

Office Use Only		
VicSmart:	Yes	☐ No
Specify class of VicSmart application:		
Application No.:	Date Lodged:	1 1

# Application for

# **Planning Permit**

Planning Enquiries Phone: 03 9205 2200 Web: www.hume.vic.gov.au

If you need help to complete this form, read How to complete the Application for Planning Permit form.

A

No

( ) Yes

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 a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

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

▲ If the space provided on the form is insufficient, attach a separate sheet.

If 'yes', with whom?:

Date:

Clear Form

# **Application Type**

Is this a VicSmart application?\*

# Pre-application meeting

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

● NO  Yes
If yes, please specify which
VicSmart class or classes:
If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application

day / month / year

## The Land II

Address of the land. Complete	the Street Address and one of the Formal Land Descriptions.	
Street Address *	Unit No.: St. No.: 2 St. Name: Phelan court	
	Suburb/Locality: tullamarine	Postcode:3043
Formal Land Description * Complete either A or B.	A Lot No.: 35	n No.: 121351
⚠ This information can be	OR	
found on the certificate of title.	B Crown Allotment No.: Section No.:	
	Parish/Township Name:	
		Remove Address
If this application relates	to more than one address. please click this button and enter relevant details	. Add Address

#### The Proposal

A

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

required, a description of the likely effect of the proposal.

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

Estimated cost of development for which the permit is required \*

Multi-unit Development

Provide additional information on the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if

Insert '0' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

### **Existing Conditions** II

Describe how the land is used and developed now \*

eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing. single story brick dwelling

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

#### Title Information II

Encumbrances on title \*

If you need help about the title, read: How to complete the Application for Planning Permit form Does the proposal breach, in any way, an encumbrance on title such as a restrictrive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes. (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

## Applicant and Owner Details II

Provide details of the applicant and the owner of the land.

Applicant \*

The person who wants the permit.

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Please provide at least one contact phone number \*

#### Owner\*

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

# Information Requirements

Contact council's planning department to discuss the specific requirements for this application and obtain a planning permit checkilist.

Is the required information provided?

## **Declaration** II

This form must be signed by the applicant \*

Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation

of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature:

Date: 28 Mar 2022

day / month / year

## Checklist II

Have you:

✓ Filled in the form completely?				
Paid or included the application fee?  Most applications require a fee to be paid. Contact Council to determine the appropriate fee.				
Provided all necessary supporting information and documents?				
✓ A full, current copy of title information for each individual parcel of land forming the subject site				
✓ A plan of existing conditions.				
✓ Plans showing the layout and details of the proposal				
Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.				
If required, a description of the likely effect of the proposal (eg traffic, noise, environmental impacts).				
Completed the relevant Council planning permit checklist?				
✓ Signed the declaration (section 7)?				

# Need help with the Application?

If you need help to complete this form, read <u>How to complete the Application for Planning Permit form</u> General information about the planning process is available at <u>www.dpcd.vic.gov.au/planning</u>

Assistance can also be obtained from council's planning department.

### Lodgement II

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

Hume City Council PO Box 119 Dallas VIC 3047 Pascoe Vale Road Broadmeadows VIC 3047

#### **Contact information:**

Telephone: 61 03 9205 2200 Email: email@hume.vic.gov.au DX: 94718

Translation: 03 9205 2200 for connection to Hume Link's multilingual telephone information service

#### Deliver application in person, by fax, or by post:

Print Form

Make sure you deliver any required supporting information and necessary payment when you deliver this form to the above mentioned address. This is usually your local council but can sometimes be the Minister for Planning or another body.

#### Save Form:

Save Form To Your Computer You can save this application form to your computer to complete or review later or email it to others to complete relevant sections.

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning



right State of Victoria. No pert of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the Information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Eiders,

#### REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 2

VOLUME 09250 FOLIO 243

Security no : 124096448363C Produced 28/03/2022 04:14 PM

#### LAND DESCRIPTION

Lot 35 on Plan of Subdivision 121351. PARENT TITLE Volume 08714 Folio 268 Created by instrument LP121351 12/01/1978

#### REGISTERED PROPRIETOR



#### ENCUMBRANCES, CAVEATS AND NOTICES



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 LP121351 FOR FURTHER DETAILS AND BOUNDARIES

#### ACTIVITY IN THE LAST 125 DAYS

NUMBER STATUS DATE CAVEAT Registered 03/12/2021

----------END OF REGISTER SEARCH STATEMENT-------------

Additional information information and the second of the sole of t

Street Address of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987.

Title 9250/243 The copy must not be used for any other purpose.

Please note that the plan may not be to scale.

Page 1 of 2



Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the Information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 2 of 2

#### ADMINISTRATIVE NOTICES

NIL

DOCUMENT END

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987.

The copy must not be used for any other purpose. Please note that the plan may not be to scale.



# Department of Environment, Land, Water & **Planning**

#### **Electronic Instrument Statement**

Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

D	roduce	М	28	/N3	כו	ハつつ	$\Omega A$	-23-	ΛN	DM.
		u	/ CI	13.1	"	13//				

**Status** Registered Date and Time Lodged 03/12/2021 06:17:37 PM **Dealing Number** 



#### **CAVEAT**

**Jurisdiction VICTORIA** 

#### **Privacy Collection Statement**

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

#### **Land Title Reference**

9250/243

#### Caveator

Given Name(s) **Family Name** 



#### **Grounds of claim**

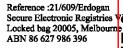
Purchasers' contract with the following Parties and Date.

The Registered Proprietor(s)

#### **Date**

03/11/2021





This copied document is made available for the some purpose openabling its consideration and review as part of a planning ື້ process ພັnder the Planning and Environment Act 1987.

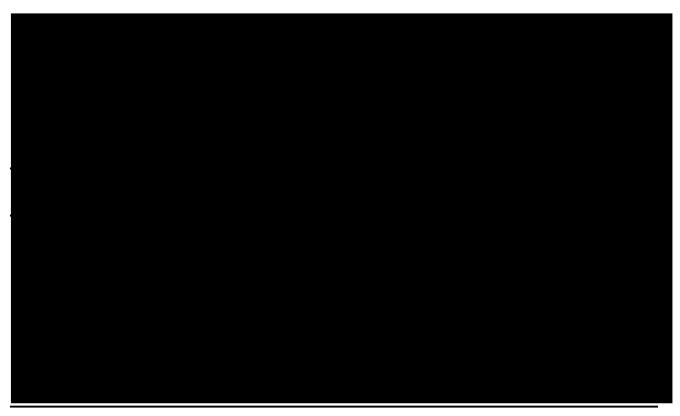
The copy must not be used for any other purpose.





# **Department of Environment, Land, Water & Planning**

#### **Electronic Instrument Statement**



File Notes:

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.





# **Imaged Document Cover Sheet**

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	Plan
Document Identification	LP121351
Number of Pages	1
(excluding this cover sheet)	
Document Assembled	28/03/2022 16:23

#### Copyright and disclaimer notice:

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Secure Electronic Registries Victoria Pty Ltd (ABN 86 627 986 396) as trustee for the Secure Electronic Registries Victoria Trust (ABN 83 206 746 897) accept responsibility for any subsequent release, publication or reproduction of the information.

The document is invalid if this cover sheet is removed or altered.

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987.

The copy must not be used for any other purpose.

22

RESERVE No.1

CATHERINE AVENUE

APPROVED 5/7/77 COLOUR CONVERSION
BLUE = B.1
BROWN = R1 EDITION 1

BANKBURNONTHYCHART 3

ENCLIMBRANCES & OTHER NOTATIONS LOTS I TO 10 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN WAY . DRAINAGE & SEWERAGE DRAINAGE & SEWERAGE APPROPRIATIONS BROWN BL UE

ROAD BULLA 쥰 COURT 2 .85.65£ 9 PHELAN 쥰 쥰 Vol. 8714 Fol. 268 50.58

BOURKE LENGTHS ARE IN METRES PF COUNTY

TULLAMARINE

R

**PARISH** 

PART OF CROWN PORTION

SUBDIVISION

<u>0</u>

PLAN

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The copy must not be used for any other purpose.

