

**VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL**

**PLANNING AND ENVIRONMENT DIVISION**

**PLANNING AND ENVIRONMENT LIST**

VCAT REFERENCE NO. P576/2019

**APPLICANTS** Dongbiao (Michael) Su & Rong Xu

**RESPONSIBLE AUTHORITY** Whitehorse City Council

**SUBJECT LAND** 11 Branksome Grove  
BLACKBURN SOUTH VIC 3130

**STATEMENT OF CHANGES TO PLANS**

**Residence 1**

- Reduction in overall house area, in particular 1<sup>st</sup> floor (- 9.51 SqM) to reduce bulk, footprint.
- Increase to North facing first floor walls setback from 1.86 to 2.41 (opens up North-West front 2-storey wall to adjoining property.
- Change in materials/finish/appearance and indentation of first floor, creating more articulated appearance/deletion of “shear walls”
- Increased setback of bed 3 from north boundary to first floor, improved POS setbacks clear to sky dimensions to POS-1 generally, smaller upper floor footprint to rear of residence (more articulated)
- More ‘Contemporary’ façade with no 2-storey shear wall in brickwork (south elevation in particular is “less bulky” in appearance
- Increased POS-1 area and minimum 5.0m dimensions beyond ResCode/Council requirements
- Deletion of fence and opening up of sight lines for turning curve/area to driveway between residence 1 & south boundary.
- Improved turning area/arc leading to Garage 1 much improved, along with safety and ability for cars to turn from both garages. Slight increase to clearance of gar. to south boundary
- 500mm min. garden bed along south boundary ILO 350mm. Driveway width increased from 2.5m to 2.6; 3.5m min. clearance retained
- Wider POS-1 width allows for medium size canopy tree to Res-1; along with 2 larger canopy trees to front yard space + 1 medium size canopy
- All upper floor windows now obscured/screened or have sills at 1.7m or higher; even those not requested by adjoining owners or required to be screened/obscured by regulations

**Residence 1**

- Improved POS-1 min. width from 4.82m to 5.0m
- Reduction in upper floor area reduced considerably (18 SqM); bed room 2 deleted & replaced with single storey roof line (over kitchen area)

- Improved outlook/open feeling to main POS-1 north-east area due to deletion of Bed 2 and shear walls over kitchen areas
- Setback to garage wall on boundary increased from 180mm to 200mm to comply with Planners suggestion. (even if it complied with Building Code/Ministers Guidelines)
- Slight improvement (150mm) to upper floor setbacks to South, East & North facing elevations by cladding type change (more articulated appearance)
- Change in materials/finish/appearance and indentation of first floor, creating more articulated appearance/deletion of “shear walls”
- More ‘Contemporary’ façade with no 2-storey shear wall in brickwork (south elevation in particular is “less bulky” in appearance
- Improved turning area/arc leading to Garage 1, which also helps cars changing direction from Residence 2, improved visibility/safety for cars to turn from both garages.
- 500mm min. garden bed along south boundary ILO 350mm. Driveway width increased from 2.5m to 2.6; 3.5m min. clearance retained (wide garden bed opposite gar-1 retained for small tree)
- All upper floor windows now obscured/screened or have sills at 1.7m or higher; even those not requested by adjoining owners or required to be screened/obscured by regulations
- Deletion of Bed 2 and single storey roof line over kitchen/part dining allows for single ‘canopy tree’ to POS-1 of Res-2 with improved clearance to 2-storey walls

### **General/Site**

- Overall reduction in upper floor areas greatly improved, with reduction of shear walls and ‘bulky’ appearance
- More ‘Contemporary’ appearance to both dwellings (appearance now similar to unit Development at No. 1 Branksome -5 lots north)
- Minimum ‘Garden Area’ of 35% now met

### **WHY THE CHANGES HAVE BEEN APPLIED FOR/IMPROVEMENT TO PROPOSAL**

The amendments are applied for to address:

1. Objector concerns regarding overlooking; and
2. The Council’s reasons for refusal.

Specially, the amendments improve the development proposal by:

- A. Complying with and exceeding ResCode requirements regarding overlooking.
- B. Reducing the built form bulk and scale of the proposal.
- C. Meeting the landscape character objective of the Significant Landscape Overlay.
- D. Providing a substantially better response to local planning policy.
- E. Providing for appropriate vehicle turning manoeuvres.

