being two storey height are a complimentary addition.

Sufficient car parking is provided onsite to each dwelling; car parking spaces have been designed and located so as to have minimal impact on parking, traffic and pedestrian movements in the area.

Private open space to each dwelling is provided in the form of an enclosed space along the north east side of each of the dwelling. Hard surfaces have been minimised throughout the design response with no unnecessary hardstand areas included resulting in the maximum permeability percentage for the site. Also the site coverage is less than 50% in accordance with the requirement for the area.

New landscaping is proposed throughout the development. The front setback allows for the planting of substantial trees. New canopy trees can be installed as appropriate within the setbacks provided.

The development provided each dwelling with its own sense of identity and defined entry point onsite with direct frontage onto Albenca Street. The garages to each dwelling will not form a dominant element when viewed from the street.

It is submitted the proposed development is site responsive and one which will have a minimal impact on the amenity of the neighbouring properties. It is considered that the proposal is designed in a way which is respectful of the character of the area and is in proximity to infrastructure such as public transport, public open space, education and shopping facilities. As such it is submitted that the proposal as is, is of a design that fully accords with the Local Planning Policy Framework and Local Planning Policies.
8.0 Particular Provisions

8.1 Clause 52.06 - Carparking

The purpose of Clause 52.06 is:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

On 31 July 2018 a revised Clause 52.06 Car Parking was introduced into the Victoria Planning Provisions and all planning schemes under Amendment VC148.

Pursuant to Clause 52.06-2 Provision of car parking spaces must be provided prior to:

- A new use commencing or
- A new building being occupied or
- The floor or site area of an existing use being increased or
- The number of patrons, seats or practitioners at an existing use being increased,

The car parking spaces required under Clause 52.06-5 must be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the responsible authority.

If a schedule to the Parking Overlay or the schedule to Clause 52.06 specifies a maximum parking provision, the maximum provision must not be exceeded.

Clause 52.06-5 outlines the number of car parking spaces required in Table 1.

### Table 1 Car parking requirement

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A Applies to the standard rate to all zones</th>
<th>Rate Column B Only applies where specified in a schedule to the Parking Overlay and PPTN Area</th>
<th>Car Parking Measure Column C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>1</td>
<td>1</td>
<td>To each one or two</td>
</tr>
</tbody>
</table>
The statutory car parking requirements for the proposed development are set out under Clause 52.06-5 Table 1 above, of the Kingston Planning Scheme as follows:

- One space for each one or two-bedroom dwelling; plus
- Two spaces for every three or more bedroom dwellings; and
- For visitors, one space for every five dwellings for developments of five or more dwellings.

The subject site is located within the PPTN Area, under Clause 52.06-5 Column B of table 1 to car parking requirements applies if any part of the land is identified as being within the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018).

**Figure 16 – PPTN Map: 78 Albencca Street, Cheltenham**

![PPTN Map](image)

Table 2 provides an analysis of the car spaces required.
Table 2

<table>
<thead>
<tr>
<th>Unit</th>
<th>Requires</th>
<th>Provides</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit 1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Unit 2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Unit 3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Residential Visitors</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

The proposal is provided with six on site car spaces, two spaces to each dwelling.

Each dwelling is either provided with a double garage of a single lock up garage under the roofline of the dwelling with a tandem space in front of the garage.

The existing single crossover will service dwelling 2 while the proposed crossover will service dwelling 1 and 3.

Each dwelling contains three bedrooms and are provided with two spaces each.

While no specific bicycle parking is provided as part of the proposal, it is submitted that there is sufficient room for the storage of bicycles within the garages or in the storage facilities located in the back yards of the residences.

Car and bicycle parking for residents and visitors is appropriate and will easily accommodate the needs of the end users of the site. The design of the parking and access areas is practical and attractive and can be easily maintained.

No visitor parking is required because less than 5 dwellings are proposed on site. Car parking has been provided in accordance with Clause 52.06 of the Kingston Planning Scheme.

In this case the supply of car parking is fully compliant with Clause 52.06 Car parking, of the Kingston Planning Scheme.

8.2 Clause 55, Two or more dwellings on a lot and residential buildings.

Pursuant to clause 38.01-4 of the Kingston Planning Scheme, an application for the construction of two or more dwelling on a lot must meet the requirements of Clause 55 Two or more dwelling on a lot and residential buildings.

The purpose of Clause 55 is:
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

The provisions of clause 55 contain objectives, standards and decision guidelines;

- **An objective** describes the desired outcome to be achieved in the completed development.

- **A standard** contains the requirement to meet the objective; a standard should normally be met, however if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

- **The decision guidelines** set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

A development:

- Must meet the objectives;
- Should meet the standards.

Under clause 38.01-5, a schedule to the General Residential Zone 3 may specify the requirements of standards B6, B7, B8, B17, B28 and B32 of clause 55. The schedule to the General Residential Zone 3 of the Kingston Planning Scheme stipulate alternative requirements for some of the specified standards of clause 55, and application will be assessed against the specified requirements in additional to the requirements set out in the relevant standard of clause 55 applies.

**Clause 55.01 Neighbourhood and site description and design response**

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

A neighbourhood and site description plan, along with a design response plan, forms part of the planning permit application. These plans describe the site and its context and how the design of the proposed development derives from and responds to the site context. This planning report also forms part of the response the requirements of clause 55.01.
Clause 55.02 Neighbourhood character and infrastructure

Clause 55.02-1 Neighbourhood character objectives
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.

The associated standard B1 is:
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Compliance of proposed development
An assessment of neighbourhood character usually requires consideration of factors such as the consistency in the built form (eg: the scale, height, positioning of buildings, materials, design elements), spatial relationship between buildings, rhythm of development along the streetscape and the level of vegetation or “landscape character.

The proposed development is appropriate to the neighbourhood when taking into account the above factors.

The surrounding area provides a mix of dwelling architecture and style with the majority of dwellings having been built from the post war, 1950’s era. This area to date has undergone some new development and redevelopment resulting in a number of multi-dwelling development sites. A three dwelling development proposal is a satisfactory density outcome for the site and its context, particularly given the site area, and accessibility to the activity centre, public transport and main roads.

The new dwellings have been carefully conceived and designed and will have a minimal impact on the neighbouring properties with regard to overlooking, overshadowing and building bulk through setbacks, height form, building materials and colour palette. The dwellings have been provided with good setbacks from the common side boundaries so that the two storey component of the development has a minimal impact on the amenity of the neighbouring dwellings or their associated secluded private open space areas.

The new dwellings are provided with a level of articulation and modulation consistent with the existing characteristics of the surrounding dwelling stock and have been designed with elements and finishes which are evident in the surrounding properties retaining a more modern design element with traditional architectural undertones.
The portion of windows, feature architraves to each window, combination of pitched and parapet roof, building materials, inclusion of a porch, recessive garages, setbacks and articulation are all consistent with the surrounding characteristics found within the surrounding dwelling stock.

The development does not exceed the required building height under schedule 3 to the General Residential Zone. The site coverage is less than 50% and the private open space is more than 40 square metres with a minimum dimension of 5 metres.

The design of the proposed dwellings is enhanced by the level of articulation and modulation provided, as well as the introduction of basic architectural elements and finishes which are evident in the surrounding properties. This includes brick veneer and weatherboard cladding, aluminium windows and a combination of pitched and parapet roof form. The proposed development would integrate well with the neighbourhood, and is of a size, scale and design, which will blend in with streetscape character of Albenca Street, Cheltenham.