# **Building Information Certificate 51 (2)**

Building Act 1993 Building Regulations 2018 Regulations 51 (2)





1079 PASCOE VALE ROAD BROADMEADOWS VICTORIA 3047

Postal Address: PO BOX 119 DALLAS 3047

Telephone: 03 9205 2200 Facsimile: 03 9309 0109 www.hume.vic.gov.au

Our Reference:	WBPI018616
Your Reference:	
Property Address:	2 PHELAN CT TULLAMARINE VIC 3043
	LOT 35 LP 121351 VOL 9250 FOL 243
Property No:	501316
Allotment Area:	0.0683 HECTARES
Development:	

#### **Certificate Details:**

Property information for design purposes:	
The land is in an area liable to flooding pursuant to Regulation 153	No
The land is in an area designated pursuant to Regulation 154.	No
Is the allotment in an area prone to termites pursuant to regulation 150	Yes
Bushfire Prone Areas – refer to BPA Maps available at <a href="www.land.vic.gov.au">www.land.vic.gov.au</a> and the Hume Planning Scheme	
Is the allotment in an area prone to significant snowfalls pursuant to regulation 152	No
The Building Regulations 2018 applies to Single Dwellings and Associated Outbuildings on this allotment.	Yes

#### Please Note

- Planning and other controls may apply for certain types of development on this allotment, any planning enquires should be made to Council's Statutory Planning department, telephone 9205 2309.
- The Building Regulations 2018 apply with respect to building envelopes, see regulation 71. Where building envelopes or similar controls apply the consent of relevant Developer (Development Victoria, Delfin, Stockland, Peet etc) may be required before a Building Permit can be issued.
- Some properties within the Hume municipal district have restrictive covenants on title which may affect or preclude some development proposals. You are advised to obtain an up to date copy of the land title documents before commencing any design works.
- In relation to land liable to flooding or designated land or works, the applicant is also advised to make inquiries with Melbourne Water and the Hume Planning Scheme.
- Bushfire Prone Area maps are available at <u>www.land.vic.gov.au</u>
- New Swimming Pool & Spa registration laws commenced 1 December 2019.
   Pool Owners must register their Swimming Pools & Spas with Council by 1 June 2020.
   www.hume.vic.gov.au for more information and registrations.

Community Infrastructure Levy pursuant to section 24(5) of the *Building Act*Bal Payable \$ 0.00

For inquiries regarding Community Infrastructure Levy please call Council's Strategic Planning Department.

This advice is based on the most current information in Council's records.

Signed: . Date: 28 March 2022
PETER JOLLY

MUNICIPAL BUILDING SURVEYOR, HUME CITY COUNCIL

The information on this certificate is the property of the Hume City Council. Hume City Council does not consent to the application or use of the information on this certificate for purposes or properties other than the property to which the information is applicable. Use of this certificate for purposes other than that which Council allows is strictly prohibited.

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987.

The copy must not be used for any other purpose.





# Proposed Planning Permit Application.

For 3 New Dwellings Replacing Existing Dwelling

# (Hume City Council) SITE & NEIGHBOURHOOD DESCRIPTION AND DESIGN RESPONSE REPORT FOR:

Job No: 187		
	Date : 28.03.2022	
Project Address		
Lot:	Number: 2	
Street Name: Phelan Crt	Suburb: Tullamarine	
Post Code: 3043		

#### **SUBJECT LAND & SURROUNDS**

The land that is the subject of this application is currently owner occupied and has an area of 682.35 square metres, the new 3x dwellings will replace the existing dwelling (please refer to plans). The Proposed new dwelling will be sited in a side by side manner with all 3 units having individual driveways and all be front street facing. The land has a large frontage width of 29.5 metres. The site has no significant fall and the land is flat.

Immediately to the north of the subject site we have no's.225,227,229 a mixture of single storys and double story houses. Directly east to the subject site, there is no.223 Melrose Drive, an existing single storey brick house with a wood paling fence on the neighbouring boundary of the subject site. Immediately west of the subject site is a large single story brick house site no.4, also with wood paling fence on the neighbouring boundary with the subject site. Directly south of the subject site is no's. 7,9,11 Phelan court, also single story brick dwellings with pitched roofs. Surrounding of the subject site mainly consists of single storey and double story dwellings with high pitched roofs. Single story dwellings are being replaced by double story dwellings in the area. Refer to neighbourhood Site description plan.

The surrounding context reflects an eclectic mix of larger single story to Large double storey houses, the style of these dwellings is custom to its own, however they all exhibit varying architectural styles. From modern brick and render. One very noticeable characteristic that is emerging within this area is that all new double storey homes are adopting the same modern architectural style and most vacant lands are being bought and being used to sub-divided to make the most of the land.

#### ZONING & OVERLAYS

The land is zoned General Residential Zone (Clause 32.01) Under the GRZ1 schedule the requirements are as per Clause 55.

Planning Overlay: None. To not affect the proposal.

Pursuant to Clause 32.01-4, the construction of more than one dwelling on the lot requires a planning permit.

The development must be assessed against the objectives and standards of ResCode (Clause 55) of the Hume Planning Scheme pursuant to GRZ1 zone provisions.

The proposal must also be assessed against the State Planning Policy and the Local Planning Policy Framework sections of the planning scheme (which includes the Municipal Strategic Statement).

#### **PROPOSAL**

It is proposed to construct a 3x double storey dwellings in place of the existing dwelling. The dwellings will be constructed in place existing dwelling. The proposed dwellings have the provision of a single car garage. The proposed 3 x double storey dwellings and Individual Street facing driveways give all dwellings adequate space and easy access from the garages to the main road, with the proposed dwellings having a large driveway setback. The layout and positioning of the proposed 3 x double storey dwelling has been thought out and designed carefully so there is no impeding, overshadowing, or blocking of any entry to the proposed 3x dwellings. The site cut explains more on Elevations. Also, 3D Perspectives would explain a little more.

The Site has no significant fall and the land is flat. the proposed site frontage is large taking advantage of the site access to the main road.

The site allows for all 3 dwellings to comfortably co-exist as their own properties within the subdivided land. The proposed dwellings has 3x 4 generously sized bedrooms. The proposed dwellings Master bedrooms are all facing towards the South of the site where ample sunlight throughout the day, the majority of the other bedrooms are north facing this also compliments the design of the dwellings to maximise as much North light to living areas also. All bedroom windows and bathroom windows are obscured to 1.7m above FFL and/or sill heights are above 1.7m. Phelan Court isn't a busy court as it is set within a general residential zone. The court is not a busy road, and the proposal is designed to allow for cars to be able to exit easily. The dwellings have its main living areas located to the north of the property, due to the orientation of the block. We have achieved maximum north facing light to the living areas.

The proposed dwellings reflect a contemporary and modern architectural style with a flat roof on ground floor parapet walls and architecturally designed pitched roofs for the first Floors to the dwellings, with a mixture of flat roof to break the form and reduce bulk on first floors on all dwellings. The main external materials will be a combination of recycled brick, selected render for stand out features and scyon cladding making for a contemporary and modern architectural style.

#### STATE PLANNING POLICY FRAMEWORK

It is submitted that the proposed 3 dwelling development on the subject site does not conflict with the State Planning Policy Framework section of the Hume Planning Scheme.

#### Clause 11 – Settlement

This proposal satisfies the intent of this Clause through diversity of housing choice, facilitating economic viability of this area and promoting energy efficiency by providing

housing close to public transportation. The subject site is located in close proximity to a local shops, recreation reserves and community facilities.

Also, the proposed development will be required to respond to its landscape, valued built form and cultural context. It is submitted that the proposed dwellings have been designed in such a way to be respectful of the existing neighbourhood context. The proposed development reflects this emerging character. There are all Large New homes built within this street with Larger Scales. And smaller scale singles.

#### Clause 11.02 – Urban Growth

By providing for additional housing within an area that is in relatively proximity to an existing activity centre reduces pressure on supply of urban land.

#### Clause 11.04 – Metropolitan Melbourne

One of the strategies of this clause seeks the development of new sustainable communities that provide jobs and housing in growth areas in the north and west, recognising the diminishing options in the southeast. The proposed development of 3x double-storey dwelling in place of the Existing property.

#### **Clause 15 – Built Environment**

The proposal contributes positively to local urban design and enhances liveability, diversity, amenity and safety of the public realm.

The proposed dwellings are well-designed. The proposed 3x double storey dwellings are respectful in terms of scale and form with adjacent and nearby existing double-storey dwellings. Having a diversity of various scales from medium to large double storey dwellings allows for the proposed layout to fit into the neighbourhood without any major difference in shape, size and form. Whereby the layout of these dwellings has been carefully considered to ensure appropriate building separation from adjacent properties and within the development to side boundaries. Due to a wide frontage and adjacent offset of neighbouring dwellings, we are able to propose 3 units to fit in the subject site. The proposed development is well in its own site context and area, which once again does not impede or interfere with the adjoining dwellings.

#### Clause 15.01 – Urban Environment

The proposal will achieve high standards in architecture and urban design. The design detail that has been incorporated into this development acknowledges the evolving character of this section of Hume.

The proposal maintains an appropriate front and rear landscaping buffer to ensure that the development will be integrated into an appropriate garden setting.

#### **Clause 15.02 – Sustainable Development**

This development accords with the current State Planning Policy which actively promotes urban consolidation, with the obvious benefits of having higher density housing within well-serviced areas, as opposed to lower density housing.

The proposed dwellings have been designed to have an excellent northern orientation and West-facing habitable room windows have been minimised. The proposal represents an ecologically sustainable development.

#### **Clause 16 – Housing**

This clause encourages diversity for housing and convenient access (walkability) to activity centres, shops, restaurants, places of worship, public transport, recreation facilities, schools and open space. The provision of new dwellings in place of the existing property on the subject site satisfies the intent of this clause.

