

Enquiries to: Tom Albert
Phone: 9524 3377
Email: talbert@gleneira.vic.gov.au



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CITY COUNCIL

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15 August 2023

Danny Haesy
PO BOX 3204
PRAHRAN EAST VIC 3181

Dear Applicant

Planning Application No.: GE/DP-36420/2023
Property: 139 HAWTHORN ROAD CAULFIELD NORTH AND 141
HAWTHORN ROAD CAULFIELD NORTH

Proposal: CONSTRUCTION OF A THREE STOREY RESIDENTIAL
APARTMENT BUILDING, A FRONT FENCE EXCEEDING
1.5M IN HEIGHT (TO HALSTEAD ST), ALTER ACCESS IN A
TRANSPORT ZONE 2 (HAWTHORN RD) AND A
REDUCTION TO THE STATUTORY CAR PARKING
REQUIREMENTS

I received your planning application for the above property and having reviewed the documentation, am requesting further information. When all of the information is provided, Council can assess your application. To streamline this process, please follow the steps below.

Step 1: The deadline

The requested information must be submitted by **13 October 2023**, otherwise this application will lapse and need to be restarted. Please keep this date at the forefront of your mind.

Step 2: Identify if you need more time

A request for an extension of time to provide the information can be made by sending a separate email to mail@gleneira.vic.gov.au no later than **12 October 2023**. In your email include the reason you need more time and a reasonable revised due date.

Step 3: Address the issues identified

Council has undertaken a preliminary assessment of your proposal and identified the following issues:

Area of Aboriginal Cultural Heritage Sensitivity

1. The subject site is located within an area of Aboriginal Cultural Sensitivity. Under the *Aboriginal Heritage Act 2006 (AH Act)* Planning Permit applications for the construction of three or more dwellings on the lot require a Cultural Heritage Management Plan (CHMP) unless it can be demonstrated that significant ground disturbance has occurred to the material part of the site. Further information has been requested regarding this point.

Internal Amenity

GLEN EIRA CITY COUNCIL
CORNER GLEN EIRA AND HAWTHORN ROADS, CAULFIELD, VIC
PO BOX 42, CAULFIELD SOUTH 3162

ABN 65 952 882 314 • P 03 9524 3333 • F 03 9523 0339
NATIONAL RELAY SERVICE TTY 13 36 77 • SPEAK AND LISTEN 1300 555 727
INTERNET-RELAY.NRSCALL.GOV.AU THEN ENTER 03 9524 3333 • MAIL@GLENEIRA.VIC.GOV.AU
GLENEIRA.VIC.GOV.AU

2. While it is acknowledged the apartments comply with the prescribed internal requirements under Clause 55.07, concerns are raised regarding the exclusively southern facing apartments. This, coupled with the proposed 1.7 metre high screening, offer poor internal amenity for future residents. Consideration should therefore be made to lessen the extent of southern facing screens, if possible. (NB: Pursuant to Clause 15.01-2L-01, a preference is given toward alternative designs, rather than screening).

Impact on off-site amenity

3. It is unclear from the information provided whether the application complies with Clause 55.04-3 and Clause 55.04-4. Further information has been provided regarding this point.

Location of services

4. The location of the services along the south-western corner of the site has the potential to be visually obtrusive. It is highly recommended this area be better incorporated into the development / fence design. Further information has been requested regarding this point.

Referrals

5. The application has been referred to VicRoads, Council's Urban Designer, Assets Engineering, Parks and Gardens (Arborists), and Traffic Engineers. If any further issues arise, these will be forwarded onto you in due course.

Step 4: Additional information required

In order to fully assess the application we need the following information from you to be able to proceed, please provide Council with the following information:

Forms

1. Amend the Application Form to note the current owners of the land as per the submitted Certificate of Title.

Plans

2. Note the height of existing boundary fences / walls on the plans, if relying on these structures to screen the ground floor habitable spaces.
3. Dimension the distance from neighbouring habitable room windows to the title boundary.
4. Include a notation of the area set aside for deep soil planting within the Development Summary, as per Standard B38.

Elevations

5. The proposed service cupboards have a direct interface with the public realm. Therefore, please provide an enlarged elevation, with annotations detailing how it is to be integrated into the proposed development/front fence (NB: the current front fence elevation indicates the services will not be well-integrated into the development)
6. Updated shadow diagrams drawn to a scale of 1:100 or 1:200 for the hours of 9:00am, 10:00am, 11:00am, 12:00pm, 1:00pm, 2:00pm and 3:00pm on 22 September depicting existing (e.g. shadow impacts from fences and adjacent buildings) and proposed conditions. The shadow diagrams must depict shadows cast by existing buildings on adjacent properties.

Cultural Heritage Management Plan

7. The subject site is located within an area of Aboriginal cultural heritage sensitivity.

Under the *Aboriginal Heritage Act* 2006 (*AH Act*) Planning Permit applications for the construction of three or more dwellings on the lot require a Cultural Heritage Management Plan (CHMP) unless it can be demonstrated that significant ground disturbance has occurred to the material part of the site.

Further information on the CHMP process can be obtained from the OAAV via their website <http://dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-affairs-overview> or by telephone on 1800 762 003.

Please note: pursuant to Section 52 of the *AH Act* if a CHMP is required, the Statutory Clock does not start until an approved CHMP is received by Council and a decision cannot be issued until the application complies with the approved CHMP.

Step 5: How to submit your further information

To submit your response to further information please visit:

[Click Here](#)

Step 6: Familiarity with the legislation

This is a request for additional information under Section 54(1) of the Planning and Environment Act 1987. We won't go into details of the Act here, but highly recommend you familiarise yourself with it on the Victoria Department of Planning [website](#).

Step 7: Good to know

- As part of the planning process, any material submitted with an application will be made available to the public. We may provide copies to interested parties for their consideration and review
- If your plans are amended to alter the design of the development, ensure all supporting documentation (written responses, design response, shadow diagrams) is modified accordingly.

We appreciate the time taken to amend the plans and understand you may have questions regarding these steps. The Urban Planning team is here to assist during office hours on 9524 3333.

All the best,



Tom Albert
PRINCIPAL URBAN PLANNER