**Objectives:**

**Achieved**

**Standard B1:** Complies

**Clause 52.02-2 Residential policy objectives**

To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning polices;

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services

The associated standard B2 is:

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

**Compliance of proposed development**

An assessment of the proposed development against the relevant policies of the SPPF and the LPPF has been provided earlier in this planning submission. These assessments set out how the proposal is consistent with these policies and as such demonstrate compliance with the clause 55.02-2 residential policy objective and standard.
It is submitted that the proposed development complies with the State Government's and Councils initiatives of urban consolidation. It will not cause detriment to the amenity of adjoining properties, and has been designed to be both respectful of, and sympathetic to the immediate neighbours and the character of the area.

**Objectives:** Achieved

**Standard B2:** Complies

**Clause 55.02-3 Dwelling diversity objective**

*To encourage a range of dwelling sizes and types in developments of ten or more dwellings.*

The associated standard B3 is:

*Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:*

- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

**Compliance of proposed development**

Standard B3 is applicable for developments of ten dwellings or more and therefore is not directly relevant to this application. This proposal offers 3 dwellings each with 3-bedroom accommodation which are aimed at a variety of household types, such as couple with children, and nuclear families all of which now form a significant proportion of household types.

As such the proposal achieves the diversity element providing three dwellings which are of an appropriate size and accommodation to cater for a variety of household types.

**Objective:** Achieved

**Standard B3:** Complies

**Clause 55.02-4 Infrastructure objectives**

*To ensure development is provided with appropriate utility services and infrastructure.*

*To ensure development does not unreasonably overload the capacity of utility services and infrastructure.*

The associated standard B4 is:

*Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.*
Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

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.

Compliance of proposed development
The site is in an area with established infrastructure and access to the full range of reticulated services. In light of the level of existing infrastructure, and the modest increase in the number of dwellings, the proposal should not represent an unreasonable burden on existing services and facilities. Any upgrades required to service the site will be negotiated with the responsible authorities as required, and implemented as part of the development. The local road network has ample capacity to accommodate the modest increase in motor vehicle trips that will be generated as a result of the development.

Objectives: Achieved

Standard B4: Complies

Clause 55.02-5  Integration with the street objective
To integrate the layout of development with the street.

The associated standard B5 is:

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.
Development should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Development next to existing public open space should be laid out to complement the open space.

Compliance of proposed development
The proposed layout for the new dwellings is consistent with the B5 standards in that all of the proposed dwellings have been designed to provide adequate vehicle and pedestrian links that maintain and enhance local accessibility, are oriented to face the street or the internal driveway, and avoid high fencing.

The two front dwellings have been designed to face Albenca Street whilst the unit 3 will front onto the internal driveway with all of the dwellings being provided with a strong sense of address and privacy. This proposal will allow for a layout that is functional and capable of efficient maintenance and is considered to be of a design which is complimentary to both the streetscape and the immediate housing stock.
Objective: Achieved

Standard B5: Complies

Clause 55.03 Site layout and building massing

Clause 55.03-1 Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site

The associated standard B6 is:
Walls of buildings should be set back from streets:
- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Pursuant to Table B1 to this standard, where the site is on a corner the minimum setback from a side street is:

Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.

Compliance of proposed development
There is no distance specified in the schedule to the zone, therefore the distance specified in Table 1 is applicable to the development.

Pursuant to the requirements of standard B6, Table B1, where there is an existing building on both the abutting allotments facing the same street, the setback of the new dwelling should equate to the average distance of the front walls of the existing buildings.

In this case the abutting property to the north has a minimum setback of 9 metres and the property to the south has a 12.8 metres street setback. Based on the above requirement, the proposed development require a minimum street setback of 9 metres.

The proposal is provided with a minimum street setback of 8.0 metres to unit 2 and 8.589 metres to unit 1 which is 1 metre less that what is required. The setback as proposed is considered to be both appropriate and acceptable within the overall streetscape particularly when considered with regard to the setbacks along the entirety of the street which vary substantially along its length. Therefore, the setback proposed is considered to be satisfactory within the overall context of the Albenca Street streetscape.
Objective: Achieved  

Standard B6: Variation not valid

Clause 55.03-2  Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character

The associated standard B7 is:
*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.*
*If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres. Changes of building height between existing buildings and new buildings should be graduated.*

The maximum building height specified in the schedule to the General Residential Zone 3 is 9 metres.

Compliance of proposed development
The highest point of the three proposed dwellings from finished ground level to the apex of the roof will not exceed 8.2 metres, which is well below the maximum height of 9 metres. The proposed development fully satisfies standard B7.

Objective: Achieved  

Standard B7: Complies

Clause 55.03-3  Site coverage
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

The associated standard B8 is:
*The site area covered by buildings should not exceed:*
- The maximum site coverage specified in the schedule to the zone, or
- If no maximum site coverage is specified in the schedule to the zone, 60 per cent.
There is no maximum site coverage specified in the schedule to the General Residential Zone 3.

Compliance of proposed development
The total building site coverage proposed for the site is 42.48% which is less than the maximum 60% permissible under this standard and 50% permissible under Schedule 3 to the General Residential Zone.

Objective: Achieved  Standard B8: Complies

Clause 55.03-4 Permeability objective
To reduce the impact of increased stormwater run-off on the drainage system
To facilitate on site stormwater infiltration

The associated standard B9 is:
At least 20 per cent of the site should not be covered by impervious surfaces.

Compliance of proposed development
The layout of the proposed development ensures permeable areas will be retained in the front, rear and side setbacks. The permeable area is 57.51%, which is in excess of the 20% minimum required under the provisions of standard B9.

Objective: Achieved  Standard B9: Complies

Clause 55.03-5 Energy efficiency objectives
To achieve and protect energy efficient dwellings and residential buildings;
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy

The associated standard B10 is:
Buildings should be:
Oriented to make appropriate use of solar energy.
Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is maximised.
Compliance of proposed development
An energy rating report for the proposed dwelling has not been submitted with the application at this stage. The specific energy rating of the proposed dwellings will be dealt with as part of the building permit application, in accordance with the relevant building regulations, however it is noted that the dwellings will be constructed to achieve the minimum six-star energy rating required under the relevant legislation.

The living areas are positioned on the eastern side of each dwelling, with the private open space of Unit 1 and 2 positioned to have good access to northern sunlight. Each living space is provided with a good levels solar access through the inclusion of a number of windows and glass panel sliding door.

The living areas of the dwellings flow out to the private open space areas which will allow for excellent connectivity between the indoor and outdoor areas. The new dwellings will be fully insulated in accordance with the relevant building standards, and as such the proposal is considered to fully satisfy the objectives of Standard B10.

In addition, the use of masonry materials will assist with energy efficiencies for each of the dwellings. The amount of solar access to abutting properties will be maintained.

Objectives: Achieved

Standard B10: Complies

Clause 55.03-6 Open space objective
To integrate the layout of the development with any public or communal open space provided in or adjacent to the development

The associated standard B11 is:
If any public or communal open space is provided on site, it should:
- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

Compliance of proposed development
There is no relevant plan or policy for open space in the Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
The site does not abut any public or communal open space, and as such this standard is not applicable to this development.