#### Clause 16.01-4 – Housing Diversity & Clause 16.01-5 Housing Affordability

The proposed new dwellings facilitates both housing diversity and affordability.

The proposed dwellings represent ideal housing for growing families, as the dwellings has 3x four rooms that are used as bedrooms and having individual garages and Individual driveways to accommodate a secure car spaces.

Most families with children have two cars. Also, the dwelling has been designed in a way where older occupants and those with limited mobility could also occupy.

Therefore, type of housing that is proposed is suitable for a very wide cross-section of the community.

It is important for all areas to have housing options to meet the increasingly diverse housing needs.

#### **Clause 18 - Transport**

The provision of additional housing within an area that is well-serviced by public transport accords with the intent of this Clause.

#### LOCAL PLANNING POLICY FRAMEWORK

#### Clause 21.06 - Residential

Clause 21.06 states that "about two-fifths of Hume's land area is currently devoted to housing, and the municipality will continue to have a strong residential character. However, there will be important changes. In particular, there will be more kinds of housing, more housing combined with other forms of development, and more concentrated housing development in established areas-particularly on dormant industrial sites."

In order to achieve the above, it is submitted that the proposed dwellings will be consistent with the following *objectives* contained in Clause 21.06 of the planning scheme:

- To promote urban consolidation which can play an important part in conserving the environment, increasing consumer choice and concentrating activity around existing infrastructure, including public transport.
- To respond to changing demographics which prompt changing demand for different types of housing.
- *To promote creative and consistent quality urban design.*

The proposed development will be consistent with the following <u>strategies</u> contained in Clause 21.06 of the planning scheme:

- Facilitate innovative forms of residential development and redevelopment on derelict and under-utilised sites.
- Facilitate the integration of affordable housing and housing suited to community needs throughout Hume.
- Support urban consolidation to increase housing choice, reduce community costs and better use existing infrastructure.

#### Clause 22.01 Urban Design Policy

The requirements of Clause 22.01 apply to the whole of the City of Hume. The relevant policy basis states the following:

• "The Municipal Strategic Statement sets out land use directions for the future development and improvement of the municipality. It recognizes the need for council to establish higher development standards and to improve its image.

These higher standards can be achieved by developing and applying urban design principles upon which the future development (and redevelopment) of the municipality can be assessed. In achieving higher design standards, greater economic activity will be attracted to Hume and the community's perceptions of the area will be improved.

These positive outcomes will assist Council in achieving one of the goals in its corporate plan: -to have an environmentally attractive, livable and accessible city."

'Medium density housing' is one of the nine categories of the Urban Design Policy pursuant to Clause 22.01 of the planning scheme. It is submitted that the proposed three dwelling development on the subject site accords with the following policies contained in Clause 22.01-6 of the planning scheme:

- The proposal respects the existing character of the site by incorporating design measures that contribute to the same character and from of the surrounding properties. The provision of contrasting materials, the provision of prominent canopies and flat room display is strong in its elements of verticality. These design measures help to minimise the visual impact and prominence of the proposal.
- The plan demonstrates that the proposed 3x double storey components of the proposed dwellings are appropriately set back away from sensitive interfaces (such as secluded open spaces and habitable room windows).
- The size and scale of the proposal is complementary to the emerging character of this area. The dwellings style are similar to the most recent dwellings that are being constructed within this area.
- The proposed development will maintain an appropriate landscaped interface to its frontage.
- The proposed design incorporates design detail that integrates wall treatment and elevations and typical floor-to-ceiling heights at ground level that are found in the neighbourhood.
- The proposed design incorporates materials that harmonise with the materials commonly found within the immediate neighbourhood context, as well as within the wider area most notably the recycled brick and render.

It is also submitted that the proposed development has been appropriately and sensitively designed.

In terms of 'context and setting' the provision of 3x double storey dwellings with 3 visible garages at the street frontage will reflect a medium-density housing development that is respectful of this area, where the predominant character is a mainly a double-storey dwellings located at the subject site with all at street frontage.

The designer has ensured that the proposal reflects an appropriate 'building envelope (size and scale).' The components of the new dwelling will be appropriately located within the site, well away from side and rear boundaries. that the size and scale of the proposal will not adversely affect adjacent properties.

The subject site not being encumbered by any heritage or special character controls pursuant to the Hume Planning Scheme provides further justification of proposal in its submitted form.

Trees and landscaping will be incorporated into this development and open spaces that are proposed throughout the site are considered generous enough to accommodate canopy tree planting.

The proposed facade patterns and articulation is considered appropriate for this area, which will harmonise with the most recent dwellings that are found within this area.

# RESCODE ASSESSMENT – CLAUSE 55

# CLAUSE 55.01 NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

This application has been accompanied by a neighbourhood and site description and a design response, which has been prepared by the designer and satisfies the ResCode requirements pursuant to Clause 55.01 of the planning scheme.

#### Clause 55.01-1 Neighbourhood and site description

The neighbourhood and site description utilises a site plan outlining the surrounding allotments, existing dwellings and street features (roads, nature strips, footpaths, vehicle crossings, trees, services, etc.). Photographs of the surrounding context have also been provided.

The site is located within close proximity of recreation reserves, shops, schools and public transport.

#### 55.01-2 Design response

A design response in plan form has been submitted, in addition to the photo analysis of the area surrounding the subject site.

#### CLAUSE 55.02 NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

#### Clause 55.02-1 Neighbourhood character objectives

It is submitted that the proposed design respects the existing neighbourhood character and contributes to an emerging neighbourhood character where modest single storey dwellings are being replaced with contemporary, two-storey dwellings. Or subdivided with a new single storey dwelling at rear.

The proposed dwellings reflect a high-quality contemporary and modern design, which will make a positive contribution to the area. The appropriate positioning of the new dwellings, open spaces and vehicle accessways within the subject site ensures that proposed development is respectful of the existing dwellings in close proximity to the subject site.

The provision of Individual driveways and individual garages at the subject site outlines, with generous front landscaping buffer which are attributed to appropriate front setback, which results in a development that satisfies the neighbourhood character outlined in Clause 55.02-1 of the planning scheme.

#### Standard B1

It is submitted that the proposed design response (on the basis of the afore-mentioned provisions) is appropriate to the neighbourhood and the site and satisfies ResCode Standard B1.

#### Clause 55.02-2 Residential policy objectives

It is submitted that the proposed new dwellings residential development is in accordance with the relevant policies for housing contained under both the State Planning Policy Framework and the Local Planning Policy Framework, which has been outlined earlier in this report.

#### Standard B2

This written report describes how the proposed dwellings is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy.

#### Clause 55.02-3 Dwelling diversity objective

Compliance with this objective is mandatory only for developments of ten or more dwellings.

#### Standard B3

Not applicable to a 3-dwelling development.

#### Clause 55.02-4 Infrastructure objectives

It is submitted that the subject land is appropriately serviced with appropriate utilities and infrastructure (including physical and social infrastructure) to accommodate the proposed dwellings. It is unlikely that a 3 proposed dwelling development within this established residential area would unreasonably overload the capacity of utility services and infrastructure.

#### Standard B4

The proposed development will be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas. The proposed development is unlikely to unreasonably exceed the capacity of utility services and infrastructure.

#### Clause 55.02-5 Integration with the street objective

It is submitted that in replacement of existing dwelling 3x new double story dwellings on the site results in a development that is appropriately integrated with the street frontage.

The front door and garages of the proposed dwellings face towards the common frontage leading to the main road. In much the same way as every other dwelling within Phelan court. The new dwellings is appropriately orientated towards their individual driveways.

#### **Standard B5**

The proposed Dwellings provides adequate vehicle and pedestrian links that maintain and enhance local accessibility.

#### CLAUSE 55.03 SITE LAYOUT AND BUILDING MASSING

#### Clause 55.03-1 Street setback objective

The proposed dwellings are designed to replace the existing single storey which is the existing front setback. Therefore, the dwellings are setback more than 7.5m from the allotment boundary.

#### Clause 55.03-2 Building height objective

The flat roof form all 3 dwellings contributes to the relevant building height objective being satisfied. The proposal reflects a development that will be respectful of the existing

neighbourhood context in terms of building height, which is also attributed to the topography of the subject site.

#### Standard B7

The proposal easily satisfies that maximum building height of Standard B7 by having an overall height that is significantly lower than the maximum height of 9.0 metres which is approximately 8.5m) the sight has a slope of more than 2m.

#### 55.03-3 Site coverage objective

The proposed dwellings has been designed to ensure that the site coverage respects the preferred neighbourhood character and responds to the features of the site, by way of appropriate building setbacks and through the provision of adequate secluded open space for the new and existing dwellings.

#### Standard B8

The proposal satisfies this Standard as site coverage that is proposed (53%) is well below the 60% maximum that is allowed pursuant to this Standard. Therefore, the proposal cannot be described as an overdevelopment of the subject land.

