

**PLANNING AND ENVIRONMENT LIST**

**FORM B – STATEMENT OF GROUNDS**

*To be completed by Referral Authorities and objectors*

To: The Principal Registrar  
Victorian Civil and Administrative Tribunal  
55 King Street  
MELBOURNE VIC 3000

<b>Subject Land</b>	6 Paine Street NEWPORT VIC 3015	<b>VCAT Reference:</b> P27/2012
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*Please tick appropriate box*

- ☐ I intend to appear and present a submission at the hearing, if I am available on the allocated date.
- ☐ I am unable to attend the hearing, but wish my statement of grounds to be considered.

Estimate of time to present my case to VCAT, including any expert witnesses: \_\_\_\_ minutes.

Set out a concise summary of grounds; attach additional sheets as required.

**Compliance with Council's built form requirements**

The development needs to comply with Council's in-fill guidelines, which are largely re-iterated in the Delegates Report. In summary:

- Increase ground level set-back on all boundaries.
- Increase 1<sup>st</sup> floor set-back well behind ground level footprint.
- Introduce pitched and hipped roofs, change materials to complement surrounding built form.
- Increased parking provision on site. Place parking underground if necessary.

**Non-Compliance**

The objections are maintained on the failure of the Application to comply with the following:

- Heritage/Neighbourhood Character**
- Design** – compliance with Council's in-fill guidelines.
- Scale/Amenity** – park/community character/development.
- Car parking** - Insufficient onsite parking, impact on current residents street parking amenity.
- Sustainability** - The proposed development does not meet best practice guidelines for sustainable development.

## **Neighbourhood Character and Heritage Overlay**

The proposed development and precinct is subject to a Heritage Overlay. I do not believe that the proposed design complies with the Heritage Overlay requirements for new developments.

Overall, the proposed three to four-storey scale of the development throughout the whole of the site does not respect the existing or preferred neighbourhood character which is defined by low scale single and double storey predominately timber houses.

The proposed development will have an adverse impact on the heritage values and neighbourhood character of the precinct due to its:

- a. height and mass;
- b. materials, shapes, colour and bulkiness,
- c. roof form;
- d. proximity to boundaries, continual built form covering nearly the entire site;
- e. and many other detailed elements of the design.

## **Traffic and Parking Congestion**

The proposed development significantly fails to meet RESCODE standards and does not provide adequate parking for the number of proposed residences. Whilst some on-site parking is provided, the balance of cars are expected to park in the surrounding streets which are very narrow. When cars are parked on each side of the street the traffic can only flow through single file in one direction at a time. If cars are parked on both sides of the street, and up to the driveways of those residences with off-street parking, entry and exit into these driveways is almost impossible. Likewise, delivery trucks, garbage collection and the like will be impeded.

## **Park Amenity**

Users of the south side of Armstrong reserve (in particular the children's playground) have their ability to quietly enjoy the park reduced with the knowledge of the abutting apartments having direct overhead and adjacent viewing platforms and windows. This creates a situation where people within the development can observe park users without the park users being aware. Obviously this makes for uncomfortable use of the area for parents and children.

Council's advisor suggested relocating certain park infrastructure to accommodate this developments proximity to the park. This suggestion would result in centralising the infrastructure to the middle of the park or Wilkins St side, eliminating any reasonable space for kick-ball activities and placing children closer to the basketball court and the busiest road surrounding the Armstrong Reserve.

## **Overbearing**

There are no 3 or 4 storey structures in the surrounding neighbourhood. The massively oversized proposed development would be an all-pervading overbearing presence to residents and visitors.

## **Widescale Impact**

Due to the massive size of this development and importance of Armstrong Reserve as the focal point of the neighbourhood, the detrimental impact to heritage value and existing neighbourhood character is felt not just in the streets immediately bordering this site, but for many blocks in all directions.

THE FOLLOWING MUST BE COMPLETED:

I certify that I have served a copy of this Statement of Grounds:

*Please tick appropriate box*

☒ on \_\_\_\_ / Feb / 2012 the Applicant Best Hooper Solicitors

☒ on \_\_\_\_ / Feb / 2012 the Hobsons Bay City Council

Failure to serve a copy of your Statement of Grounds on BOTH the Responsible Authority and the Applicant may result in you being unable to be heard at the hearing or have your objections considered.

Name of objector or referral authority:

\_\_\_\_\_  
*Please print clearly*

Address for service:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Address for service of documents must be in Victoria  
(Please see Rule 4.08, VCAT Rules 2008)*

Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_ Fax: \_\_\_\_\_  
(B/H) (B/H)

Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Email address: \_\_\_\_\_

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