Objective: Achieved

Clause 55.03-7 Safety objective

To ensure the layout of development provides for the safety and security of residents and property

The associated standard B12 is:

- Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.
- Planting which creates unsafe spaces along streets and accessways should be avoided.
- Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.
- Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Compliance of proposed development

The layout of the proposed dwellings has been designed to ensure the safety and security of residents and their property. The pedestrian entry to each of the dwellings will be directly visible from the street or the internal driveway.

The dwellings will be provided with lighting to the front porch areas which will allow for safe and secure access. In addition to this each of the dwellings is provided with a direct outlook to the street and will ensure the opportunity for surveillance of the entry areas and the public realm. All secluded private open space areas within the development are secured and are therefore prevented from being used as public thoroughfares.

Objective: Achieved

Clause 55.03-8 Landscaping objectives

To encourage development that respects the landscape character of the neighbourhood;
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance;
To provide appropriate landscaping;
To encourage the retention of mature vegetation on the site.

The associated standard B13, as relevant to the proposal, is:

*The landscape layout and design should:*

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- Provide a safe, attractive and functional environment for residents.

*Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.*

*Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.*

*The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.*

**Compliance of proposed development**

There is no relevant plan or policy for landscape character of the area. The site is not situated in an area of habitant importance. Vegetation has been removed within the last 12 months including a lilly pilli along the eastern boundary. The vegetation has been assessed by an arborist which accompanies this report.

An indicative landscaping is provided on the ground floor plan as part of this submission and demonstrates the level of landscaping that can be achieved throughout the development including the provision of new canopy trees within the front setback of each of the dwellings. A detailed landscaping plan will be provided subject to a landscape condition on the permit.

**Objectives:** Achieved

**Standard B13:** Complies

**Clause 55.03-9 Access objective**

*To ensure vehicle access to and from a development is safe, manageable and convenient; To ensure the number and design of vehicle crossovers respects the neighbourhood character*

The associated standard B14, as relevant to the proposal, is:

*Accessways should:*

- Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network. ... ...
- Be at least 3 metres wide.

*The width of accessways or car spaces should not exceed:*
• 33 per cent of the street frontage, ... ...
No more than one single-width crossover should be provided for each dwelling fronting a street.
The location of crossovers should maximise the retention of on-street car parking spaces.
Developments must provide for access for service, emergency and delivery vehicles.

Compliance of proposed development
Vehicle access to and from the development is safe, manageable and convenient. The existing crossover from Albenca Street is to be retained and will provide vehicle access to Unit 2. A new 3 metres wide crossover will be proposed for access to Unit 1 to 3.

The width of crossovers equates to 6 metres which comprise 29% of the 20.12-metre-wide frontage.

Access ways are all a minimum of 3.0 metres in width and where there is a change in direction a 4.0 metre radius is provided which will allow the vehicles to ingress and egress the site in a forward direction.

The proposal as submitted is considered to be fully compliant with the Access objective.

Objectives: Achieved

Standard B14: Complies

Clause 55.03-10 Parking location objective
To provide for convenient parking for residents and visitor vehicles;
To avoid parking and traffic difficulties in the development and the neighbourhood;
To protect residents from vehicular noise within developments.

The associated standard B15, as relevant to the proposal, is:
Car parking facilities should:
• Be reasonably close and convenient to dwellings and residential buildings.
• Be secure.
• Be designed to allow safe and efficient movements within the development.
• Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.
Compliance of proposed development
The location of the parking facilities is convenient to the residences and provides for secure safe access both directly into the dwellings and/or into the rear yards of the dwellings.

The proposed garages for each dwelling is to be constructed in brick with a panelift doors, the brick construction of the garages helping accommodate any noise concerns. The construction of the garages will comply with National Construction of Australia.

Objectives: Achieved

Standard B15: Complies

Clause 55.04: Amenity impacts

Clause 55.04-1 Side and rear setbacks

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

The associated standard B17, as relevant to the proposal, is:
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the 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.

There is no distance specified in the schedule to the General Residential Zone 3.

Compliance of proposed development
Pursuant to Standard B17, a new building not on or with 200mm of a boundary should be setback from side or rear boundaries:

- At least the distance specified in the schedule to the zone, or
- If no distance is specified in the 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.
Where walls are to be built on the boundary their overall height will not exceed 3.2 metres.

Each dwelling is setback a minimum 1.0 metre from the side and rear boundaries on the ground floor. The first floor is provided with a minimum setback of 1.9 metres from the northern boundary and a minimum of 4.3 metres from the southern boundary. This standard requires a minimum setback of 2.19 metres.

**Objective:** Achieved  
**Standard B17:** Variation

**Clause 55.04-2 Walls on boundaries objective**

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

The associated standard B18, as relevant to the proposal, is:  
Pursuant to Standard B18 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 of rear boundary of a lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot,

  Or

- where there are existing or simultaneously constructed walls or carports abutting the boundary on an butting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater

  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.

**Compliance of proposed development**

The garage of Unit 2 is proposed on the northern site boundary for a length of 6.78 metres. Unit 3 living area wall is proposed to be constructed upon the northern boundary for a length of 4.755 metres. A maximum length of 20.05 metres is permitted to be constructed along the northern site boundary.
Where walls are to be built on the boundary then overall height will not exceed 3.2 metres. The wall on boundary will not exceed 3.2 metres in height.

Objective: Achieved

Standard B18: Complies

Clause 55.04-3 Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows

The associated standard B19 is:

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.

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.

Compliance of proposed development

Due to the orientation of the site and the location of the proposed dwellings, the development will not have any detrimental effect on daylight to habitable room windows on any adjoining property.

The adjacent properties to the north and south are provided with adequate setbacks of at least 1 metre on the subject site and combined with the adjacent setbacks ensure that a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky light court is provided, thus ensuring that they will not be affected with regard to loss of daylight.

It is considered that full compliance has been achieved in that habitable room windows are provided with adequate access to daylight.

Objective: Achieved

Standard B19: Complies

Clause 55.04-4 North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows

The associated standard B20 is:

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.
A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Compliance of proposed development
There are no north-facing habitable room window of an existing dwelling located within 3 metres of a boundary on an abutting lot. The proposal is compliant with the requirement of this standard.

Objective: Achieved Standard B20: Complies

Clause 55.04-5 Overshadowing open space objective
To ensure buildings do not significantly overshadow existing secluded private open space

The associated standard B21 is:
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75%, or 40 square metres with a 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 9am and 3pm on 22 September.

Compliance of proposed development
Pursuant to Standard B21, where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a 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 9am and 3pm on 22 September.

The shadow diagrams indicate that the following:
At 9am a slither of space within the north-eastern corner of the secluded private open space of the dwelling to the south at No.76 Albenca Street and some part of the private open space of the proposed dwellings will receive shading beyond the existing site fencing shadow.

At 12pm, the shadow will be cast within the driveway of the proposed development.

At 3pm a slither of space within the rear of the private open space of the existing dwelling to the east.

Where overshadowing of the neighbouring property occurs it is well within the designated parameters as detailed in this standard, and will not have any significant
effect on the amenity of any private open space areas associated with either of the adjoining dwellings.

**Objective:** Achieved

### Clause 55.04-6  Overlooking objective

*To limit views into existing secluded private open space and habitable room windows*

The associated standard B22, as relevant to the proposal, is:

*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 deck or patio.*

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.