#### 55.03-4 Permeability objectives

The proposal has been designed to reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration by minimizing the extent of concrete within rear secluded open spaces and the generous front yards.

#### Standard B9

The proposal will comply with the Standard as more than 20 per cent of the site will not be covered by impervious surfaces.

#### Clause 55.03-5 Energy efficiency objectives

As previously stated, the proposal represents energy efficient dwellings due to excellent orientation.

Doors and windows have been located internally for the new dwellings to facilitate internal cross-ventilation, requiring less reliance on air-conditioning during the summer months.

The proposal will have north-facing windows. West-facing windows have been minimised.

Also, there is also the requirement under the relevant building controls to achieve six-star energy rating for each of the proposed dwellings. It is submitted that Standard B10 will be satisfied at both the planning and building permit stage.

Permit conditions can be imposed by Council to ensure compliance with this section of ResCode.

#### Clause 55.03-6 Open space objective

The subject site has an outlook onto Phelan court, the proposed dwellings have ample backyard space as well as the large frontage.

#### Clause 55.03-7 Safety objective

The proposed new 3x dwelling development has been designed to ensure the layout provides for the safety and security of residents and property.

#### Standard B12

The proposal accords with Standard B12 by ensuring that the entrance to the proposed dwellings, will not be obscured or isolated from the internal as required by this section of ResCode. Entry will face the street

Also, all garages will have remote-control opening garage doors and direct access from the garage into the dwelling is provided for all dwellings, maximising occupant safety.

#### Clause 55.03-8 Landscaping objectives

A detailed landscaping plan has not yet been developed. The layout plan includes indicative planting location which demonstrates that the proposal will respect the landscape character of the neighbourhood.

#### Standard B13

Permit conditions can be imposed by the responsible Authority to ensure compliance with Standard B13 having regard to landscaping provision.

The most important aspect of this proposal is that there is ample space in front of and within secluded open spaces of each of the proposed dwellings to accommodate appropriate landscaping, which can include canopy trees.

#### Clause 55.03-9 Access objectives

Phelan Court is not a busy court and it is appropriate for cars associated with the proposed double storey dwellings, to reverse out of the site onto this street. all dwellings have a garage.

#### Standard B14

It is submitted that the proposal satisfies Standard B14 by the proposed accessways being designed to allow for convenient, safe and efficient vehicle movements and connections within the development and to the street network.

Phelan Court is not defined as a Road Zone Category 1, which would allow cars associated with proposed double storey dwellings, to safely reverse onto this local street.

The new dwellings will have Individual driveways as the new dwellings have their own garages.

The width of the existing vehicle accessways at the street frontage does not exceed 33 per cent of the street frontage thus satisfying Standard B14.

#### Clause 55.03-10 Parking location objectives

The proposed design will satisfy the objectives relating to parking location.

#### Standard B15

The proposal satisfies Standard B15 as the car parking facilities for proposed dwellings are close and conveniently located to the respective dwellings, where access into the dwellings is possible via the garage, which encourages future occupants using the garages for parking as opposed to parking on the street.

#### Clause 55.03-11 Parking provision objectives

The provision of a 'lock-up' garage for the proposed dwellings will ensure that car parking for residents is appropriate to the needs of residents.

#### Clause 55.03-11 Parking provision objectives

The provision of a 'lock-up' garage for the proposed dwellings will ensure that car parking for residents is appropriate to the needs of residents.

Clause 52.06 of the Hume Planning Scheme prescribes the following parking requirements for the proposed development:

Dwelling	No. of bedrooms	Required car parking provisions	Car parking provisions provided
Proposed Dwelling	4	2 car spaces	Single Garage+Car space
Proposed Dwelling Proposed Dwelling	4 4	2 car spaces 2 car spaces	Single Garage+ Car Space Single garage+ Car Space

As the above table demonstrates, all residential parking for the development is provided in accordance with Clause 52.06.

#### **CLAUSE 55.04 AMENITY IMPACTS**

#### 55.04-1 Side and rear setbacks objective

The proposed dwellings have been designed to incorporate side and rear setbacks which respect the existing neighbourhood character and the side and rear setbacks being proposed now adhere to **Standard B17**.

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

There is no boundary on wall construction proposal as the dwelling is setback sufficiently. The only walls close to the boundary are the retaining walls and they are offset by 200mm off the boundary. The retaining walls are also set back from the garage wall.

#### Standard B18

We have proposed garage walls for units 1 and 3 on the boundaries. This complies with Standard B18 in terms of location and length of wall along the relevant property boundaries.

#### Clause 55.04-3 Daylight to existing windows objective

The proposed development does not conflict with the objectives of Clause 55.04-3, nor does the proposal conflict with the requirements of **Standard B19**.

#### Clause 55.04-4 North-facing windows objective

The proposal does not conflict with the objectives of Clause 55.04-4, nor does the proposal conflict with the requirements of **Standard B20**.

#### Clause 55.04-5 Overshadowing open space objective

Due to the provision of appropriate building setbacks and Individual driveways for just the new proposed dwellings, the proposal does not conflict with the objectives of Clause 55.04-5, nor does the proposal conflict with the requirements of **Standard B21**.

#### Clause 55.04-6 Overlooking objective & 55.04-7 Internal views objective

Overlooking will be no issue as we are proposing a well-designed double-storey within the height allowance, and all windows are within relevant heights. (See Plans)

Therefore, there is no conflict with **Standards B22** and **B23**.

#### Clause 55.04-8 Noise impacts objectives

The proposed development has been designed in such a way to contain noise sources within the developments, so that that there is no affect to adjacent properties.

#### Standard B24

In terms of Standard B24 relating to noise sources, provisions such as mechanical plant (external air-conditioning units, heaters, hot-water units, etc.), these can easily be addressed by appropriate permit conditions being imposed by the Responsible Authority.

#### **CLAUSE 55.05 ON-SITE AMENITY AND FACILITIES**

#### Clause 55.05-1 Accessibility objective

It is submitted that the proposed dwellings has been designed to be mindful of visitors with limited mobility to the proposed dwellings in the design of this development by keeping sub-floor heights to a workable minimum.

#### Clause 55.05-2 Dwelling entry objective

It is submitted that the proposal satisfies the dwellings entry objective of Clause 55.05-2. The front entry porch and door of proposed dwellings, faces the common driveway and the front dwelling faces the road.

The provision of 4 mailboxs near the existing with street numbers at the street frontage ensures that the new dwellings can be easily identified from Phelan Court

#### Standard B26

The proposed design of the proposal accords with the requirements of Standard B26 by ensuring that the respective entries to each dwelling are:

- *Visible and easily identifiable from street.*
- Provides shelter, a sense of personal address and a transitional space around the entry.

#### Clause 55.05-3 Daylight to new windows objective

The design of the proposed dwellings ensures adequate daylight into the habitable room windows and fully accords with Standard B27.

#### Clause 55.05-4 Private open space objective

The proposed development has been designed to provide adequate private open space for the reasonable recreation and service needs of residents. In addition to a generous rear secluded open space, the proposal also includes a generous sized garden areas to be compliant with the 35% garden area to be provided for the entire subject site.

#### **Standard B28**

The dimensions of the secluded open spaces the proposed dwellings exceeds the minimum requirements outlined under Standard B28 which require the proposed dwellings to 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."

Private open space is in accordance with the 40m² requirements. The proposed dwelling 1 has an SPOS of 66.12 m² garden space with a generous front yard. The proposed dwelling 2 has a SPOS area of 35.23 m² with a small front landscape area to give it a calculation of close to 40m². The proposed dwelling 3 SPOS of 52.25m². giving it ample space under the requirements. All SPOS requirements under the standard B² have been met.

#### Clause 55.05-5 Solar access to open space objective

The designer has developed building envelopes that allow solar access into the secluded private open space for the proposed dwelling.

Being appropriately located within the site, the secluded open spaces to the proposed dwelling will satisfy the requirements of **Standard B29** with respect to orientation to receive adequate sunlight. The living and POS area will receive sunlight throughout the day. As they are oriented to north.

#### **CLAUSE 55.06 DETAILED DESIGN**

#### Clause 55.06-1 Design detail objective

It is submitted that the proposed development reflects appropriate design detail from a neighbourhood character point of view, acknowledging the most recent developments that have occurred in this area.

#### Standard B31

The proposed design of the proposed double storey dwellings includes:

• Appropriate front facade articulation and a recessive building form.

- The provision of canopies to create a strong element of verticality throughout.
- The render finishes, being appropriate from a neighbourhood character point of view. Such provision contributes to lightness of structure. Brick finish to be within Character. Also ebony ultrawood cladding to contribute to the contemporary design elements.
- Window and door proportions that is complementary with existing dwellings within the surrounding area.
- The proposed garages for the new dwellings minimises impact from the street.

Overall, Standard B31 encourages designs to be of an appropriately innovative nature as well as of a high architectural standard, which this particular dwellings has satisfied. The flat roof of first floor form reflects an architectural detail that is becoming common throughout this part of Hume in recent years and contributes to a contemporary and modern design.