*This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.*

**Compliance of proposed development**

It is noted that the development is to be constructed using a concrete slab method, and as such all of the ground floor windows in the development will be prevented from overlooking the neighbouring properties by the inclusion of a 2-metre-high timber paling fences located around the perimeters of the site.

All first floor windows with the potential to overlook the neighbouring properties are glazed with obscure glass to 1.7 metres in height above finished floor level, or have a minimum sill height of 1.7 metres or more above finished floor level.

As such overlooking with regard to the neighbouring properties has been fully addressed

**Objective:** Achieved  

**Standard B22:** Complies

### Clause 55.04-7  Internal views objective

*To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings with a development.*

The associated standard B23 is:
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

Compliance of proposed development
The proposed development has been designed to limit the internal views into the secluded private open space areas. All first floor windows with the potential to overlook the neighbouring properties are glazed with obscure glass to a minimum height of 1.7 metres above finished floor level, or have a minimum sill height of 1.7 metres or more above finished floor level.

Also, a 2 metres high timber paling internal fence is provided between the secluded open spaces of Dwelling 1, 2 & 3 to limit internal views into the secluded private open spaces.

As such overlooking with regard to the neighbouring properties has been fully addressed.

Objective: Achieved Standard B23: Complies

Clause 55.04-8 Noise impacts objectives
To contain noise sources in developments that may affect existing dwellings;
To protect residents from external noise

The associated standard B24, as relevant to the proposal, is:
Noise sources, such as mechanical plan, should not be located near bedrooms of immediately adjacent existing dwellings.
Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Compliance of proposed development
The proposed development has been designed to contain noise sources within the development and to protect adjoining residents from external noise. There is no mechanical plant proposed adjoining to or located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms have been designed and sited to take into consideration noise sources on immediately adjacent properties. The proposed dwelling will be constructed in brick veneer which will help accommodate any noise concerns, and construction will comply with National Construction Code of Australia.
The proposed dwelling will not be subjected to high external noise sources and therefore are unlikely to require any additional noise attenuation measures. Similarly, it is not envisaged that this development will generate unreasonable noise sources to adjoining properties beyond normal residential activity noise levels.

**Objectives:** Achieved

**Standard B24:** Complies

**Clause 55.05:** On-site amenity and facilities

**Clause 55.05-1** Accessibility objective  
*To encourage the consideration of the needs of people with limited mobility in the design of developments*

The associate standard B25 is:  
*The dwelling entries of the ground floor of dwellings and residential building should be accessible or able to be easily made accessible to people with limited mobility.*

**Compliance of proposed development**
This standard requires the consideration of the needs of people with limited mobility in the design of the development.

The double storey nature of the dwellings limits access to those with limited mobility. However, each of the dwellings are provided with a guest bedroom at the ground floor level to the elderly, frail or disabled who could reside in the property.

Therefore, it is considered that the proposed development fully satisfies the objectives of standard B25.

**Objective:** Achieved

**Standard B25:** Complies

**Clause 55.05-2** Dwelling entry objective  
*To provide each dwelling or residential building with its own sense of identity.*

The associated standard B26 is:  
*Entries to dwelling and residential building should:*
  - Be visible and easily identifiable from streets and other public areas.
  - Provide shelter, a sense of personal address and a transitional space around the entry.
Compliance of proposed development
Each of the units will have its own distinct entry, each of which will be easily identifiable from either the frontage of the site, or from the internal driveway. The entries will be distinguished by detailing in the form of a covered entry porch which is clearly visible and will provide shelter, a sense of personal address and a transitional space around the entry.

Objective: Achieved

Clause 55.05-3 Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

The associated standard B27, as relevant to the proposal, is:
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimensions of 1 metre clear o the sky, not including land on an abutting lot; or
- A verandah provided it is open for at least one third of its perimeter;

Compliance of proposed development
All proposed habitable room windows have been provided with outdoor space clear to the sky of over 3 square metres and a minimum dimension of 1 metre clear to the sky taking into account the allowable encroachments such as eaves.

Objective: Achieved
Standard B27: Complies

Clause 55.05-4 Private open space objective
To provide for adequate private open space for the reasonable recreation and service needs of residents.

The associated standard B28, as relevant to the proposal, is:
A dwelling or residential building should have private open space of an area and dimensions specified in the schedule to the zone.
If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential
building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room.

Under Schedule 3 to the General Residential Zone, a minimum width of 5 metres is to be provided for a secluded private open space area for a two bedrooms dwelling plus 20 square metres private open space area with a minimum dimension of 3 metres for any additional bedroom.

**Compliance of proposed development**
The proposed development provides each of the dwellings with private open space in excess of the requirements of standard B28.

Unit 1: 61.04 sqm secluded private open space.
Unit 2: 60.45 sqm secluded private pen space.
Unit 3: 110.19 sqm secluded private open space.

The secluded private open space areas to each of the dwelling are oriented towards the north of the subject site and will allow adequate solar access.

Each dwelling is provided with a minimum 40sqm of secluded private open space with a minimum dimension of at least 5 metres in accordance with schedule 3 to the zone. Additional 20 square metre with a minimum dimension of 3 metres is also provided for the third bedroom. The secluded private open space areas are directly accessible from the living areas of the respective dwellings with the dimension, location and orientation of the secluded private open space areas to each providing high amenity and usability.

**Objective:** Achieved  
**Standard B28:** Complies

**Clause 55.05-5 Solar access to open space objective**
*To allow solar access into the secluded private open space of new dwellings and residential buildings.*

The associated standard B29, as relevant to the proposal, is:
*The private open space should be located on the north side of the dwelling or residential building, if appropriate.*

**Compliance of proposed development**
This standard is not applicable as the private open spaces are located to the north east of the dwellings.
Objective: Achieved  

Clause 55.05-6  Storage objective  
To provide adequate storage facilities for each dwelling

The associated standard B30 is:  
Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

Compliance of proposed development  
The rear yard of each of the dwelling is large enough to accommodate a 6 cubic metre storage. It is submitted that the site has the capacity to provide adequate storage in accordance with the objective of this standard.

As such the proposed development partially satisfies the objectives of Standard B30.

Objective: Achieved  

Clause 55.06: Detailed design

Clause 55.06-1  Design detail objective  
To encourage design detail that respects the existing or preferred neighbourhood character.

The associated standard B31 is:  
The design of buildings, including:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.
- Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Compliance of proposed development  
Surrounding land uses are of a residential form and character with the area appearing to have been developed primarily in the post wall/1050’s era and is comprised of dwellings which are typical of that period of architecture and design. The housing style in the immediate area is a mixture of both brick, double and weatherboard style dwellings all of which are located on blocks with well-established gardens. Street setbacks are
generally within the range of 7 to 12 metres which allows for the establishment of larger trees with spreading crowns. Off street carparking is generally applicable to all of the dwellings and the majority of them have some form of carparking structure, shed or bungalow contained within the confines of the site.

The proposed dwellings reflect some of those basic design elements whilst also introducing a number of newer complementary materials and lineal elements which compliment those basic forms. All three of the dwellings at the ground floor level will be constructed of brick veneer sections of which will be partially rendered on the garage columns, in a selected coloured finish. The dwellings are provided with interesting and articulated façade treatments which give each the appearance of an individual dwelling and all are provided with a detailed front entry with a detailed front porch which includes horizontal timber battens.