The most important aspect of the proposed design is its high-quality design that reflects a development of its time.

#### Clause 55.06-2 Front fences objective

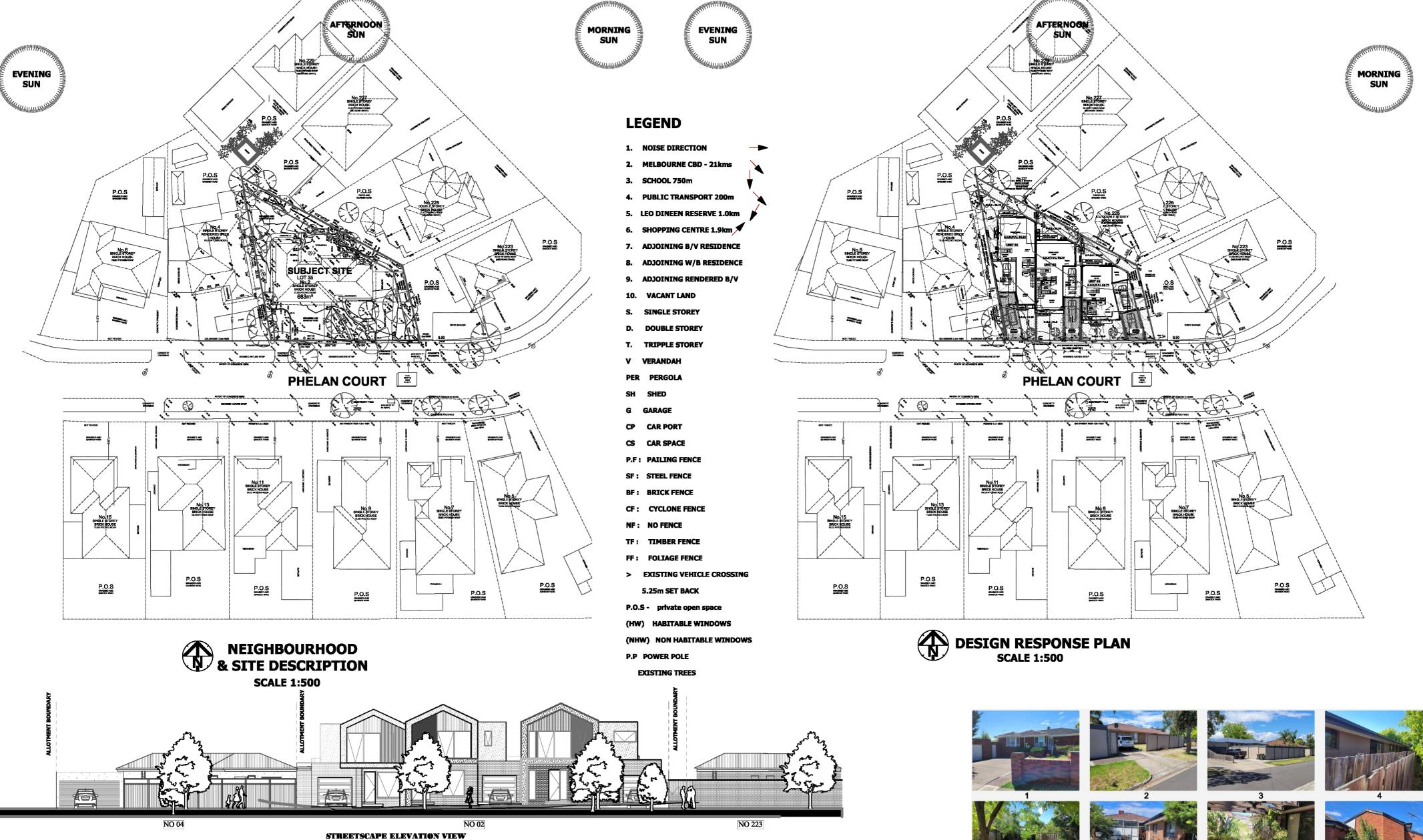
No front fence this accords with the existing neighbourhood character and does not conflict with Standard B32.

#### Clause 55.06-3 Common property objectives

Proposed common property cannot be avoided for this type of development.

#### Clause 55.06-4 Site services objectives

The proposed double storey dwellings has been designed in such a way to ensure that site services can be installed and easily maintained, as well as the site facilities being accessible, adequate and attractive. Permit conditions can be imposed by the Responsible Authority to ensure that the specific requirements of **Standard B34** are satisfied.



Prior to commencemnt of works, the following provisions relating to the protection of existing street trees must be undertaken to the satisfaction of the Responsible Authority:

- i) A suitable Tree Protection Zone of 2.0m-metre radius with barrier fence must be established around the street tree/s on the Phelan Rd. Street frontage.
- ii) The Protection Zone must be enclosed using a 2 metre high temporary cyclone fence or similar, which must remain in place through all stages of the development. This fence must not enclose the footpath, which must be kept clear for pedestrian access, and a sign must be erected on the fence informing that the fence is a Tree Prototion Zone'.

All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated

- iii) The Area within the Tree Protection Zone must not be disturbed by any means including, parking of vehicals or storage of plant and eqipment, materials, soil or waste.
- iv) No excavation is allowed within the Tree Protection Zone except with the consent of

Council's Town Planning Department and under the supervision of a qualified Arborist.

SITE IS FLAT ADJACENT P.O.S TO BE PROTECTED FROM OVER VIEWING WITH A 1800H TIMBER PAILING FENCE.

FROM PHELAN ROAD SCALE: 1:200

> NOTE: **MATERIALS, COLOURS AND TEXTURES ARE** SELECTED TO HIGHLIGHT THE ARCHITECTURAL

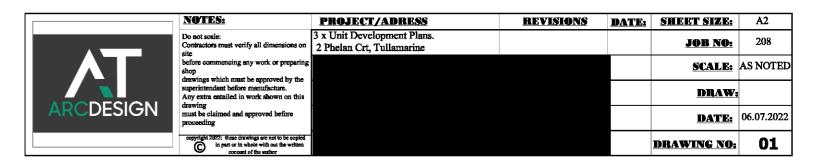
FORMS AND REFLECT THE ADJACENT DW FLINGS Copied document is made available for the sole purpose of enabling its consideration and review as part of a planning NOTE: BREAK UP LARGE FORMS WITH