The upper levels of the dwellings are to be finished with weather board cladding, windows will be constructed of aluminium, and all of the dwellings will be finished with a combination of flat and pitched roof.

The dwellings are provided with generous areas of secluded private open space and the setbacks to both the frontage and the side boundaries have been designed to maintain the rhythm which is exhibited within the Albenca Street streetscape.

The garages proposed are visually compatible, and are setback behind the front dwellings in order to ensure that they remain a recessive element of the proposal. It is considered that the proposal is innovative in design, of an extremely high architectural standard, is not excessively bulky and therefore should be acceptable within the neighbourhood setting.

In general, the development proposed is considered to have been carefully conceived, having full regard to both the constraints exhibited by the site, and the neighbourhood context into which the proposal is to be incorporated. It is considered that the proposal fully satisfies the objectives and standards associated with Standard B31.

**Objective:** Achieved  
**Standard B31:** Complies

**Clause 55.06-2  Front fences objective**

*To encourage front fence design that respects the existing or preferred neighbourhood character.*

The associated standard B32 is:

*The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.*

*A front fence within 3 metres of a street should not exceed:*

- The maximum height specified in the schedule to the zone, or
- If no maximum height is specified in the schedule to the zone, the maximum height specified in Table B3.

Schedule 3 to the General Residential Zone specifies the maximum height of fence permitted within the zone.

**Compliance of proposed development**
A 1.2 metre high front fence is proposed which is consistent with the character of the area.

**Objective:** Achieved  
**Standard B32:** Complies

**Clause 55.06-3  Common property objectives**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained;  
To avoid future management difficulties in areas of common ownership

The associated standard B33 is:
Developments should clearly delineate public, communal and private areas.  
Common property, where provided, should be functional and capable of efficient management.

**Compliance of proposed development**
A common property being the driveway is proposed for dwelling 1 and 3. The area is attractive and will be easily maintained by the potential residents of the dwellings.

**Objectives:** Achieved  
**Standard B33:** Complies

**Clause 55.06-4  Site service objectives**
To ensure that site services can be installed and easily maintained;  
To ensure that site facilities are accessible, adequate and attractive

The associated standard B34 is:
The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.  
Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.
Bin and recycling enclosures should be located for convenient access by residents. Mailboxes should be provided and located for convenient access as required by Australia Post.

Compliance of proposed development
The layout of the proposed development provides sufficient space for services to be installed and maintained efficiently and economically. While the location of service infrastructure is not shown on the site plan they can be provided in accessible locations. The rear yard is able to accommodate the bin storage at a location where they can easily be taken to the kerb side for collection within out the need to carry them through the dwellings interior.
The rear yards associated with each of the dwellings are also adequate in area and dimension to accommodate open-air clothes drying facilities.

All mail boxes with a newspaper holder as well as the site metre box will be positioned within a combined structure along the Albenca Street frontage.

Objectives: Achieved

9.0 Conclusion

The assessment of the proposed development against the requirements of the Kingston Planning Scheme including, the State Planning Policy Framework, Local Planning Policy Framework (including the Municipal Strategic Statement and Local Planning Policies), and the clause 55 residential development provisions, demonstrates that the proposal achieves the objectives of the various policies and provisions, as well as substantially complying with prescriptive requirements.

The development is highly responsive to the site and its context, maximising the opportunities the site presents while minimising impacts on adjoining properties and the character of the neighbourhood. The design of the development provides a contemporary response that is respectful of the neighbourhood character elements

Overall the proposal will achieve both the State and local planning objectives and will make a positive contribution to the neighbourhood.

L STUPAK
TOWN PLANNING CONSULTANT
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11. Sketches, diagrams, graphs and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

Additional Services

12. LS Planning Pty Ltd shall not give, or be required to give, evidence or to attend court, tribunal or panel by reason of the preparation of this report. Such evidence or attendance shall be subject to new contractual arrangements, including payment of additional fee(s) for such services.
13. LS Planning Pty Ltd shall not carry out any of the works or monitor any of the activities required for the development simply by the preparation of this report. Any additional work shall be subject to new contractual arrangements, including payment of additional fee(s) for such services.
Arboricultural Assessment & Report – Development Impact

78 Albenca Street, Cheltenham

For: Sync Design Pty Ltd

Thursday 28 March 2019
Objectives

To assess those trees located within and adjacent the subject site that may be affected by a proposed development.

To provide an assessment of the subject trees detailing age, health, structure, retention value, dimensions, status within the relevant planning scheme, Structural Root Zones and Tree Protection Zones.

To provide an assessment of how the proposal may impact upon existing tree health.

To provide remedial and tree protection information for the subject trees.

Methodology

A site inspection was undertaken on Tuesday 3 July, 2018. The trees were inspected and observations made of the surrounding area. No intrusive investigation or sampling of the tree/s or soil was undertaken. Visual observations were undertaken from ground level to determine age, structure and condition with measurements taken to establish approximate trunk and canopy dimensions. Canopy height was estimated, canopy width was measured using a laser-measuring device and trunk diameters measured using a forester’s tape. No internal sampling or aerial inspection was undertaken.

I have assessed the following Revision C plans drawn by Sync Design, dated 26.03.2019:

- Site Context & Existing Streetscape
- Design Response & Proposed Streetscape
- Proposed Ground Floor Plan
- Proposed First Floor Plan
- Proposed Elevations

Numerical identifiers ascribed to individual trees correspond with those numbers placed on the plan provided in appendix 4 of this report.

Observations

The subject site consists of a General Residential Zone (Schedule 3) allotment in Cheltenham, a suburb located within the City of Kingston. The site has been previously developed for residential purposes and holds an existing brick dwelling situated within a landscape of introduced vegetation.

Two 17m high Corymbia citriodora (Lemon Scented Gum) are located in the rear set back of the site. They are both healthy well formed specimens.

A number of trees were observed growing in neighbouring properties abutting the site, several are large specimens that will probably have their roots growing within the site.

A 4m high Callistemon viminalis (Drooping Bottlebrush) is located as a street tree in the Albenca Street nature strip.
The site is subject to Local Law 5, Part 8, Clause 40, which requires a planning permit for all trees equal to or greater than 110cm trunk circumference at ground level and multi stemmed trees achieving the same dimension when measured completely around all stems. Conditions also restrict works within the Critical Root Zone or >1/4 of the canopy drip line and pruning that does not conform to AS4373 2007 Pruning of Amenity Trees. Certain exemptions apply for the removal of environmental weeds such as *Pittosporum undulatum* (Sweet Pittosporum), *Coprosma repens* (Mirror Bush) and *Crataegus monogyna* (Hawthorn).

It is proposed to demolish the existing dwelling and construct three residential units. As part of the proposal both site trees (Lemon Scented Gum) are to be retained.

**Discussion**

**Tree Value**

Trees can make a positive contribution to the appeal of a completed development by providing a visual softening of the built form, a maturity to the landscape, a connection with the pervading landscape and neighbourhood character, they also provide scale, shade, beauty and habitat. However not all trees are suitable for retention particularly within a proposed development; an arboricultural assessment will ultimately place a retention value on the existing vegetation, depending on that vegetation's potential to have a positive or negative influence on the site proposal.