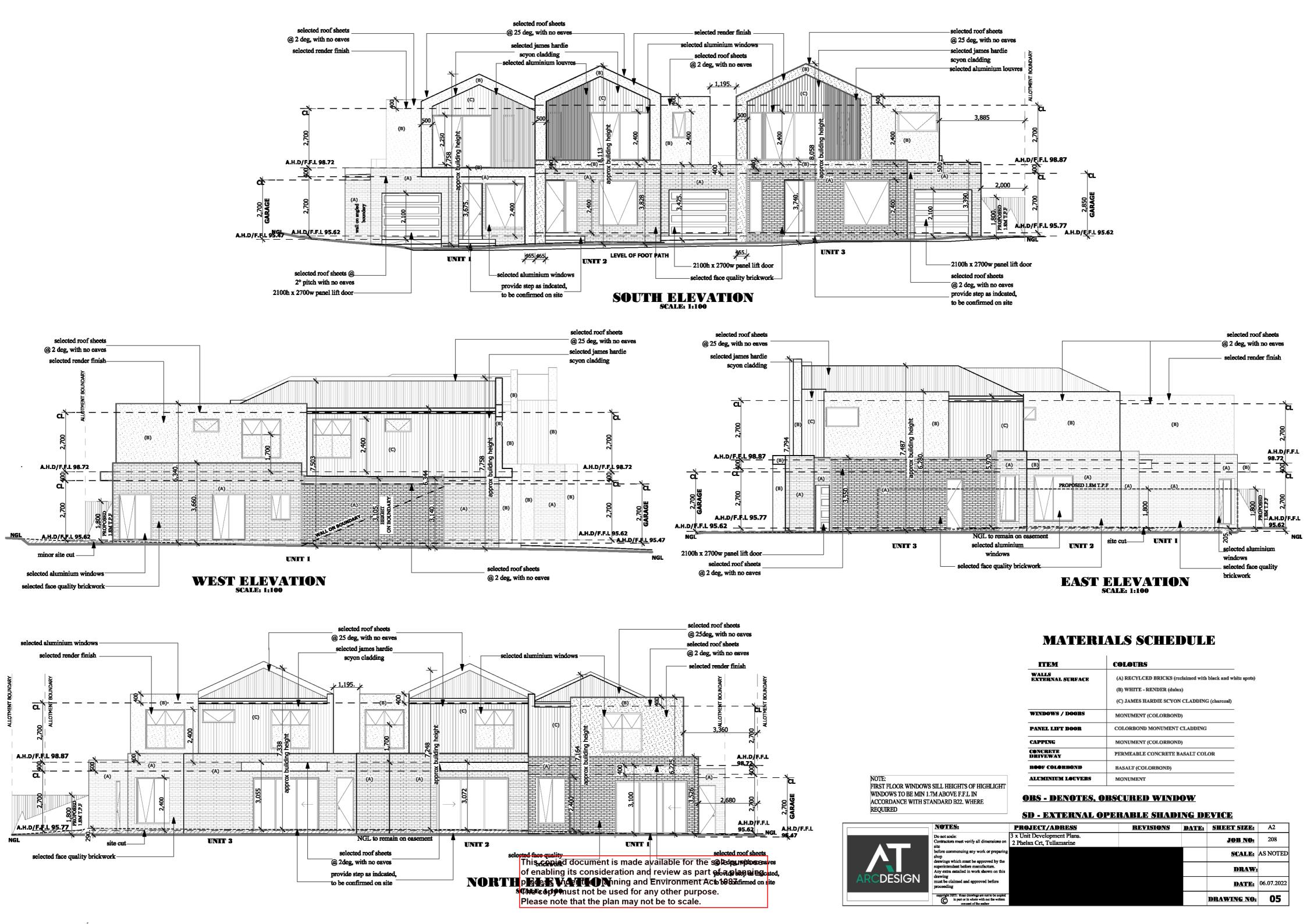
ARTICULATED DIMENTIONS IN PLAN AND

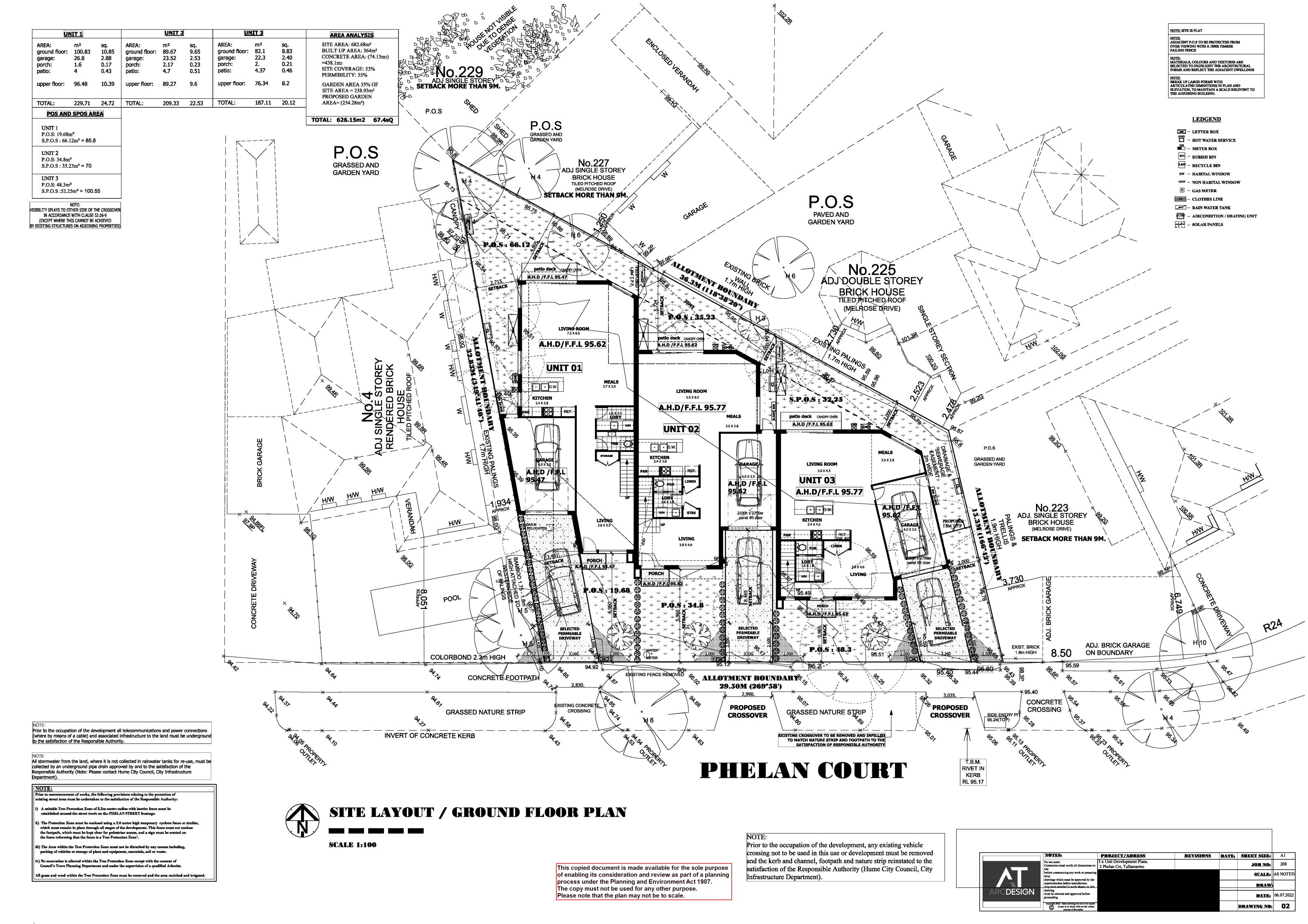
ELEVATION, TO MAINTAIN A SCALE RELEVENCE FOODY must not be used for any other purpose.

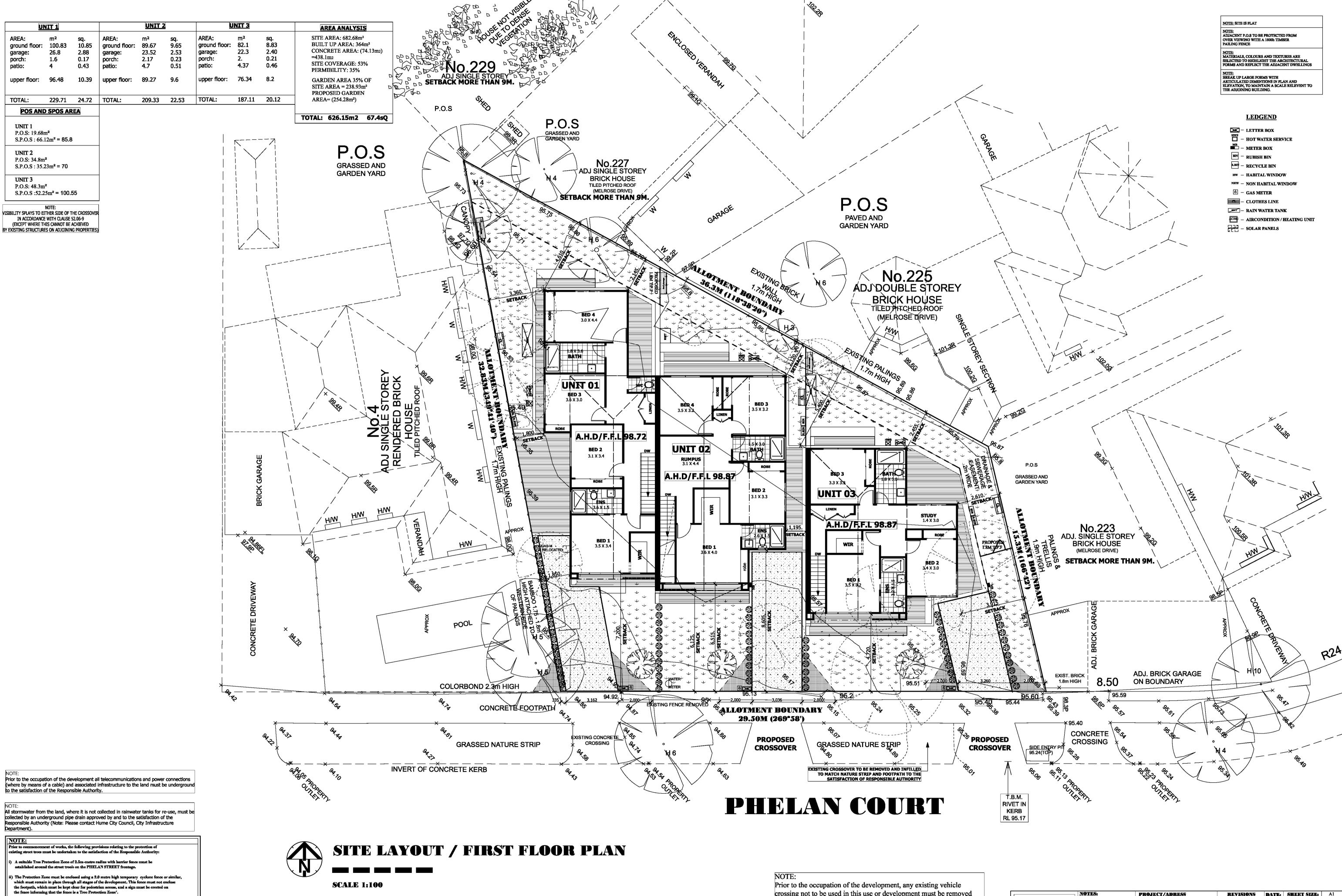
Please note that the plan may not be to scale. THE ADJOINING BUILDING.











iii) The Area within the Tree Protection Zone must not be disturbed by any means including, parking of vehicles or storage of plant and equipment, materials, soil or waste. iv) No excavation is allowed within the Tree Protection Zone except with the consent of

Council's Town Planning Department and under the supervision of a qualified Arborist.