Assigning a retention value is required under AS4970 2009 *Protection of Trees on Development Sites* and usually requires consideration of many factors such as a tree amenity value, longevity, tolerance to impact, anti social traits, habitat, safety, planning scheme status etc. Consequently it is a fairly subjective process, however in general the following applies:

- Trees of low retention value are unsuitable for retention,
- Trees of medium retention value can be retained if site constraints can accommodate tree retention,
- Trees of high retention value are recommended for retention and should be accommodated within the design process.

**Tree Retention and Acceptable Impacts**

If trees are to be successfully retained within a development site then measures must be taken to ensure adequate protection of the canopy and root mass. To this end an arborist identifies Tree Protection Zones (TPZ) so that adequate amounts of canopy and root mass are left unaffected by construction, thereby providing for a healthy, stable, long-term tree resource. The Tree Protection Zone is calculated by multiplying the trunk diameter at 1.4m from grade by twelve whilst the Structural Root Zone (SRZ) is calculated by using a diameter measurement above the root buttress. Whilst the TPZ maintains tree health, the SRZ is critical in maintaining a trees anchorage. Both the TPZ and SRZ are shown on plan as a circle, measured as a radius from trunk centre.

Perfectly concentric circles that depict a TPZ are not often an accurate reflection of a trees root or canopy pattern as both of these structures will often form asymmetric shapes that are a product of their local environment. For example canopies may be pruned, storm damaged or influenced by nearby trees, available sunlight and structures whilst root growth may be influenced by adjacent built form, other tree roots, soil type, moisture gradients, leaking pipes, topography etc.

AS4970 2009 determines that it may be possible to encroach or make variations to the standard TPZ. Where encroachments into a TPZ are proposed, whether minor or major, the TPZ should be compensated for elsewhere and contiguous with the TPZ.
Where minor encroachments (<10% of TPZ area) occur, variations must be made by the project arborist considering relevant factors listed in Section 3.3.4. TPZ Encroachment Considerations, these are:

- exploratory root excavation,
- potential loss of roots, number and size,
- Tree species and tolerance to root disturbance
- Age, vigour and size of the tree
- Lean and stability of the tree (and supporting roots)
- Soil characteristics and volume, topography and drainage
- The presence of existing or past structures or obstacles affecting root growth
- Design factors

Where major encroachments (>10% of TPZ area) are proposed the project arborist must demonstrate how the tree would remain viable. This may require root investigation by non destructive methods and consideration of relevant factors listed in Section 3.3.4.

Figure 1. Examples of acceptable Tree Protection Zone Intrusions

Example: TPZ area = 187m². Acceptable encroachment = 18.7m² (10% of TPZ area)

It should be noted that tree protection zones are a model for planning and design and are not sacrosanct from some sympathetic intrusion, root growth is often unpredictable and for this reason negotiation into a TPZ may be possible. Careful exploratory excavation can give a more accurate depiction of a tree's root mass and the setback required to minimise any negative impact. However exploratory excavation is sometimes impractical particularly when dealing with large populations of trees or in areas of heavy clay/shale soil environments and for this reason the TPZ model is provided.

Tree Protection

In order to protect trees on construction sites tree protection fencing must be erected prior to the commencement of any demolition, excavation or construction works. Tree protection fencing excludes access and defines the extent of the TPZ given for all retained trees. If construction is set at the edge or close to the TPZ then the fence may be temporarily moved to facilitate construction - with the approval of the responsible authority. N.B. The relocation of the fence does not indicate a change in the TPZ of the tree and suitable protection measures must be undertaken; this may include the use of heavy plywood sheeting laid over a bed of coarse mulch to reduce soil compaction from vehicles and pedestrian traffic.
The relocation of the protection fence should be used for short-term purposes only and must be reinstalled as soon as possible. Tree protection fencing specifications are listed in Tree Protection Measures, Appendix 3 of this report.

An Overview of the Subject Trees
The assessed vegetation is an eclectic mixture of four (4) planted Victorian natives, three (3) exotic species, two (2) NSW species, two (2) QLD species and one (1) WA specimen.

The subject trees display varying levels of health, structural condition and usefulness, which is reflected in the retention value assigned to each tree. Of the assessed population three (3) have high retention value, six (6) have medium retention value and three (3) have low retention value.

Tree nos. 4, 10 and 11 are of high retention value as they displayed such good overall condition; landscape contribution and long expected remaining usefulness that they should be accommodated within the design wherever possible. Of these trees 10 & 11 exist within the subject site, whilst tree 4 is located in no. 76 Albenca Street.

The medium retention value trees are nos. 1, 2, 6, 7, 9 and 12. They are not significantly good examples or of significant size and condition, but they do still offer some value to their respective sites. Being third party property they must not be damaged by the proposal.

Tree nos. 3, 5 and 8 are of low retention value. They are considered a liability to their respective site as they are either inappropriate species for urban sites or in poor health and/or in poor structural condition. Being third party property they must not be damaged by the proposal.

Planning Considerations
Local Law 5, Part 8, Clause 40 requires a planning permit to lop, remove or destroy trees 2, 3, 4, 5, 6, 8, 9, 10, 11 & 12.

Conclusions & Recommendations
It is proposed to retain both high retention value site trees.

Based on the guidelines of AS4970-2009 Protection of Trees on Development Sites, the following impacts will occur to the retained trees and neighbouring trees health:

- The TPZ of tree 1 is not encroached by works; therefore its health will not be affected.
- The TPZ area of trees 9 & 12 is encroached by less than 10%, therefore they should suffer a minor and sustainable impact to their health.
- The TPZ area of trees 2, 3, 4, 5, 6, 7, 8, 10 & 11 is encroached by greater than 10% indicating that tree health may be compromised.

The encroachment to tree 2 is a proposed driveway and street crossover, which affects 15% of TPZ area and part of the Structural Root Zone. Typically, tree health will not be affected by a 15% encroachment from a pavement laid on grade. Some relatively shallow excavation will be needed to meet the footpath and street levels, however if significant roots are severed this may cause uprooting of the tree. Therefore an exploratory root excavation will be required to determine if structural roots would be severed. If this is the case the driveway alignment would need to alter.
Trees 3, 4, 5, 6 & 7 are encroached by the driveway which affects 17%, 16%, 32%, 35% & 10% respectively. Although these percentages are significant, provided the driveway does not cause root loss or materially alter the trees' growing environment tree health will be maintained. To maintain tree health it is recommended that the driveway is constructed of a permeable material laid at or above grade on a no fines base and a coarse sand sub base within the TPZ. A geotextile fabric must be used beneath the sand to prevent wash out. The removal of any humus/organic matter within the TPZ must be undertaken by hand digging with all roots >30mm diameter left unscathed and intact. Any root loss greater than 20mm diameter must be pruned and treated by a qualified arborist.

As part of this assessment the encroachment of Unit 1 into the TPZ of tree 4 was also considered, however at a minor 3% of TPZ area, it is considered negligible.

Tree 8 is encroached by a total of 19% of TPZ area, which consists of the driveway at 7%, Unit 3 deck at negligible 2% and Unit 3 footprint at 10%. As the driveway and deck construction can be controlled to mitigate any impact to tree health and as the Unit 3 footprint is an acceptable 10% for this species, tree health will not be compromised. The aforementioned construction techniques for the permeable driveway adjacent tree 3, 4, 5, 6, & 7 are also recommended.

The encroachment to tree 10 totals 13%, which consists of the Unit 3 deck at 3% and the Unit 3 footprint at 10%. A total of 13% encroachment is well within this species tolerance range and as the deck can be sensitively constructed to maintain permeability and avoid significant roots tree health will be sustained.