All grass and weed within the Tree Protection Zone must be removed and the area mulched and irrigated.

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The copy must not be used for any other purpose. Please note that the plan may not be to scale.

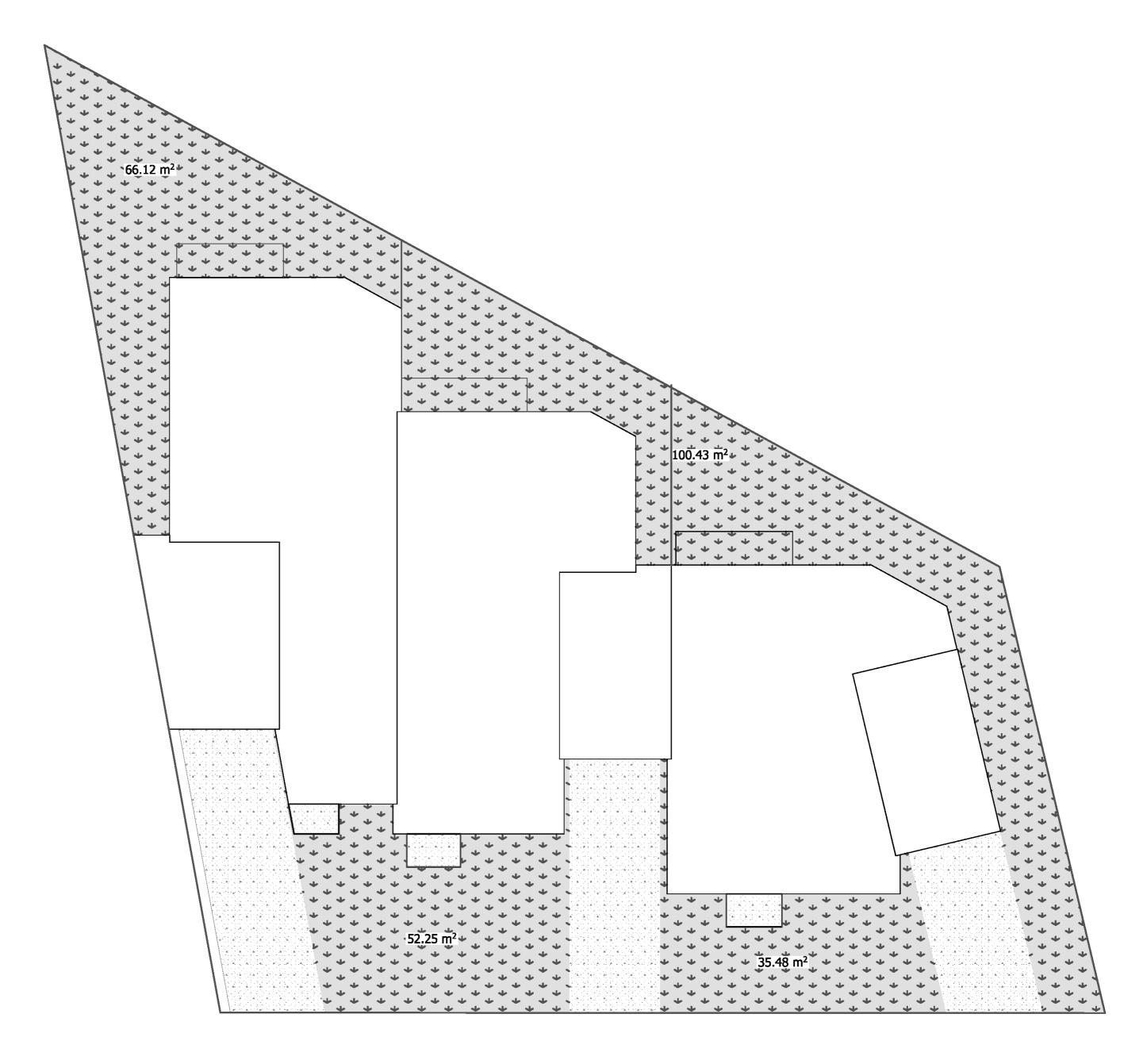
crossing not to be used in this use or development must be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority (Hume City Council, City Infrastructure Department).

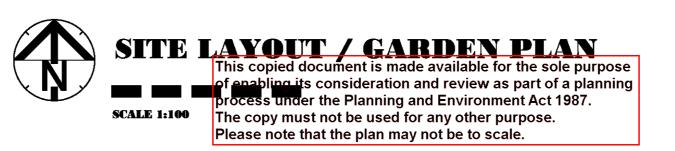
	NOTES:	PROJECT/ADRESS	<u>REVISIONS</u>	DATE:	SHEET SIZE:	A1
	Do not scale: Contractors must verify all dimensions on site	3 x Unit Development Plans. 2 Phelan Crt, Tullamarine			JOB NO:	208
	before commencing any work or preparing shop drawings which must be approved by the				SCALE:	AS NOTE
ADODECION	superintendant before manufacture.  Any extra entailed in work shown on this drawing				DRAW:	
ARCDESIGN	must be claimed and approved before proceeding				DATE:	06.07.202
	copyright 2022: these drawings are not to be copied in part or in whole with out the written concent of the author				DRAWING NO:	03
	•	•				

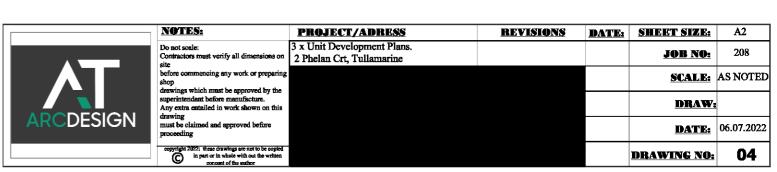
#### **AREA ANALYSIS**

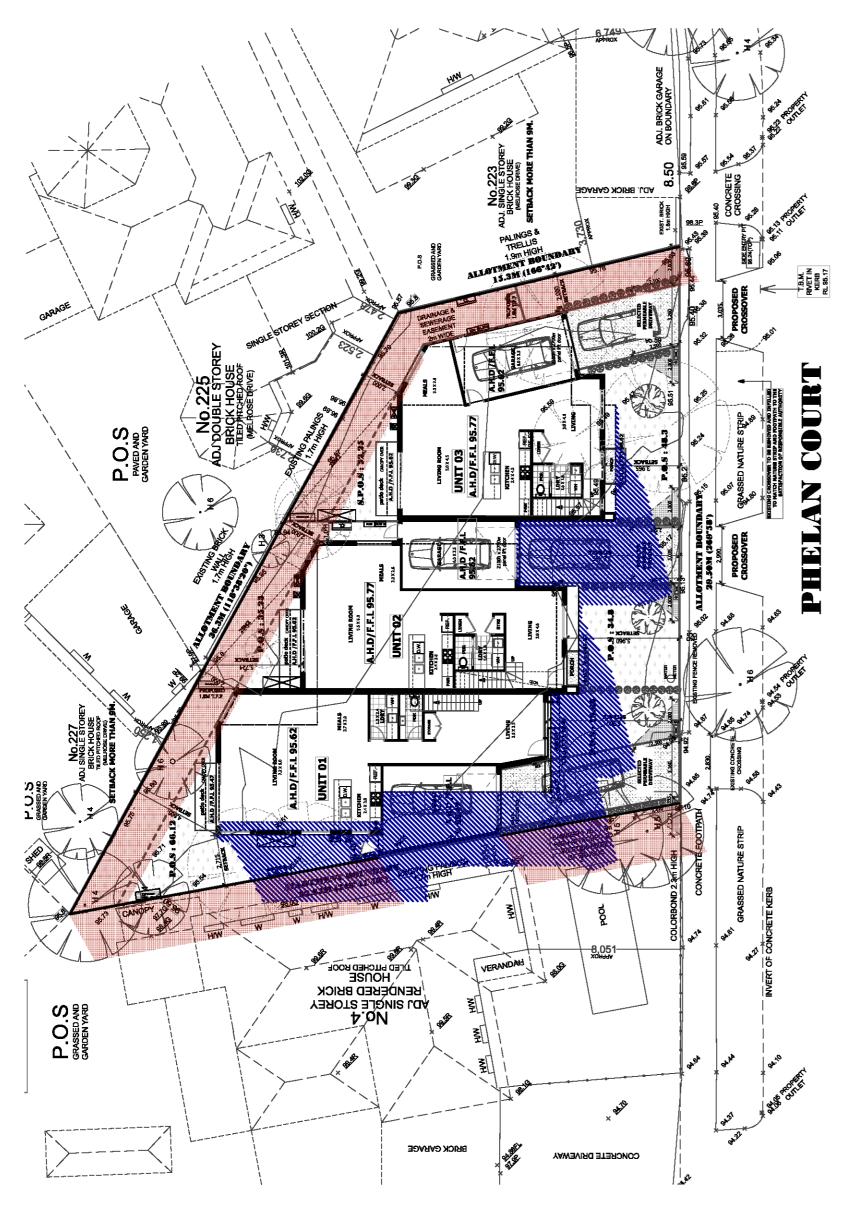
GARDEN AREA 35% OF SITE AREA = 238.93m<sup>2</sup> PROPOSED GARDEN AREA= (254.28m<sup>2</sup>)