The encroachment to tree 11 is 20.5% of TPZ area, which consists of the Unit 3 deck at 6.5% and the Unit 3 footprint at a considerable 14%. For the same reasoning as tree 10, tree health will not be materially affected.

To maintain tree health, it is recommended that the Unit 3 deck be constructed to maintain natural grade with all post holes within the TPZ hand excavated and relocated if roots greater than 40mm are encountered. Furthermore the deck planks must also have sufficient space, nominally 6mm, to allow rainfall to penetrate to the ground below.

Tree protection measures in accordance with AS4970 2009 Protection of Trees on Development Sites must be installed prior to the commencement of any site works. Tree protection guidelines are provided in appendix 3 which can provide guidance regarding tree protection notations that should be placed on plan.

Storm water drains and other underground services must be diverted around the retained trees TPZ, the only exception would be if the services are installed by underground boring, at appropriate depths, with machinery access and entry pits located outside the TPZ.

Graeme Lewis  
Consulting Arborist

References: ASA 4970 2009 Protection of Trees on Development Sites (Standards Australia)
**DESCRIPTORS IN APPENDIX 2**

DBH = Diameter of trunk at 1.4m from grade. TPZ = Tree Protection Zone (measured as a radius from the trunk centre). SRZ = Structural Root Zone.

* Indicates a tree with multiple trunks.

<table>
<thead>
<tr>
<th>Ref</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Height (m)</th>
<th>Width (m)</th>
<th>DBH (cm)</th>
<th>TPZ (m)</th>
<th>TPZ area (m²)</th>
<th>SRZ (m)</th>
<th>Health</th>
<th>Structure</th>
<th>Form</th>
<th>Origin</th>
<th>Retention Value</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Callistemon viminalis</td>
<td>Drooping Bottlebrush</td>
<td>4</td>
<td>3</td>
<td>13</td>
<td>2</td>
<td>12.6</td>
<td>1.8</td>
<td>Good</td>
<td>Fair</td>
<td>Fair</td>
<td>Planted NSW Native</td>
<td>Medium</td>
<td>Street tree.</td>
</tr>
<tr>
<td>2</td>
<td>Syzygium paniculatum</td>
<td>Brush Cherry</td>
<td>15</td>
<td>13</td>
<td>69*</td>
<td>8.2</td>
<td>216.4</td>
<td>3.3</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>Planted NSW Native</td>
<td>Medium</td>
<td>Neighbouring tree. Pruned back from powerlines.</td>
</tr>
<tr>
<td>3</td>
<td>Acmena smithii</td>
<td>Lilly Pilly</td>
<td>12</td>
<td>6</td>
<td>31</td>
<td>3.7</td>
<td>43</td>
<td>2.3</td>
<td>Poor</td>
<td>Fair</td>
<td>Fair</td>
<td>Planted VIC Native</td>
<td>Low</td>
<td>Neighbouring tree.</td>
</tr>
<tr>
<td>4</td>
<td>Corymbia ficifolia</td>
<td>Red Flowering Gum</td>
<td>17</td>
<td>15</td>
<td>82</td>
<td>9.8</td>
<td>301.7</td>
<td>3.6</td>
<td>Good</td>
<td>Fair</td>
<td>Fair</td>
<td>Planted WA Native</td>
<td>High</td>
<td>Neighbouring tree. Overhangs site by 6m.</td>
</tr>
<tr>
<td>5</td>
<td>X Cupressocyparis leylandii</td>
<td>Leyland Cypress</td>
<td>11</td>
<td>6</td>
<td>40</td>
<td>4.8</td>
<td>72.4</td>
<td>2.5</td>
<td>Fair</td>
<td>Fair</td>
<td>Fair</td>
<td>Exotic</td>
<td>Low</td>
<td>Neighbouring tree. Inappropriate species for residential sites.</td>
</tr>
<tr>
<td>6</td>
<td>Syagrus romanzoffiana</td>
<td>Queen Palm</td>
<td>6</td>
<td>6</td>
<td>45</td>
<td>5.4</td>
<td>91.6</td>
<td>2.6</td>
<td>Good</td>
<td>Good</td>
<td>Good</td>
<td>Exotic</td>
<td>Medium</td>
<td>Neighbouring tree.</td>
</tr>
<tr>
<td>7</td>
<td>Syagrus romanzoffiana</td>
<td>Queen Palm</td>
<td>6</td>
<td>5</td>
<td>20</td>
<td>2.4</td>
<td>18.1</td>
<td>2.3</td>
<td>Good</td>
<td>Good</td>
<td>Good</td>
<td>Exotic</td>
<td>Medium</td>
<td>Neighbouring tree.</td>
</tr>
</tbody>
</table>
## Appendix 1

<table>
<thead>
<tr>
<th>Ref</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Height (m)</th>
<th>Width (m)</th>
<th>DBH (cm)</th>
<th>TPZ (m)</th>
<th>TPZ area (m²)</th>
<th>SRZ (m)</th>
<th>Health</th>
<th>Structure</th>
<th>Form</th>
<th>Origin</th>
<th>Retention</th>
<th>Value</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td><em>Eucalyptus botryoides</em></td>
<td>Southern Mahogany</td>
<td>20</td>
<td>17</td>
<td>85</td>
<td>10.2</td>
<td>326.9</td>
<td>3.4</td>
<td>Fair</td>
<td>Poor</td>
<td>Fair</td>
<td>VIC</td>
<td>Native</td>
<td>Low</td>
<td>Neighbouring tree. Dieback. Decay cankers.</td>
</tr>
<tr>
<td>9</td>
<td><em>Melaleuca armillaris</em></td>
<td>Giant Honey Myrtle</td>
<td>7</td>
<td>9</td>
<td>50*</td>
<td>6</td>
<td>113.1</td>
<td>2.5</td>
<td>Good</td>
<td>Fair</td>
<td>Poor</td>
<td>VIC</td>
<td>Native</td>
<td>Medium</td>
<td>Neighbouring tree.</td>
</tr>
<tr>
<td>10</td>
<td><em>Corymbia citriodora</em></td>
<td>Lemon Scented Gum</td>
<td>17</td>
<td>10</td>
<td>58</td>
<td>7</td>
<td>153.9</td>
<td>2.8</td>
<td>Good</td>
<td>Fair</td>
<td>Fair</td>
<td>QLD</td>
<td>Native</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td><em>Corymbia citriodora</em></td>
<td>Lemon Scented Gum</td>
<td>17</td>
<td>14</td>
<td>57</td>
<td>6.8</td>
<td>145.3</td>
<td>2.8</td>
<td>Good</td>
<td>Fair</td>
<td>Good</td>
<td>QLD</td>
<td>Native</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td><em>Melaleuca armillaris</em></td>
<td>Giant Honey Myrtle</td>
<td>9</td>
<td>13</td>
<td>81*</td>
<td>9.8</td>
<td>295.6</td>
<td>2.8</td>
<td>Good</td>
<td>Fair</td>
<td>Good</td>
<td>VIC</td>
<td>Native</td>
<td>Medium</td>
<td>Neighbouring tree.</td>
</tr>
</tbody>
</table>