<u>LEDGEND</u>				
+ +	GARDEN AREA			
4 2	PERMEABLE AREA			

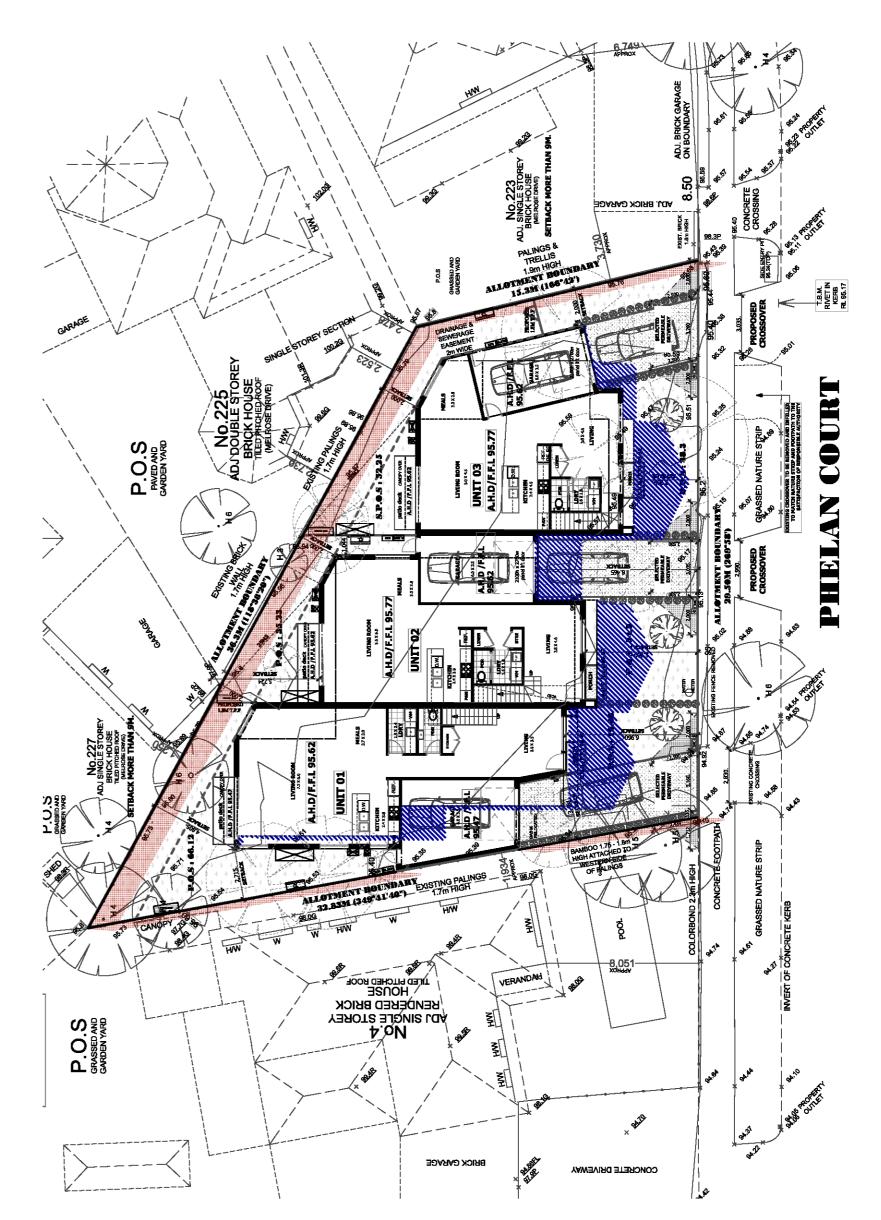






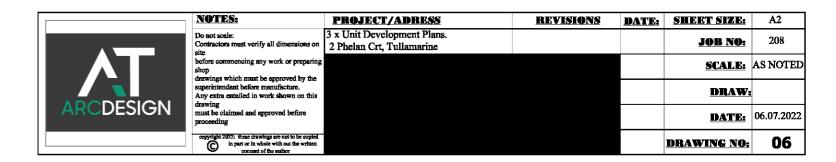


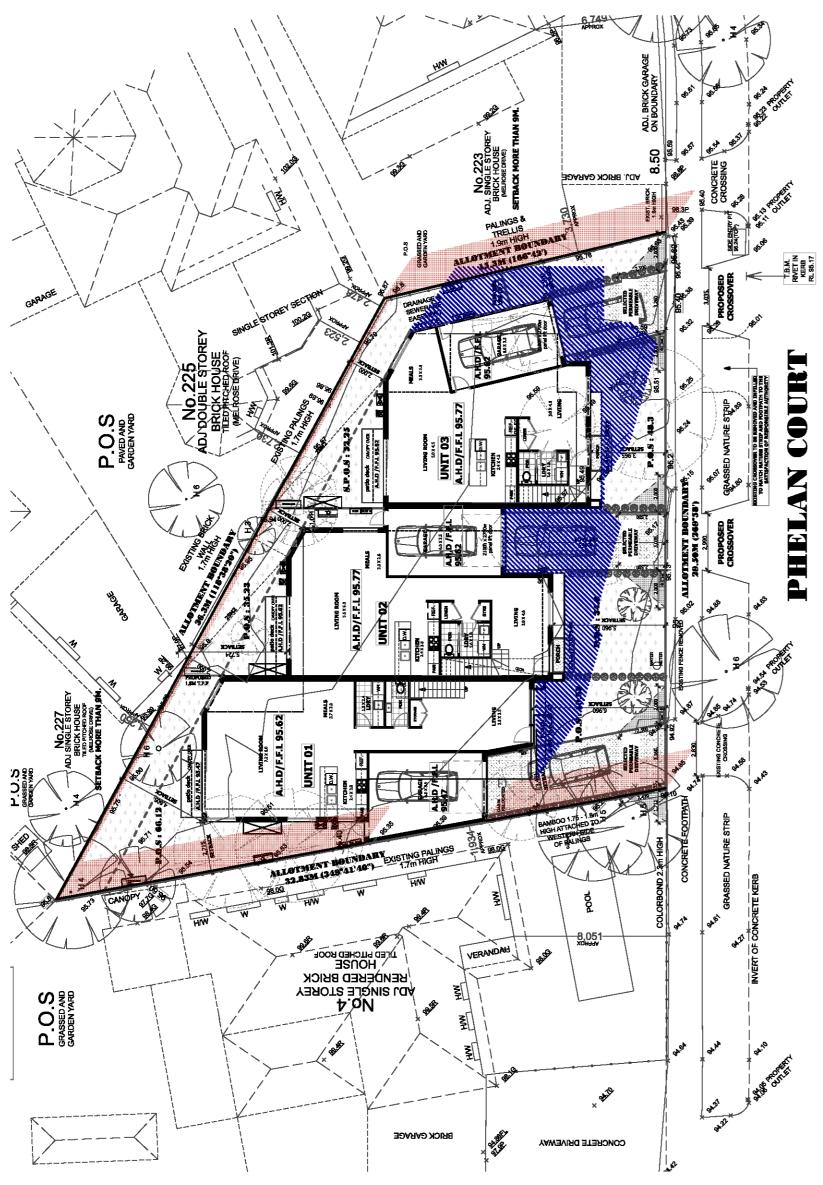






# SUN SHADE DIAGRAM: SEPTEMBER 22 - 12PM SCALE: 1:200





SUN SHADE DIAGRAM:
SEPTEMBER 22 - 3PM
SCALE: 1:200

ARCDESIGN	NOTES:	PROJECT/ADRESS	REVISIONS	DATE:	SHEET SIZE:	A2
	Do not scale: Contractors must verify all dimensions on site	3 x Unit Development Plans. 2 Phelan Crt, Tullamarine			<u> JOB NO:</u>	208
	before commencing any work or preparing shop drawings which must be approved by the				SCALE:	AS NOTED
	superintendant before manufacture.  Any extra entailed in work shown on this drawing				<u>DRAW:</u>	
	must be claimed and approved before proceeding				DATE:	06.07.2022
	copyright 2022; these drawings are not to be copied in part or in whole with out the written concent of the suther				DRAWING NO:	07