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### Appendix 2

#### Tree Descriptors Age:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Young</td>
<td>Sapling tree and/or recently planted. As a guide a tree up to ≈5 years of age.</td>
</tr>
<tr>
<td>Semi-mature</td>
<td>Tree rapidly increasing in size and yet to achieve expected size in situation.</td>
</tr>
<tr>
<td>Maturing</td>
<td>Specimen has reached expected size in situation, with reduced incremental growth.</td>
</tr>
<tr>
<td>Over-mature</td>
<td>Tree is senescent and in decline.</td>
</tr>
<tr>
<td>Dead</td>
<td>Tree is dead</td>
</tr>
</tbody>
</table>

#### Health:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>Good growth indicators, eg. extension growth. Crown full, with good density, foliage entire with good colour. No or minimal canopy dieback. Minimal or no pathogen damage. Good wound wood development.</td>
</tr>
<tr>
<td>Fair</td>
<td>Typical growth indicators, eg. extension growth, leaf size, canopy density for species in location. Tree may have &lt;30% dead wood, or can have minor canopy dieback. Foliage generally with good colour, some discoloration may be present. Minor pathogen damage may be present.</td>
</tr>
<tr>
<td>Poor</td>
<td>Poor growth indicators. Tree may have &gt;30% dead wood. Canopy dieback present. Discoloured or distorted leaves, and/or excessive epicormic growth. Pathogen is present and/or stress symptoms that could lead or are leading to decline of tree.</td>
</tr>
</tbody>
</table>

#### Structure:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>Good branch attachment and/or no or minor structural defects. Trunk and scaffold branches sound or minor damage. Good trunk and scaffold branch taper. No branch over extension. No damage to structural roots and/or good buttressing present. No obvious root pests or diseases.</td>
</tr>
<tr>
<td>Fair</td>
<td>Typical structure for species. Some minor structural defects and/or minor damage to trunk. Bark missing. Cavities could be present. Minimal or no damage to structural roots.</td>
</tr>
<tr>
<td>Poor</td>
<td>Major structural defects and/or trunk damaged and/or missing bark, large cavities, and/or girdling or damaged roots that are problematic.</td>
</tr>
<tr>
<td>Hazardous</td>
<td>Tree poses immediate hazard potential that should be rectified as soon as possible.</td>
</tr>
</tbody>
</table>

#### Form (General shape of the tree):

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good</td>
<td>Canopy full and symmetrical.</td>
</tr>
<tr>
<td>Fair</td>
<td>Minor asymmetry or suppression. Considered typical for species in situation.</td>
</tr>
<tr>
<td>Poor</td>
<td>Canopy suppressed, major asymmetry. Stump re-growth</td>
</tr>
</tbody>
</table>

#### Retention Value:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>In good condition and able to respond to changes in its environment. May be of particular significance to site e.g. environmental or heritage. Tree has potential to be a long-term component of the landscape if managed appropriately. Make every effort to retain</td>
</tr>
<tr>
<td>Medium</td>
<td>Tree in fair condition and structure. Tree may have condition or structural problems that would require treatment. Tree could sustain changes to its environment. Tree has potential to be a medium to long-term component of the landscape if managed appropriately. Tree has yet to achieve a significant landscape impact. May be retained or removed depending on design preference</td>
</tr>
<tr>
<td>Low</td>
<td>Tree is in poor condition and/or poor structure that can not be rectified. Tree could not sustain dramatic or severe changes, or tree has detrimental effects on environment, e.g. woody weed. Recommended for removal.</td>
</tr>
</tbody>
</table>
Appendix 3 Tree Protection

The protection and preservation of the existing trees on a development site is to be ensured by the installation of tree protection fencing set at the edge of the tree protection zones. Tree Protection fencing is to be installed prior to the commencement of any site works including demolition, excavation, delivery of materials etc.

The Tree Protection Zones will be determined by the consulting arborist in conjunction with the Site Manager, wherever possible the measures shall conform to AS4970 2009.

The actual fence specifications should be a minimum of 1.2 - 1.5 metres of chain mesh or like fence with 1.8 meter star pickets every 3-4 metres and a top line of high visibility plastic hazard tape. This fence will deter the entry of heavy equipment and vehicles and also the entry of workers and/or the public into the Tree Protection Zone. The tree protection zone shall be clearly signed on all visible sides “Tree Protection Zone – No entry without permission from site manager”

Table 1 Protection Fencing

These fences should only be removed or shifted by the consent of the Responsible Authority.

The area inside this Tree Protection Zone should be mulched with a covering of approximately 75mm of woodchip mulch or like material.

If temporary access is required through a Tree Protection Zone this may be carried out using sheets of heavy plywood or like protection but should not be considered for long term requirements (see table 2).
The following are guidelines that **must** be implemented to minimise the impact of the proposed construction works on the existing trees.

- The Tree Protection Zone is fenced and clearly marked at all times (according to the specification above).

- The consultant arborist is on-site to supervise all excavation works within the TPZ. This is more paramount if substantial roots (i.e. > 40 mm ∅) are encountered and may require pruning. Inspection will need to take place by a qualified arborist to ascertain impact on the trees and recommend follow up works if required.

- A layer of organic mulch (woodchips) to a depth of 80mm (no deeper) should be placed over all root systems (not just in the Tree Protection Zones) of trees which are to be retained to assist with moisture retention and to reduce the impact of compaction. This is particularly important where there will be constant construction vehicle traffic.

- No persons, vehicles or machinery are to enter the Tree Protection Zone without the consent of the consulting arborist or site manager.

- Any underground service installations should be bored and utility authorities should common trench where possible.

- No fuel, oil dumps or chemicals shall be allowed in or stored on the Tree Protection Zone and the servicing and re-fuelling of equipment and vehicles should be carried out away from the root zones.

- No storage of material, equipment or temporary building should take place over the Tree Protection Zone of any tree.
Appendix 3 Tree Protection

- Nothing whatsoever should be attached to any tree including temporary services wires, nails, screws or any other fixing device.

- Supplementary watering should be provided to all trees through any dry periods during and after the construction process.

- Any pruning that is required must be carried out by trained and competent arborist who has a thorough knowledge of tree physiology and pruning methods and carry out pruning to the Australian Standard – AS 4373 – 1996 Pruning of Amenity Trees.

- All root excavation should be carried out by hand digging or with the use of ‘Air-Excavation’ techniques, and roots should be severed by saw cutting or with a sharp axe and not with a Backhoe or any machinery or blunt instrument.
Stem Arboriculture Assumptions and Limiting Conditions

1. Any legal description provided to the author is assumed to be correct. Any titles and ownerships to any property are assumed to be correct. No responsibility is assumed for matters outside the consultant’s control.

2. The author assumes that any property or project is not in violation of any applicable codes, ordinances, statutes or other local, state or federal government regulations.

3. The author has taken care to obtain all information from reliable sources. All data has been verified insofar as possible; however the author can neither guarantee nor be responsible for the accuracy of the information provided by others not directly under the author’s control.

4. The author shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

5. Loss of this report or alteration of any part of this report not undertaken by the author invalidates the entire report.

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12. To the authors’ knowledge all facts, matter and all assumptions upon which the report proceeds have been stated within the body of the report and all opinion contained within the report have been fully researched and referenced and any such opinion not duly researched is based upon the writers experience and observations.
PROPOSED GROUND FLOOR PLAN

1.2 m HIGH FRONT FENCE
3 m WIDE NEW CROSSOVER TO BE

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